

# Minutes

## Ordinary Council Meeting

**28 June 2022**

**Reconvened 4 July 2022**

*By signing these minutes I certify that they were confirmed at the Ordinary Council Meeting held on Tuesday, 23 August 2022 by resolution of Council*

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CR FILOMENA PIFFARETTI, MAYOR  
CHAIRPERSON

## Meeting Procedures

1. All Council meetings are open to the public, except for matters dealt with under 'Confidential Items'.
2. Members of the public who are unfamiliar with meeting proceedings are invited to seek advice prior to the meeting from a City Staff Member.
3. Members of the public may ask a question during 'Public Question Time'.
4. Meeting procedures are in accordance with the City's *Standing Orders Local Law 2021*.
5. To facilitate smooth running of the meeting, silence is to be observed in the public gallery at all times, except for 'Public Question Time'.
6. Persons are not permitted to record (visual or audio) at the Council meeting without prior approval of the Council.
7. Council meetings will be livestreamed in accordance with the resolution of 24 August 2021. Images and voices may be captured and streamed. If you have any issues or concerns regarding the live streaming and recording of meetings, please contact the City's Governance team.
8. In the event of an emergency, please follow the instructions of City of Bayswater Staff.

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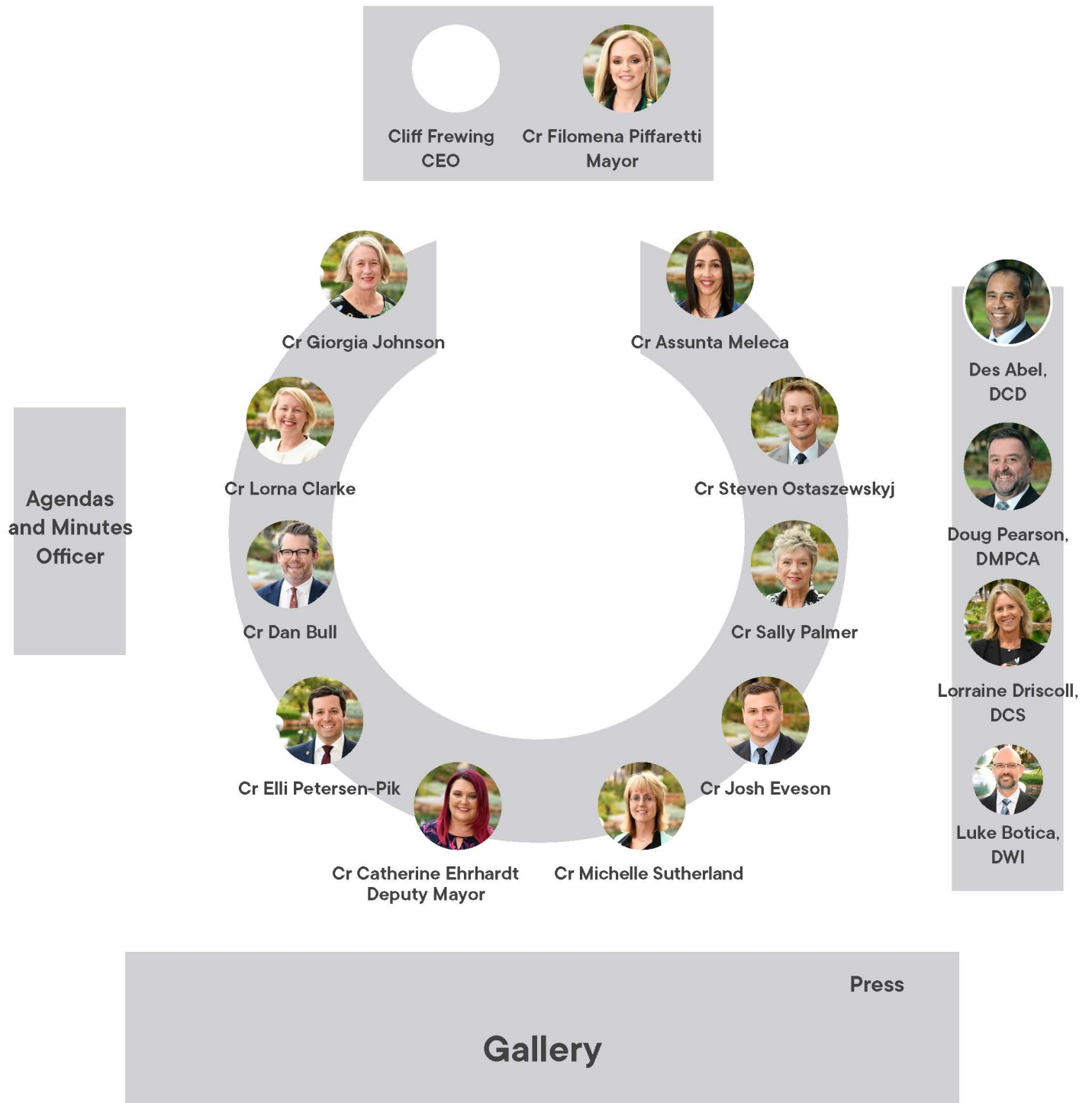
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# Council Chambers Seating Plan



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

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

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

#### **6.9 DEPUTATIONS**

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

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**Minutes** of the Ordinary Council Meeting of the Bayswater City Council which took place in the Council Chambers, City of Bayswater Civic Centre, 61 Broun Avenue, Morley on Tuesday 28 June 2022.

## 1 OFFICIAL OPENING

The Chairperson, Cr Filomena Piffaretti, Mayor, declared the meeting open at 7:00pm.

## 2 ACKNOWLEDGEMENT OF COUNTRY

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

### Noongar Language

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

### English Language Interpretation

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

The Chairperson, Cr Filomena Piffaretti, 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

#### North Ward

Cr Filomena Piffaretti, Mayor (Chairperson)  
Cr Josh Eveson

#### Central Ward

Cr Assunta Meleca  
Cr Sally Palmer  
Cr Steven Ostaszewskyj

#### South Ward

Cr Catherine Ehrhardt, Deputy Mayor  
Cr Elli Petersen-Pik

#### West Ward

Cr Dan Bull  
Cr Giorgia Johnson

### Officers

Mr Cliff Frewing  
Mr Des Abel

Chief Executive Officer  
Director Community and Development

Mr Doug Pearson	Director Major Projects and Commercial Activities
Ms Lorraine Driscoll	Director Corporate and Strategy
Mr Luke Botica	Director Works and Infrastructure
Mr Mitchell Halls	Minutes and Agenda Officer
Mr Dan West	Manager Sustainability, Environment and Waste
Ms Helen Smith	Manager Development and Place
Mr Michael Worthington	Manager Environmental Health and Statutory Planning
Ms Alix Bray	Principal Strategic Planning and Place
Mr Gwyn Hitchin	Coordinator Tree Services
Mr Michael Robson	A/Coordinator Statutory Planning
Mr Tom Stacey	Senior Project Manager Support
Ms Karen D'Cunha	A/Governance Project Officer
Ms Alex Barker	Technical Officer – Tree Services

### **Observers**

Press - 0

Public - 48

### **4.1 Apologies**

Nil.

### **4.2 Approved Leave Of Absence**

<b>Councillor</b>	<b>Date of Leave</b>	<b>Approved by Council</b>
Cr Lorna Clarke	28 June 2022	Ordinary Council Meeting 24 May 2022
Cr Michelle Sutherland	25 June 2022 to 16 July 2022	Ordinary Council Meeting 24 May 2022

### **4.3 Applications For Leave Of Absence**

### **COUNCIL RESOLUTION**

That Leave of Absence be granted as follows:

**Cr Catherine Ehrhardt, Deputy Mayor from 12 July 2022 - 13 July 2022 inclusive and 27 July 2022 - 31 July 2022 inclusive;**

**Cr Steven Ostaszewskyj from 7 July 2022 - 10 July 2022 inclusive;**

**Cr Dan Bull from 4 July 2022 - 5 July 2022 inclusive and 10 July 2022 - 11 July 2022 inclusive.**

**Cr Sally Palmer Moved, Cr Giorgia Johnson Seconded**

**CARRIED UNANIMOUSLY: 9/0**

**For: Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Steven Ostaszewskyj, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik, Cr Dan Bull and Cr Giorgia Johnson**

**Against: Nil.**

## **5 DISCLOSURE OF INTEREST SUMMARY**

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

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

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

The following disclosures of interest were made at the meeting:

Name	Item No.	Type of Interest	Nature of Interest
Cr Filomena Piffaretti, Mayor	10.4.2	Impartial	I too was invited to visit the plant and do an inspection.
Cr Assunta Meleca	10.4.2	Impartial	I also visited the concrete batching plant for a tour to take a look at the modifications that were that are up for us to vote on tonight.
Cr Assunta Meleca	10.6.1.1	Impartial	I'm a current member of Ellis House.
Cr Sally Palmer	10.4.2	Impartial	I have previously discussed to the Council issues of community concern regarding the concrete batching plant.
Cr Sally Palmer	10.5.1	Impartial	I have an impartial interest being the chair of the City of Bayswater Child Care Centres.
Cr Sally Palmer	10.5.4	Impartial	As chair of the reconciliation advisory committee discussions with adults have taken place in our first meeting and that needs to be noted.
Cr Sally Palmer	10.6.1.1	Impartial	The child care centre is not for profit and is among those leases of which I'm the chair of all of them.
Cr Steven Ostaszewskyj	10.4.2	Impartial	I also visited the plant a couple of weeks ago at the invitation of WA Premix to see what happens at that site.
Cr Steven Ostaszewskyj	10.4.4	Impartial	My auntie and uncle gave a deputation because their two properties abut one of the rights of way.
Cr Steven Ostaszewskyj	10.6.1.1	Impartial	I'm also a member of one of the clubs that could potentially be affected by this lease agreement.
Cr Dan Bull	10.5.1	Impartial	St Columbus Primary School is on that street and my kids go there and Bayswater Primary School is on the street and I am a member of that school board.
Cr Dan Bull	10.5.3	Proximity	My home abuts the Tonkin Gap Project.
Cr Dan Bull	10.5.4	Proximity	My home abuts the Tonkin Gap Project.
Cr Dan Bull	10.6.1.1	Impartial	I am a member of the Bayswater Historical Society, Bayswater Community Men's Shed, Bayswater Bowling and Recreation Club, I am a vice patron of the Bayswater-Morley Districts Cricket Club, I am a member of the Bayswater Childcare Association.
Cr Giorgia Johnson	10.3.1	Impartial	I am involved with Transition Town Bayswater
Cr Giorgia Johnson	10.6.1.1	Impartial	Current member of some of the groups mentioned in this report: Environmental House, Ellis House, BBRC, past member of some groups.
Cr Elli Petersen-Pik	10.6.1.1	Impartial	I am a member at a few of the community groups covered in this policy.
Cr Catherine Ehrhardt, Deputy Mayor	10.4.3	Impartial	My mother owns 46 Eighth Avenue and I know the majority of the surrounding business owners.
Cr Catherine Ehrhardt, Deputy Mayor	10.6.1.1	Impartial	I am a member of a group mentioned in this report.
Cr Josh Eveson	10.6.1.1	Impartial	Member of a community group that may be affected by the outcome of this item.

## 6 PUBLIC QUESTION TIME

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



1. A member of the public who raises a question during question time, is to state his or her name and address.
2. Each member of the public with a question is entitled to ask up to 3 questions.
3. The minimum time to be allocated for public question time is 15 minutes.
4. Questions from the public must relate to a matter affecting the local government. Questions relating to matters of business listed on the agenda will be considered in the first instance, followed by questions relating to Council business not listed on the agenda.
5. A summary of each question raised by members of the public at the meeting and a summary of the response to the question will be included in the minutes of the meeting.
6. Where a question is taken on notice at the meeting, a summary of the response to the question will be provided in writing to the member of public and included in the agenda for the following meeting.

## **6.1 Responses To Public Questions Taken on Notice**

### **Ordinary Council Meeting of 24 May 2022**

**Ms Aileen O'Rourke, 66 King William Street, Bayswater**

#### **10.3.3 Verge Tree Mortality**

##### **Question 1**

**The feedback from the community seems to be a strong sense of urgency for more trees and for more trees now. It is the best season now to plant trees. It's winter, this is when they should go in.**

**At the moment there are 7,000 street tree gaps and the opt-in option seems to result in only 300-500 trees being planted each year. Does Council acknowledge that filling as many as possible of the 7,000 street tree gaps will have a positive effect on tree canopy and community comfort and the community comfort in sense of aesthetics, shade amenity – and the street trees are a fairly simple way of increasing the street tree canopy and that the opt-in can never get close to filling these gaps.**

##### **Response 1**

The City of Bayswater acknowledges that planting of street verges not only increases the City's canopy coverage, but also provides a positive effect on the health and wellbeing of the community as well as improved amenity through shade. Although the City is still adding planting sites, the figures thus far indicate that planting numbers are similar to if not better than previous years is achievable. It should be noted that the City has capacity to undertake up to 3,000 tree plantings per annum along streets and parks.

**Mr Ian Walters, 124 Lawrence Street Bedford**

##### **Question 2**

**Further to my question- Ordinary Council Meeting 22 March 2022. My question arises from an incident in my street, whereby a motorist was parked in street which clearly prohibits no parking and a City of Bayswater patrol van ignored the breach and crossed over the white line which is an offence. Your response is that the officer felt that his safety was being compromised. I'd like to know how does he feel his safety's been compromised? He didn't stop, he didn't talk to the to the driver of the car.**

Response 2

A meeting has been scheduled with Mr Walters and City officers for 15 June 2022 to discuss and address the above question.

Question 3

I refer to my question, Ordinary Council Meeting 26/20/2021, and this has been going on for about three years - your response quoted "the traffic flow at the corner of Lawrence Street and Beaufort Street were submitted" now you told me the traffic flow was certain figures but when my memory served me right - the traffic flow figure that were quoted for the week for the year 2014 and we're in 2022. I just can't accept that these presentations have got authenticity. Would you please fix the parking problem as I've been going on this for 10 years.

Response 3

A meeting has been scheduled with Mr Walters and City officers for 15 June 2022 to discuss and address the above question.

**Brendon McGrath – Embleton**

Question 1

Consistent with the data provided at the top of page 99 which provides the number of trees that died, and the number of replacement trees planted in 2020-21 and 2021-22, can the City please publish the equivalent numbers for the three preceding financial years (2019-20, 2018-19 and 2017-18)?

Response 1

The City does not have accurate figures for the three preceding years (2019-20, 2018-19 and 2017-18); however, it has in place measures to ensure that accurate data continues to be collected now and in the future.

## **6.2 Public Question Time**

**Public Question Time commenced at 7:09pm on 28 June 2022.**

The following questions were submitted both in writing and verbally:

**Ms Michelle Amos, 48 Roberts Street Bayswater**

**Item 10.5.1 - Traffic Management Roberts Street, Bayswater**

Question 1

Why does the conversation about traffic action hinge on traffic surveys and data and not on duty of care for the 11 community groups who use the amenities on this on Robert Street? The amenities are a physio, pathology, doctors, chemist, schools, school oval, a primary school, two before and after school (and one is the City of Bayswater jurisdiction), a church hall and two churches.

Robert street services these community groups from 7am in the morning to 9pm at night, seven days a week - not including midnight mass and other church events and fairs, weddings and funerals and many of the users are vulnerable children, elderly and disabled. I didn't realise until now, that it brings a lot of people together and possibly more so than King William Street does and so it would be prudent for it to be managed.

Response 1

Cr Filomena Piffaretti, Mayor replied that data collection is an important tool in assessing traffic issues and developing potential mitigation options. Appropriate data collection and analysis ensures that any proposed treatments will address the identified problem as much as possible. The City is committed to providing a safe road network for all users of our roads.

Question 2

**Is the council able to show some leadership regarding GPS, (E.g. - Google Maps) redirecting traffic - including heavy vehicles, as a preferred route over King Williams Street, resulting in Robert Street carrying more traffic than anyone else, even though all streets are classified the same.**

Response 2

Cr Filomena Piffaretti, Mayor advised that the City has no control over private companies such as Google Maps.

**Ms Anna Huska, 56 Robert Street Bayswater**

**Item 10.5.1 - Traffic Management Roberts Street, Bayswater**

Question 1

**The issue of 'rat running' forms the central rationale of the petition put to Council for traffic volume control in Roberts St. Why has the Report on Item 10.5.1 not addressed the issue of rat running in Roberts Street?**

Response 1

Cr Filomena Piffaretti, Mayor replied that 'rat running' has been detailed as a concern in the subject Council report and in previous Council reports.

Question 2

**The WA Functional Road Hierarchy includes multiple criteria for the appropriate use of Local Access Roads. It states that the intended use of local roads is to 'Provide access to abutting properties' and that heavy vehicles use should occur 'only to service abutting properties'. Is the rat running in Roberts Street, including 60% of afternoon traffic and 400 trucks rat running each week consistent with the Functional Road Hierarchy criteria for the appropriate use of Roberts street?**

Response 2

Cr Filomena Piffaretti, Mayor answered that the MRWA Road Hierarchy is a guide that indicates target levels of traffic volumes for particular classes of road. It does not control whether a certain class of vehicle can or cannot use a particular road. That being said, it is acknowledged that 'rat running' and heavy vehicle use are an ongoing concern in Roberts Street and this situation has been exacerbated by the current Bayswater Train station redevelopment works.

Question 3

**If the existing case to Council for traffic control in Robert Street, including 96% of residences between Murray St and Guildford Rd asking for volume control is not enough, could you help us understand what would convince the City that traffic volume control is needed in Roberts Street?**

Response 3

Cr Filomena Piffaretti, Mayor replied that the City does believe that traffic management is required in Roberts Street and recently proposed a number of treatments. A number of these

were not supported by the community. The City is about to undertake traffic management works within the area and will continue to monitor traffic movements in the area and recommend improvements as necessary.

**Mr Kevin Power, 33 Roberts Street Bayswater**

**Item 10.5.1 - Traffic Management – Roberts Street, Bayswater**

**Question 1**

**With respect to agenda item 10.5.1 and known rat running along Roberts Street, Bayswater - can Council please provide an update as to the most recent engagement efforts or discussions with Main Roads with respect to reintroduction of a right-hand turn from Guildford Road onto Garrett Road?**

**Response 1**

Mr Doug Pearson advised that the most recent discussions with Main Roads indicate that a right turn at Guilford Road onto Garrett Road isn't in their forward planning.

**Question 2**

**Is there a process or procedure within Main Roads to prompt a re-evaluation of that assertion and reimplementing a right hand turn and what's involved in that?**

**Response 2**

Mr Doug Pearson advised that he doesn't think there's a formal process but said that the City can write to Main Roads once again reinforcing the desire to have that reinstated.

**Mr Andrew Mack, 61 Roberts Street Bayswater**

**Item 10.5.1 - Traffic Management – Roberts Street, Bayswater**

**Question 1**

**The data that Council has shown that Roberts Street is increasingly used by vehicles that contravene the requirements of MRWA's Road Hierarchy, including in 2020 over 400 trucks/week. Roberts Street is an Access Road under this hierarchy and any decisions to force more vehicles to use this road will go against the MRWA Hierarchy. Given that ongoing speeding and rat-running is occurring, what is Council proposing to do to respond to the concerns of the residents?**

**Response 1**

Cr Filomena Piffaretti, Mayor advised that the MRWA Road Hierarchy is a guide that indicates target levels of traffic volumes for particular classes of road. It does not control whether a certain class of vehicle can or cannot use a particular road. The City is not proposing any actions to force vehicles to use Roberts Street. The City is about to undertake traffic management works within the area and will continue to monitor traffic movements in the area and recommend improvements.

**Question 2**

**The perception held by many residents on Roberts Street is that Council is ignoring or not understanding the facts of this matter. The empirical data shows that there has been an increase in volume of vehicles, together with the inappropriate use of the road by these vehicles and Council is looking to force more vehicles of this type onto this road which includes a Doctor's surgery, a physiotherapist, a chemist, two schools, a day-care facility and two churches, together with all the residential properties. Why is Council not taking appropriate action to resolve this matter properly?**

Response 2

Cr Filomena Piffaretti, Mayor responded that Council has been and will continue to be provided relevant information on traffic matters throughout the City. As detailed above this area, and particularly Roberts Street, are proposed to be reassessed following the impending installation of traffic treatments in the area and in conjunction with a review of the impacts associated with the redevelopment of the Bayswater Train Station.

Question 3

**There is over 11 years of evidence showing a worsening problem. Evidence has recently been provided to Council again within an officer's report that is poorly prepared at best and at worst misleading. This data appears to have been ignored or misunderstood, together with the fact that Roberts Street is an Access Road under the MRWA Hierarchy. Will Council commit to a working group with residents complete with terms of reference agreed to by both parties to see this matter resolved and moved forwards?**

Response 3

Cr Filomena Piffaretti, Mayor replied that the option of forming a working group has been included in the Council report for consideration.

**Mr Stephane Bullier, Robert Street Bayswater**

**Item 10.5.1 - Traffic Management – Roberts Street, Bayswater**

Question 1

**Residents have made multiple requests for access to the traffic data collected in Roberts St by the City of Bayswater, however the City has not responded to these requests. Is it Council policy to withhold traffic data from residents, and if so, why?**

Response 1

Cr Filomena Piffaretti, Mayor responded that it is not a City policy to withhold traffic data from residents. It appears that one previous request from yourself was overlooked and the City apologises for this oversight.

**Ms Catherine Gordon, 58 Robert Street, Bayswater**

**Item 10.5.1 - Traffic Management – Roberts Street, Bayswater**

Preamble

**My children have grown up and now driving around and have missed the opportunity to have a safe street because the volume of traffic has increased over that period of time.**

Question 1

**I had three questions but the first question was asked previously about rat running and heavy vehicle usage in Robert Street being ignored by Council. Your response was that it should be a safe road for all users.**

**As residents, we disagree. It's not a safe road for all residents because of the volume of traffic that's in there currently, and it's that's been identified as a concern by Council as well as residents who formed that petition - and so what is actually being done to alleviate that concern?**

Response 1

Mr Doug Pearson, Director Major Projects and Commercial Activities replied that as stated in previous responses, the City is looking at the situation in the context of the work that is about to be done in terms of traffic improvements throughout the area and also in conjunction with Evolved

Bayswater who are responsible for the train station redevelopment. The City is looking at further works associated with their works because one of the development approval conditions was that they need to mitigate against any impacts associated with the change in road network associated with their work.

**The bits of rubber or whatever it is that they've put in there have pretty much been squashed by the trucks that come up the street so far.**

#### **Question 2a**

**The precinct bounded by the Main Roads of Guildford Road, Garrett Road, Whatley Crescent and King Williams Street is predominantly a residential area and as such all roads in this area are classified as local access roads. This should mean that all roads within the precinct are primarily used for access to properties within the area and heavy vehicles are not allowed except for deliveries to properties within this area.**

**Recent data demonstrates that Robert Street has carried four times more general traffic and nine times more commercial vehicles, including up to 400 heavy trucks a week than the surrounding streets within the same precinct. There is a clear inequity for the residents of Robert street to bear this load of traffic volume and it is clear from our petition that we've all had enough.**

**There are options available to deter the rat runners and reduce traffic volume and this is what we seek to have implemented in our street. Why is it okay to allow [this] to continue to allow the easy straight through access for all vehicles along Robert Street between Whatley Crescent and Guilford Road?**

#### **PROCEDURAL MOTION**

**That Public Question Time be extended for an additional 15 minutes.**

**Cr Sally Palmer Moved, Cr Steven Ostaszewskyj Seconded**

**CARRIED UNANIMOUSLY: 9/0**

**For: Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Steven Ostaszewskyj, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik, Cr Dan Bull and Cr Giorgia Johnson.**

**Against: Nil.**

#### **Response 2a**

Mr Doug Pearson, Director Major Projects and Commercial Activities replied that it is unusual for a road network to have equal traffic on each road. There are roads that appear to be more obvious links and by the nature of some of the facilities they have on those roads be it schools and other commercial developments they will attract more traffic. A further factor in consideration is the impacts on making significant changes on one road and what it does to other roads. This is taken into consideration with roads such as Roberts Street.

#### **Question 2b**

**When will that happen?**

#### **Response 2b**

Mr Doug Pearson, Director Major Projects and Commercial Activities replied that the City will look at this in conjunction with the current works to be undertaken and Evolved Bayswater in terms of the impacts that their works have.

**Question 3**

The Council has previously acknowledged the high-volume traffic volumes in Robert street as stated in the Leake Street - May Street bike boulevard frequently asked question document published in July 2017 by the City of Bayswater in the Department of Transport. When asked were there any other streets considered for the bike boulevard. I quote "Robert Street was also considered but traffic volumes were too high." Other local councils such as the City of Stirling have managed this high-volume traffic such high volume traffic and rat running issue within their local access roads, whilst considering the needs of all residents within a precinct. There are solutions available that satisfy the needs of residents for access to their properties whilst also deterring the non-resident rat runners, commercial vehicles and heavy trucks from using roads that are designated for local access only.

In line with the City of Bayswater's Strategic Community Plan 2021-2031, when will the City of Bayswater address the high-volume of traffic and rat running problem for the residents of Robert Street and implement an evidence-based solution?

**Response 3**

Mr Doug Pearson, Director Major Projects and Commercial Activities said as stated previously the intention is to implement traffic treatments in the precinct and then to monitor those and also to work with Evolved Bayswater to look at a solution or mitigation controls associated with the works that they're undertaking.

**Ms Wendy Garstone, 136 Crawford Road Maylands**

**Item 10.3.2 Urban Forest Strategy Update****Question 1a**

**Is there any state or Federal Government agency or industry or environmental group to which the City is required to provide progress reports to on the implementation of our Urban Forest Strategy?**

**Response 1a**

Mr Luke Botica, Director Works and Infrastructure answered that the City doesn't report externally, however internal reports are provided to Council.

**Question 1b**

**Will they be made public?**

**Response 1b**

Mr Luke Botica, Director Works and Infrastructure replied that if they're presented in the Council Agenda, they will be public.

**Question 2a**

**Will the city be creating an implementation plan in accordance with appendix 2 of the Urban Forest Strategy and will this be made available on the City's website?**

**Response 2a**

Mr Luke Botica, Director Works and Infrastructure advised that the strategy has got a template that has a list of actions being implemented that has been reported to Council through the Audit and Risk Committee in the past and will come to Council again. In terms of an implementation plan that deals with planting on the ground, the City will develop a program that will outline how the City is going to plant the trees on the ground.

**Question 2b**

**And will that be made available on the website?**

**Response 2b**

Mr Luke Botica, Director Works and Infrastructure advised that the City hasn't decided whether this will be made public through the City's website.

**Ms Branka Radanovich, 11 Slade Street Bayswater**

**Item 10.6.1.4 Revised Urban Trees Policy****Question 1**

**If the City, together with the six Councillors holding a majority adopt the proposed Revised Urban Trees Policy and I quote "the revised policy states that new trees will be planted under the annual tree planting program unless requested otherwise by the adjacent property owner therefore property owners will still have the opportunity to not have a tree being planted on their verge" end of quote. The City of Bayswater may become known as a pariah Council with such a retrograde inclusion. This will not only impact our City but also our neighbouring Councils. The proposal states, quote: "unless requested otherwise by the adjacent property owner and property owners will still have the opportunity to not have a tree being planted on their verge" end of quote.**

**My question - is how does this inclusion align and progress the urban forest strategy?**

**Response 1**

Cr Filomena Piffaretti, Mayor took the question on notice.

**Question 2**

**How does the City see such proposed ad hoc verge tree planting especially the low canopy target areas as being efficient and cost effective instead of a street by street continuous planting program, planting a tree on every verge. It is common sense that this would be a cost-effective exercise for the City.**

**Response 2**

Cr Filomena Piffaretti, Mayor took the question on notice.

**Question 3**

**My third question relates item 10.3.2, Urban Forest Strategy Update - Green Dreams. I would say we are past the dreaming stage, we should be actual actualizing the dreams by now. I moved to Bayswater 40 years ago, having a dream for a greener Bayswater and have consistently advocated for this. Sadly, I have continuously encountered obstacles from the City. Only in the last decade have we seen some positive movement to green our City. I don't want to keep dreaming - it's time to stop the dreaming and make the green plan a reality.**

**My question is - can the Councillors resolve to drop the proposed green dreams spin title and simply call it Urban Forest Planning City of Bayswater?**

**Response 3**

Cr Filomena Piffaretti thanked Ms Radanovich for her questions and said Councillors have heard her comment and would take that into consideration.



**Ms Aileen O'Rourke, 66 King William Street Bayswater**

**Item 10.6.1.4 Revised Urban Trees Policy**

**Question 1**

**From the feedback on the Bayswater Urban Tree Network Facebook page there seems to be some confusion on this matter and it really needs clarifying - does the City believe in the settled science on climate change and its effect on urban heat?**

**Response 1**

Mr Luke Botica, Director Works and Infrastructure affirmed the City does believe this.

**Question 2**

**I want to share comparable policies from a number of different LGAs and I'm talking about 10.6.1.4. Town of Bassendean Draft Policy proposes tree planting to achieve a continuous tree canopy will take priority over a resident's refusal to accommodate street trees. This is intended to clarify a shift in the approach that is taken in order to put the public good, an overall net benefit or well-being of the public versus the private interests of individuals. The town will take into consideration a resident's feedback in order to accommodate where practical any valid concerns. It is not an opt-out policy, it's not saying we will allow people to opt out.**

**City of Stirling - the City is responsible for the planting city trees as identified under its annual programs which include community tree planting programs and street tree requests from residents and occupants. And the Town of Vic Park - tree planting and retention tree planting to ensure contingency continually continuity of street provision will take precedence over adjoining property owners' refusal to accommodate street trees. Bayswater however proposes where a new tree is proposed for a verge tree that is not a replacement tree, the Council will plant the tree unless requested otherwise by the adjacent property owner. You have stated just then that the City believes in the science of climate change and on the record from 2014 the Council has resolved to increase the City's tree canopy to mitigate the urban heat island and yet unlike Stirling, Victoria Park, Bassendean, Perth and a number of other Councils, your policies do not reflect a strong commitment to the common good.**

**Why has this Council decided that individual choice should trump the common good when our City is in dire need of increased tree canopy?**

**Response 2**

Cr Filomena Piffaretti thanked Ms O'Rourke for her questions and said Council would take her comments into consideration for the decision on the policy.

**Question 3**

**If the recommendation under the Urban Tree Policy are accepted and in this case - in the instance the ability of residents to object to their planting of a verge tree adjacent to their property - will this be communicated to residents when they are informed by the City that a tree will be planted? I'm hoping this won't have to happen but when you get a letter to say you're getting a Banksia Tree here next week - will it also say you have the opportunity to opt out?**

**Response 3**

Mr Luke Botica, Director Works and Infrastructure advised that when letters go out informing people that the City is planning to plant a tree on a resident's verge, it will state in that letter that they can contact the City to discuss the type of tree that's being planted and the location of the

tree. If the resident chooses to ask for the tree not to be planted then that would be dealt with at that time.

**Ms Erin Pedretti**

**Item 10.6.1.4 Revised Urban Trees Policy**

**Question 1**

I hope you recall my deputation from last week regarding the Urban Tree Policy, I was able to be unable to be here because I've got two small children at home, but I've made the effort to be here tonight to represent my children and their generation's need for walkable streets as they grow older in the City of Bayswater.

I'm in the belief that aiming for only 20% canopy by 2040 is extremely short-sighted and irresponsible management by the City. In 2040, my children will be 22 and 19. I sincerely hope that by that time they're young adults that all Local Governments in the Perth area we will be working towards to implement between 35% and 40% tree canopy targets.

My question is the City of Bayswater able to consider and implement a plan that allows for at least 30% target by 2035, if not, why not?

**Response 1**

Cr Filomena Piffaretti thanked Ms Pedretti for her questions and said Council would take her comments into consideration for the decision on the policy.

**PROCEDURAL MOTION**

**That Public Question Time be extended for an additional 15 minutes.**

**Cr Sally Palmer Moved, Cr Steven Ostaszewskyj Seconded**

**CARRIED UNANIMOUSLY: 9/0**

**For:** *Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Steven Ostaszewskyj, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik, Cr Dan Bull and Cr Giorgia Johnson.*

**Against:** *Nil.*

**Mr Jamie Petrovic, Grey Street Bayswater**

**Item 10.4.2 Proposed Alterations and Additions to Concrete Batching Plant - Lot 2, 277-279 Collier Road, Bayswater**

**Preamble**

I know none of the Councillors or senior staff live within the 500-meter radius of WA Premix noxious plant- so I'm left to wondering, how can you make a moralistic judgment on these recommendations and changes that do not personally affect you. I can only hope you have done your due diligence. As I've said many times before, the poisonous silica dust that is damaging to health, as advanced technology and research shows the long-term effects silica is chronic bronchitis, emphysema, scarring of the lungs, cancer and the list goes on.

The WA premix material safety data sheet Section 2 Hazards Identification S22 reads "do not breathe dust", Section 2 once again R48-20 "danger of serious damage to health by prolonged exposure through inhalation applies to concrete dust." This plant will be releasing their dust on us forevermore. And due to excessive noise of heavy vehicle, traffic and plant operations, etc. is expected to expected with their aim to increase their capacity and production from their current 35% to 100%. They've been in business for 30 years, they were well aware of all the rules and regulations but also knew how the system could be manipulated to benefit themselves.

**Question 1**

**You personally wouldn't be confronted with this on a daily basis if you live within 500 metre buffer radius as we do - would you want an outsider to approve these changes in operation hours on your behalf?**

**Question 2**

**Why does the West Australian Planning Commission require Category 77 noxious plant to position in the core of an Industrial zone and not on a boundary and sensitive land use?**

**Question 3**

**Have WA Premix ever exceeded their production limit and who oversees the policing of it? And may I finish by saying if this noxious plant has been built in another location and would have had the requirement of 500-meter buffer, I would not be here opposing any of this. My neighbours and myself would be living in peace and harmony. But here we are and we've been doing this for 11 or 12 years now. You know it's just wrong.**

**Responses 1-3**

Mr Des Abel, Director Community and Development replied that the concrete batching plant has been determined and approved by the State Administrative Tribunal. The City understands that SAT has taken into account the buffers and the relevant requirements.

The application that is to be decided by Council tonight is in regards to the alterations and additions to the concrete batching plant. There is a condition in the report that recommends no increase in production levels.

**Mr Barry Kramer, Central Ward**

**Preamble**

**The WA Premix concrete batching plant is of no benefit to the surrounding community. The officers recommendation focuses on benefitting WA Limestone with no consideration to the health, environmental and financial concerns of ratepayers.**

**The concrete batching plant ignores all relevant Council requirements and has taken away the amenity of the surrounding residents. There is no buffer zone, the plant trucks rat-run through the residential streets, damage roads and regularly spill material. The plant causes dust pollution, operates outside of approved hours and creates a noise disturbance. The plant has cost ratepayers over half a million dollars in legal costs and thousands of man-hours. A parliamentary report confirmed maladministration of the State Administrative Tribunal in approving the plant and a protest rejecting the plant was supported by our now Premier Mark McGowan. Review of the Department of Water and Environmental Regulation application for Works Approval dated 1 September 2014 indicated substantial errors. The plant is currently only operating at 35% capacity and application is now being made to make the plant more efficient and easier to make more concrete, money, dust, noise and victims.**

**A member of the WA Premix deputation attending the Councillors Briefing Session on 21 June 2022 remained in the meeting contrary to the requirement to leave when a deputation speaking against the proposal was heard. The WA Premix deputation should accordingly be struck off the record.**

**The current proposal to modify waste and water recycling management and upgrade dust monitoring equipment are needed in order to increase production, and the second driveway and crossover is needed to increase truck numbers. Amendment of operating hours is needed to increase production and to use under cover of darkness to manufacture dust-creating dry-mix concrete.**

Council is accordingly requested to disregard the officer's recommendation to approve the application which will allow the concrete batching plant to increase concrete production, emissions and profit at the expense of community health and well-being.

#### Question 1

Why would an EPA and DWER policy require a noxious concrete batching plant to provide a 500-meter separation buffer distance away from a residential estate?

#### Response 1

Mr Des Abel, Director Community and Development replied that as mentioned previously, the SAT did consider the location of the concrete batching plant and the use of the site, and made the decision to approve the development.

#### PROCEDURAL MOTION

That Public Question Time be extended for an additional 15 minutes

Cr Sally Palmer Moved, Cr Steven Ostaszewskyj Seconded

CARRIED UNANIMOUSLY: 9/0

**For:** *Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Steven Ostaszewskyj, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik, Cr Dan Bull and Cr Giorgia Johnson.*

**Against:** *Nil.*

#### Question 1a

Mr Kramer restated question 1 and asked:

Why would they do that? Why would they write that as a policy?

#### Response 1b

Mr Des Abel, Director Community and Development answered it is the City's understanding that the reason for the State requirements is to address unreasonable noise and dust from a concrete batching plant within the buffer area.

#### Question 2

As this as this is a noxious Category 77 a Local Government declassified noxious Plant - would you please show us where the EPA and DWER 500-meter environment separating distance buffer resident exclusion zone is?

I've actually showed you myself by doing that half circle - that radius. What the idea was here, was I would like the director to show me where this is supposed to be. Because there is no way can this plant operate without that 500-meter radius and have a look at the amount of houses that are in that victim's circle. Can you confirm that please? There is no buffer on that on that picture on one page 191 that's been redacted.

#### Response 2

Mr Des Abel, Director Community and Development advised that is correct.

#### Question 3a

Could you now show us where in your 23-page Council Recommendation you referred to this missing EPA and DWER 500-meter environmental saving separating buffer residential excluding zone is? You wrote out a recommendation 23-pages and not anywhere in that

**recommendation was the word 'buffer', 'exclusion zone' '500-meter environmental saving separation distance' or anything. Is there a reason for that?**

Response 3a

Mr Des Abel, Director Community and Development replied that the buffer relates to the establishment of a concrete batching plant, however, it has already been approved by SAT.

Question 3b

**You didn't approve it, did you?**

Response 3b

Mr Des Abel, Director Community and Development answered no, however the SAT decision is valid and the concrete batching plant has been granted planning approval to be at that location.

**Ms Chenoa Anderson, 19 Avenell Road, Bayswater**

**Item 10.3.2 - Urban Forest Strategy Update**

Question 1

**I refer to the officers recommendations under Background. This states that the Ordinary Council Meeting of September 2014 Council resolved ' That in order to mitigate the Urban Heat Island effect and to provide considerable environmental benefits City Officers investigate options to increase the City's tree canopy from 13.2% to 20% by 2025'.**

**Can you please provide a summary of the outcomes of this resolution from 2014 until now?**

Response 1

The primary outcome was the creation and adoption of the Urban Forest Strategy in 2017. Subsequently, City officers have been implementing the provisions of the strategy and the most recent LIDAR survey from 2021 indicated the City's canopy had grown to 14.55%.

**Ms Kate Poll, 23 Sudlow Street, Embleton**

**Item 10.3.2 - Urban Forest Strategy Update**

Preamble

**'In the officer's recommendation at 2, the City clearly recognises the need for shade near schools, town centres and areas with low canopy coverage. And yet the proposed verge tree policy allows residents to 'opt out' with no good reason. These two recommendations seem incompatible.**

Question 1

**How will the City resolve this?**

Response 1

The City will develop a targeted planting program in line with the strategy recommended in the Green Dreams report. If the Policy is adopted as presented in the agenda, the following general process is suggested:

The City will advise property owners that their verge has been selected for a new tree – this will include information on the planting (i.e. why, what, how and when). If no request (to not have a tree) is received from the adjacent property owner, the City will proceed with the planting. In this case, the City will not be seeking any further feedback from the property owner. However, the owner will still be able to contact the City to discuss further. If a request (to not have a tree) is

received from the adjacent property owner, the City will discuss the request with them, and through this discussion, provide them with information regarding the benefits of trees and the reasons why the City is wishing to plant on their verge, street and the general area. They may change their mind through this process.

What is also important is that, if a tree is not planted on a verge now (following a request from the owner), the City will still seek to plant a tree there in future, as circumstances may change.

### **Question 2**

**How will walkability in the areas be achieved with the inevitable creation of gaps when residents opt out?**

### **Response 2**

If a tree is not planted on a verge now (following a request from the owner), the City will still seek to plant a tree there in future, as circumstances may change.

### **Question 3**

**How does this align with the Urban Forest Strategy?**

### **Response 3**

If a tree is not planted on a verge due to a request from the adjoining resident, it does not change the strategy and the fact that a tree is still suggested at the location. If a tree is not planted on a verge now (following a request from the owner), the City will still seek to plant a tree there in future, as circumstances may change.

**Ms Kate Bowker, 49 Queen Street, Bayswater**

**Item 10.3.2 - Urban Forest Strategy Update, and Item 10.6.1.4 - Revised Urban Trees Policy**

### **Question 1**

**Was the recent canopy coverage calculation undertaken before or after the tree clearing that has occurred as part of Metronet works in the city bounds and the Tonkin Gap Project?**

### **Response 1**

The tree canopy figures are determined from a LiDAR survey which is taken every three years for the City of Bayswater. The last survey was undertaken in February 2021. It is believed that the majority of clearing was undertaken prior to this date, in particular that relating to Tonkin Highway. This clearing was accounted for in the February 2021 canopy results. However, there has been more clearing undertaken since this date, related to the Metronet works. This clearing will be captured as part of the next LiDAR survey scheduled for February 2024.

### **Question 2**

**With regards to the tree canopy target what considerations have been given to the increased loss of tree canopy on private land due to development?**

### **PROCEDURAL MOTION**

**That Public Question Time be extended for an additional 15 minutes.**

**Cr Giorgia Johnson Moved, Cr Sally Palmer Seconded**

**CARRIED: 7/2**

**For:** *Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Steven Ostaszewskyj, Cr Sally Palmer, Cr Elli Petersen-Pik, Cr Dan Bull and Cr Giorgia Johnson.*

**Against:** *Cr Josh Eveson and Cr Catherine Ehrhardt, Deputy Mayor.*

*Cr Elli Petersen-Pik withdrew from the meeting at 8:18pm and returned at 8:20pm.*

*Cr Catherine Ehrhardt, Deputy Mayor withdrew from the meeting at 8:21pm and returned at 8:26pm.*

#### Response 2

The work undertaken as part of the Green Dreams report explored the impact of development on private land and the tree planting required to offset a business-as-usual scenario. The *Trees on Private Land and Street Verges Policy* also deals with trees on private land and developments. The City is also exploring other options in regards to retention of vegetation on private land.

#### Question 3

**Given the significant public interest in the council's decisions around verge trees - please outline why a community consultation group has not been established to provide input to the Urban Forest Strategy and Urban Trees Policy?**

#### Response 3

The Urban Forest Strategy was prepared in 2017 and involved consultation. The current report to Council does not propose to alter the Strategy apart from changing the canopy coverage target from an aspirational target to a practical target.

The *Urban Trees Policy* is a Council policy. Council policies are not normally put out for public submissions or consultation unless it is a statutory requirement. There is no statutory requirement to seek public submissions or consultation for the *Urban Trees Policy*. It is normally a requirement for planning policies as they form part of the City's statutory planning framework and has legislative powers.

**Ms Mandy Collins, 3/14 Frew Court, Bayswater**

#### **Item 10.3.2 - Urban Forest Strategy Update**

##### Question 1

**Why is council proposing changes to the Urban Forest Strategy which will impact the whole City without consulting the community (as outlined in the Strategy's Objectives "Inform & consult with the community")?**

##### Response 1

The current report to Council does not propose to alter the Strategy apart from changing the canopy coverage target from an aspirational target to a practical target. The City will be undertaking tree planting in accordance with the Strategy and the current capacity of the City.

##### Question 2

**Why is council proposing to "move the goalposts" by reducing the 2025 target rather than increasing efforts to reach the target especially in light of the City of Bayswater's incredibly low green cover (as ranked by the RMIT report - "Where will all the trees be")?**

##### Response 2

The current report to Council does not propose to alter the Strategy apart from changing the canopy coverage target from an aspirational target to a practical target. The City will be undertaking tree

planting in accordance with the Strategy and the current capacity of the City. The City is not proposing to reduce its tree planting output.

### **Question 3**

**Why is the City of Bayswater not meeting the goal of 20% tree canopy by 2025? Why has action on the Urban Forest Strategy been so slow & insufficient?**

### **Response 3**

A significant portion of the City's tree planting efforts of recent years is currently not registering as an increase in canopy coverage – the trees need to grow over three metres to be identified under the canopy survey and to add to the canopy coverage total. These efforts as well as the proposed tree planting this winter, and in coming winters, will have impact on the canopy totals beyond 2025. Not meeting the 2025 goal is not necessarily the result of any lack of effort but rather the lag between effort and realising the results of that effort.

### **Item 10.6.1.4 - Revised Urban Trees Policy**

### **Question 1**

**Why is council proposing changes to the Urban Trees policy without community consultation?**

### **Response 1**

As answered above.

### **Question 2**

**Why is council proposing changing the Urban Trees policy to allow adjacent property owners to over-ride the advice of City officers to plant new verge trees even when it is in the public interest to plant a verge tree?**

### **Response 2**

As answered above.

### **Question 3**

**Why is council proposing to remove the power of the City to install vandalism signs or paint dead trees in circumstances where a tree is poisoned on City land? The advice is clear that other enforcement options have not been useful in the past and this is a significant step backwards by council.**

### **Response 3**

The application of the signs have been problematic in some of the few instances that they have been used. The signs could still be suitable in some POS areas. Damage in high profile areas (parks, foreshores etc.) can still be brought to Council for action and the signs may still be recommended under some circumstances.

**Ms Rachael Mercy, 61 Roberts Street Bayswater**

**Item 10.5.1 - Traffic Management – Roberts Street, Bayswater**

### **Question 1**

**The data that Council has shows that that Roberts Street is increasingly used by inappropriate vehicles and volumes are increasing. To add to the concerns is the fact that Leake Street's Bike Boulevard is rarely used by the community due to its steepness. As a result, kids and families (with/without prams) all tend to use Roberts Street to access the**



**schools and other facilities. Has Council considered this and what is it intending to do about safety on Roberts Street?**

Response 1

The City considers these factors when assessing traffic issues. The City is about to undertake traffic management works within the area and will continue to monitor traffic movements in the area and recommend improvements as necessary.

**Ms Ainsley Cusmano, 7A Viscount Road, Morley WA 6062**

**Item 10.6.1.4 - Revised Urban Trees Policy**

Question 1

**The 2020 'Greener Spaces Better Places' report identifies COB as the nation's leader in the growth of grey cover. In 4yrs COB saw a 6.9% growth of grey cover which is 1.7% higher than the 2nd placed LGA. It listed COB as one of twenty LGAs facing very high challenges to maintain or grow green cover. I'm interested to know why you are considering changing the goal posts with regards to our canopy targets rather than addressing obstacles in your path, such as the budget.**

Response 1

The current report to Council is not proposing to alter the Strategy apart from changing the canopy coverage target from an aspirational target to a practical target. The City will be undertaking tree planting in accordance with the Strategy and the current capacity of the City.

Question 2

**The Australian Urban Design Research Centre's 'Green Dreams' report states that if the City continues planting at the same pace (4,000 tube stock and 3,000 trees) it would take until 2040 to reach 20% tree canopy. This wasn't a recommendation but a damning revelation of neglect. Surely the Response is to incrementally increase the number of trees. Why has the city come to the conclusion that 2040 is acceptable? We don't want Dreams, we want a greener, cooler, beautiful city!**

Response 2

A significant portion of the City's tree planting efforts of recent years is currently not registering as an increase in canopy coverage – the trees need to grow over three metres to be identified under the canopy survey and to add to the canopy coverage total. These efforts as well as the proposed tree planting this winter, and in coming winters, will have impact on the canopy totals beyond 2025. The assessment undertaken under Green Dreams indicates that 2040 is a realistic and practical target within the City's planting capacity.

**Mr Brendan McGrath, Embleton**

**Item 10.6.1.4 - Revised Urban Trees Policy**

Question 1

**The “opt out” mechanism provides a new right for property owners to object to having a tree planted on that verge. The revised Urban Trees Policy includes no exemptions for the “opt out” mechanism. Accordingly, “opt out” could quite feasibly deny the community access to shade at unsheltered bus stops for decades. Do Councillors believe that allowing an individual property owner to veto access to shade on public transport routes, used by many people, would be a good outcome for the community?**

Response 1

If a tree is not planted on a verge due to a request from the adjoining resident, it does not change the strategy and the fact that a tree is still suggested at the location. If a tree is not planted on a verge now (following a request from the owner), the City will still seek to plant a tree there in future, as circumstances may change.

Question 2

The “opt out” policy gives the owner of the adjacent property (not the resident), the power to object to having a tree planted on the adjacent verge. This means that a property investor who owns property in the City of Bayswater, but may not live in the City of Bayswater, or WA, and may not have any connection at all to the community would be able to dictate to the City about where it cannot plant trees, on the City’s own land. Do Councillors believe that would be a good policy outcome?

Response 2

Answer as per Response 1 above.

Question 3

At the December 2021 OCM, at least one Councillor who voted to change the then Urban Trees Policy stated that it was creating “confusion and concern”. Do Councillors believe that introducing a third version of the Urban Trees Policy in a six month period increases or decreases “confusion and concern” in the community?

Response 3

The Policy is there to provide City officers guidance on tree related matters. When making decisions that affect adjoining residents and property owners, the City will use the policy in making those decisions and will also explain the reasons for the decision to them.

Questions Regarding Items not on the Agenda

**Dr. Katie Thiveos, 61 Prospector Loop, Bassendean**

Preamble

My question is with regard to the change of day for one of the evening Aqua classes at Bayswater Waves. In all my time accessing the facilities at Bayswater Waves, the two evening Aqua classes have always been scheduled on a Monday and Wednesday. With the return to regular programs post renovations at the start of this year, the Wednesday night class which was removed was not reinstated and an alternative class was scheduled, firstly on a Tuesday, and then changed to Friday. To my knowledge, this change of day was decided without consulting members who regularly access the classes whether it be in person or via electronic survey. Other members and I have made representations to the relevant Coordinator/Team Leader at Bayswater Waves, requesting that the historical Wednesday night Aqua class and Instructor be reinstated (whilst maintaining the Friday night class). Disappointingly, our requests have fallen on deaf ears.

Question 1

Could the City of Bayswater please shed some light on the reasons for not reinstating the historical Wednesday night Aqua class and Instructor when there is a demand for it?

Response 1

The aqua aerobics timetable has been affected by a number of factors including the recent renovation of the indoor 25m pool, availability of instructors, ongoing restrictions relating to the

COVID-19 pandemic, and competing program demand for pool space. Whilst the City appreciates that this situation does not suit all participants, programs have been scheduled to avoid interruption as much as possible. Your feedback has been noted and will be included in future reviews of the timetable.

### **Question 2**

**With regard to the first question, does the City of Bayswater adopt inclusive practices when scheduling Aqua Instructors? Disappointingly, and in more recent times, it appears that the most mature, experienced, effective, competent, engaging and reliable Aqua Instructor, is being scheduled to take less classes than other instructors, whose demonstration of the above is less evident. Could the City of Bayswater please shed some light on this, as the reliability of a particular Instructor has resulted in classes being cancelled, impacting members attending Aqua classes?**

### **Response 2**

The City adopts inclusive practices when scheduling Aqua instructors.

### **Question 3**

**Could the City of Bayswater please provide an update on the outcome/s of the recent noise complaint made with regard to the sound system used in Aqua classes? Whilst from my experience the noise level issue was not obvious, the changes that have been made to the noise level and location of the sound system has impacted members being able to clearly hear the Instructor and music in certain areas of the pool.**

### **Response 3**

The City continues to comply with instruction from WorkSafe in regards to the sound system volume in Aqua classes. Equipment that assists in maintaining compliance and minimizes loss of program quality has been ordered for delivery in the near future.

**Ms Terri Burton, 9 Peppermint Place, Morley**

**Dog Agility Area at Arbor Park, Morley**

### **Question 1**

**Why is there no fencing around this dog agility area as it is dangerous because there are countless unleashed dogs bounding freely around the park?**

### **Response 1**

Arbor Park is an unfenced dog exercise area which means dogs are allowed on the reserve whilst off-lead. As untethered dogs are allowed in the unfenced reserve, it was not identified as being necessary for the agility area to be enclosed with fencing. Significant public consultation was undertaken regarding the works at Arbor Park and the dog infrastructure was requested by the community through this engagement process.

### **Question 2**

**Are there plans to build a fence around this dog agility area?**

### **Response 2**

There are no plans for the dog agility area to be fenced, which is consistent with other dog exercise areas across the City.

**Question 3****Is the Council prepared for the mauling of a child or dog?****Response 3**

The City expects all dog owners/handlers to behave in a responsible manner and to comply with legislative requirements of the *Dog Act 1976*. Whilst this is a designated dog exercise area, therefore dogs will be off lead at the location, dogs do still need to be under effective control. Should anyone experience concerns about the behaviour, i.e. aggression etc., of a dog in the location, they are encouraged to contact the City's Rangers and Security on 9272 0972 or 1300 360 333. It is also a requirement for dogs to be on lead within the playground area, therefore should anyone experience dogs off lead in that location they are also requested to contact the City at the time of the incident occurring.

**Mr Harvey Tonkin****Question 1**

Over 2 weeks ago I rang the garden section re Bindi weed growing on the lawn at the entry to Bayswater Waves (near the steps). I asked when the council will be treating this weed. The staff member phoned later and advised that it was programmed to be completed within 1.5 weeks. I walked past the grassed area last Saturday and observed that the weed had covered a large area of the grass. I rang on Monday to enquire what had been done and was advised that this was allocated to a private company and no one could advise when the job would be completed. Why does it take the council so long to attend to small jobs like this and when will it actually be done? I watch lots of barefooted kids running over the grass and very soon the prickles will show and the kids will be affected.

**PROCEDURAL MOTION**

That Public Question Time be extended for an additional 15 minutes.

Cr Sally Palmer Moved, Cr Giorgia Johnson Seconded

**CARRIED: 6/3**

**For:** *Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Steven Ostaszewskyj, Cr Sally Palmer, Cr Dan Bull and Cr Giorgia Johnson.*

**Against:** *Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor and Cr Elli Petersen-Pik.*

**Response 1**

The City of Bayswater remains fully committed to pursuing the completion of our work in a safe, diligent and reasonable manner. Unfortunately, we are being impacted by the materials and labour shortages the country is facing, due to the ongoing outbreak of the Coronavirus (COVID-19). The contractor assigned to treating the bindi within the lawn area adjacent to Bayswater Waves, has informed us that the works have been delayed due to a significant number of their staff needing to isolate in accordance with State Government requirements. The contractor recently informed officers that works have been rescheduled for the week commencing Monday 11 July 2022.

**Question 2**

Over a period of 3 weeks I initially phoned the ranger service re a parking problem (corner of Deschamp and Belfast St) where a vehicle was parked in such a way that when you approached the junction you had to drive out into the road just to see around the parked vehicle. I spoke to a ranger who said that they would investigate. I rang a couple of days later to enquire what resulted. The staff member advised that there was no job recorded.

I was then advised to write an email which I did with some photos. The response was that photos were no good and I needed to phone the rangers when I could see the problem, which I did. I am still waiting for a response.

Why is that the council wants so much information from the ratepayer (name, contact number, vehicle type, rego number, exact location and written email) and then just dismisses them without any response to their query, will I receive a response?

#### Response 2

The City's records indicate the City received a phone and email complaint regarding parked vehicles causing an obstruction at the Deschamp Road and Belfast Street intersection, from Mr Tonkin on Monday 13 June 2022. The City provided a written response on Wednesday 15 June advising Mr Tonkin that the City is unable to take any kind of enforcement action based on photographs as a City officer must attend and obtain their own evidence prior to issuing a notice for any unlawful parking, as per the *Local Government Act 1995*, and requested Mr Tonkin to contact the City at the time the offending behaviour is identified so an officer can attend and take any required enforcement action. An officer also attended the location on 13 and 14 June, and observed no offence being committed.

At approximately 4.20pm on 15 June, Mr Tonkin contacted the City regarding a complaint pertaining to parked vehicles causing an obstruction at the Deschamp Road and Belfast Street intersection. An officer attended the location, however did not identify any vehicle being unlawfully parked. All information obtained from a complainant is annotated and recorded into the City's records system to ensure accurate details are provided to the attending officer. Whilst email notification of the issue may assist, officer attendance to ensure a timely response is requested to be made via phone.

**Public Question Time closed at 8:32pm.**

## 7 CONFIRMATION OF MINUTES

### 7.1 Ordinary Council Meeting

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

The Minutes of the Ordinary Council Meeting held on 24 May 2022, which have been distributed, be confirmed as a true and correct record.

Cr Catherine Ehrhardt, Deputy Mayor Moved, Cr Steven Ostaszewskyj Seconded

**CARRIED UNANIMOUSLY: 9/0**

*For: Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Steven Ostaszewskyj, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik, Cr Dan Bull and Cr Giorgia Johnson.*

*Against: Nil.*

## 8 PRESENTATIONS

### 8.1 Petitions

Nil.

### 8.2 Presentations

Nil.

### 8.3 Deputations

Deputations were heard at the Agenda Briefing Forum at **7:00pm** on **Tuesday 21 June 2022**, in the Council Chambers, City of Bayswater Civic Centre, 61 Broun Avenue, Morley.

#### **1. 10.3.2 Urban Forest Strategy Update**

In relation to Item 10.3.2, Ms Wendy Garstone was in attendance, speaking against the officer's recommendation.

#### **2. 10.3.2 Urban Forest Strategy Update**

In relation to Item 10.3.2, Ms Erin Pedretti submitted a written deputation, against the officer's recommendation.

#### **3. 10.4.1 Proposed Two Storey Single House - Lot 2, 4 Neville Street, Bayswater**

In relation to Item 10.4.1, Mr Adrian Dhue was in attendance, speaking against the officer's recommendation.

#### **4. 10.4.2 Proposed Alterations and Additions to Concrete Batching Plant - Lot 2, 277-279 Collier Road, Bayswater**

In relation to Item 10.4.2, Mr Jamie Petrovic was in in attendance, speaking against the officer's recommendation.

#### **5. 10.4.2 Proposed Alterations and Additions to Concrete Batching Plant - Lot 2, 277-279 Collier Road, Bayswater**

In relation to Item 10.4.2, Ms Kasia Betka was in attendance, speaking in support of the

officer's recommendation.

6. **10.4.4 Proposed Land Dealings - Various Rights of Way in Bayswater and Noranda**  
In relation to Item 10.4.4, Ms Jenny (Genowefh) Ostaszewskyj was in attendance, speaking against the officer's recommendation.
7. **10.4.4 Proposed Land Dealings - Various Rights of Way in Bayswater and Noranda**  
In relation to Item 10.4.4, Mr Grant Speldewinde was in attendance, speaking in support of the officer's recommendation.
8. **10.5.1 Traffic Management – Roberts Street, Bayswater**  
In relation to Item 10.5.1, Ms Anna Huska was in attendance, speaking against the officer's recommendation.
9. **10.5.1 Traffic Management – Roberts Street, Bayswater**  
In relation to Item 10.5.1, Mr Steven Barbuto submitted a written deputation speaking against the officer's recommendation.
10. **10.6.1.4 Revised Urban Trees Policy**  
In relation to Item 10.6.1.4, Ms Aileen O'Rourke submitted a written deputation speaking against the officer's recommendation.
11. **10.6.1.4 Revised Urban Trees Policy**  
In relation to Item 10.6.1.4, Ms Kate Bowker submitted a written deputation speaking against the officer's recommendation.

#### 8.4 Delegates Reports

Nil.

## 9 METHOD OF DEALING WITH AGENDA BUSINESS

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

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

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

Items Withdrawn 28 June 2022:

- 10.3.2 This Item was subject to deputation and had a matter on which a member wished to make a statement.
- 10.4.1 This Item was subject to deputation and had a matter on which a member wished to make a statement.
- 10.4.2 This Item was subject to deputation, had a matter on which a member wished to make a statement and had a member declare an interest.
- 10.4.4 This Item was subject to deputation, and had a member declare an interest.
- 10.5.1 This Item was subject to deputation and had a matter on which a member wished to make a statement.
- 10.6.1.4 This Item was subject to deputation and had a matter on which a member wished to make a statement.
- 10.2.1 Absolute Majority Required.
- 10.2.5 A matter on which a member wished to make a statement.
- 10.2.6 A matter on which a member wished to make a statement.
- 10.3.1 A matter on which a member wished to make a statement and had an interest declared.
- 13.1 A matter or urgent business.

Items Withdrawn 4 July 2022:

- 10.4.3 A matter on which a member wished to make a statement.
- 10.5.2 A matter on which a member wished to make a statement.
- 10.5.4 A matter on which a member wished to make a statement and had an interest declared.
- 10.6.1.1 A matter on which a member wished to make a statement.
- 10.6.1.2 A matter on which a member wished to make a statement.
- 10.6.1.5 A matter on which a member wished to make a statement.
- 14.1.1 A matter on which a member wished to make a statement.



**10 REPORTS****10.1 Chief Executive Officer Reports**

Nil.

**10.3 Works And Infrastructure Directorate Reports****10.3.2 Urban Forest Strategy Update**

<b>Responsible Branch:</b>	Sustainability, Environment and Waste
<b>Responsible Directorate:</b>	Works and Infrastructure
<b>Authority/Discretion:</b>	Executive/Strategic
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	1. City of Bayswater Urban Forest Canopy 2021 vs 2018 [10.3.2.1 - 1 page] 2. City of Bayswater Urban Heat Island effect 2018 [10.3.2.2 - 1 page]
<b>Refer:</b>	Item 9.2.3: CTFCS 19.07.2017 Item 9.4: OCM 15.12.2015 Item 9.2: OCM 23.09.2014

*At 8:39pm, Ms Alix Bray withdrew from the meeting and returned at 8:41pm.*

**SUMMARY**

To provide Council with an update on the implementation of the City's urban forest strategy and seek approval of revised timing to achieve the target canopy level and targeted planting areas.

**OFFICER'S RECOMMENDATION**

That Council:

1. Approves amending the urban forest canopy target from an aspirational target of 20% coverage by 2025 to a specific target of 20% coverage by 2040.
2. Approves that tree planting occurs in accordance with the City's tree planting policy and as per '[Green Dreams: Urban forest planning for Bayswater](#)', targeting areas surrounding schools and town centres, supplemented by planting on streets with low canopy coverage.

**MOTION**

That Council:

1. Approves amending the urban forest canopy target from an aspirational target of 20% coverage by 2025 to a specific target of 20% coverage by 2040.
2. Approves that tree planting occurs in accordance with the City's tree planting policy and as per '[Green Dreams: Urban forest planning for Bayswater](#)', targeting areas surrounding schools and town centres, supplemented by planting on streets with low canopy coverage.
3. Approves the City to increase its planting to 14,000 trees from the 2023 winter planting season.
4. Adopts an aspirational target of 1,000,000 trees by 2040.

5. Requests the Chief Executive Officer to prepare an implementation target as per the Urban Forest Strategy and report progress to Council annually.

Cr Giorgia Johnson Moved, Cr Dan Bull Seconded

#### **AMENDMENT**

That limb 1 be amended as follows:

1. Approves amending the urban forest canopy target from an aspirational target of 20% coverage by 2025 to a specific target of 20% coverage by 2030, with middle-term specific targets of 16% by 2025 and 18% by 2027.

Cr Elli Petersen-Pik Moved, Cr Dan Bull Seconded

**CARRIED UNANIMOUSLY: 9/0**

**For:** *Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Steven Ostaszewskyj, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik, Cr Dan Bull and Cr Giorgia Johnson.*

**Against:** *Nil.*

*The amendment became a part of the substantive motion.*

#### **MOTION**

That Council:

1. Approves amending the urban forest canopy target from an aspirational target of 20% coverage by 2025 to a specific target of 20% coverage by 2030, with middle-term specific targets of 16% by 2025 and 18% by 2027.
2. Approves that tree planting occurs in accordance with the City's tree planting policy and as per '[Green Dreams: Urban forest planning for Bayswater](#)', targeting areas surrounding schools and town centres, supplemented by planting on streets with low canopy coverage.
3. Approves the City to increase its planting to 14,000 trees from the 2023 winter planting season.
4. Adopts an aspirational target of 1,000,000 trees by 2040.
5. Requests the Chief Executive Officer to prepare an implementation target as per the Urban Forest Strategy and report progress to Council annually.

Cr Giorgia Johnson Moved, Cr Dan Bull Seconded

**LOST: 4/5**

**For:** *Cr Sally Palmer, Cr Elli Petersen-Pik, Cr Dan Bull and Cr Giorgia Johnson.*

**Against:** *Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Steven Ostaszewskyj, Cr Josh Eveson and Cr Catherine Ehrhardt, Deputy Mayor.*

#### **COUNCIL RESOLUTION**

That Council:

1. Approves amending the urban forest canopy target from an aspirational target of 20% coverage by 2025 to a specific target of 20% coverage by 2030, with middle-term specific targets of 16% by 2025 and 18% by 2027.
2. Approves that tree planting occurs in accordance with the City's tree planting policy and as per '[Green Dreams: Urban Forest planning for Bayswater](#)', targeting areas

surrounding schools and town centres, supplemented by planting on streets with low canopy coverage.

**Cr Catherine Ehrhardt, Deputy Mayor Moved, Cr Steven Ostaszewskyj Seconded**

**CARRIED: 7/2**

**For:** *Cr Assunta Meleca, Cr Steven Ostaszewskyj, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik and Cr Giorgia Johnson.*

**Against:** *Cr Filomena Piffaretti, Mayor and Cr Dan Bull.*

### **REASON FOR CHANGE**

***Whilst a new target date is still considered aspirational by City Officers, the City should still be focusing on specific targets to combat climate change. A target of 20% by 2030 is potentially achievable if factoring in increase of current canopy.***

### **BACKGROUND**

At the Ordinary Council Meeting (OCM) 23 September 2014, Council resolved *"That in order to mitigate the Urban Heat Island effect and to provide considerable environmental benefits, City Officers investigate options to increase the City's tree canopy coverage from 13.2% to 20% by 2025."*

At the Community, Technical, Finance and Corporate Services Committee meeting of 19 July 2017, Council endorsed the Urban Forest Strategy (UFS) which included the following strategic principles:

- Plan to maintain and improve the liveability of the City of Bayswater
- Mitigate and adapt to climate change
- Reduce the Urban Heat Island effect
- Create healthier ecosystems.

The strategy included an "aspirational" goal to increase canopy coverage from 13.2% to 20% by 2025.

The City received considerable negative publicity in 2020 due to a RMIT report titled *'Where will all the trees be'*, which ranked the City the lowest of 29 comparable local governments for green cover, indicating there had been a 2% reduction in canopy and an almost 7% increase in grey cover (pavements, roads and roofs). It also categorised the City as having 'very high' challenges to maintaining and growing green cover. The RMIT report used iTree (a proprietary spatial survey and analysis tool) to undertake canopy analysis.

At the City of Bayswater Annual General Meeting held on 24 March 2021, there was significant interest from community members in the City's trees and status of the urban canopy.

There has been significant Council interest in the City's progress to achieve the aspirational urban canopy goal particularly with the pressures associated with urban infill and the current level of major State projects.

In March 2022, the Australian Urban Design Research Centre (ADURC) presented to Council modelling undertaken to provide forecasts on the number of trees that would need to be planted to achieve the City's target of 20% urban canopy as well as potential planting scenarios to inform how that canopy level could be achieved. Council was receptive to the presentation and the data provided. The document from AUDRC presented at the March meeting is large in size and has been provided as an on-line attachment.

## EXTERNAL CONSULTATION

External consultation was undertaken when the UFS was developed, and no additional consultation has been undertaken as part of this process.

## OFFICER'S COMMENTS

The threat to urban forest is not unique to City of Bayswater with local governments across Australia and globally facing similar challenges due to increased urbanisation. Research by City officers has identified a number of initiatives being undertaken by Local Governments (LG) contributing to positive impacts on urban canopy including:

- Mandatory street tree planting (Armada, Stirling, Victoria Park)
- Strict development policies to protect deep root zones on developments (Vincent, Fremantle)
- Defined tree planting requirements for new residential and commercial developments (Victoria Park, Stirling, Belmont)
- Incorporation of water harvesting pits into street drainage infrastructure (Perth)
- Use of tree wells to reduce watering costs (Victoria Park)
- Species selection resulting in 50% reduction in watering requirements (Victoria Park, Stirling)
- Incentivisation of retention and planting of trees i.e. waiving of planning application fees (Vincent)
- Street trees planted in water harvesting pits (Perth)
- Tree planting lists focused on endemics natives (Armada, Kwinana, Victoria Park).
- Underground Power (Cambridge)

Increasing the canopy in a LG is possible with the following LGs identified as leaders in Western Australia:

- Armada – increased canopy by 6.2% since 2016 (albeit it has lower density and greater rural areas than Bayswater),
- Belmont – increased canopy by 3.1% since 2016; and
- Perth – increased canopy by 3.6% since 2016.

It is also evident that LGs are allocating significant resources to increase their urban canopy:

- Victoria Park allocated \$1M to urban forest in 2019/20 budget,
- Canning has costed its tree planting program at approximately \$40M over 10 years,
- Stirling allocated approximately \$2M to tree planting in 2021/22; and
- Dedicated urban forest officer employed (Armada and Victoria Park).

Since the UFS was approved the City has worked hard to increase the canopy. In recent years, the City has been planting approximately 1,000 - 1,500 trees per year as part of parks and streetscapes programs. In 2021, the decision was made to insource tree planting capability which has increased the planting capacity to 3,000 trees per year, with a budget allocation of approximately \$1,500,000 per annum including overheads which covers purchase and maintenance costs of trees for three years and associated collateral costs. On average, it costs the City approximately \$ 450 including overheads to have a tree planted and maintained for three years using internal resources. To date, the focus has been on developing a robust system of tree planting and maintenance - getting trees planted and established. This has seen significant reductions in tree mortality in newly planted trees.

The Sustainability and Environment Team plants approximately 50,000 tube stock per year in the City's natural areas, of which approximately 8% (4000) are larger trees species with a mature height over 10m with the remainder a combination of mid and understory. The planting program costs approximately \$230,000 per annum, which is accommodated within the allocated budget for each of the natural areas. No additional maintenance or watering is undertaken for tube stock planting aside from standard weed control. Subject to rainfall levels this can result in variable

planting mortality rates from 15% to 50%. On average it is estimated mortality for natural area planting is approximately 25%, which is considered normal for this type of planting.

City canopy data generated through Light Detection and Ranging (LIDAR) survey, (which is significantly more accurate than iTree data), indicates the City's urban canopy (trees over 3m in height) has grown from 13.2% in 2016 to 13.4% in 2018, and to 14.55% in 2021. Despite the apparent growth in urban canopy, it is recognised the City's urban forest canopy continues to be under threat, primarily from the development of major infrastructure projects and infill development. As has been foreshadowed previously and based on progress to date, it will not be possible for the City to achieve an urban canopy of 20% by 2025.

The 20% urban canopy target is considered reasonable when compared to the targets of other comparable inner urban local government, such as City of Stirling (18%), Town of Victoria Park (20%) and the City of Vincent (20%). It should be noted that other cities in Australia and overseas have significantly higher targets, such as Melbourne (40%) and Sydney (27%).

To improve the City's understanding of what was required to achieve its urban canopy target of 20%, AUDRC was engaged to undertake modelling on the number of trees that would need to be planted, including consideration of the number of trees that would potentially be removed due to development of private land.

The modelling was based on increasing the canopy from 13.4% (2018 level) to 20%, assuming an average mature tree canopy footprint of 19.63m<sup>2</sup>, based on a canopy diameter of 5m. Further, the modelling considered the number of additional trees that would need to be planted due to the death of new plantings (assumed to be 15%) and the potential loss of canopy on private land by 2040 due to infill development. It was forecast that to achieve the target canopy of 20%, approximately 160,000 new trees will need to be planted to complement the existing canopy.

The City is currently planting approximately 7,000 trees per year; 3,000 in parks and streets, and 4,000 in natural areas. Based on the City's current canopy of 14.55%, it is forecast to take approximately 19 years to plant the required number of trees to increase the canopy to 20%. This figure is considered to be relatively conservative as it does not take into consideration growth of existing canopy. Assuming an average planting rate of 7,000 per year is maintained, the existing canopy can be protected, and the potential for some larger planting sites are undertaken, such as Riverside Gardens Urban Forest, it is considered that increasing the canopy to 20% by 2040 is achievable based on existing funding levels. Achieving the target canopy at an earlier date will require additional funds to be budgeted to increase the number of trees planted per year.

The AUDRC work also considered potential planting scenarios to not only achieve the desired increase in canopy but equally importantly, ensure the increased canopy is positively contributing to the liveability of the City. On this basis, the preferred planting scenario of targeting a 30% canopy for the walkable catchment around town centres and schools (800m) was identified. Planting in these areas will create shade, encourage active healthy lives, facilitate walking and riding to schools and the amenity of our town centres. Planting in these areas will also mitigate the urban heat island effect, address many of the areas that currently have lower canopy levels, and improve biodiversity throughout the City (**Attachments 1 and 2**). Targeting the school and town centre catchment is forecast to increase the overall City canopy to 19.03%. The additional canopy cover to achieve the 20% target will be obtained through street tree planting in streets with low canopy levels.

The proposed planting approach aligns with some of the transformational actions in the recently approved Environment and Liveability Framework, including:

- Increase biodiversity and connectivity of natural areas by creating NatureLinks through the City of Bayswater, by increasing native biodiversity in residential gardens and verges, parks and public spaces, median strips, cycle ways and drains;

- Plant one million trees in the City between 2020 and 2050;
- Provide continuous footpath connections, inclusive of shade from trees, and safe pedestrian crossings within an 800m distance of all activity centres, aged care and schools; and
- Create '20-minute neighbourhoods' throughout the City, giving people the ability to meet most of their daily needs within a 20-minute walk from home.

Challenges to retaining and growing the canopy include retention and enhancement of canopy on land not controlled by the City, and continued development in the City. The City currently has a policy requirement for the developer to provide one "Standard Tree" on the verge as a part of a development, where there is space available. The existing policy includes the following requirement for trees on private property:

*"Standard trees' are to be provided at a rate of one tree for every 350m<sup>2</sup> of site area (rounded to the nearest whole number). At least one 'standard tree' is to be provided on each site."*

Additionally, in the current draft policy for State Government Major projects it is proposed that the removal of a tree worthy of retention would be subject to a tree replacement ratio of five replacement trees per tree removed. This has been the City position on recent Major Project applications, and the update to the policy is a formalisation of this position.

A clear, transparent and planned tree planting regime is a critical step to build on progress to date and position the City to achieve its targeted urban forest canopy. In parallel the City is investigating and implementing some of the leading practice initiatives from other LG's such as use of tree wells, increased focus on planting of endemic species and improved Water Sensitive Urban Design (WSUD) in street and drainage infrastructure. Further work is required to develop systemic initiatives to promote the retention and planting of trees on land not controlled by the City.

The City's progress in delivering the urban forest strategy will be measured through tree planting being captured in GIS, annual reporting of planting achieved as part of the City's standard strategy reporting cycle as well as LIDAR analysis conducted every three years to measure canopy levels.

## LEGISLATIVE COMPLIANCE

There are no relevant legislative considerations.

## RISK ASSESSMENT

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

<b>Officer's Recommendation</b>	<b>That Council:</b> <ol style="list-style-type: none"> <li>1. Approves amending the urban forest canopy target from an aspirational target of 20% coverage by 2025 to a specific target of 20% coverage by 2040.</li> <li>2. Approves that tree planting occurs in accordance with the City's tree planting policy and as per <a href="#">'Green Dreams: Urban forest planning for Bayswater'</a>, targeting areas surrounding schools and town centres, supplemented by planting on streets with low canopy coverage.</li> </ol>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low

Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	The proposed approach to extend the timeframe to achieve the desired urban canopy based on defined tree planting numbers and schedule is aligned with the City's strategic direction. There is a risk of some concern from the community regarding the extended timeframe, however this approach is consistent with that being taken by other LGs and reflects that increasing urban canopy requires a long-term commitment to rebuilding and maintaining the urban canopy asset. There is a risk of some community concern regarding mandatory planting, however there is a strong narrative regarding the benefits of planting trees in proximity to schools and town centres.	

<b>Option 2</b>	<p><b>That Council:</b></p> <ol style="list-style-type: none"> <li><b>Approves amending the urban forest canopy target from an aspirational target of 20% coverage by 2025 to a specific target of 20% coverage by a date determined by Council.</b></li> <li><b>Approves that tree planting occurs in accordance with the City's tree planting policy and as per '<a href="#">Green Dreams: Urban forest planning for Bayswater</a>' targeting areas surround schools, town centres supplemented by planting on streets with low canopy coverage and other areas determined by Council.</b></li> </ol>
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<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	tbd
Reputation	Low	tbd
Governance	Low	tbd
Community and Stakeholder	Moderate	tbd
Financial Management	Low	tbd
Environmental Responsibility	Low	tbd
Service Delivery	Low	tbd
Organisational Health and Safety	Low	tbd

<b>Conclusion</b>	The risks associated with this option will be dependent on what Council determines in relation to the canopy target and targeted planting areas.
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<b>Option 3</b>	<p><b>That Council:</b></p> <ol style="list-style-type: none"> <li><b>Retains the urban forest canopy target an aspirational target of 20% coverage by 2025.</b></li> <li><b>Identifies alternative priority tree planting locations.</b></li> </ol>
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<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Moderate
Reputation	Low	Moderate
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Dependent on planting location
Service Delivery	Low	Dependent on planting location
Organisational Health and Safety	Low	Low

<b>Conclusion</b>	The City will not be able to achieve the aspirational target of 20% urban forest canopy by 2025. If this target is retained there is a reputational risk to the City should it not be achieved. The risk profile above reflects this scenario. Risks regarding desired tree planting target areas will be dependent on what Council determines in relation to the canopy target and targeted planting areas. Risks regarding Service Delivery
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	and Environmental Responsibility would need to be considered subject to tree planting locations determined by Council.
--	--

## FINANCIAL IMPLICATIONS

The following financial implications are applicable:

### Item 1:

**Asset Category:** New

**Source of Funds:** Municipal

**LTFP Impacts:** Continuation of relevant funding for Parks and Gardens and Sustainability and Environment teams, to be indexed in future years to enable the continuation of planting of the required number of trees. Costs will increase if the target date to achieve canopy is brought forward.

**Notes:** Costs include overhead allocation, plant operating costs and depreciation.

ITEM NO.	ONGOING COSTS (\$) ANNUAL		OVERHEADS (\$)	INCOME (\$)	ASSET LIFE (YEARS )	WHOLE OF LIFE COSTS (\$)	CURRENT BUDGET (\$)
	MATERIALS & CONTRACT	STAFFING					
1. Parks and Gardens tree planting costs	406,000	370,000	800,000				1,576,000
2. Sustainability and Environment tree planting costs	150,000	40,000	40,000				230,000

## STRATEGIC IMPLICATIONS

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

Theme: Environment and Liveability

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

Goal E3: Improve the City's walking and cycling network and create safer streets.

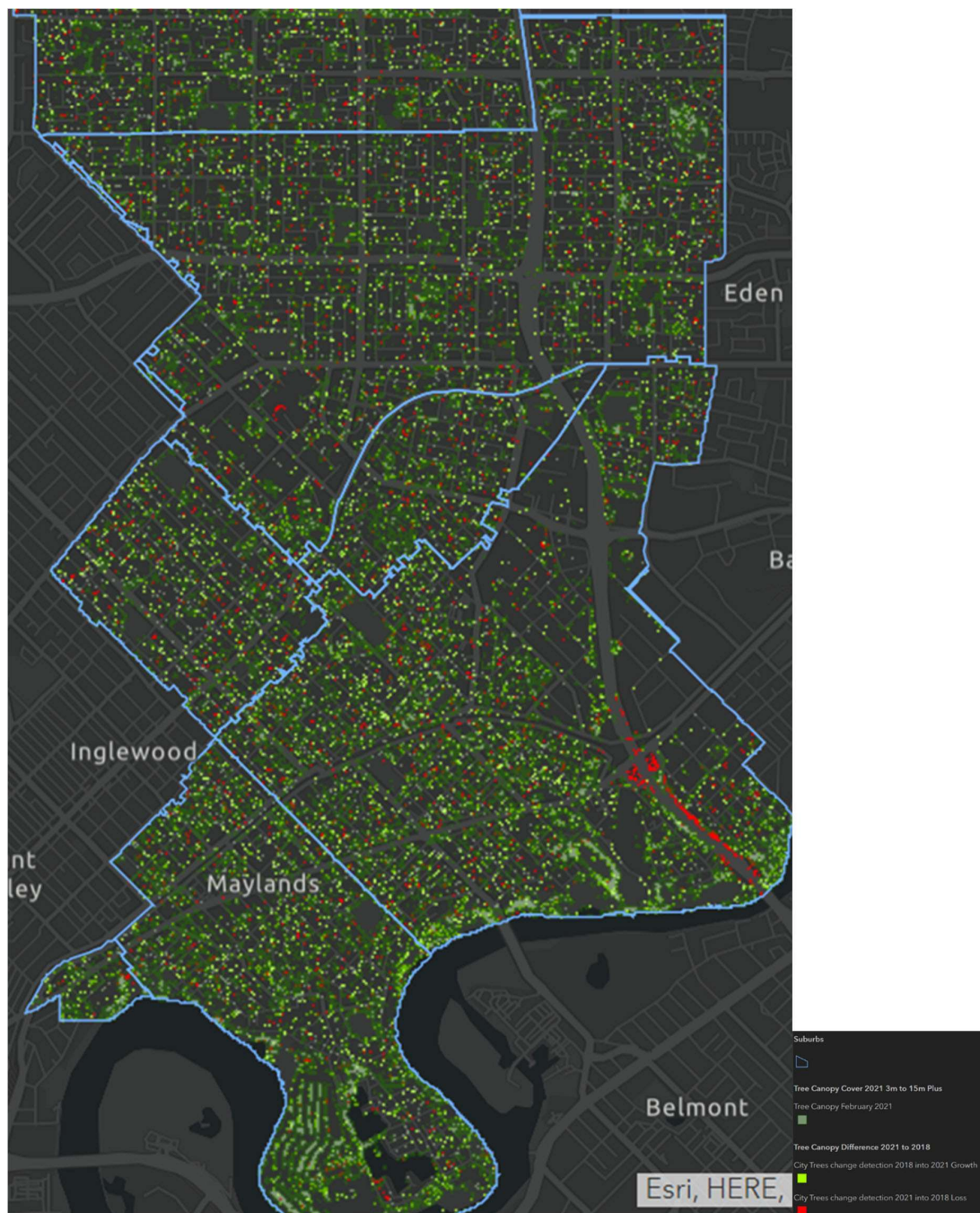
Goal E5: Protect and enhance the City's natural environment and biodiversity, and encourage the community to participate in its protection.

## CONCLUSION

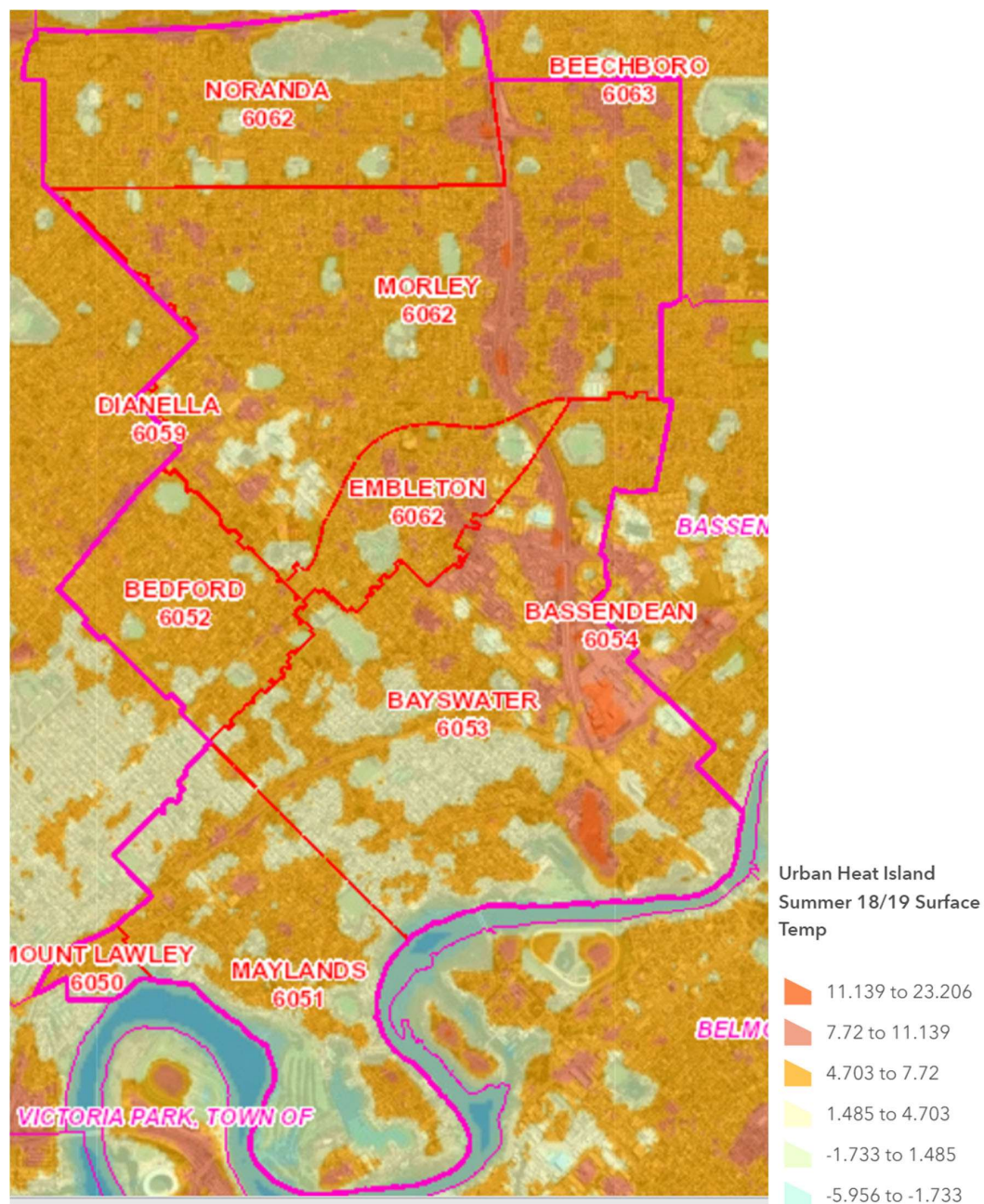
Increasing urban forest canopy in the City will improve the liveability for residents by increasing shade, reducing urban heat island effect, encouraging walking and cycling, and improving the amenity of the City's town centres. Adopting a specific and measurable urban canopy target of 20% by 2040 recognises the extended lead times and long-term commitment required to grow and expand the urban canopy, and is vital to being able to develop clear operational plans. Targeting plantings around schools and town centres in the first instance ensures the benefits to the community are maximised and promotes active and high amenity streets and town centres. The environment will also benefit through improved habitat creation and associated biodiversity. Making the planting a priority in these locations will provide the City with a clear pathway to undertake the required plantings to achieve the target canopy level.



Attachment 2: City Tree Canopy 2021 vs 2018



Attachment 3 – City of Bayswater Urban Heat Island



Source: CSIRO Urban Heat Island Analysis Summer 2018 / 2019

**10.4 Community And Development Directorate Reports****10.4.1 Proposed Two Storey Single House - Lot 2, 4 Neville Street, Bayswater**

<b>Applicant/Proponent:</b>	Dale Alcock Homes Pty Ltd
<b>Owner:</b>	Cheryl Gomez and Pasquale Potito
<b>Responsible Branch:</b>	Development and Place
<b>Responsible Directorate:</b>	Community and Development
<b>Authority/Discretion:</b>	Quasi-Judicial
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	1. OCM June [ <b>10.4.1.1</b> - 5 pages]
<b>Refer:</b>	Item 10.4.1: OCM 24.5.2022

**SUMMARY**

A planning application has been received for a two-storey single house at Lot 2, 4 Neville Street, Bayswater. Council consideration is sought given the Officer's position of not supporting the proposed variations to Clause 5.3.5 of the Residential Design Codes (R-Codes) - Vehicular Access. This is primarily due to the presence of a right-of-way at the rear of the property, which is inconsistent with the deemed to comply and design principles provisions of the R Codes which stipulate access from the right-of-way where available. The application is therefore recommended for refusal.

**OFFICER'S RECOMMENDATION**

That Council refuses the planning application dated 2 February 2022 and plans dated 2 February 2022 and landscape plan dated 31 May 2022 for the proposed two storey single house at Lot 2, 4 Neville Street, Bayswater, for the following reasons:

1. The proposal is considered to have an undue impact on the streetscape with the impact of the crossover to the street by virtue of the resultant reduction in softscape and area available for street tree(s) on the verge.
2. The proposal is considered to be inconsistent with the orderly and proper planning of the locality.
3. The non-compliance with the design principles of State Planning Policy 7.3 Residential Design Codes Volume 1 Clause 5.3.5 Vehicular Access of the Residential Design Codes by virtue of the availability of access from a right-of-way.

**COUNCIL RESOLUTION**

That Council grants planning approval for the proposed two storey single house at Lot 2, 4 Neville Street, Bayswater in accordance with the planning application dated 2 February 2022 and plans dated 2 February 2022 and landscape plan dated 31 May 2022, subject to the following conditions:

1. The development shall only be carried out in accordance with the terms of the application as approved herein, and any approved plan.
2. The approved parapet/boundary wall and footings abutting the north-eastern boundary must be constructed wholly within the subject allotment. The external surface of the parapet/boundary wall shall be finished to a professional standard, to the satisfaction of the City of Bayswater.
3. Walls, fences and other structures are to be truncated or reduced to no higher than 0.75m within 1.5m of where the driveway meets the road reserve.

4. All stormwater and drainage runoff produced onsite is to be disposed of onsite to the satisfaction of the City of Bayswater.
5. All vehicle crossings being upgraded, designed and constructed to the satisfaction of the City of Bayswater.
6. The proposed driveway being constructed with brick paving or concrete and drainage/soak wells to be provided to the satisfaction of the City of Bayswater.
7. Prior to the occupation, the two street trees (*Lophostemon Confertus*) as denoted on the landscape plan, are to be planted on the Neville Street verge in front of the subject site, at the full cost of the applicant/owner and to the specifications and satisfaction of the City of Bayswater.
8. On completion of construction, all excess articles, equipment, rubbish and materials being removed from the site and the site left in an orderly and tidy condition, to the satisfaction of the City of Bayswater.
9. Landscaping and reticulation shall be completed in accordance with the approved detailed landscape plan prior to occupation of the development and thereafter maintained to the satisfaction of the City of Bayswater.

**Advice Notes:**

1. This approval is not a building permit or an approval under any other law than the *Planning and Development Act 2005*. It is the responsibility of the applicant/owner to obtain any other necessary approvals, consents and/or licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
2. 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.
3. This approval does not authorise any interference with dividing fences, not entry onto neighbouring land. Accordingly, should the applicant/landowner wish to remove or replace any portion of a dividing fence, or enter onto neighbouring land, the applicant/landowner must first come to a satisfactory arrangement with the adjoining property owner. Please refer to the *Dividing Fences Act 1961*.
4. In relation to condition 7, the recommended bag size is 45 litres (35 litres minimum).

Cr Josh Eveson Moved, Cr Assunta Meleca Seconded

**CARRIED: 5/4**

**For:** Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Steven Ostaszewskyj, Cr Josh Eveson and Cr Catherine Ehrhardt, Deputy Mayor.

**Against:** Cr Sally Palmer, Cr Elli Petersen-Pik, Cr Dan Bull and Cr Georgia Johnson.

**REASON FOR CHANGE**

*To deliver a better streetscape outcome in Neville Street, Bayswater.*

**BACKGROUND**

<b>Application Number:</b>	DA22-0025
<b>Address:</b>	Lot 2, 4 Neville Street, Bayswater
<b>Town Planning Scheme Zoning:</b>	Medium and High Density Residential R25
<b>Use Class:</b>	Single House - 'P' or (Permitted) Use
<b>Lot Area:</b>	304m <sup>2</sup>



<b>Existing Land Use:</b>	Vacant
<b>Surrounding Land Use:</b>	Single Houses and Grouped Dwellings
<b>Proposed Development:</b>	Two Storey Single House

A planning application for a two-storey single house was received by the City on 2 February 2022. The dwelling itself is largely compliant with the R-Codes with the exception of the vehicle access to the lot which is proposed from the primary street rather than the right-of-way. Whilst the City's officers have delegated authority to determine the application, the applicant specifically requested the matter be referred to Council for determination given the officers' approach to these variations is to generally not support them.

The application was presented to the 24 May 2022 Ordinary Meeting of Council where a motion to conditionally approve the application was lost. A subsequent motion reflecting the Officer's Recommendation for refusal was also lost.

The applicant has subsequently provided a landscape plan denoting details of the required private tree and also two street verge trees however no other changes to the design of the proposal have occurred. The City officer's recommendation therefore remains unchanged (refer to **Attachment 1**).

The City has obtained advice that under Section 5.20(1) of the *Local Government Act*, 'a decision of Council does not have effect unless it is made by a simple majority', as is required in this instance. Therefore as no decision was made by a simple majority of Council, Council has yet to make a decision and the application is again forwarded to Council for a determination to be made.





### EXTERNAL CONSULTATION

No consultation occurred with the public as the application was compliant with all R-Codes deemed to comply provisions that directly impact adjoining properties.

### OFFICER'S COMMENTS

Key Scheme Provisions	Required	Provided	Assessment
Minimum Setbacks:			
Front	2.5m	2.5m-3m	Compliant
Side [North]	Nil – 1.5m	Nil – 4.02m	Compliant
Side [South]	2m	6.1m (incl ROW)	Compliant
Rear [West]	1.5m	1.5m	Compliant
Maximum Boundary Wall Height: Side (North)	3.5m	3m	Compliant
Maximum Building Height:			
Wall Height	7m	6m	Compliant
Roof Pitch Height	10m	8.8m	Compliant
Vehicular Access	Via ROW	Via Primary street	Variation
Minimum Open Space	50%	50.04%	Compliant
Minimum Parking	2 car bays	2 car bays	Compliant

Assessment of the proposal indicates that it meets the deemed to comply requirements of the R-Codes with the exception of vehicular access.

#### Vehicular Access

The proposal is for a two-storey single house with access off the primary street, Neville Street, rather than the right-of-way (ROW). A crossover is proposed to provide access to the garage of the dwelling on the north-eastern end of the lot. The crossover is proposed to be constructed over the existing 19.71m wide street verge which currently contains a grassed area with no street trees. The dwelling itself is well orientated to the Neville Street frontage with a number of habitable room openings on both ground and upper levels and an articulated design.

The Neville Street streetscape is characterised by lots which directly face the primary street as well as other lots having their secondary street to Neville Street. Neville Street contains a number of examples of older dwellings (built pre-2007) which have access to available ROW's but have not utilised them as well as newer dwellings, such is in the case of 22 Neville Street which have utilised the existing ROW. The City has been undertaking paving, draining and lighting of ROW's since 2007 which has seen a significant improvement in the secondary street (ROW) environments which is evident in this location. This has had a flow on effect to primary streets having less crossovers, retention of street trees and reduced areas of hard stand.

The deemed to comply provisions of the R-Codes Clause 5.3.5 relating to vehicular access require that access to a lot is taken from a ROW, where available that is lawful to use and adequately paved and drained from the property boundary to a constructed street. If a ROW is not available the lesser street is to be utilised. In this instance the ROW is available for use and is trafficable with access to Neville Street and the primary street access proposed is a variation to this deemed-to-comply requirement.

The explanatory guidelines of the R-Codes outline the following key reasons for access from a ROW where available:

*"The advantages of not having vehicle directly access from the primary street are identified in clauses 5.3.5 and 6.3.5 of the R-Codes and include:*

- *The streetscape will be less dominated by carports, garages and parked vehicles;*
- *There will be fewer driveways and so more useable space for street trees and kerbside parking for visitors; and*
- *There will be fewer conflicting movement of vehicles, pedestrians and cyclists."*

Given the applicant has proposed in the design for access to be taken from the primary street, the applicant has sought a design principles assessment be undertaken in accordance with P5.1 of the R-Codes which includes the following:

*"P5.1 Vehicular access provided for each development site to provide:*

- *Vehicle access safety;*
- *Reduced impact of access points on the streetscape;*
- *Legible access;*
- *Pedestrian safety;*
- *Minimal crossovers; and*
- *High quality landscaping features."*

In relation to the design principle provisions of Clause 5.3.5 of the R-Codes relating to vehicle access, the City is of the opinion that the proposed development does not achieve the design principles and specifically in relation to:

- The location of a vehicle access point from the ROW rather than the primary street would improve access safety as it would enable access to the property in a low movement environment;
- The location of the garage off the ROW would cause no impact to the streetscape and further opportunities for street trees along the verge;
- The location of the garage off the ROW would enable no impact for pedestrians than may be possible under the current configuration off Neville Street;
- The present location of the garage creates the presence of a crossover in a location which is unwarranted given the opportunity to locate access of the ROW;
- The location of the garage at the ROW instead of off the primary street would still enable opportunities for landscaping on the property to the northern end of the lot, whilst allowing an alfresco area to obtain northern light as well as being separated from the garage area. In addition, the design does not take advantage of the northern aspect of the lot with only garage, service and bathroom areas located there.

Based on the above, the variation proposed to Clause 5.3.5 of the R-Codes relating to vehicular access to the proposed dwelling is not supported.

### LEGISLATIVE COMPLIANCE

- City of Bayswater Town Planning Scheme No. 24; and
- State Planning Policy 7.3 - Residential Design Codes Volume 1.

### OPTIONS

The following options are available to Council:

1. Council refuses 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 no or alternate condition(s). The risks associated with this option is considered dependent on the reasons given for the approval and any condition(s) and the nature of the condition(s).

### FINANCIAL IMPLICATIONS

Not applicable.

### STRATEGIC IMPLICATIONS

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

Theme: Environment and Liveability

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

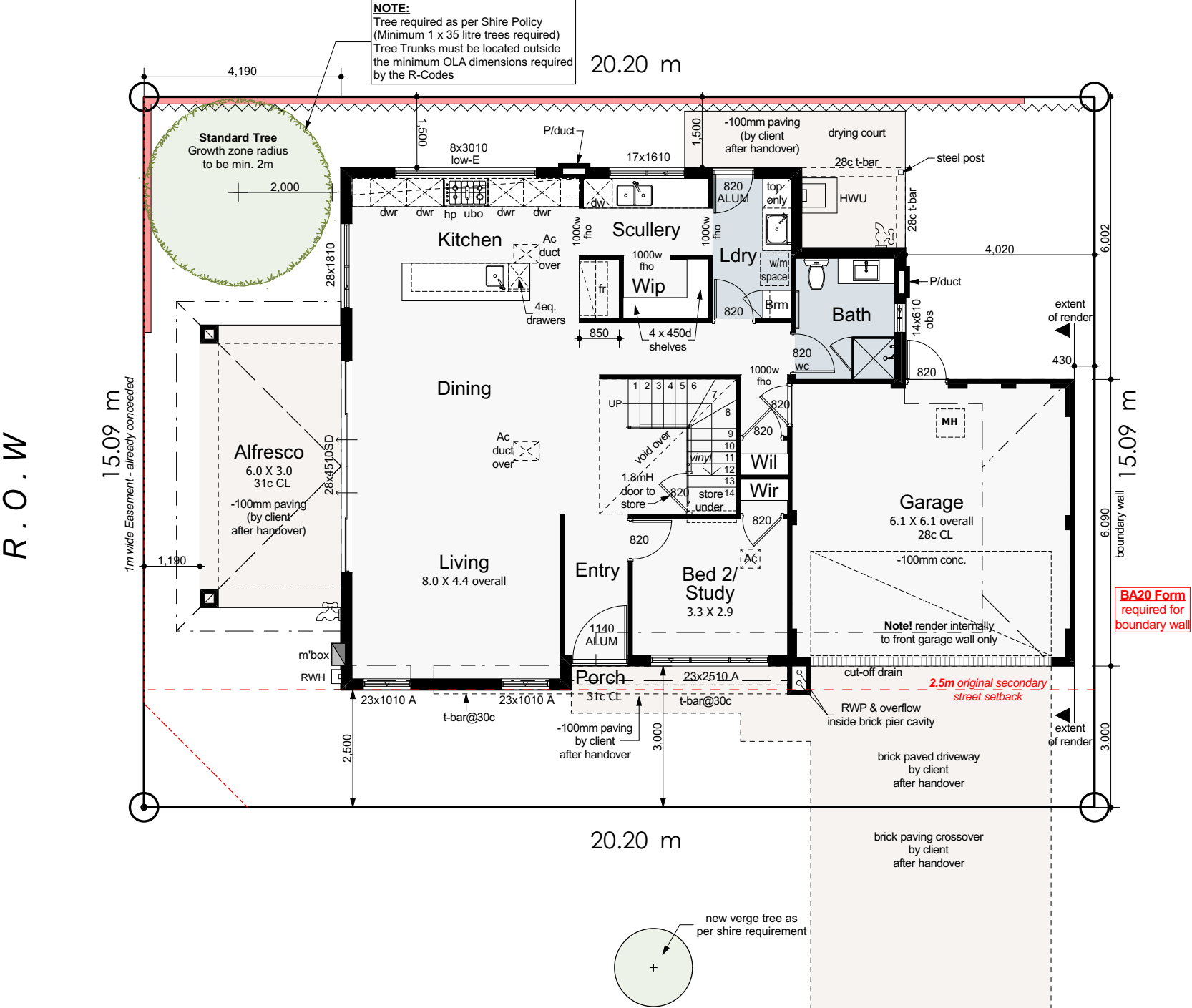
It is considered that the proposed single house and the location of the crossover on the primary street frontage will increase hardstand area and reduce the area available for the planting of street trees.

### CONCLUSION

In view of the above, the proposed two storey single house is recommended for refusal.



Floor Plan  
1:100



Special

Ground Floor	111.22
First Floor	130.02
Garage	35.65
Alfresco	18.00
Porch	2.30

Total: **297.19 m<sup>2</sup>**  
Perimeter: 46.160m)

Render to entire home  
(including garage internally)

31c ceiling throughout home  
(unless otherwise noted)

28c high internal doors  
throughout home  
(unless otherwise noted)

Zoning	<b>R25</b>
Percentage allowed	<b>50%</b>
Site-Lot Area	304m <sup>2</sup>
Site Cover Allowed	152m <sup>2</sup>
Site Cover Used	146.87m <sup>2</sup>

**Actual Coverage 48.31%**

Mandatory Design Compliance  
(City of Bayswater)

Preliminary drawing:  
This design is subject to receipt of  
an accurate site survey &  
dimensions.

Miscellaneous:  
BAL fire rating req's: NA  
Noise attenuation req's: NA

Local Planning Policies  
Applicable:  
- Trees on private land & verges  
- .....

☒ Planning Required

R-Code Variation  
Acknowledgement:  
The proposed design requires a  
variation to the Residential Design  
Codes and therefore will be at the  
discretion of the local authority.  
As a result proceeding with this  
design may incur additional costs  
and time delays.

REASONS:  
- Garage facing secondary street, in  
lieu of Laneway.  
- .....



CLIENT: Cheryl Gomez & Pasquale Potito

ADDRESS: Lot 2 (#4) Neville Street BAYSWATER

JOB NUMBER: 35226

CONSULTANT: John Williams

BIMcloud: ABN BIM CLOUD - BIMcloud/NA/DAH/Job/35000/35200/35226/Design/35226\_4PCA1

CONCEPT#:

4PCA1 8/11/2021 MH  
03TP 21/10/2021 MH  
02 14/09/2021 MH  
01 10/09/2021 MH

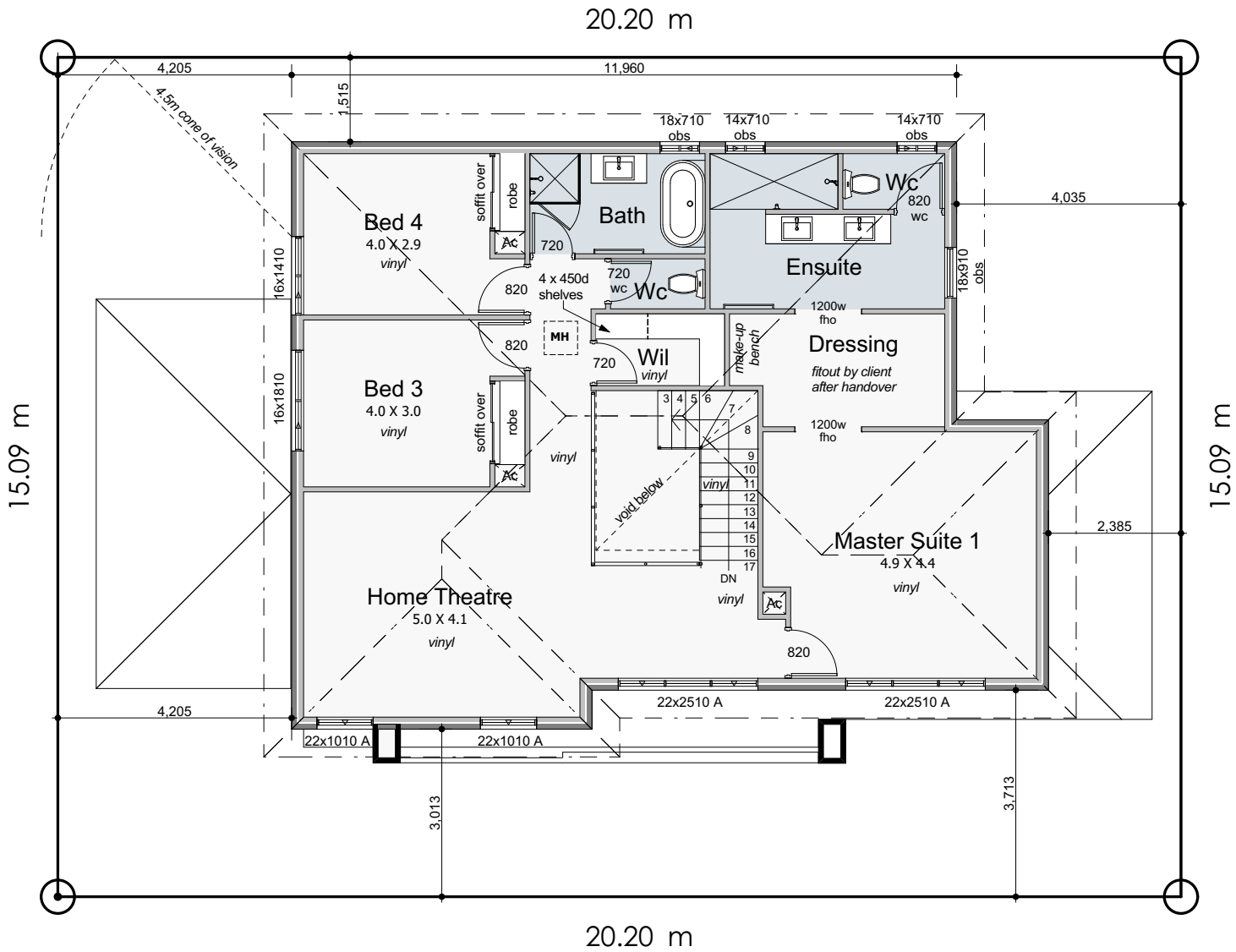
CLIENT: \_\_\_\_\_

CLIENT: \_\_\_\_\_

BUILDER: \_\_\_\_\_

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First Floor Plan  
1:100



Special

Ground Floor	111.22
First Floor	130.02
Garage	35.65
Alfresco	18.00
Porch	2.30
Total:	<b>297.19 m<sup>2</sup></b>
Perimeter:	46.160m)

- Render to entire home (including garage internally)
- 31c ceiling throughout home (unless otherwise noted)
- 28c high internal doors throughout home (unless otherwise noted)

Zoning	<b>R25</b>
Percentage allowed	<b>50%</b>
Site-Lot Area	304m <sup>2</sup>
Site Cover Allowed	152m <sup>2</sup>
Site Cover Used	146.87m <sup>2</sup>
Actual Coverage	<b>48.31%</b>

- Mandatory Design Compliance (City of Bayswater)
- Preliminary drawing: This design is subject to receipt of an accurate site survey & dimensions.
- Miscellaneous: BAL fire rating req's: NA Noise attenuation req's: NA
- Local Planning Policies Applicable:
  - Trees on private land & verges
  - .....

☒ Planning Required

R-Code Variation Acknowledgement:  
The proposed design requires a variation to the Residential Design Codes and therefore will be at the discretion of the local authority. As a result proceeding with this design may incur additional costs and time delays.

REASONS:  
- Garage facing secondary street, in lieu of Laneway.  
- .....



CLIENT: Cheryl Gomez & Pasquale Potito  
ADDRESS: Lot 2 (#4) Neville Street BAYSWATER  
JOB NUMBER: 35226  
CONSULTANT: John Williams  
BIMcloud: ABN BIM CLOUD - BIMcloud/NA/DAH/Job/35000/35200/35226/Design/35226\_4PCA1

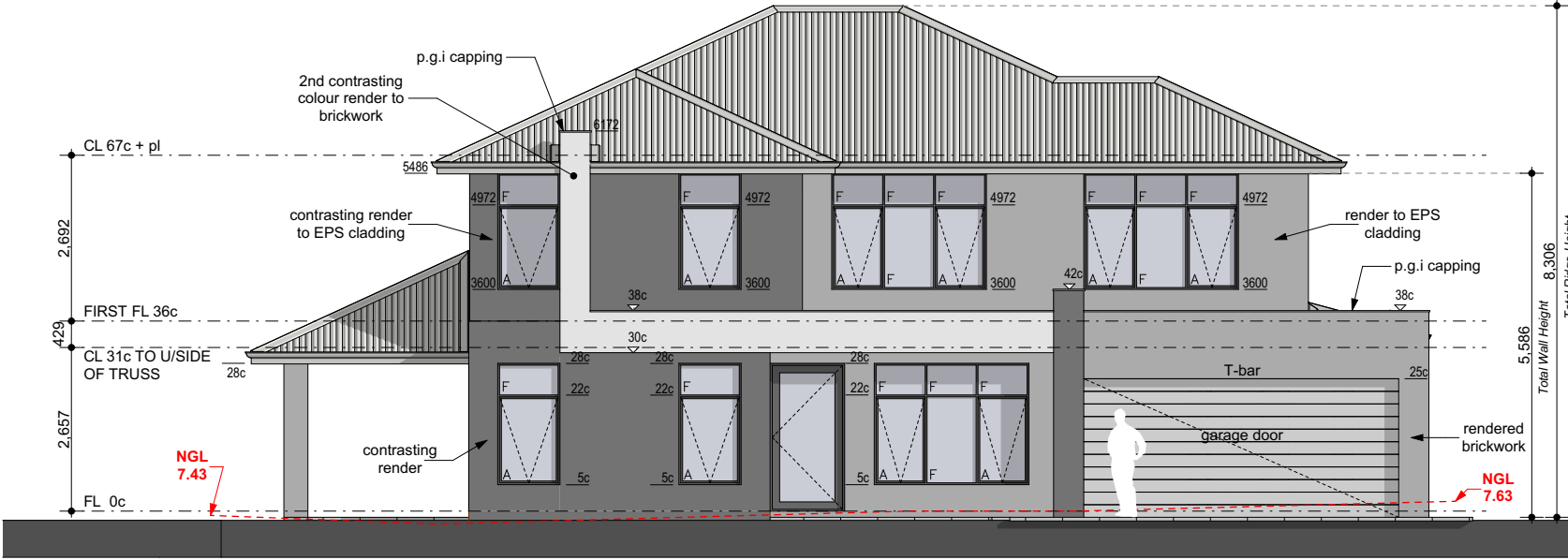
CONCEPT#:			CLIENT:	
4PCA1	8/11/2021	MH	CLIENT:	
03TP	21/10/2021	MH	BUILDER:	
02	14/09/2021	MH		
01	10/09/2021	MH		

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Elevations

Roofing Note  
24°43' Roof Pitch  
Metal Roof

Special



E1 Front Elevation  
1:100



E3 Rear Elevation  
1:100



E2 Side Elevation  
1:100

CLIENT: Cheryl Gomez & Pasquale Potito  
ADDRESS: Lot 2 (#4) Neville Street BAYSWATER  
JOB NUMBER: 35226  
CONSULTANT: John Williams  
BIMcloud: ABN BIM CLOUD - BIMcloud/WA/DAH/JOBS/35000/35200/35226/Design/35226\_4PCA1

CONCEPT#:	CLIENT: _____
4PCA1 8/11/2021 MH	CLIENT: _____
03TP 21/10/2021 MH	BUILDER: _____
02 14/09/2021 MH	
01 10/09/2021 MH	

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Elevation

Roofing Note  
24°43' Roof Pitch  
Metal Roof

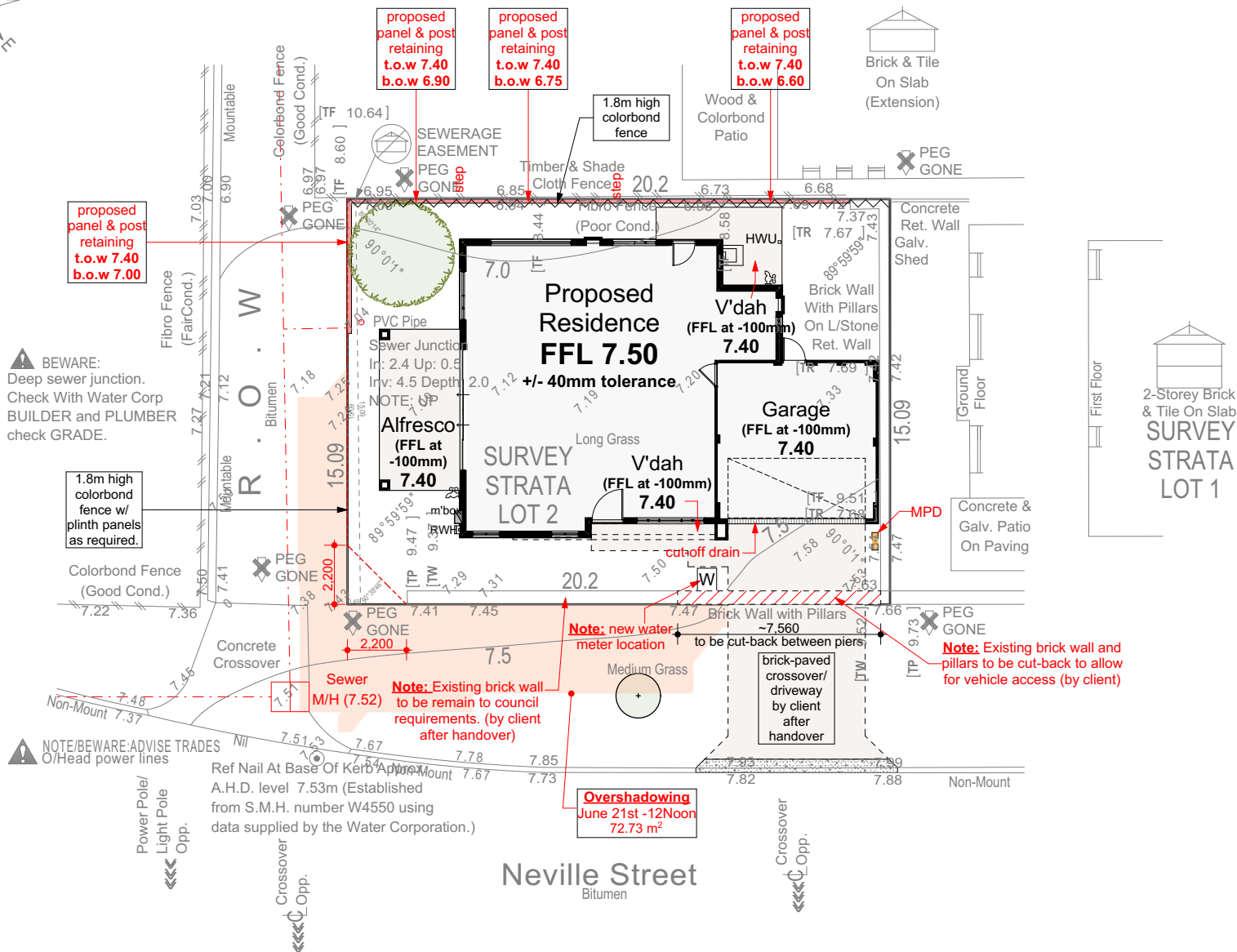
Special



E4 Side Elevation  
1:100

Site Plan

1:200



CLIENT: Cheryl Gomez & Pasquale Potito  
ADDRESS: Lot 2 (#4) Neville Street BAYSWATER  
JOB NUMBER: 35226  
CONSULTANT: John Williams  
BIMcloud: ABN BIM CLOUD - BIMcloud\WA\DAH\Jobs\35000\35200\35226\Design\35226\_4PCA1

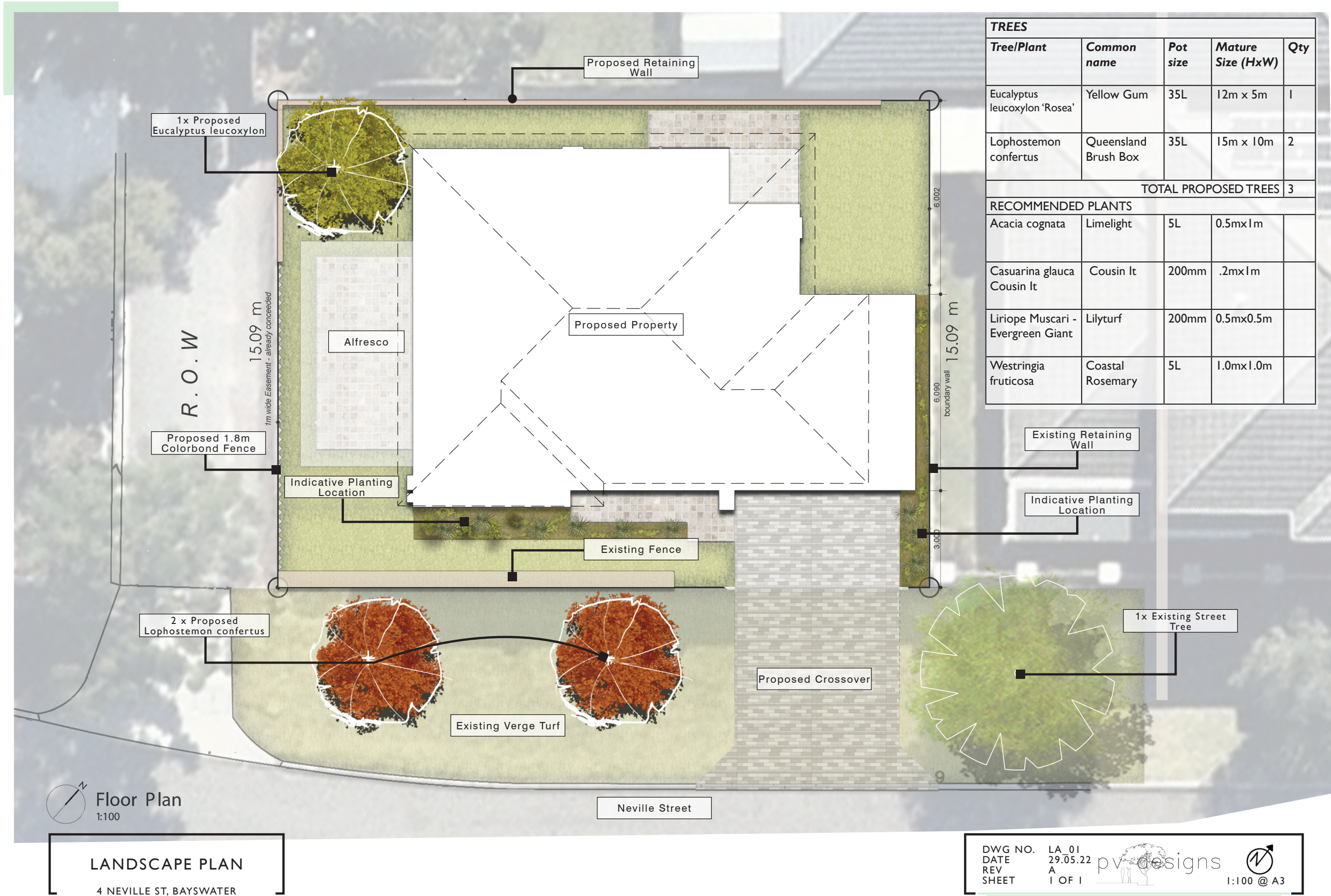
CONCEPT#:		CLIENT:	
4PCA1	8/11/2021	MH	
03TP	21/10/2021	MH	
02	14/09/2021	MH	
01	10/09/2021	MH	

CLIENT: \_\_\_\_\_  
CLIENT: \_\_\_\_\_  
BUILDER: \_\_\_\_\_

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#### 10.4.2 Proposed Alterations and Additions to Concrete Batching Plant - Lot 2, 277-279 Collier Road, Bayswater

<b>Applicant/Proponent:</b>	CDP Town Planning and Urban Design (Director: Frank Arangio)
<b>Owner:</b>	Ransberg Pty Ltd (Directors: David D Bona and Steven D Bona)
<b>Responsible Branch:</b>	Development and Place
<b>Responsible Directorate:</b>	Community and Development
<b>Authority/Discretion:</b>	Quasi-Judicial
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	1. Development Plans [10.4.2.1 - 3 pages] 2. CONFIDENTIAL - CONFIDENTIAL - Submissions Map [10.4.2.2 - 1 page]
<b>Refer:</b>	Item 11.1.16: OCM 22.9.2015

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

#### **CR FILOMENA PIFFARETTI, MAYOR DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Filomena Piffaretti, Mayor declared an impartial interest in this item as she had visited the site at the invitation of WA Premix. Cr Piffaretti, 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 she has previously brought to the Council issues of community concern regarding the concrete batching plant. Cr Palmer remained in the room during voting on this item.*

#### **CR STEVEN OSTASZEWSKYJ DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Steven Ostaszewskyj declared an impartial interest in this item as he had visited the site at the invitation of WA Premix. Cr Ostaszewskyj remained in the room during voting on this item.*

#### **CR ASSUNTA MELECA DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Assunta Meleca declared an impartial interest in this item as she had visited the site at the invitation of WA Premix. Cr Meleca remained in the room during voting on this item.*

#### **SUMMARY**

A planning application has been submitted for proposed alterations and additions to the concrete batching plant at Lot 2, 277-279 Collier Road, Bayswater. Given 15 objections were received in response to public advertising, determination of the application falls outside officer's delegation, hence the application is referred to Council for determination.

The proposed alterations and additions are considered relatively minor in nature and will generally improve the operation of the plant in accordance with environmental impact mitigation requirements. Amended plant operating hours more in accordance with current industry needs are supported, however in order to protect residential amenity it is considered that fixed operating

hours should be retained instead of the more flexible hours proposed. It is considered that the application can be supported subject to the proposed conditions.

The proposal will augment the existing operations; in the event the application is not supported by Council, the plant can continue to operate in accordance with its approval, and the applicant also has a right of appeal to the State Administrative Tribunal against the determination.

### OFFICER'S RECOMMENDATION

That Council grants planning approval for the proposed alterations and additions to concrete batching plant at Lot 2, 277-279 Collier Road, Bayswater in accordance with the development application dated 15 November 2021 and plans dated 27 May 2022, subject to the following conditions:

1. The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan, including any plan approved as a component of the updated Environmental Management Plan (EMP) required by Condition 6.
2. On completion of construction, all excess articles, equipment, rubbish and materials being removed from the site and the site is to be left in an orderly and tidy condition.
3. All stormwater and drainage runoff produced onsite is to be disposed of onsite via the use of soakwells, approved by the City of Bayswater. The soakwells must deal with the entire land area and be designed to contain a 24 hour storm duration and 100 year average recurrence interval.
4. Unless otherwise approved by the City of Bayswater, the area at the rear of the lot, depicted as 'Grassed Area' on the approved plans is not to be used for the storage of materials or vehicles.
5. Activities associated with the use of Lot 2, 277-279 Collier Road, Bayswater for a concrete batching plant shall not cause the concentration of particulate matter as PM10 at the location referred to in Condition 6(a)(i), to exceed:
  - (a) 12.4µg/m<sup>3</sup> as a 24 hour average on any day when the ambient concentration (inclusive of the contribution from emissions from the land) exceeds 50µg/m<sup>3</sup> of particulate matter as PM10 as a 24 hour average; or
  - (b) 500µg/m<sup>3</sup> as a 15 minute average.
6. Amended documentation for the Environmental Management System (EMS) compliant with AS/NZS ISO 14001:1996 shall be submitted to the City of Bayswater for approval prior to the issue of a building permit. The EMS shall incorporate an updated EMP addressing the amended plant operating hours, waste and water recycling management, dust monitoring and additional crossover to the satisfaction of the City of Bayswater. The EMP shall address the following issues to the satisfaction of the City of Bayswater:
  - (a) Dust and Particulate Management, including:
    - i. The use of Beta Gauge (PM10) monitor at a second location sited in accordance with AS/NZS 3580.1.1 (as far as practical) and within the location of the previous TEOM, to allow the incremental PM10 concentrations to be determined;
    - ii. The Beta Gauge monitor is to be operated in accordance with AS/NZS 3580.9.11;
    - iii. The owner/operator is to formalise the approach and procedures for:
      - Determining any dust emissions from the site;
      - Deriving modelled incremental PM10 concentrations at the nearest sensitive premises; and

- Associated thresholds which could trigger site management alerts and responses;
- iv. The Beta Gauge monitors are to be maintained by an organisation accredited by the National Association of Testing Authorities (NATA) in respect to the operation of those monitors;
- v. The use of an anemometer with a 10m pole, unless a lower pole is approved by the City of Bayswater;
- vi. PM10 concentrations from the Beta Gauge monitors, and wind speed and wind direction from the anemometer, shall be averaged over a time period of not more than 15 minutes and electronically recorded;
- vii. All dust incidents in which a criterion set in Condition 5 is exceeded shall be reported to the City of Bayswater within 24 hours after the incident. The report shall explain what action was taken to address the exceedance;
- viii. Summaries of the results of monitoring including each 24 hour average PM10 concentration are to be provided quarterly to the City of Bayswater by no more than 30 days after each quarter. The quarterly summary must identify and highlight the date and time on which the monitoring showed the PM10 concentration exceeded:
  - 50µg/m<sup>3</sup> as a 24 hour average; and
  - 500µg/m<sup>3</sup> as a 15 minute average; and
- ix. An annual report prepared by the body carrying out the dust monitoring, which reviews whether the dust received at the nearest sensitive premises has been compliant with the NEPM PM10 standard, the extent to which the development contributed to any exceedances of 24 hour average PM10 concentrations greater than 50µg/m<sup>3</sup> and whether the development has complied with the requirements of Condition 5.

The annual report referred to above shall be submitted by no more than 30 days after each calendar year to which the date relates.

Dust monitoring shall be continued indefinitely, or until the City of Bayswater is satisfied that the operating experience of cumulative air quality has shown that the risk of exceeding the NEPM standard for annual particulates has abated. The requirement for continued dust monitoring may be reviewed by the City of Bayswater at the request of the applicant following the provision of an EMS audit required by Condition 8.

- (b) Noise management, including the use of appropriate acoustic barriers and low noise front end loaders;
- (c) Surface water management;
- (d) Landscaping;
- (e) Visual amenity;
- (f) Waste management;
- (g) Light overspill;
- (h) Traffic management;
- (i) Storage of hazardous and/or dangerous goods;
- (j) Complaints management;
- (k) Contingency measures to be adopted in the event of potential or actual unacceptable emissions from the site; and



- (l) Checklists and personnel responsibilities for actions assigned by the EMP.
7. The amended EMS and EMP approved by the City of Bayswater shall be implemented, and the development must at all times comply with the approved EMS and EMP.
  8. The EMS must be audited by an independent appropriate body at least every three years from the date of this approval, and the results of the audit must be provided to the City of Bayswater.
  9. The plant is to be equipped with audible and/or visual alarms together with supporting microprocessor hardware and software capable of determining and logging incremental concentrations and background concentrations, utilising the monitoring data collected from the monitoring equipment required by Condition 6 (a), such equipment to automatically alert site management in real-time should the PM10 limits in Condition 5 be, or be likely to be exceeded. The logged data shall be made available to the City of Bayswater as soon as practicable upon request.
  10. Any portion of the site to be used for movement or parking of vehicles and/or onsite storage of empty bins, must be sealed and drained to the satisfaction of the City of Bayswater.
  11. Uncovered parking bays shall be a minimum of 5.5m x 2.5m.
  12. Truck parking bays are to conform to the relevant Australian Standards.
  13. A bin area is to be provided of not less than 10m<sup>2</sup> and with a permanent water supply and drainage facility for washdown. The bin area is to be screened by a gate and brick walls or other suitable material to a height of not less than 1.8m.
  14. Bins are to be washed only in the washdown facility within the bin area, drained to a silt trap and disposed of via the Water Corporation sewer system or if this is not available, a leach drain soakwell system which is separate to the stormwater disposal system, or approved system, to the satisfaction of the City of Bayswater.
  15. Two driveways are permitted onto Collier Road. The driveways shall be constructed to the City of Bayswater standards for commercial driveways.
  16. No storage of materials outside the approved buildings is permitted.
  17. A copy of an approval issued by the Department of Water and Environmental Regulation – Licensing Section for the operation of the facility shall be submitted to the City of Bayswater prior to operations commencing.
  18. A copy of an approval to discharge issued by the Water Corporation shall be submitted to the City of Bayswater prior to operations commencing.
  19. A truck washdown area is to be provided in accordance with the *Environmental Protection (Concrete Batching and Cement Product Manufacturing) Regulations 1998* (WA) and in a location approved by the City of Bayswater. Trucks may only be washed down in the approved washdown area.
  20. Operating hours are to be restricted to 4:00am – 4:00pm Monday to Saturday (public holidays excluded); however, no front end loader may operate, nor may any raw materials be delivered to the site prior to 7:00am.
  21. All dust emission controls including bag filters on the building ventilation systems, water sprays and sprinklers shall be well maintained to ensure optimal performance at all times.
  22. The cement silo filters shall be well maintained to ensure optimal performance at all times.
  23. All conveyors and transfer stations are to be covered and belt cleaners maintained to ensure no escape of materials and dust from containers.
  24. Any stored aggregate or sand outside the building is to be either wetted at all times or covered to prevent wind driven dust erosion.

25. Any material spills outside the buildings are to be immediately wetted prior to removal of the materials.
26. Continuous monitoring of ambient dust levels and wind conditions in accordance with the approved Environmental Management Plan is required for reactive dust management.
27. A detailed landscape plan shall be submitted to, and to the satisfaction of the City of Bayswater, prior to the submission of a building permit application. For the purpose of this condition, the plan shall be drawn with a view to reduce large areas of hard stand in passive areas and show the following:
  - (a) The location and species of all trees and shrubs to be retained or removed;
  - (b) The size and number of new plants to be planted;
  - (c) The location of any lawn areas to be established;
  - (d) Those areas to be reticulated or irrigated; and
  - (e) Landscaping of the street verge in front of the property.

Landscaping and reticulation shall be completed in accordance with the approved landscape plan prior to occupation of the development and thereafter maintained to the satisfaction of the City of Bayswater.
28. That part of the 'Grassed Area' depicted on the approved plans which is not subject to the approved landscape plan shall be vegetated (grassed) and reticulated, and the vegetation shall be maintained in a healthy and neat condition throughout the life of the development.
29. The concrete produced at the facility shall not include fly ash as an ingredient without further approval from the City of Bayswater and the Department of Water and Environmental Regulation.
30. All vehicles carrying materials from the site must be loaded and transported in a manner which prevents spillage of materials onto a public road. Any spillage shall be cleared as soon as possible by the plant operator, to the satisfaction of the City of Bayswater.
31. The access roads into the site shall be sealed from the edge of Collier Road surface to at least 50m into the property.
32. No earthworks shall encroach onto the Collier Road road reserve.
33. The concrete batching plant is not permitted to increase its current production capacity.

Advice Notes:

1. To active the planning approval, the development/use subject of this approval must be substantially commenced within a period of four years of the date of this approval notice. If the development is not substantially commenced within this period, this approval shall lapse and be of no further effect. Where an approval has lapsed, no development/use shall be carried out without the further approval of the City having first been sought and obtained.
2. Kerbs, roadways, footpaths, open drains, stormwater pits, service authority pits and verge areas must be adequately protected, maintained and reinstated if required, during and as a result of carting and all works associated with this development.
3. This approval does not authorise any interference with dividing fences, nor entry onto neighbouring land. Accordingly, should the applicant/landowner wish to remove or replace any portion of a dividing fence, or enter onto neighbouring land, the applicant/landowner must first come to a satisfactory arrangement with the adjoining property owner. Please refer to the *Dividing Fences Act 1961*.
4. This approval is not a building permit or an approval under any other law than the *Planning and Development Act 2005*. It is the responsibility of the applicant/owner to obtain any other necessary approvals, consents and/or licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.

5. Noise emissions from the property must comply with the *Environmental Protection (Noise) Regulations 1997* at all times.
6. Advice provided by the Department of Water and Environmental Regulation:
  - (a) The application will need to demonstrate compliance with the *Environmental Protection (Concrete Batching and Cement Product Manufacturing) Regulations 1998*.
  - (b) The proposed improvements to waste and wastewater management will trigger Section 53 of the *Environmental Protection Act 1986* and will require a works approval. The proponent is advised to submit an application which is available on the Department's website at <https://www.der.wa.gov.au/our-work/licences-and-works-approvals>. For any queries relating to works approvals and licences, contact the Department of Water and Environmental Regulation at [info@dwer.wa.gov.au](mailto:info@dwer.wa.gov.au) or 6364 7000.
  - (c) In the event there are modifications to the proposal that may have implications on aspects of environment and/or water management, the Department of Water and Environmental Regulation should be notified to enable the implications to be assessed.

### **MOTION**

**That the Officer's recommendation be adopted with condition 20 changed to:**

**20. Operating hours are to be restricted to 6:00am – 6:00pm Monday to Saturday (public holidays excluded); however, no front end loader may operate, nor may any raw materials be delivered to the site prior to 7:00am.**

**Cr Catherine Ehrhardt, Deputy Mayor Moved, Cr Josh Eveson Seconded**

**LOST: 4/5**

**For: Cr Filomena Piffaretti, Mayor, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor and Cr Elli Petersen-Pik.**

**Against: Cr Assunta Meleca, Cr Steven Ostaszewskyj, Cr Sally Palmer, Cr Dan Bull and Cr Giorgia Johnson.**

### **ADJOURNMENT**

The meeting was adjourned from 9:45pm to 9:53pm.

**Cr Filomena Piffaretti, Mayor Moved, Cr Catherine Ehrhardt, Deputy Mayor Seconded**

**CARRIED: 7/2**

**For: Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Steven Ostaszewskyj, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik and Cr Giorgia Johnson.**

**Against: Cr Sally Palmer and Cr Dan Bull.**

### **BACKGROUND**

<b>Application Number:</b>	DA21-0707
<b>Address:</b>	Lot 2, 277-279 Collier Road, Bayswater
<b>Town Planning Scheme Zoning:</b>	General Industry
<b>Use Class:</b>	Noxious Industry - 'D'; Discretionary Use
<b>Lot Area:</b>	12,324 m
<b>Existing Land Use:</b>	Concrete Batching Plant
<b>Surrounding Land Use:</b>	Industrial (East, West, South), Residential (North)
<b>Proposed Development:</b>	Concrete Batching Plant:

	<ul style="list-style-type: none"> <li>• Replacement of the aggregate reclaimer for recycling concrete with two wash out bins and installation of a sediment trap.</li> <li>• Upgrading of existing dust monitoring equipment.</li> <li>• Creation of a second crossover to the site from Collier Road.</li> <li>• Amendment to operating hours.</li> </ul>
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The initial development application for the WA Premix concrete batching plant was refused by Council at its Ordinary Meeting held on 28 June 2011, for various reasons including appropriateness of use, loss of amenity and significant objections. However, the development application was subsequently conditionally approved on review by the State Administrative Tribunal (SAT) on 15 July 2014.

A subsequent, amended development application entailing modifications to the existing approval to improve the design outcome and environmental management of the site was also refused by Council, at its Ordinary Meeting held on 22 September 2015. The amended application was also subsequently approved on review by SAT, on 14 December 2016. This approval is currently applicable and includes 38 conditions which, in addition to standard development requirements, include additional requirements aimed at ensuring the plant operations do not unduly impact on the environment and the amenity of the surrounding area in accordance with relevant legislation. The focus of the conditions is on specifying plant operating standards, management measures and ongoing monitoring requirements relating to dust emissions, noise, groundwater quality, waste, traffic, landscaping and visual amenity. In particular there are stringent conditions relating to dust and noise.

Further, SAT made an order for the applicant to be awarded costs of \$112,772.73 on 21 July 2017. In considering the matter, SAT found that the Council ‘...took the view it would always oppose a concrete batching plant at the subject site regardless of any professional advice or previous decision...’ and ‘...acted unreasonably in refusing to approve the superior design...’.

#### Current Land Use and Operations

The concrete batching plant is classified as a ‘prescribed premises’ which is subject to licensing under the *Environmental Protection Act 1986* and it has been operating, pursuant to its conditions of development approval and its licence issued by the Department of Water and Environmental Regulation (DWER), since 2017. The plant is required to be managed and operated in accordance with an *Environmental Management Plan* (EMP) approved by the City.

The EMP addresses the following issues: Dust and particulate management, noise management, surface water management, landscaping, visual amenity, waste management, light overspill, traffic management, storage of hazardous and/or dangerous goods, complaints management, contingency measures to be adopted in the event of potential or actual unacceptable emissions from the site, and checklists and personnel responsibilities for actions assigned by the EMP.

Since commencing its operation, the plant has commissioned the undertaking of necessary internal audits, accreditation audits and external audits as required by relevant regulatory agencies and in accordance with conditions of the existing development approval.

The DWER is responsible for monitoring and enforcing compliance of the plant with the EMP and with relevant environmental legislation including the *Environmental Protection Act 1986* and the *Environmental Protection (Concrete Batching and Cement Product Manufacturing) Regulations 1998*. The City’s compliance role is focused on the conditions of development approval. The City’s

records indicate that since the plant commenced operations, compliance action has been undertaken once in respect of non-compliance with dust requirements and once in respect of non-compliance with the stipulated plant operating hours. City officers are not aware of any direct communication from residents to date regarding noise other than the abovementioned concern about plant operating times, which was loosely linked to noise. The City's records indicate that to date the City has not identified any non-compliances relating to noise emissions from the plant and no compliance matter has been formally registered in this respect. Other potential compliance issues identified have been concerns regarding groundwater pollution and concrete spill from vehicles on Grey Street and Collier Road.

The applicant has provided the below description of the current plant and activities. The concrete batching plant operates between 6:00am and 6:00pm Monday to Saturday (excluding public holidays), with no deliveries, dispatches or yard works occurring prior to 7:00am. Two personnel are present on-site to operate the plant. In addition, the site is serviced by a fleet of 10-15 concrete agitator trucks to deliver the prepared concrete to customers. As part of the operations conducted on the site, a loader is used for general cleaning, transfer of palletised products and the transfer of reclaimed sand and aggregate from the aggregate reclaimer to the loading hopper.

The applicant advises the operations conducted on site are notably superior in nature to those undertaken by other plants. The plant incorporates the latest best practice features, exceeding industry standards for dust emission control. The 'wet-mix' concrete manufacturing process, as opposed to traditional 'dry-mix' processes, is a more water efficient process, with substantially lower dust emissions. These superior operating outcomes are achieved through a process which includes combining all dry ingredients and water into a central mixer, which mixes the concrete before loading into an agitator truck.

#### Concrete Batching Process

Aggregates are delivered to the subject site by covered road trucks. The material contained within the trucks is delivered in a dampened state to mitigate dust. In addition, the following processes and procedures are in place to mitigate the generation and disturbance of dust within the subject site:

- Upon delivery, sand and aggregates are unloaded into drive-over bins enclosed within a shed and transferred to fully enclosed overhead storage bins via an enclosed conveyor and bucket elevator.
- Cement is delivered by sealed tankers and pneumatically transferred to sealed storage silos attached to the batching plant.
- Sand and aggregates are transferred from the overhead storage bins to the aggregate holding hopper and mixer via the main conveyor, which is also enclosed.
- Cement is transferred from the cement storage silos to the cement weigh hopper via sealed auger conveyors.
- The cement and aggregates are transferred into the mixer where water is added, then batch mixed and then discharged into the agitator truck via a rubber chute.
- The agitator truck then moves from the loading area to the slump stand where the load and truck, and cleanliness of the vehicle are inspected prior to departing the site to the customer.

The applicant advises the concrete batching plant utilises the latest and best practice technologies internationally to help mitigate the generation and disturbance of dust and noise emissions. The major plant components and benefits are as follows:

#### *Wet Mix Concrete Manufacturing Process*

Wet-mixing is a more water efficient process, with substantially lower dust emissions. It also provides substantial noise reductions, as well as significant fuel and carbon emissions savings

because it eliminates the need for agitator trucks to spin its bowl at full speed on-site. Instead, it allows trucks to depart the plant immediately.

#### *Drive Over Aggregate Delivery Bins*

Two side-by-side drive-over bins for the delivery of sand and aggregates are enclosed within a shed to reduce noise and dust emissions. This system allows a road train to unload without having to unhitch trailers thereby substantially reducing unloading time and noise generated from an idling road train.

#### *Overhead Aggregate Storage Bins*

The concrete batching plant has 6 x 200m<sup>3</sup> storage bins for standard aggregate and sand materials, and 8 x 20.6m<sup>3</sup> storage bins for 'premium' aggregate and sand materials. The structures are completely enclosed with a dust extraction system and filter to mitigate dust emissions.

#### *Emergency Storage Bins*

Three 4m x 8m storage bins are provided for the emergency storage of aggregate to prevent open air stockpiling. Sprinklers are used to store aggregate materials in a dampened state to minimise dust emissions. These storage bins are not used under normal operating conditions and are only provided as a contingency.

#### *Aggregate Reclaimer and Water Recycling Unit/Manual Washdown Area*

An aggregate concrete reclaimer and water recycling unit (*EcoFrog RE\_X 24*) was originally used at the plant to recycle any returned concrete and wastewater. However, the unit did not operate to the standard anticipated and an alternative temporary washdown area is currently being used for this purpose at the rear of the plant.

#### Proposed Development

The current application relates to the following:

- Modified waste and water recycling management;
- Upgrade of dust monitoring equipment;
- Addition of a second driveway and crossover; and
- Amended plant operating hours.

#### Waste and Water Recycling Management

The applicant advises the aggregate concrete reclaimer has not operated to the standard anticipated since installation and an alternative temporary manual washdown area is being used at the rear of the plant. Environmental inspections conducted by City and DWER officers have identified issues including discharge of concrete wash near the rear stormwater basin. Accordingly, application is being made to replace the existing aggregate concrete reclaimer and water recycling unit with two wash out bins in the centre of the site. In addition, a wedge pit is proposed to be installed adjacent to the rear stormwater basin, to act as a sediment trap for any other material from the plant.

#### Dust Monitoring Equipment

There are two existing dust monitors in use on the site. The applicant advises that annual air quality reporting has demonstrated that the existing *TEOM (PM10)* dust monitor is prone to error whereas the other, *Beta Gauge (PM10)* monitor on site is more reliable. Accordingly, application is being made to replace the *TEOM* monitor with a second *Beta Gauge* monitor which will improve current dust monitoring standards.

Second Driveway and Crossover

There is currently a single access point to the site from Collier Road, located on the eastern side of the lot. Application is being made for a second access point, on the western side. The applicant advises it is proposed to create separate entry and exit driveways, in order to improve vehicle circulation and safety within the site by minimising the need for vehicles to cross paths.

Operating Hours

The operating hours of the plant are currently restricted to 6:00am – 6:00pm Monday to Saturday (excluding public holidays); however, no front end loader may operate, nor may any raw materials be delivered to the site prior to 7:00am. Application is being made to amend the hours so that the plant may operate for any 12-hour period within a 24-hour working day. The applicant advises that the intention is to primarily operate between 4:00am and 4:00pm Monday to Saturday (excluding public holidays), with no front end loader to operate, or any raw materials to be delivered to the site prior to 7:00am. Subject to prior notice to the City, the applicant also seeks flexibility to move the 12-hour operating period as required (e.g. 8:00am to 8:00pm).

The applicant advises the proposed amendment does not seek to extend the length of operations, but rather seeks flexibility in which 12-hour period the plant operates, and will be subject to relevant noise regulation requirements. The applicant advises the flexible operating hours will facilitate competitive advantage and allow for the efficient supply of materials to the building industry.

**EXTERNAL CONSULTATION**

The application was referred by the City to the DWER for comment. DWER advised that while there is no objection to the proposal, the proposed improvements to waste and wastewater management will trigger Section 53 of the *Environmental Protection Act 1986* and will require a works approval. In addition, the application will need to demonstrate compliance with the *Environmental Protection (Concrete Batching and Cement Product Manufacturing) Regulations 1998*.

The application was also referred by the City to Main Roads WA for comment. Following the submission of further information by the applicant to Main Roads WA regarding the impact of traffic generated by the concrete batching plant on the surrounding road network, Main Roads WA advised no objection to the proposal subject to standard conditions.

The City also sought comment on the proposed development from the owners and occupants of nearby affected properties for a period of 14 days. The advertising period ended on 16 March 2022 and 15 objections were received, including three late objections. Details of the submissions, applicant's response and officer's comments are stated below.

ISSUE	NATURE OF CONCERN	APPLICANT'S RESPONSE	OFFICER'S COMMENTS
Noise disturbance	There is existing noise disturbance to local residents arising from the operations at the site. The noise disturbance to residents will only increase with the proposed extended operating hours especially into the night.	<i>'None of the proposed elements of this DA amendment will create noise. Current hours are 6am to 6pm, with no delivery, dispatches or yard works before 7am as per the Noise Regs. The requirements for no front end loaders or raw materials delivery prior to 7am will remain in keeping with the Noise Regs. The application does not seek to extend the length of operation (being 12 hours), but only to allow it to be flexible and it is noted that the operations will still need to comply with Noise Regulations. WA Premix has not received any noise</i>	Refer to the 'Officer' Comments' section of the report.

		complaints. Noise monitoring found the plant to be compliant with the noise regulations at all times. Noise monitoring additionally found the operation of the front end loader and materials deliveries would be compliant prior to 7am however WA Premix has not sought to alter the hours of these activities.'	
	There is existing noise disturbance to local residents arising from heavy vehicles regularly using local residential streets (including Grey Street and Shalford Street) instead of the major roads Collier Road and Tonkin Highway. The noise disturbance to residents will only increase with the proposed extended operating hours especially into the night.	<p>'The changes proposed by this amendment to the development application will not increase vehicle movements or alter the routes taken.</p> <p>'No complaints have been received by WA Premix in relation to noise or vehicles travelling along Shalford or Grey Street. All our large heavy vehicles (semi trailers &amp; road trains) use Tonkin Highway and Collier Road only. It is extremely unlikely that any WA Premix vehicle would ever travel along Shalford Street unless specifically delivering concrete to a residence on that street. Unless delivering concrete to the local area it is highly unlikely that concrete agitator trucks would travel along Grey Street. Whilst we don't have traffic count data for Grey Street we are highly confident that any vehicle movements by WA Premix on Grey Street would be an extremely low proportion of daily vehicle movements. The City would be able to make this assessment from their vehicle count data and the WA Premix vehicle movement information provided.</p> <p>However, it should be noted there may currently be increased use of Grey Street by WA Premix as we are currently supplying concrete to the Tonkin Gap project. This requires the delivery of concrete a number of local locations, in particular the Broun Avenue - Tonkin Highway overpass which cannot be accessed from Tonkin Highway and must be accessed from Grey Street. Again this is a local project that will deliver benefit to the local community, and the volume of WA Premix vehicles would still represent an extremely small proportion of traffic on Grey Street.'</p>	Refer to the 'Officer' Comments' section of the report.
Loss of residential amenity	The plant is of no community value and corporate profit for	'This DA Amendment is seeking to <b>improve</b> the accuracy of dust monitoring standards that will allow the	Refer to the 'Officer' Comments'



	industry is taking precedence over residential amenity for local residents.	operator to better respond to and remediate any adverse impacts on the residential amenity. In addition, the Dust Impact Assessment predicts an <b>improvement</b> in dust levels as a result of a change in operating hours to 4am-4pm. In addition, dust impacts at the nearest residential area to the north will also be reduced as the new wash-out bins proposed as part of this DA Amendment are further away from residences, behind the main conveyor and less exposed to prevailing winds. The Dust Impact Assessment predicts lower dust concentration, a significant decrease in dust concentrations and improved dust mitigation measure from the new wash-out bins. In summary, the proposed DA Amendment has been submitted to improve residential amenity. In addition, it is noted that concrete has a short workable life and can only supply to the local area. The plant has supplied concrete to many public and infrastructure projects, schools, hospitals, etc. as well as local residences. The concrete plant is within an existing industrial area that predates the construction of the residential area.'	section of the report.
Health impact	This noxious industry backing on to the local park is contaminating Joan Rycroft Reserve which is being used by the plant as a private buffer zone and is a health violation for local residents. The plant should leave the area as soon as possible.	'This DA Amendment seeks to enhance the waste management process and implementing improved wastewater management procedures. The application seeks install two new 'Wash Out Bins' and it will still be ensured that all excess water is sent back into the plant. As outlined above, this application is predicted to result in less dust and better responses to dust issues. In addition, it is noted that the concrete plant is located in an existing appropriately zoned industrial area that pre-dates the construction of Joan Rycroft Reserve and the residential area.'	Refer to the 'Officer' Comments' section of the report.
Illegal use	The State Administrative Tribunal and the Environmental Protection Authority did not have the relevant expertise and erroneously/illegally granted the current	'The current approval is valid. The plant operates within all of the approvals and endorsed management plans. It is not proposed to extend operating hours, only to provide flexibility in when the 12 hours operation period can occur. The plant was subject to the most rigorous and onerous assessment process of any concrete plant in Western Australian history. No complaints from	The plant is operating in terms of a valid development approval granted by the SAT and a licence issued by the

	<p>operating licence/approvals despite objections from residents. The plant is accordingly operating illegally and it also already regularly breaches its conditions of operating without any enforcement action being undertaken. The proposal to expand and extend the hours of operation should not be approved given the illegalities and the increased disturbance that will occur to residents in the evening/overnight. The plant will likely continue to operate during the day to serve normal clients if it is allowed to operate through the night as proposed, leading to a 24 hour/day operation.</p>	<p><i>residents have been received by WA Premix.'</i></p>	<p>DWER. Where non-compliance matters relating to the plant have been identified, these have been investigated and compliance action taken where necessary by the City.</p>
Property value	<p>The proposed amendments including increased noise disturbance will affect the resale value of properties.</p>	<p><i>'This is not a planning consideration. Nevertheless, the proposed DA amendments will not result in increased noise or dust and in fact will result in improvements to current operations. No complaints have been received from residents regarding noise disturbance, noise monitoring found the plant to be compliant, and noise modelling predicts the proposed changes will not result in any significant increase in noise.'</i></p>	<p>The impact on property value is considered speculative and is not considered to be relevant to the planning assessment of the application.</p>



# OFFICER'S COMMENTS

Key Scheme Provisions	Required	Provided	Assessment
Minimum Setbacks:			
Front	13.5m	93.0m	Compliant
Side [east]	6.0m	10.8m	Compliant

Side [west]	6.0m	28.9m	Compliant
Rear	3.0m	147.6m	Compliant
Maximum Building Height	2 storeys/12m	12.5m	Variation*
Maximum Plot Ratio	0.5 (6162.5m <sup>2</sup> )	0.1 (1276m <sup>2</sup> )	Compliant
Maximum Coverage	50%	10.3%	Compliant
Minimum Parking	4 bays	8 bays	Compliant
Minimum Landscaping:			
Total	10% (1232 m <sup>2</sup> )	19% (2398 m <sup>2</sup> )	Compliant
2m wide strip	To street frontage	To available street frontage	Compliant

\* Previously-approved variation

## Planning Assessment

### Key Issues

The key issues raised in relation to this matter are as follows:

- Despite Council's previous concerns and refusal of a concrete batching plant at the subject site, the SAT has approved this use at the site and the plant is currently operating.
- Should Council refuse the current application, the concrete batching plant can continue to operate regardless, in accordance with the current conditions of approval. The applicant also has a right of appeal to the State Administrative Tribunal against the determination.
- The proposed alterations and additions are considered relatively minor in nature and will generally improve the operation of the plant in accordance with environmental impact mitigation requirements.

### Noise

Concern has been expressed by local residents in submissions received in response to the public consultation of the development application, that the concrete batching plant operations are a noise disturbance to the area particularly in the evening. The plant site is situated approximately 200m from the closest residences on Shalford Road to the north, separated from them by Joan Rycroft Reserve as well as an area reserved for landscaping at the north end of the plant site.

The concrete batching plant is required to comply with noise management measures specified in the EMP. The objectives in respect of noise management are as follows:

- Ensure noise levels meet the requirements of the *Environmental Protection (Noise) Regulations 1997* and are managed in accordance with the approval conditions set by the SAT; and
- Minimise the noise impact of activities and to protect the amenity of residents and other sensitive receptors surrounding the concrete batching plant.

The operating hours of the plant are currently restricted to 6:00am – 6:00pm Monday to Saturday (excluding public holidays); however, no front-end loader may operate, nor may any raw materials be delivered to the site prior to 7:00am. Application is being made to amend the hours so that the plant may operate for any 12-hour period within a 24-hour working day. The applicant advises that the intention is to primarily operate between 4:00am - 4:00pm however subject to prior notice to the City, the applicant seeks flexibility to move the 12-hour operating period as required (e.g. 8:00am - 8:00pm).

The proposed amendment does not seek to extend the length of operations, but rather seeks flexibility in which 12-hour period the plant operates, and will be subject to relevant noise regulation requirements. However, the proposed amended operating hours will allow the plant to operate earlier in the morning or later in the evening, therefore extending the potential noise disturbance periods for local residents.

The applicant advises that it is rare for concrete batching plants in Western Australia to have restrictions on operating hours. There are two other existing plants in Bayswater and one in Bassendean and there are no restrictions on their operating hours. While the plant situated at 2-8 Clune Street, Bassendean originally had restricted operating hours similar to the current restrictions at the subject site as a condition of development approval, the restrictions were deleted in 2019 following submission of a development application wherein the applicant demonstrated that potential amenity issues could be managed via management plans. It is noted however that the Bassendean plant is situated in a less sensitive location being more centrally-positioned within an existing industrial area and further from sensitive residential uses being approximately 440m from the closest residential area and separated from it by the Midland rail line and Guildford Road.

The applicant has provided an acoustic report prepared by Herring Storer Acoustics dated September 2021 which assesses compliance of the plant with the *Environmental Protection (Noise) Regulations 1997* based on the proposed operating hours amendment. The report findings are as follows:

*“Assessment of the current operations for the WA Premix batch plant shows that compliance at the residential locations is achieved with the criteria stipulated in the Environmental Protection (Noise) Regulations 1997, for all hours of operations.*

*The current operating times for the WA Premix Batch Plant are 06:00 to 18:00 weekdays and Saturdays.*

*An acoustic assessment conducted as a condition of the Works Approval, (post commissioning) of the batch plant showed compliance was achieved for all time periods at the nearest highly noise sensitive premises.*

*As the most stringent time period for compliance is the night period, prior to 07:00, the commissioned plant was measured and assessed as being in compliance with night period.*

*The application to amend the operating times to an earlier start time would still be within this same criterion of night-time, hence the level of compliance remains unchanged.*

*The change of the operating hours to an earlier start time would not impact the level of compliance at the highly noise sensitive receivers and based on the measured noise levels for background, would likely have no perceived difference for the batch plant noise emissions.”*

City officers consider the report findings to be acceptable, provided the plant is operated in accordance with the noise management measures specified in the EMP and in accordance with the requirements of the *Environmental Protection (Noise) Regulations 1997*.

Concern has also been expressed by local residents that heavy vehicles from the concrete batching plant use local residential roads including Grey Street and Shelford Street which creates a noise disturbance, and that earlier or later operating hours will lead to increased traffic noise disturbance.

The plant is required to comply with traffic management measures specified in the EMP. The objectives in respect of traffic management are to ensure the safe and environmentally responsible operation of vehicles in and around the site, and to ensure that all vehicle drivers are appropriately informed about the impacts of heavy vehicle use and related impacts of dust and noise on site and on the surrounding community. The applicant advises that the batching plants' large heavy vehicles only use Tonkin Highway and Collier Road and that a concrete agitator truck would only



use Grey Street if it was delivering concrete to the local area, or Shelford Street if it was delivering to a property in that street. The applicant has acknowledged that concrete agitator trucks have needed to use Grey Street recently, however this is a temporary requirement related to the current local Tonkin Gap highway upgrading project.

There are no conditions of the current development approval restricting the use of any particular vehicles on the surrounding road network. Main Roads WA manage access on all public roads, whether they are State or local roads. Generally, vehicles that are 19m or less are considered “as-of-right” vehicles and can operate on any public road, unless there is a specific condition restricting access through a condition of a development approval, or a general prohibition to a class of vehicle through the Local Government Act. Vehicles greater than 19m in length are considered Restricted Access Vehicles and require a permit from Main Roads WA to be able to operate on specific roads. Main Roads WA mapping indicates that Restricted Access Vehicles are not permitted on Grey Street north of Shelford Street. Concrete agitator trucks are likely to be “as-of-right” vehicles, which would be allowed to operate on any part of Grey Street without the prior approval of the City or Main Roads WA.

Given the above, it is considered that amendment of the current plant operating hours is supportable provided a noise management plan is in place to ensure noise amelioration measures are implemented at all times. However, given the close proximity of the residential area to the north and the need to protect residential amenity, it is considered that limits should be retained to operating hours which will limit potential noise disturbance from the plant and related heavy vehicle traffic in the vicinity. A starting time of 4:00am and a finishing time of 4:00pm which reflects the applicant’s proposed primary operating hours is considered appropriate and a condition in this regard is included in the officer’s recommendation.

#### Waste and Water Recycling Management

The plant is required to comply with waste and water recycling management measures specified in the EMP. The objectives in respect of waste management are to minimise waste quantities generated from operational activities, to prevent contamination of soil, stormwater and groundwater quality and to recycle waste. The objective in respect of surface water management is to ensure that no stormwater or contaminated water is discharged off-site. The details regarding how the objectives are to be met including the required standards, processes to be followed, equipment to be used as well as monitoring requirements, are contained in the EMP.

The applicant advises it has become evident during operation of the plant that the aggregate concrete reclaimer and water recycling unit has not been performing as anticipated and an alternative temporary manual washdown area located at the rear of the plant is instead being used. The proposed replacement of the mechanical unit with two permanent manual wash out bins in the centre of the site is intended to provide an alternative waste and water recycling method. City officers consider the alternative manual process can be accepted and it needs to be implemented in such a manner that the waste management and surface water management objectives are still being met. The EMP would accordingly require updating to include and detail the alternative process, to the satisfaction of the City.

#### Plant Dust Emission

The concrete batching plant is required to comply with dust management measures specified in the EMP. The objectives in respect of dust management are as follows:

- To minimise the impact of cement and raw material dust generated from the operations activities;
- Protect the amenity of residents surrounding the concrete batching plant by ensuring dust levels are compliant with the requirements of the SAT, DWER and City; and

- Ensure the dust levels are managed in accordance with the approval conditions set by the development approval.

The details regarding how the objectives are to be met including the required standards, processes to be followed, equipment to be used as well as monitoring and reporting requirements, are contained in the EMP. A report dated May 2021 assessing the impact of the proposed new wash out bins and flexible operating hours on dust emissions at the plant has been prepared for the applicant by Environmental Alliances Pty Ltd.

The report noted that:

*“the construction of the new wash stand and wash-out bins will effectively shift the location of the waste concrete spillages/run-off to immediately adjacent to the new wash-out bins at the centre of the site. The dust impacts at the nearest residential area to the north will therefore be reduced, for the following fundamental reasons:*

- *the new wash-out bins and adjacent paved area are further away from the residences;*
- *the new wash-out bins and adjacent paved area are further away and behind the main conveyor enclosure - approximately 12 m high and 21 m wide, which will increase the dispersion of any dust plumes when winds are towards the residences; and*
- *the new wash-out bins and adjacent paved area are less exposed to prevailing winds than the paved area adjacent to the temporary storage bins, hence wind-generated dust lift-off will be less.”*

The report found that:

*“In summary, for the proposed new wash-out bins flexible hours “worst case” scenario, irrespective of which 12-hour time block on any day was selected for operation:*

- *the maximum predicted 24-hour average PM10 concentration is-*
  - *less than that for the current operation over 2020; and*
  - *3.4% of the NEPM Standard.*
- *the annual average predicted PM10 concentration of 0.25 µg/m3 is-*
  - *less than that for the current operation over 2020.*
  - *1% of the NEPM Standard.”*

City officers consider the report findings to be acceptable and there is no objection to the proposals from a dust emission viewpoint. The plant is required to comply with the existing specified dust emission limits and standards.

#### Dust Monitoring Equipment

Two different types of dust monitors are currently used on the site in accordance with the EMP, specifically a TEOM (PM10) dust monitor is used as the primary monitoring method and a second, Beta Gauge (PM10) monitor is also used.

The applicant advises that annual air quality reporting has demonstrated that the existing TEOM (PM10) dust monitor is prone to error whereas the other, Beta Gauge (PM10) monitor on site is more reliable. Accordingly, application is being made to replace the TEOM monitor with a second Beta Gauge monitor which will improve current dust monitoring standards. City officers have no objection to the proposed dust monitor replacement. The EMP would accordingly require updating to include the change, to the satisfaction of the City.

### Traffic Safety

The plant is required to comply with traffic management measures specified in the EMP. The objectives in respect of traffic management are to ensure the safe and environmentally responsible operation of vehicles in and around the site, and to ensure that all vehicle drivers are appropriately informed about the impacts of heavy vehicle use and related impacts of dust and noise on site and on the surrounding community.

There is currently a single access point to the site from Collier Road as specified in the EMP, located on the eastern side of the lot. Application is now being made for a second access point, on the western side of the lot where there is an existing redundant crossover situated in the verge.

The applicant advises it is proposed to create separate entry and exit driveways for the plant, in order to improve vehicle circulation and safety within the site by minimising the need for vehicles to cross paths. To support the proposal, the applicant submitted a Transport Impact Statement prepared by GTA Consultants dated 2 February 2018 and a Technical Note prepared by Stantec dated 22 April 2022, which conclude that the external road network and site access arrangements are considered acceptable. City officers agree that a second access point can be provided as proposed without unduly impacting on traffic safety in Collier Road, and Main Roads WA also has no objection to the proposal. The EMP would accordingly require updating to include the amended access arrangements, to the satisfaction of the City.

### Other Matters

The submitted site plan indicates areas reserved for landscaping with the bulk of the landscaping being along the northern end of the site facing Joan Rycroft Reserve and residential areas to the north. Visual inspection indicates there is existing landscaping in these areas.

The proposed additional crossover and driveway result in substantial hardstand within the verge and front setback area of the site. There are already limited opportunities for landscaping in the front setback area given the existing electricity substation and dust monitoring station, and the only substantial area available is that around the existing artwork, comprising approximately 22m<sup>2</sup>. There is also approximately 120m<sup>2</sup> of the verge area in front of the site available for landscaping. Further, City officers consider trees should not be planted in this area given the risk of reducing the accuracy of the nearby dust monitoring equipment. Given the limited landscaping opportunities in the front setback area of the site, it is considered appropriate for the verge area to also be landscaped and maintained by the applicant.

An appropriate condition of approval addressing the above landscaping requirements is included in the officer's recommendation.

Ongoing concrete spill from vehicles in the vicinity of Grey Street, Collier Road and the Tonkin Highway on-ramps has been identified as an issue. In terms of the concrete batching plant EMP traffic management measures, all vehicles carrying materials from the site must be loaded and transported in a manner which prevents spillage of materials onto a public road. In order to focus more attention on addressing this matter it is recommended that a specific condition in this respect also be included in the development approval. An appropriate condition is accordingly included in the officer's recommendation.

While the current development application is only for alterations and additions to the existing concrete batching plant, given the potential environmental impact of the plant it is considered appropriate to include the conditions of the original SAT approval in this development approval, thereby ensuring adequate focus remains on the stringent environmental impact management requirements. These conditions are accordingly included in the officer's recommendation.

The proposed amended operating hours do not extend the length of operations at the concrete batching plant and as such it is considered the plant's current production capacity is not proposed



to be increased. In order to address this aspect it is recommended that a specific requirement in this regard be included in the development approval, and an appropriate condition is accordingly included in the officer's recommendation.

### LEGISLATIVE COMPLIANCE

- *City of Bayswater Town Planning Scheme No. 24;*
- *Environmental Protection Act 1986;*
- *Environmental Protection (Concrete Batching and Cement Product Manufacturing) Regulations 1998; and*
- *Environmental Protection (Noise) Regulations 1997.*

### 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 2021-2031, the following applies:

Theme: Vibrancy

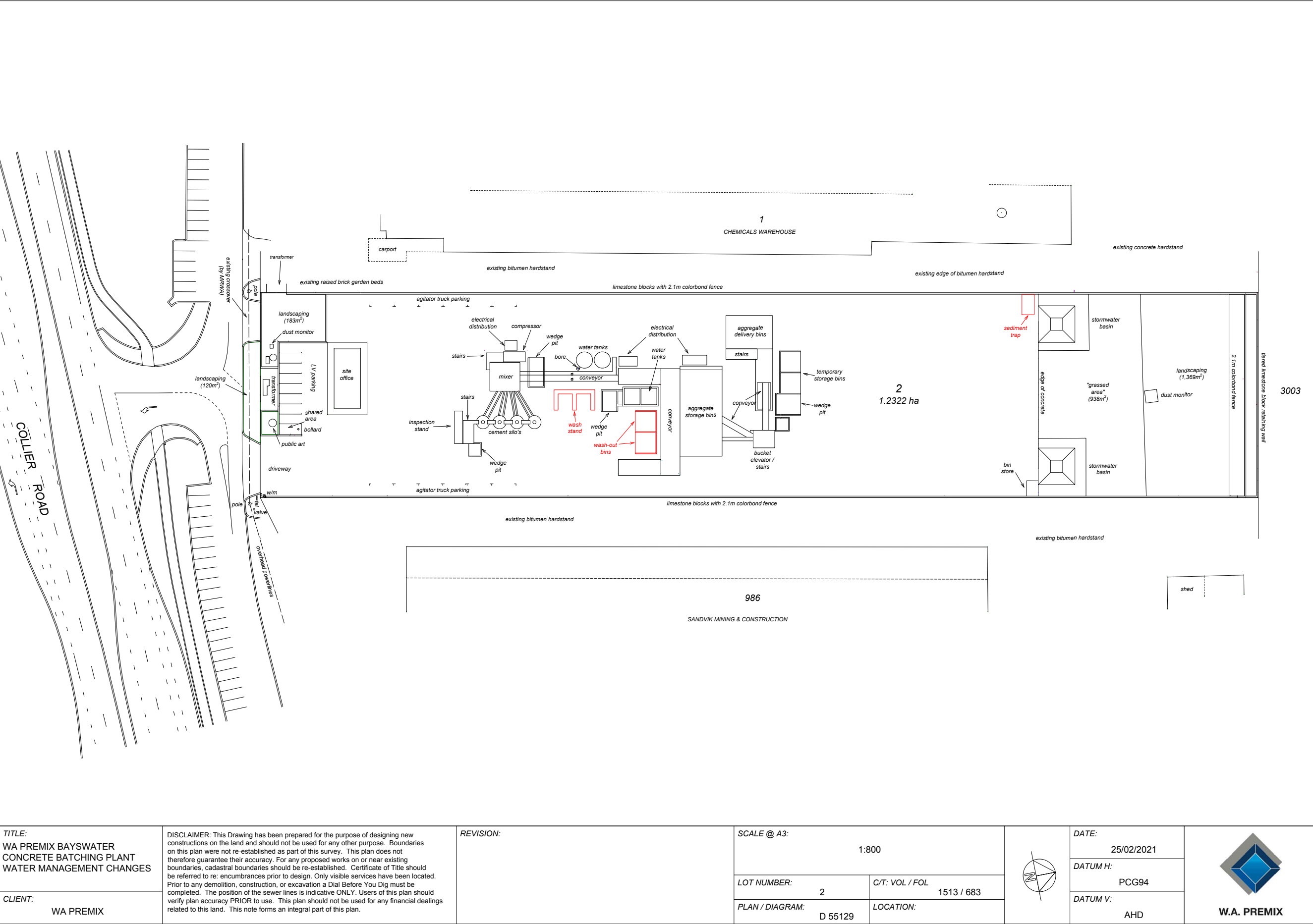
Goal V4: Support businesses across the City to grow and thrive.

The proposed development will facilitate the more efficient and effective operation of the concrete batching plant in accordance with market needs and its specified environmental standards and applicable environmental legislation.

### CONCLUSION

Given the foregoing assessment, the application is recommended for approval subject to the proposed conditions.





<b>TITLE:</b> WA PREMIX BAYSWATER CONCRETE BATCHING PLANT WATER MANAGEMENT CHANGES
<b>CLIENT:</b> WA PREMIX

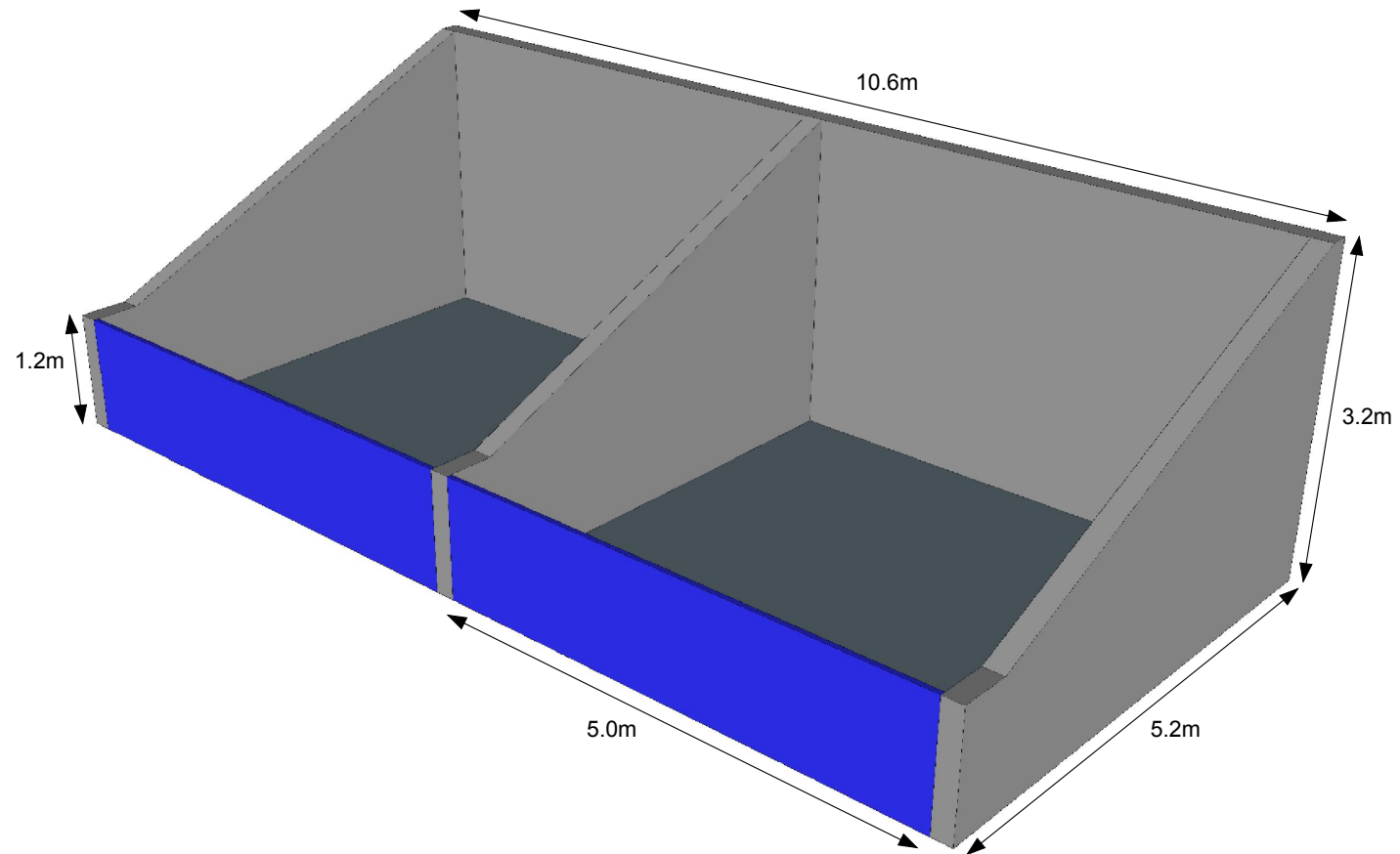
**DISCLAIMER:** This Drawing has been prepared for the purpose of designing new constructions on the land and should not be used for any other purpose. Boundaries on this plan were not re-established as part of this survey. This plan does not therefore guarantee their accuracy. For any proposed works on or near existing boundaries, cadastral boundaries should be re-established. Certificate of Title should be referred to re: encumbrances prior to design. Only visible services have been located. Prior to any demolition, construction, or excavation a Dial Before You Dig must be completed. The position of the sewer lines is indicative ONLY. Users of this plan should verify plan accuracy PRIOR to use. This plan should not be used for any financial dealings related to this land. This note forms an integral part of this plan.

<b>REVISION:</b>
<b>SCALE @ A3:</b> 1:800
<b>LOT NUMBER:</b> 2
<b>PLAN / DIAGRAM:</b> D 55129

<b>C/T: VOL / FOL</b> 1513 / 683
<b>LOCATION:</b>

<b>DATE:</b> 25/02/2021
<b>DATUM H:</b> PCG94
<b>DATUM V:</b> AHD





Proposed Wash-out Bins

**10.4.4 Proposed Land Dealings - Various Rights of Way in Bayswater and Noranda**

<b>Responsible Branch:</b>	Development and Place
<b>Responsible Directorate:</b>	Community and Development
<b>Authority/Discretion:</b>	Executive/Strategic Legislative
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	1. Bayswater and Noranda Right of Ways [ <b>10.4.4.1</b> - 9 pages] 2. Summary of Submissions without names [ <b>10.4.4.2</b> - 4 pages]
<b>Refer:</b>	Item 10.4.4: OCM 7.12.2021

**CR STEVEN OSTASZEWSKYJ DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Steven Ostaszewskyj declared an impartial interest in this item as his aunt and uncle presented a deputation on this item. At 9:54pm, Cr Ostaszewskyj withdrew from the meeting.*

**SUMMARY**

Council at its Ordinary Meeting held 7 December 2021 considered proposed land dealings in relation to various rights of way (ROWs) in Bayswater and Noranda. Council resolved to authorise, for the purposes of public advertising, a request being made to the Minister for Lands, pursuant to Section 52 of the *Land Administration Act 1997* to acquire various ROWs in Bayswater and Noranda, currently owned by deceased estates.

The proposed request was advertised from 17 February 2022 to 21 March 2022. 15 submissions were received during the consultation period, 11 in support, one in objection, and three providing comments only.

Having regard to the submissions received, it is recommended that Council requests the Minister for Lands to acquire the subject ROWs.

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

**That Council:**

- 1. Authorises a request being made to the Minister for Lands, pursuant to Section 52 of the *Land Administration Act 1997*, to acquire the rights of way in Bayswater and Noranda as contained in Attachment 1 to this report.**
- 2. Does not support a request being made to the Minister for Lands to close the right of way adjoining Lot 67 Minerva Street, Noranda as:**
  - (a) The land was originally set aside for the purposes of being used as a right of way (ROW);**
  - (b) Without a plan for adjoining landowners to purchase and amalgamate closed rights of way into adjoining land, the City would be left with the responsibility of managing a 'purposeless' portion of land;**
  - (c) Another landowner has expressed an interest in having the ROW constructed to enable future vehicle and pedestrian access to the rear of their property; and**



- (d) Closing the ROW would likely jeopardise the development potential for a number of properties adjoining the ROW.

Cr Sally Palmer Moved, Cr Josh Eveson Seconded

CARRIED UNANIMOUSLY: 8/0

**For:** Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik, Cr Dan Bull and Cr Giorgia Johnson.

**Against:** Nil.

At 9:56pm, Cr Steven Ostaszewskyj returned to the meeting.

## BACKGROUND

### Bayswater ROWs

The Bayswater ROWs are shown in Figure 1 below.



Figure 1 – Bayswater ROWs

### Noranda ROWs

The Noranda ROWs are shown in Figure 2 below.



Figure 2 – Noranda ROWs

### Previous Council Resolution

Council at its Ordinary Meeting held on 7 December 2021 considered land dealings in relation to various rights of way in Bayswater and Noranda, and resolved as follows:

*“That:*

- 1. Council authorises, for the purposes of public advertising, a request being made to the Minister for Lands, pursuant to Section 52 of the Land Administration Act 1997 to acquire the rights of way as contained in Attachment 1 to this report.*
- 2. At the conclusion of the public advertising period, if no objections are received, Council supports the formal request being made to the Minister for Lands for the acquisition of the subject rights of way. In the event that an objection(s) is received, the City presents a report to Council to consider the objection(s).”*

### **EXTERNAL CONSULTATION**

The City advertised the proposed request to the Minister for Lands to acquire the subject ROWs in accordance with Council's resolution for a period of 32 days from 17 February 2022 to 21 March 2022, by way of:

- Notification in the Perth Now newspaper on 17 February 2022; and
- Letters sent to impacted landowners.

15 submissions were received during the consultation period, 11 in support, one in objection, and three providing comments only. Refer to **Attachment 2** for the summary of submissions and City officers' response comments.

The key points raised in the submissions are also addressed in the Officer's Comments section below.

### **OFFICER'S COMMENTS**

#### Proposal

It is proposed to request to the Minister for Lands to acquire various ROWs in Bayswater and Noranda as Crown land, which are currently owned by deceased estates.

Once the subject ROWs are acquired as Crown land, it is envisioned that the Minister for Lands will grant a management order, vesting care, control and management of the ROWs to the City.

The City then intends to construct (seal and drain) the four unconstructed ROWs in Noranda. The City has a program of ROW upgrades, the subject ROWs will be included in the program for works to occur.

#### Key Points Raised in Submissions

##### Obstructing ROW's

A number of submissions were received in support of changing the ownership of ROW 38 – Veitch Street and ROW 40 King William Street to public land, as some community members are of the opinion that the only way in which the City can undertake action to resolve situations where someone is obstructing a ROW.

In accordance with clause 10.6(1) of the City's *Parking and Parking Facilities Local Law*, a person shall not leave a vehicle in a public place so that it obstructs the use of any part of that public place without the permission of the local government or unless authorised under any written law.

A 'public place' is defined as a place that the public has access regardless of ownership. Accordingly, the subject ROWs are 'public places' despite being privately owned.

Therefore under the local law the City has the ability to undertake action to resolve these matters. While it is noted that the City can undertake action on private ROWs, it is somewhat easier to do so if the ROWs are within public ownership.

#### Closure of ROW at Lot 67 Minerva Street

A submission was received from a landowner on Minerva Street, Noranda wanting to close the ROW adjoining Lot 67 Minerva Street. The landowner has undertaken unauthorised development within this subject ROW, including installing a lockable swing gate and planting small trees.

While the landowner has expressed a desire for the ROW to be closed, they have not offered to purchase and amalgamate the ROW into their land. This would potentially leave the City with the responsibility of managing a purposeless portion of land surrounded by private residential properties.

The City is not able to close a ROW itself, a request would need to be made to the Minister for Lands. Advice received suggests that the City is not obliged to process a request from a landowner to close a ROW, it is at the City's discretion.

Another landowner on Salvator Street, Noranda has expressed support for the proposal, including the future construction of the subject ROW, as it will enable vehicle and pedestrian access to the rear of their property, assisting with future subdivision.

There are a number of properties adjoining the subject ROW that have development potential, in particular the ability to create two lots, one fronting the street and one fronting the rear ROW. This subdivision scenario would likely be made much more feasible if vehicle access were available via a rear ROW, as it would likely enable the retention of existing dwellings on the site.

Given the above it is recommended that Council does not support a request to be made to the Minister for Lands to close the subject ROW as:

- The land was originally set aside for the purposes of being used as a ROW;
- Without a plan for adjoining landowners to purchase and amalgamate closed ROWs into adjoining land, the City would be left with the responsibility of managing a 'purposeless' portion of land;
- Another landowner has expressed an interest in having the ROW constructed to enable future vehicle and pedestrian access to the rear of their property; and
- Closing the ROW would likely jeopardise the development potential for a number of properties adjoining the ROW.

In the event Council does not support the closure of the subject ROW, the City will undertake action to have the unauthorised development (lockable swing gate) removed from the subject ROW.

#### Adverse Possession of Portion of ROW at Lot 67 Minerva Street

A submission was received from a landowner on Salvator Street, Noranda stating that they are currently in the process of preparing a claim to Landgate for adverse possession over a portion of the ROW at Lot 67 Minerva Street that adjoins their property.

This subject portion of ROW has been fenced off and landscaped for the exclusive use of the landowner.



Advice obtained suggests that there would be no impact to the landowner's claim should the City continue to make a request to the Minister for Lands to acquire the entire ROW, prior to the landowner's claim being lodged or resolved by Landgate, as a successful claim will take precedence over the Minister for Land's decision. Even if the Minister for Lands resolves to acquire the land prior to Landgate supporting the claim, a successful claim will still trump the Minister for Land's decision.

In the event the landowner's claim is unsuccessful, the landowner could still request to purchase the subject portion of ROW.

Given the above, it is considered appropriate to continue with the request to the Minister for Lands to acquire the entire ROW, including the subject portion of ROW, as this will not impact the landowner's adverse possession claim.

If the landowner's claim is successful, the land is still subject to being used as a ROW. The landowner would need to take the necessary statutory steps to make the land usable for residential purposes, including formally closing the subject portion of ROW and rezoning it to Residential.

#### Change of Ownership to Crown Land

To change the ownership of the ROWs into the Crown, the City needs to formally request that the Minister for Lands acquire the subject ROWs under Section 52 of the *Land Administration Act 1997* (LAA) and Regulation 6 of the *Land Administration Regulations 1998*. The City has now advertised the request to the Minister for Lands to acquire the subject ROWs as Crown land. The next steps are as follows:

Step	Detail	Responsibility
1.	Council to consider the comments received from advertising and resolve whether to authorise the request to the Minister for Lands to acquire the subject ROWs as Crown land.  In the event Council authorises the request, forward Council's resolution to the Minister for Lands to consider.	City
2.	Minister for Lands to consider and determine request from the City.	Minister for Lands
3.	Minister for Lands (via Department of Planning Lands and Heritage) to implement acquisition of ROWs as Crown land.	Minister for Lands
4.	City to become responsible for the ongoing maintenance of the ROWs on behalf of the State Government.	City

It is considered that the above approach would enable the City to formally manage and maintain the ROWs, allow for ROW issues to be resolved easier, and provide greater certainty for landowners and developers wanting to access land via ROWs as part of new development.

#### **LEGISLATIVE COMPLIANCE**

Requesting the Minister for Lands to acquire land as Crown land is subject to Section 52 of the *Land Administration Act 1997* and Regulation 6 of the *Land Administration Regulations 1998*.

#### **RISK ASSESSMENT**

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

<b>Officer's Recommendation</b>	<b>That Council:</b>
---------------------------------	----------------------

	<div><div><div>1.</div><div>Authorises a request being made to the Minister for Lands, pursuant to Section 52 of the <i>Land Administration Act 1997</i>, to acquire the rights of way in Bayswater and Noranda as contained in <u>Attachment 1</u> to this report.</div></div><div><div>2.</div><div>Does not support a request being made to the Minister for Lands to close the right of way adjoining Lot 67 Minerva Street, Noranda as:<div><div><div>(a)</div><div>The land was originally set aside for the purposes of being used as a right of way (ROW);</div></div><div><div>(b)</div><div>Without a plan for adjoining landowners to purchase and amalgamate closed rights of way into adjoining land, the City would be left with the responsibility of managing a ‘purposeless’ portion of land;</div></div><div><div>(c)</div><div>Another landowner has expressed an interest in having the ROW constructed to enable future vehicle and pedestrian access to the rear of their property; and</div></div><div><div>(d)</div><div>Closing the ROW would likely jeopardise the development potential for a number of properties adjoining the ROW.</div></div></div></div></div></div>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	<div><div>In relation to point 1, it is considered there is low risk to the City if Council decides to proceed with this option, as the City will be attempting to take formal responsibility for the ongoing management and maintenance of the subject ROWs, which will allow for ROW matters to be resolved easier, and provide greater certainty for owners and developers wanting to access land via ROWs.</div><div>In relation to point 2, it is considered there is moderate risk to the community and stakeholders if Council proceeds with this option as a landowner has expressed an interest in closing the ROW.</div></div>	

<b>Option 2</b>	<p><b>That Council:</b></p> <ol style="list-style-type: none"> <li>1. Authorises a request being made to the Minister for Lands, pursuant to Section 52 of the <i>Land Administration Act 1997</i>, to acquire the rights of way in Bayswater and Noranda as contained in <u>Attachment 1</u> to this report, with the following modification(s): <ol style="list-style-type: none"> <li>(a) _____</li> <li>(b) _____</li> <li>(c) _____</li> </ol> </li> <li>2. Does not support a request being made to the Minister for Lands to close the right of way adjoining Lot 67 Minerva Street, Noranda as: <ol style="list-style-type: none"> <li>(a) The land was originally set aside for the purposes of being used as a right of way (ROW);</li> <li>(b) Without a plan for adjoining landowners to purchase and amalgamate closed rights of way into adjoining land, the City would be left with the responsibility of managing a 'purposeless' portion of land;</li> </ol> </li> </ol>
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	<p>(c) Another landowner has expressed an interest in having the ROW constructed to enable future vehicle and pedestrian access to the rear of their property; and</p> <p>(d) Closing the ROW would likely jeopardise the development potential for a number of properties adjoining the ROW.</p>	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Dependent on the modification(s) determined by Council.
Reputation	Low	
Governance	Low	
Community and Stakeholder	Moderate	
Financial Management	Low	
Environmental Responsibility	Low	
Service Delivery	Low	
Organisational Health and Safety	Low	
Conclusion	The risks are dependent on the modification(s) determined by Council.	

<b>Option 3</b>	<p><b>That Council:</b></p> <ol style="list-style-type: none"> <li>Does not support a request being made to the Minister for Lands, pursuant to Section 52 of the <i>Land Administration Act 1997</i>, to acquire the rights of way in Bayswater and Noranda as contained in <u>Attachment 1</u> to this report.</li> <li>Authorises a request being made to the Minister for Lands, pursuant to Section 58 of the <i>Land Administration Act 1997</i> to close the right of way adjoining Lot 67 Minerva Street, Noranda.</li> </ol>	
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
<b>Conclusion</b>	<p>In relation to point 1, there is considered to be moderate risk to the City's reputation and community and stakeholders if Council proceeds with this option as the City will not be taking formal responsibility for the ongoing management and maintenance of the subject ROWs, which will potentially make ROW issues harder to resolve, and provide less certainty for owners and developers wanting to access land via ROWs.</p> <p>In relation to point 2, it is considered there is moderate risk to the community and stakeholders if Council proceeds with this option as a landowner has expressed an interest in having the ROW constructed to enable future vehicle and pedestrian access to the rear of their property.</p>	

<b>Option 4</b>	<p><b>That Council:</b></p> <ol style="list-style-type: none"> <li>Does not support a request being made to the Minister for Lands, pursuant to Section 52 of the <i>Land Administration Act 1997</i>, in Bayswater and Noranda to acquire the rights of way as contained in <u>Attachment 1</u> to this report.</li> <li>Does not support a request being made to the Minister for Lands to close the right of way adjoining Lot 67 Minerva Street, Noranda as: <ol style="list-style-type: none"> <li>The land was originally set aside for the purposes of being used as a right of way (ROW);</li> <li>Without a plan for adjoining landowners to purchase and amalgamate closed rights of way into adjoining land, the City</li> </ol> </li> </ol>	
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	<p>would be left with the responsibility of managing a 'purposeless' portion of land;</p> <p>(c) Another landowner has expressed an interest in having the ROW constructed to enable future vehicle and pedestrian access to the rear of their property; and</p> <p>(d) Closing the ROW would likely jeopardise the development potential for a number of properties adjoining the ROW.</p>	
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
<b>Conclusion</b>	<p>In relation to point 1, there is considered to be moderate risk to the City's reputation and community and stakeholders if Council proceeds with this option as the City will not be taking formal responsibility for the ongoing management and maintenance of the subject ROWs, which will potentially make ROW issues harder to resolve, and provide less certainty for owners and developers wanting to access land via ROWs.</p> <p>In relation to point 2, it is considered there is moderate risk to the community and stakeholders if Council proceeds with this option as a landowner has expressed an interest in closing the ROW.</p>	

## FINANCIAL IMPLICATIONS

The following financial implications are applicable:

**Item 1:** ROW construction.

**Asset Category:** Other

**Source of Funds:** Municipal

**LTFP Impacts:** Not listed in the LTFP

**Notes:** \* The City has an annual budget for ROW construction. The City's draft 2021/22 budget allocates \$30,000 for ROW construction.

**Item 2:** Ongoing ROW maintenance.

**Asset Category:** Other

**Source of Funds:** Municipal

**LTFP Impacts:** Not listed in the LTFP

**Notes:** \*\* The City has an annual budget for road maintenance, which includes ROW maintenance. The City's 2021/22 budget allocates \$185,000 for road maintenance.

ITEM NO.	CAPITAL / UPFRONT COSTS (\$)	ONGOING COSTS (\$)		INCOME (\$)	ASSET LIFE (YEARS)	WHOLE OF LIFE COSTS (\$)	CURRENT BUDGET (\$)
		MATERIALS & CONTRACT	STAFFING				
1	*	-	-	-	-	-	\$30,000*
2	**	-	-	-	-	-	\$185,000**

## STRATEGIC IMPLICATIONS

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

Theme: Environment and Liveability

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

It is considered that the proposal will allow for the City to better manage and maintain the subject ROWs, which will better maintain the identity of those neighbourhoods.

## **CONCLUSION**

In light of the above, it is recommended that Council authorises the City to request that the Minister for Lands acquire the subject ROWs as Crown land, and declines to request the Minister for Lands to close the right of way adjoining Lot 67 Minerva Street.

### **Bayswater and Noranda Rights of Way**

#### ROW 37 - Veitch Street

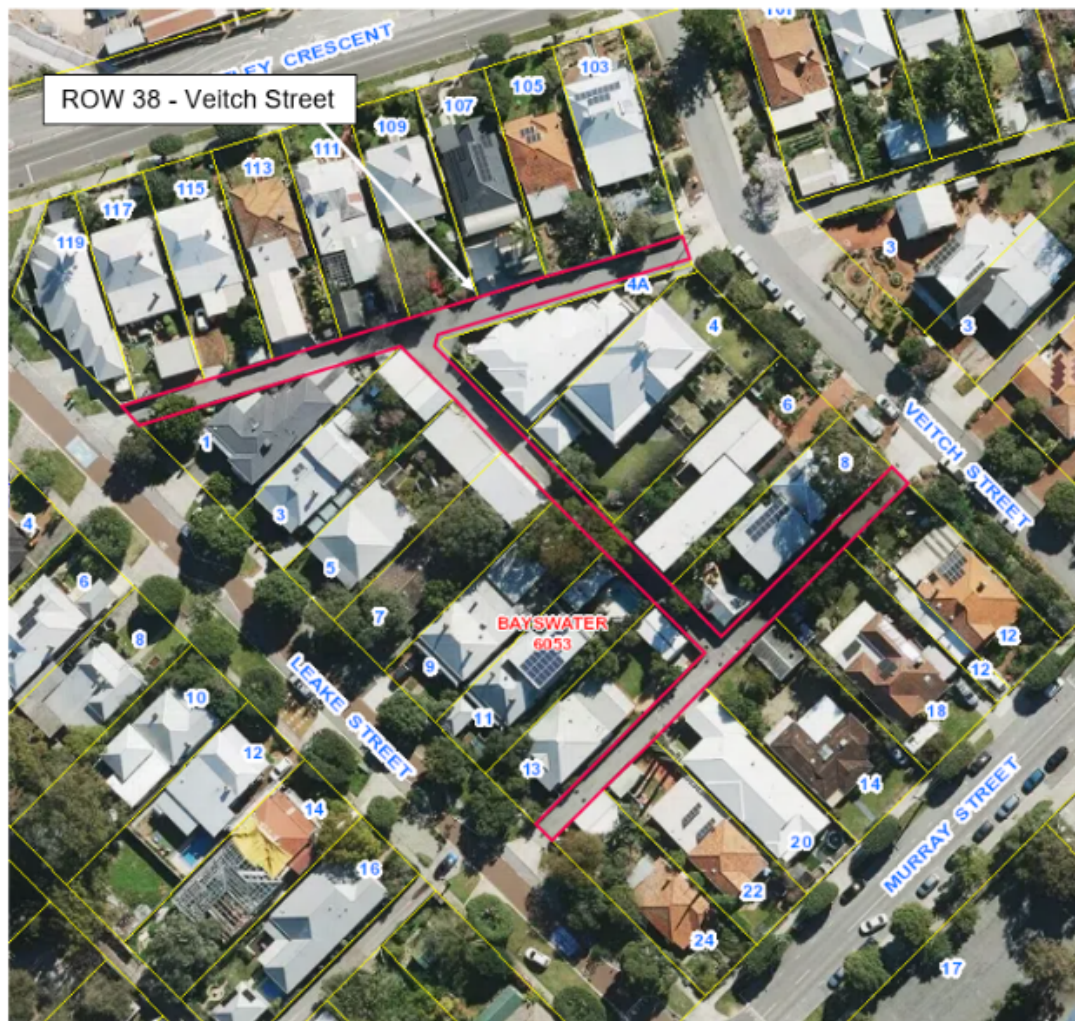
Location	Block bound by Murray, Veitch and King William Streets and Whatley Crescent, Bayswater
Width	4.02m
Condition	Part bitumen paved and drained, and part sandy track
Use	Sole access to vehicle parking for properties on Whatley Crescent, King William Street and Murray Street.  Potential to provide more access to properties as part of future subdivision or redevelopment.





ROW 38 – Veitch Street

Location	Block bound by Leake, Murray and Veitch Streets and Whatley Crescent, Bayswater
Width	4.02m
Condition	Bitumen, paved and drained track.
Use	Primary access to vehicle parking for properties on all streets.  Potential to provide more access to properties as part of future subdivision or redevelopment.



ROW 40 – King William Street

Location	Block bound by King William, Hamilton and Olfe Streets and Whatley Crescent, Bayswater
Width	4.0m
Condition	Part paved, and part not constructed.
Use	Provides access to vehicle parking for commercial and residential property on all streets.  Potential to provide more access to properties as part of future subdivision or redevelopment.





ROW 42 – Olfe Street

Location	Block bound by Hamilton, Slade and Olfe Streets and Whatley Crescent, Bayswater
Width	4.1m
Condition	Part paved and drained, and part hard standing gravel and grass track
Use	Provides access to properties on all streets.  Potential to provide more access to properties as part of future subdivision or redevelopment.



Lot 67 Minerva Street

Location	Block bound by Minerva and Salvator Streets and Ivory Park, Noranda
Width	5.04m
Condition	Part grass, and part sandy track
Use	Not currently being used as a ROW  Potential to provide more access to properties as part of future subdivision or redevelopment.





Lot 68 Vernon Street

Location	Block bound by Vernon, Ivory, Smitherson and Salvator Streets, Noranda
Width	5.04m
Condition	Part grass, and part sandy track
Use	Currently only being used by a limited amount of properties.  Potential to provide more access to properties as part of future subdivision or redevelopment.



Lot 69 Vernon Street

Location	Block bound by Vernon, Ivory and Salvator Streets and Ivory Park, Noranda
Width	5.04m
Condition	Part grass, and part sandy track
Use	Currently only being used by a limited amount of properties.  Potential to provide more access to properties as part of future subdivision or redevelopment.



#### Lot 70 Vernon Street

Location	Block bound by Vernon, Ivory and Doyle Streets and Widgee Road, Noranda
Width	5.04m
Condition	Part sandy, and part grass track.
Use	Currently only being used by a limited amount of properties.  Potential to provide more access to properties as part of future subdivision or redevelopment.





**Attachment 2** - Summary of Submissions

No.	Support / Object / Comment	Summary of Submission	City of Bayswater Comments
ROW 37 - Veitch Street			
1	Support	<ul style="list-style-type: none"> <li>Support the proposal.</li> <li>Access to the right of way (ROW) would make future fit outs and improvements to common areas easier and safer.</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> <li>ROWs, regardless of their ownership, are considered public places for general public use. Therefore access should be available now. If access issues occur, action can be taken by the City to resolve them at any time.</li> </ul>
2	Support	<ul style="list-style-type: none"> <li>Support the proposal.</li> <li>The ROW provides access to our property for rear parking, maintenance and future renovations.</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> <li>Noted.</li> </ul>
3	Support	<ul style="list-style-type: none"> <li>Support the proposal.</li> <li>Currently unable to access our business from ROW for deliveries and maintenance because the ROW is blocked with parked cars.</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> <li>ROWs, regardless of their ownership, are considered public places for general public use. If a known party is blocking ROW access, the City can be contacted to resolve the matter.</li> </ul>
4	Support	<ul style="list-style-type: none"> <li>Support the proposal.</li> <li>Often unable to access our business from ROW for waste removal, and maintenance because the ROW is blocked with parked cars.</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> <li>ROWs, regardless of their ownership, are considered public places for general public use. If a known party is blocking ROW access, the City can be contacted to resolve the matter.</li> </ul>
5	Support	<ul style="list-style-type: none"> <li>Support the proposal.</li> <li>My tenant is currently unable to access our business from ROW for deliveries and maintenance because the ROW is blocked with parked cars.  This impacts opportunities to attract businesses and development, and activation of the ROW.</li> <li>Request once the ROW is acquired, Council takes steps to ensure access is maintained for</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> <li>ROWs, regardless of their ownership, are considered public places for general public use. If a known party is blocking ROW access, the City can be contacted to resolve the matter.</li> <li>The City does not have the resources to undertake regular ROW checks. However when an issue arises, the City can be contacted to investigate.</li> </ul>

No.	Support / Object / Comment	Summary of Submission	City of Bayswater Comments
		everyone through regular checks and intervention.	
6	Support	<ul style="list-style-type: none"> <li>Support the proposal.</li> <li>Often unable to access our property from ROW for deliveries and maintenance because the ROW is blocked with parked cars.</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> <li>ROWs, regardless of their ownership, are considered public places for general public use. If a known party is blocking ROW access, the City can be contacted to resolve the matter.</li> </ul>
ROW 38 - Veitch Street			
7	Support	<ul style="list-style-type: none"> <li>Support the proposal.</li> <li>ROW is only access point to our garage.</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> <li>Noted.</li> </ul>
ROW 40 – King William Street			
8	Support	<ul style="list-style-type: none"> <li>Support the proposal.</li> <li>Affected by bins and cars blocking access to the ROW for waste collection and delivery vehicles.</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> <li>ROWs, regardless of their ownership, are considered public places for general public use. Therefore access should be available now. If access issues occur, action can be taken by the City to resolve them at any time.</li> </ul>
Lot 67 Minerva Street			
9	Support	<ul style="list-style-type: none"> <li>Support the proposal.</li> <li>Currently unable to use ROW due to a dispute with an adjacent land owner and maintaining current ownership will result in further disputes.</li> <li>Acquisition and formalisation of the ROW will allow access to the rear of our property and assist with future subdivision.</li> <li>Request that this ROW is constructed first as the other Noranda ROWs are currently trafficable, whereas this ROW is not.</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> <li>Noted.</li> <li>Noted.</li> <li>Noted. The City will consider this request, as well as other matters regarding the ROW, when deciding which of the four Noranda ROWs to construct first.</li> </ul>
10	Object	<ul style="list-style-type: none"> <li>Object to acquisition and open passage of ROW to neighbouring properties as it will compromise the safety of our property.</li> </ul>	<ul style="list-style-type: none"> <li>It is not considered that the construction of the ROW will compromise the safety of the property.</li> <li>It is not considered appropriate to support the closure of the ROW as:</li> </ul>



No.	Support / Object / Comment	Summary of Submission	City of Bayswater Comments
		<ul style="list-style-type: none"> <li>We have been trying to close the ROW with both the City of Bayswater and previously the City of Swan.</li> </ul>	<ul style="list-style-type: none"> <li>The land was originally set aside for the purposes of being used as a ROW;</li> <li>Without a plan for adjoining landowners to purchase and amalgamate closed ROWs into adjoining land, the City would be left with the responsibility of managing a purposeless portion of land; and</li> <li>Another landowner has expressed an interest in having the ROW constructed to enable future vehicle and pedestrian access to the rear of their property.</li> </ul>
11	Comment	<ul style="list-style-type: none"> <li>We and previous owners have been exclusively using and maintaining a portion of the ROW adjoining our property (subject portion) for approximately 15 years.  The subject portion is fenced off as though it is part of our property, and has been landscaped and reticulated.</li> <li>We are currently in the process of claiming adverse possession over the subject portion of ROW.</li> <li>We are supportive of the remainder of the ROW being used by other properties for access, however we do not support the subject portion being used as a ROW as it will create less security for our property.  Furthermore if the subject portion were to be used as a ROW, access to the properties at 38 Minerva Street would result in more pedestrian and vehicle movements and greater security concerns, not just from residents but also clients of the home business that operates from one of the dwellings.</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> <li>Advice obtained suggests that there would be no impact to the landowner's claim should the City continue to make a request to the Minister for Lands to acquire the entire ROW.</li> <li>It is not considered that the construction of the subject portion of ROW will increase safety and security issues to the property.</li> </ul>
Lot 68 Vernon Street			
12	Support	<ul style="list-style-type: none"> <li>Support the proposal.</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> </ul>

No.	Support / Object / Comment	Summary of Submission	City of Bayswater Comments
		<ul style="list-style-type: none"> <li>Support is based on the understanding that the City will be responsible for sealing and drainage and ongoing maintenance of the ROW and that all adjoining properties will have vehicular access indefinitely.</li> <li>Request that this ROW is constructed first as we have an active building permit for a rear garage with the intention to access parking via the ROW.</li> </ul>	<ul style="list-style-type: none"> <li>Noted. In the event ownership of the ROW changes to the Crown, it is likely that the City will be responsible for sealing and drainage and ongoing maintenance of the ROW via a management order, and that all adjoining properties will have vehicular access indefinitely.</li> <li>Noted. The City will consider this request when deciding which of the four Noranda ROWs to construct first.</li> </ul>
Lot 69 Vernon Street			
13	Support	<ul style="list-style-type: none"> <li>Support the proposal.</li> <li>Use the ROW daily for access.</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> <li>Noted.</li> </ul>
14	Comment	<ul style="list-style-type: none"> <li>Would like to purchase the portion of ROW that runs between our two properties.</li> </ul>	<ul style="list-style-type: none"> <li>Noted. The City will investigate this request as a separate proposal from the current proposal.</li> </ul>
Water Corporation			
15	Comment	<ul style="list-style-type: none"> <li>Comments provided in relation to proposed closure of ROWs.  Some sewer assets are within some of the ROWs, however they would not be impacted by the proposed closures.</li> </ul>	<ul style="list-style-type: none"> <li>Noted. The City clarified with the Water Corporation that the proposal is not to close the ROWs, but to request the Minister for Lands to acquire them.  The Water Corporation advised that it would be more beneficial to the Water Corporation as the ROWs would be in reserves.</li> </ul>

**10.5 Major Projects And Commercial Activities Directorate Reports****10.5.1 Traffic Management - Roberts Street, Bayswater**

<b>Responsible Branch:</b>	Major Projects
<b>Responsible Directorate:</b>	Major Projects and Commercial Activities
<b>Authority/Discretion:</b>	Executive/Strategic
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	1. CONFIDENTIAL - Petition - Reduce Traffic Volume - Roberts Street, Bayswater [10.5.1.1 - 39 pages]
<b>Refer:</b>	Item 10.3.1 OCM 26.04.22

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

**(b) the personal affairs of any person.**

**CR SALLY PALMER DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Sally Palmer declared an impartial interest in this item as she is the chair of the City of Bayswater Child Care Centres. Cr Palmer remained in the room during voting on this item.*

**CR DAN BULL DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Dan Bull declared an impartial interest in this item as his children go to school at St Columbus and he is a board member of Bayswater Primary School, which are both located on Robert Street. Cr Bull remained in the room during voting on this item.*

**SUMMARY**

For Council to consider the petition received at the 24 May 2022 Ordinary Council Meeting in relation to traffic management in Roberts Street, Bayswater.

**OFFICER'S RECOMMENDATION**

That Council advises the head petitioner that the need for further traffic treatments in the Bayswater Low-Cost Urban Road Safety Program (LCURSP) area will be reassessed following a review of the treatments that are installed and further community input will be considered following the review.

**MOTION**

That Council requests that a working group be formed with residents in Roberts Street to investigate appropriate evidence-based traffic treatments for Roberts Street, Bayswater.

**Cr Giorgia Johnson Moved, Cr Dan Bull Seconded**

**LOST: 3/6**

**For:** Cr Sally Palmer, Cr Elli Petersen-Pik and Cr Dan Bull.

**Against:** Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Steven Ostaszewskyj, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor and Cr Giorgia Johnson.

## **COUNCIL RESOLUTION**

**That Council:**

1. **Acknowledges the concerns of the petitioners in relation to traffic issues in Roberts Street, Bayswater.**
2. **Requests that a working group be formed with residents in Roberts Street and City Officers to investigate potential traffic treatments for Roberts Street, Bayswater, and report back to Council on preferred options for implementation.**
3. **Requests that correspondence be forwarded by the City to the Minister for Transport and Planning and Main Roads WA, seeking the installation of a right turn movement from Guildford Road (westbound) into Garratt Road, Bayswater, to alleviate rat running in the adjacent local road network.**

**Cr Josh Eveson Moved, Cr Dan Bull Seconded**

**CARRIED UNANIMOUSLY: 9/0**

**For:** *Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Steven Ostaszewskyj, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik, Cr Dan Bull and Cr Giorgia Johnson.*

**Against:** *Nil.*

## **REASON FOR CHANGE**

***To acknowledge concerns in relation to traffic issues in Roberts Street, Bayswater by forming a working group to validate traffic data and deeply consider potential options, whilst also planning for the future in advocating for the longer-term solution via Garratt and Guildford Roads.***

## **BACKGROUND**

At the Ordinary Council Meeting of 26 April 2022, Council considered a report in relation to the Low-Cost Urban Road Safety Program (LCURSP) in the Bayswater precinct and resolved as follows:

*That Council:*

1. *Approves the installation of 30 x low-cost treatments as part of the Low-Cost Urban Road Safety Program in the Bayswater precinct bounded by Whatley Crescent, Garratt Road, Guildford Road and King William Street, Bayswater, as funded by Main Roads WA (MRWA) and detailed in Attachment 5.*
2. *Notes that a review will be undertaken of the treatments a minimum of six months after installation, as to their effectiveness against rat running and high traffic volumes and speed.*
3. *Requests that appropriate tree planting is considered in all detailed designs of the approved traffic treatments."*

As detailed in the report to the April 2022 Ordinary Council Meeting, the proposed treatments in Roberts Street between Almondbury Road and Guilford Road were not supported, and as a result, they were removed from the proposed plan.

Subsequent to Council's approval of the LCURSP for Bayswater, a petition with 160 signatures (**Confidential Attachment 1**) was tabled at the Ordinary Council Meeting of 24 May 2022, stating as follows:

*"We the undersigned, being the electors of the district, formally petition the City of Bayswater to address the following:*

*Traffic calming proposed under the Low Cost Urban Road Program does not sufficiently address the issue of relatively high traffic volume in Roberts Street. It is requested that the Bayswater Council investigate evidence based volume management strategies to reduce non-resident passenger, trade and commercial vehicle use of Roberts St (including Heavy Rigid and Articulated trucks), taking into account envisaged impacts of Metronet Developments, Caledonian Level crossing closure and Tonkin Gap project, including consultation with residents to identify and implement preferred solutions.*

## EXTERNAL CONSULTATION

As detailed in the report to the Ordinary Council Meeting of 26 April 2022, extensive consultation was undertaken to inform the development of the traffic management plan for the area under the LCURSP

## OFFICER'S COMMENTS

As detailed in the report, to the Ordinary Council Meeting of 26 April 2022, whilst a number of comments received from residents on Roberts Street during consultation were in support of the proposed treatments, a greater number of residents did not support any traffic calming treatments, in particular between Almondbury Street and Guildford Road. Even though a considerable number of residents had raised concerns with traffic volume and rat-run issues along this road, more residents objected to any proposed treatment types except for closing the road or restricting access.

As a result of the objections received, the proposed treatments for the subject section of Roberts Street were removed.

The petition received is requesting action based on high traffic volumes and speed as well as rat-running and heavy vehicle use. It also states that these issues have increased over the last few years.

The following table gives a summary of traffic surveys conducted by the City in Roberts Street.

LOCATION	DATE	VOLUME (AWT)	85% SPEED (KM/H)
North of Murray St (No.7)	2011	1245	58
North of Guildford Rd (No.54)	2015	814	55
South of Murray St (No.10)	2016	1431	46
North of Almondbury (No.33)	2016	1334	45
North of Guildford Rd (No.54)	2017	990	51
North of Guildford Rd (No.54)	2018	901	53
North of Guildford Rd (No.52)	2022	1013	52

The data detailed above indicates that the traffic volume in the subject section of Roberts Street has fluctuated between approximately 900 and 1,000 vehicles per day over the last five years. The 85<sup>th</sup> percentile speed has remained fairly constant at just over 50km/h.

As can be appreciated, traffic volumes in the subject area are being impacted by a number of the major State projects occurring in the vicinity. That being said, the traffic data collected to date does not indicate that traffic volumes or speeds have increased dramatically in the subject roadway and the volumes are well within the capacity of the road.

Ideally, it would have been beneficial to install the treatments that were proposed as part of the LCURSP and then to assess the impact of the area wide treatments six months after installation, however, the treatments were not supported during the community consultation and hence were removed from the plan. Notwithstanding the fact that treatments are not being proposed for the subject section of roadway, it is still considered valid to reassess the distribution of traffic in the area six months after the installation of the LCURSP treatments. This will also ensure that any further treatments proposed are considered with due regard to all roads in the precinct, so as to avoid the potential for any problems to be shifted from one area to another.

Following the proposed reassessment of traffic volumes and speeds, Council can consider options for further community involvement in developing traffic management options for particular areas as required.

## LEGISLATIVE COMPLIANCE

- Main Roads WA LCURSP Strategy and Implementation Framework.

## RISK ASSESSMENT

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.

<b>Officer's Recommendation</b>	<b>That Council advises the head petitioner that the need for further traffic treatments in the Bayswater Low-Cost Urban Road Safety Program (LCURSP) area will be reassessed following a review of the treatments that are installed and further community input will be considered following the review.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	As considerable consultation has been undertaken as part of the development of the LCURSP for the Bayswater area, it is considered appropriate that the plan be implemented and then traffic volumes and speed be reassessed following the implementation. It is likely that the petitioners will be aggrieved by this recommendation, hence a moderate risk level for has been suggested for Community and Stakeholder risk category.	

<b>Option 2</b>	<b>That Council requests that a working group be formed with residents in Roberts Street to investigate appropriate traffic treatments for Roberts Street, Bayswater.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Moderate
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	This option would meet the needs of the petitioners, however, it should be noted that significant consultation has already been undertaken and others in the area may be	

	aggrieved if any options identified have the potential to divert traffic to other areas within the precinct.
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## FINANCIAL IMPLICATIONS

Nil.

## STRATEGIC IMPLICATIONS

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

Theme: Environment and Liveability

Goal E3: Improve the City's walking and cycling network and create safer streets.

Theme: Vibrancy

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

Theme: Leadership and Governance

Goal L1: Engage the community in a meaningful way.

Provide opportunities for the community to have their say and consider their views when making decisions.

## CONCLUSION

As detailed in this report, significant consultation has been undertaken to guide the development of the LCURSP for the Bayswater precinct. As part of this consultation, residents in Roberts Street were not in support of the proposed treatments in the section of roadway between Almondbury Road and Guildford Road, and accordingly, they were removed.

It needs to be noted that traffic in the area is and will continue to be for some time, impacted by major State projects in the area.

In order to assess the impact of the proposed LCURSP treatments, it is proposed to undertake further traffic analysis, approximately six months after installation. As part of this process, Roberts Street will also be reassessed and further traffic management options can be considered at this time as necessary.



**10.6 Sub Committee Reports****10.6.1 Policy Review and Development Committee - 31 May 2022****10.6.1.4 Revised Urban Trees Policy**

<b>Responsible Branch:</b>	Parks & Gardens
<b>Responsible Directorate:</b>	Works & Infrastructure
<b>Authority/Discretion:</b>	Review
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Urban Trees Policy [8.4.1 - 4 pages]</li> <li>2. Revision of Urban Trees Policy 2022 [8.4.2 - 4 pages]</li> <li>3. Tree Pruning Guideline for Residents [8.4.3 - 3 pages]</li> <li>4. Letter of Advice to City of Bayswater [8.4.4 - 9 pages]</li> <li>5. FINAL Revised of Urban Trees Policy 2022 [8.4.5 - 4 pages]</li> <li>6. Committee Amendments to Urban Trees Policy 2022 [8.4.6 - 4 pages]</li> </ol>
<b>Refer:</b>	Item 10.6.2.9: OCM 07.12.2021 Item 10.5.2.1: OCM 09.04.2019

**SUMMARY**

For Council to consider the proposed amendments to the Urban Trees Policy based on the feedback received from the Councillor workshop held on 29 March 2022 and subsequent Councillor feedback period.

**OFFICER'S RECOMMENDATION**

That Council endorses the draft *Urban Trees Policy* as outlined in Attachment 2.

**ADDITIONAL INFORMATION**

The Officer's Recommendation for the Revised Urban Trees Policy report currently recommends that Council endorses the draft *Urban Trees Policy* as outlined in Attachment 2. Given that Attachment 2 shows tracked changes, a clean copy of the policy which incorporates the tracked changes has been included as Attachment 5.

**RECOMMENDATION IMPLICATIONS**

In light of the above, the officer's recommendation has been amended as follows:

The "item" referred to in the above resolution is the Trees on Private Land and Street Verges Policy, which was also being reviewed due to its close association with the Urban Trees Policy.

The Councillor workshop was held on the 29 March 2022. The workshop included detailed analysis and discussion of the City's current canopy cover and the interventions that may be required in order to achieve the City's canopy target of 20%. The workshop also explored the following:

- Current tree management issues being faced by Council;
- Fundamental principles of tree management;
- General misconceptions around tree management;
- Application of the City's Thoroughfares Local Law and the Australian Standard (AS 4371-2007);
- Criteria of the current Urban Trees Policy;

**OFFICER'S RECOMMENDATION**

That Council endorses the draft *Urban Trees Policy* as contained in Attachment 5.

**COMMITTEE RECOMMENDATION TO COUNCIL**

That Council endorses the draft *Urban Trees Policy* as contained in Attachment 5 with the following amendments, as shown in new Attachment 6:

1. The name of the Policy to be changed to "*Urban Tree Planting and Maintenance Policy*".
2. The word "*planted*," to be inserted between the words "*be*" and "*maintained*" in the "*Purpose*" section.
3. In the "*Policy Statement*" section and "*Tree Planting*" subsection, the words "*which includes requests from residents*" in the first paragraph be replaced with "*This program includes new tree planting in areas such as parks, road verges, medians, roundabouts, reserves and natural areas. Residents are also able to order a verge tree for planting in front of their property*"
4. Remove "*Trees on Private Land and Street Verges Policy*" from the "*Related Documentation*" Section to correct a typing error where it was listed in duplicate.
5. Add "*Urban Forest Strategy*" to the "*Related Documentation*" Section.

**MOTION**

That Council endorses the draft *Urban Trees Policy* as contained in Attachment 5 with the following amendments, as shown in new Attachment 6:

1. The name of the Policy to be changed to "*Urban Tree Planting and Maintenance Policy*".
2. The word "*planted*," to be inserted between the words "*be*" and "*maintained*" in the "*Purpose*" section.
3. In the "*Policy Statement*" section and "*Tree Planting*" subsection, the words "*which includes requests from residents*" in the first paragraph be replaced with "*This program includes new tree planting in areas such as parks, road verges, medians, roundabouts, reserves and natural areas. Residents are also able to order a verge tree for planting in front of their property*"
4. Remove "*Trees on Private Land and Street Verges Policy*" from the "*Related Documentation*" Section to correct a typing error where it was listed in duplicate.
5. Add "*Urban Forest Strategy*" to the "*Related Documentation*" Section.
6. Delete from Policy "New Trees – Where a new tree is proposed for a verge that is not a replacement tree, the City will plant the tree unless requested otherwise by the adjacent property owner. Generally, one tree will be planted per verge abutting private property, while properties with larger or corner frontages may receive more"

Cr Georgia Johnson Moved, Cr Elli Petersen-Pik Seconded

LOST: 4/5

**For:** Cr Sally Palmer, Cr Elli Petersen-Pik, Cr Dan Bull and Cr Georgia Johnson.

**Against:** Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Steven Ostaszewskyj, Cr Josh Eveson and Cr Catherine Ehrhardt, Deputy Mayor.

**MOTION**

**(COMMITTEE RECOMMENDATION TO COUNCIL)**

That Council endorses the draft *Urban Trees Policy* as contained in Attachment 5 with the following amendments, as shown in new Attachment 6:

1. The name of the Policy to be changed to *"Urban Tree Planting and Maintenance Policy"*.
2. The word *"planted,"* to be inserted between the words *"be"* and *"maintained"* in the *"Purpose"* section.
3. In the *"Policy Statement"* section and *"Tree Planting"* subsection, the words *"which includes requests from residents"* in the first paragraph be replaced with *"This program includes new tree planting in areas such as parks, road verges, medians, roundabouts, reserves and natural areas. Residents are also able to order a verge tree for planting in front of their property"*
4. Remove *"Trees on Private Land and Street Verges Policy"* from the *"Related Documentation"* Section to correct a typing error where it was listed in duplicate.
5. Add *"Urban Forest Strategy"* to the *"Related Documentation"* Section.  
Cr Steven Ostaszewskyj Moved, Cr Josh Eveson Seconded

#### PROCEDURAL MOTION

That Cr Steven Ostaszewskyj be granted a 2 minute extension to speak on the item.

Cr Dan Bull Moved, Cr Sally Palmer Seconded

CARRIED: 8/1

*For: Cr Assunta Meleca, Cr Steven Ostaszewskyj, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen Pik, Cr Dan Bull and Cr Giorgia Johnson.*

*Against: Cr Filomena Piffaretti, Mayor.*

#### AMENDMENT

That a new point 6 be added to the motion, as follows:

6. In the "Tree planting" subsection, in relation to "New Trees", after the words "adjacent property owner." add the following sentence: "The later exemption does not apply to tree planting in areas surrounding schools and town centres, where the city will have full discretion".

Cr Elli Petersen-Pik Moved, Cr Dan Bull Seconded

LOST: 4/5

*For: Cr Sally Palmer, Cr Elli Petersen-Pik, Cr Dan Bull and Cr Giorgia Johnson.*

*Against: Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Steven Ostaszewskyj, Cr Josh Eveson and Cr Catherine Ehrhardt, Deputy Mayor.*

#### AMENDMENT

That the motion be renumbered and a new point 2 added as follows:

2. Requests the Chief Executive Officer to undertake community consultation on the policy, and report the outcome and any suggested changes to the Policy Review and Development Committee for consideration by October 2022.

Cr Elli Petersen-Pik Moved, Cr Dan Bull Seconded

LOST: 3/6

*For: Cr Sally Palmer, Cr Elli Petersen-Pik and Cr Dan Bull.*

**Against:** Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca,  
Cr Steven Ostaszewskyj, Cr Josh Eveson,  
Cr Catherine Ehrhardt, Deputy Mayor and Cr Giorgia Johnson.

*At 10:39pm, Ms Alix Bray withdrew from the meeting and returned at 10:40pm.  
Cr Catherine Ehrhardt, Deputy Mayor withdrew from the meeting at 10:43pm and returned at 10:46pm.*

### **COUNCIL RESOLUTION**

#### **(COMMITTEE RECOMMENDATION TO COUNCIL)**

That Council endorses the draft *Urban Trees Policy* as contained in Attachment 5 with the following amendments, as shown in new Attachment 6:

1. The name of the Policy to be changed to "*Urban Tree Planting and Maintenance Policy*".
2. The word "*planted*," to be inserted between the words "*be*" and "*maintained*" in the "*Purpose*" section.
3. In the "*Policy Statement*" section and "*Tree Planting*" subsection, the words "*which includes requests from residents*" in the first paragraph be replaced with "*This program includes new tree planting in areas such as parks, road verges, medians, roundabouts, reserves and natural areas. Residents are also able to order a verge tree for planting in front of their property*"
4. Remove "*Trees on Private Land and Street Verges Policy*" from the "*Related Documentation*" Section to correct a typing error where it was listed in duplicate.
5. Add "*Urban Forest Strategy*" to the "*Related Documentation*" Section.

Cr Steven Ostaszewskyj Moved, Cr Josh Eveson Seconded

**CARRIED: 6/3**

**For:** Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Steven Ostaszewskyj,  
Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor and Cr Giorgia Johnson.

**Against:** Cr Sally Palmer, Cr Elli Petersen-Pik and Cr Dan Bull.

### **BACKGROUND**

At the Ordinary Council Meeting held on 7 December 2021, Council made the following resolution in regards to the Urban Trees Policy (Policy):

*"That Council:*

1. *Amends the Urban Trees Policy as outlined in Attachment 3 to this report and as further amended in new Attachment 4;*
2. *Notes that a review of the City's Crossover Policy and Trees on Private Land and Street Verges Policy is required to align those policies with the amended Urban Trees Policy;*

3. *Requests the Chief Executive Officer to bring a report to the next meeting of the Policy Review and Development Committee for further consideration of amendments to the remaining policies; and*
4. *Requests the Chief Executive Officer to prepare a report investigating residents' ability to undertake minor maintenance on trees on the verges abutting their property."*

The above resolution resulted in the current version as per **Attachment 1** to this report. This version of the Policy has been in use by the City since adoption at the December Ordinary Council Meeting.

At the Ordinary Council Meeting held on 25 March 2022, Council made a further resolution that impacts on the Policy:

*"That this item be referred to a Councillor workshop together with the Urban Tree Policy to allow more information to be provided about the two policies so they may be considered in detail."*

- Benefits of trees in the urban environment;
- Current and suggested approaches to tree management;
- Various tree management examples and scenarios currently being experienced that are at odds with strategic goals and or community expectations;
- Implications of pruning on canopy cover;
- Residents being permitted to undertake minor tree pruning (which addresses Limb 4 of the Council Resolution from the 7 December 2022 Ordinary Council Meeting);
- Tree vandalism; and
- Tree planting.

The information presented at the workshop and the feedback received during the workshop was collected and made available on the City's Document Hub via a memorandum dated 4 April 2022 titled "Councillor Workshop 29 March 2022 – Urban Forest Strategy; Urban Trees Policy; Trees on Private Land and Street Verges Policy."

The memorandum provided the following timetable for the review of the Policy:

ACTION	DATE	COMMENTS
Councillor Information Workshop	29 March 2022	
Councillors to provide comments on their proposed changes to current Urban Trees Policy	19 April 2022	
Draft amended <i>Urban Trees Policy</i> and <i>Trees on Private Land and Street Verges Policy</i> presented to Policy Review & Development Committee	24 May 2022*	
Recommendations from the Committee meeting are presented to Ordinary Council Meeting	June 2022	Recommendation to advertise the policies for public comments
Advertising seeking public comments	July 2022	Minimum 21-day period

Draft amended <i>Urban Trees Policy</i> and <i>Trees on Private Land and Street Verges Policy</i> presented to Policy Review & Development Committee	August 2022	Present findings of public consultation
Draft policies presented to Ordinary Council Meeting	September 2022	Presented for final adoption

\* **Important Note:** The Policy Review and Development Committee meeting originally scheduled for the 24 May 2022 has been rescheduled to the 31 May 2022.

The memorandum sought further comments from Councillors on both policies by 19 April 2022, and this period was further extended to the 22 April 2022. This comment period allowed Councillors to further consider the information presented at the workshop and to provide individual comments. This was also important for the several Councillors that were unable to attend the workshop.

Councillor feedback has been collated and used to inform the revision of the Policy. Accordingly, a revised draft of the Urban Tree Policy is provided to the Committee for consideration.

## EXTERNAL CONSULTATION

No consultation has occurred with the public or other agencies on this matter. However, it was proposed that there will be a public consultation period of 21 days to ascertain the community's position on this matter. The issue of public consultation was first raised during public question time at the Ordinary Council Meeting of 22 March 2022 where a member of the public requested that the community be consulted if any further changes to the Urban Trees Policy were considered by Council. The need for public consultation was discussed at the workshop and it was agreed that a period of no less than 21 days would be appropriate. Subsequently, the consultation stage was added to the delivery timetable for the revision of the Policy.

As the workshop dealt with two policies – the Urban Tree Policy and the Trees on Private Land and Street Verges Policy – the timetable prepared following the workshop covered both policies. It should be noted that the Trees on Private Land and Street Verges Policy is a Planning Policy, therefore it will need to be advertised as a statutory requirement. The Urban Trees Policy is a Council Policy and there is no statutory requirement for it to be advertised for public comment. It is therefore suggested that the Committee recommend to Council that Council adopts the Policy as presented without advertising. This is so that the Policy can go into effect immediately after the June 2022 Ordinary Council Meeting with no further delays, and will have the benefit of increasing the number of verge trees that will be planted during this current tree planting season.

## OFFICER'S COMMENTS

The feedback received during the workshop and subsequent Councillor feedback period after the workshop indicated a general desire to include more flexibility in the Policy, however, there was also some feedback received that the Policy should not be changed or reverted back to the previous version (prior to December 2021).

The following Councillor feedback (summarised) was used by Officers to revise the Policy:

- The policy to be more flexible in the following ways, while managing risks:
  - Doesn't damage canopy targets;
  - Encourage people to look after their own verge trees. Allow residents to undertake minor / low risk pruning at standing level using manual tools only, e.g. secateurs to lift dragging branches on footpaths, affecting line of sight etc; and

- Add discretionary powers for officers.
- Encourage residents to take more ownership of tree pruning.
- Investigate risk management if allowing residents to prune their own trees.
- Guidelines to be produced on percentages for under-pruning, especially for sightline, footpath and road clearances.
- People want to look after trees, but aren't allowed to touch them. When they get too big, they request removal.
- Information for residents about what makes trees more manageable to live with.
- City officers have responsibility when discussing tree issues with residents.
- Provide an information brochure with responsibilities, who to contact, important information etc. sent to all residents.
- Need more clarification around "To reduce tree size or height" in policy.
- Common sense approach to tree pruning/removal.
- Main reason residents don't want street trees is because they're not allowed to prune themselves.
- Do not agree with providing gutter cleaning/extra bin for aged/people with a disability, instead of requesting City to prune.

Some Councillors also provided marked up copies of the Policy showing their proposed changes. Some of these changes were also used by Officers, some with further adjustments being made.

The revised Policy is provided as **Attachment 2**. Note that the changes made to the Policy are shown as tracked changes.

The changes made to the Policy are discussed further here under each of the headings contained in the Policy.

### General

It was added that residents can also care for trees on the verge adjacent to their property in accordance with the conditions of the Policy.

### Tree Planting

The Policy previously stated that the City will undertake all activities required to establish new trees and provide ongoing maintenance with the prior approval of the property owner. This has been expanded and amended in the revised Policy to elaborate between new trees (where none existed previously) and replacement trees.

The revised Policy states that new trees will be planted under the annual tree planting program unless requested otherwise by the adjoining property owner. Therefore, property owners will still have the opportunity to not have a tree being planted on their verge.

In regards to replacement trees, the revised Policy states that the City will endeavour to plant a tree for each tree that has been removed from the verge. There is no opportunity to opt-out in this case. This change is suggested on the grounds that if there was a tree on the verge previously then a replacement tree should be reinstated on the verge. However, where it is not possible to plant on the same verge, the City will plant the replacement tree in a suitable location as near as possible to the original location. It should be noted that the use of the word "endeavour" is in



recognition that there will always be cases where a replacement will not work out - in this case, the City will plant in a different location that is as close as possible to the original location.

In both situations the adjacent property owner will have the opportunity to discuss with the City the tree species and the positioning of the tree on the verge.

These changes were made in response to the low uptake of new trees and replacement trees by adjoining property owners.

### Tree Pruning

The reference to the Australian Standard for Pruning of Amenity Trees (AS 4371-2007) has been removed from the revised Policy. Although the reference to the Australian Standard has been removed from the Policy, its application to the City's pruning activities is still necessary from a risk minimisation and liability mitigation point of view. It is reasonable to expect Officers to apply all relevant Australian Standards to their tasks and duties as a normal part of doing business in their relative field. Therefore, it is not necessary to mention this Australian Standard, or any other applicable Australian Standard in the Policy.

Other changes to this section of the Policy include:

- Include pruning to maintain clearances to street lights. This has been added to ensure that pruning is undertaken to maintain effective street lighting in the City, thus ensuring that all public areas are kept safe for all road users and pedestrians.

This change will effectively result in street lights having priority over trees. It should be noted that where excessive pruning is necessary, the City will explore other opportunities such as relocating street lighting. In most cases, such decisions will be determined through a business case (i.e. the cost of ongoing pruning versus one-off relocation capital expense).

- Include maintaining visibility of street name signage, directional signage, advanced warning and regulatory traffic signs. This pruning is necessary to ensure the safety and convenience of all road users.
- Remove that pruning will not be undertaken for overshadowing of buildings, property and/or solar panels, unless it can be proved it is impacting the performance of the solar panels.

This section of the Policy has a significant inclusion that allows property owners to be able to request the pruning of trees abutting their private property that would otherwise not qualify for pruning under the specific conditions listed in the Policy. This request would then be determined by the Director Works & Infrastructure for discretionary pruning. The Policy states that, if authorisation is given by the Director, the property owner requesting the pruning will be required to pay for the pruning costs incurred by the City. It further states that pensioners are exempt from the requirement to pay for the cost of pruning trees abutting their private property.

This addition to the Policy provides greater flexibility in what services the City can offer in regards to pruning outside of what is outlined in the Policy. It is expected that this change will reduce the number of tree pruning requests being tabled at Ordinary Council Meetings for consideration.

The definition of a pensioner has been added to the Definitions section of the Policy. It defines a pensioner as a person who receives a full pension. Therefore, someone receiving a part pension will not qualify for a free discretionary pruning service from the City. It should be noted that there are approximately 5,200 properties owned by pensioners within the City, which could result in significant requests for discretionary pruning.

To deliver the discretionary pruning service, the City will need to implement the following processes:

- The development and implementation of guidelines to guide fair and consistent decision-making regardless of changes to management at the City. This will ensure that ad-hoc decision-making does not occur and decisions are transparent and defensible if challenged.
- Creation of additional databases and inspection regimes to keep track of the various arrangements with individual property owners, and to also ensure the integrity of the initial intent of the arrangements remain intact.

This section of the Policy also includes a new addition that allows residents to undertake minor pruning of trees located on verge areas abutting their property in accordance with the City's Tree Pruning Guideline for Residents.

Feedback received from Councillors indicated a desire to include some flexibility for residents to undertake minor pruning of trees located on verges abutting their property. It is believed that this could assist the City in maintaining clearances from pathways and sightlines, and may encourage greater retention of trees and further requests for verge tree planting.

Allowing residents to undertake pruning of trees may result in the City having to accept a certain level of risk in regards to work health and safety, as the City would be allowing residents to undertake works on land and tree assets that are normally the responsibility of the City. In exercising due diligence, City officers sought advice from LGIS (the City's insurers) regarding the City's public liability should residents be formally permitted to undertake tree pruning activities, and their advice was that the City would be best to seek legal advice regarding the risk of allowing residents to undertake tree pruning on City owned verge trees.

The legal advice provided by the City's lawyers conveyed that, while some pruning could be considered minor in nature and therefore low risk, the low risk would be amplified by the number of residents that could possibly undertake minor pruning throughout any given period. The legal advice provided to the City has been included as **Attachment 4** of this report.

In order to manage the risks associated with allowing residents to undertake verge tree pruning, the City has developed draft guidelines for this purpose, titled "Tree Pruning Guideline for Residents". Tree pruning activities undertaken by residents shall be managed through the guidelines. A copy of the draft Guidelines is provided in **Attachment 3** to this report. It should be noted that the Policy refers to the Guidelines only – this is due to the Guidelines being an operational document as well as allowing the Guidelines to be continually developed without the need to seek Committee or Council approval each time an improvement is made.

### Tree Removal

This section has been amended by removing the reasons why tree removal is not undertaken. This amendment has been made due to the reasons for removal being sufficient for determination of tree removals under this section.

### Tree Vandalism

This section has been amended based on Councillor feedback that some of the measures were considered unnecessary, costly to execute and in some cases, did not achieve the intent of the measures.

The Policy has been amended by removing reference to the installation of a tree vandalism sign and the painting of dead trees. The installation of vandalism signage to highlight acts of tree vandalism was viewed as a strong deterrent to those that would consider undertaking such acts, as the installation of signage would generally progress whether the perpetrators were identified or not, and therefore serve as a warning of the consequences of such acts. However, there were instances where the signage reflected unfairly on residents that were not involved in the tree

removal (e.g. a new tenant in a residence that was being targeted by some members of the community).

Tree vandalism can be dealt with through the City's Thoroughfares Local Law, which can be used to issue penalties as well as issuing notices to offenders to repair or replace damages done to the tree. Part 13 of the City's Thoroughfares Local Law states:

***"13.1 Notice to repair damage to thoroughfare***

*Where any portion of a thoroughfare has been damaged, the local government may by notice to the person who caused the damage order the person to repair or replace that portion of the thoroughfare to the satisfaction of the local government."*

It should be noted that reference to any portion of a thoroughfare includes all infrastructure, assets and vegetation on the thoroughfare. Therefore, this clause applies to trees.

Through this clause, the City would be able to seek, from the person or company responsible, monetary compensation equal to the amenity value of the tree (i.e. Helliwell valuation), plus the cost of removing the existing tree, if required, and the cost of arranging provision of a replacement tree(s) and three years' maintenance if required. However, the limitations of this approach would be that the perpetrator would have to be caught undertaking the act of vandalism for the City to commence the issuing of a notice. Also, notices can be challenged by those that receive them, and if they choose not to comply the City will have to recover costs through legal proceedings which carries its own risks.

This section of the Policy has included a provision for the City to plant a replacement tree plus an additional new tree on the same verge where a tree has been removed as a consequence of vandalism. This includes trees that have been removed directly as an act of vandalism or had to be removed by the City as a consequence of the damage caused through vandalism. It is proposed that the City may seek compensation for the cost of removing the existing tree if required, and the cost of arranging provision of replacements trees and three years' maintenance. The use of the word "may" is on the understanding that, in some cases, the perpetrator may not be able to be identified. Regardless of obtaining compensation, the City will still undertake the planting and maintenance of the replacement trees.

**LEGISLATIVE COMPLIANCE**

Not applicable.

**RISK ASSESSMENT**

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

Officer's Recommendation	That Council adopts the <i>Urban Trees Policy</i> as outlined in <u>Attachment 2</u> to this report.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Moderate
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	This option recommends the adoption of the policy as presented by Officers without any further consultation. Risk is increased due to the fact that the policy	

	is not put to public consultation and is not afforded the opportunity for feedback. The Policy can be implemented immediately after the June Council Meeting.
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Option 2	<p>That Council:</p> <ol style="list-style-type: none"><li>Endorses the draft <i>Urban Trees Policy</i> as outlined in <u>Attachment 2</u> for public consultation for a period of no less than 21 days.</li><li>Requests the Chief Executive Officer to bring a report to the next meeting of the Policy Review and Development Committee for further consideration of amendments once the public consultation period has concluded.</li></ol>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Moderate
Reputation	Low	Moderate
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Moderate
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	This option provides a considered approach to amending policy in relation to all areas of tree management ensuring the City provides for a modern approach to urban tree management, including the consideration of regulatory compliance obligations, overarching duty of care and maximising the outcomes for tree health and wellbeing of the community. This option allows community consultation prior to finalising the policy. There is risk that the community consultation will divide the community and complicate the matter. It will delay implementation.	

Option 3	<p>That Council:</p> <p>1. Endorses the draft <i>Urban Trees Policy</i> as outlined in <u>Attachment 2</u> for public consultation for a period of no less than 21 days, with the following changes:</p> <p>a) ...</p> <p>b) ...</p> <p>c) ...</p> <p>2. Requests the Chief Executive Officer to bring a report to the next meeting of the Policy Review and Development Committee for further consideration of amendments once the public consultation period has concluded.</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>Moderate</td></tr><tr><td>Reputation</td><td>Low</td><td>Moderate</td></tr><tr><td>Governance</td><td>Low</td><td>Low</td></tr><tr><td>Community and Stakeholder</td><td>Moderate</td><td>Moderate</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>Moderate</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	Moderate	Reputation	Low	Moderate	Governance	Low	Low	Community and Stakeholder	Moderate	Moderate	Financial Management	Low	Low	Environmental Responsibility	Low	Low	Service Delivery	Low	Moderate	Organisational Health and Safety	Low	Low
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Conclusion	This option provides the Committee the opportunity to make further changes to the Policy. This option also allows community consultation prior to finalising the policy. Risks could potentially be greater depending on the changes made by the Committee. There is risk that the community consultation will divide the community and complicate the matter. It will delay implementation.																												

<b>Option 4</b>	<b>That Council does not amend the existing <i>Urban Trees Policy</i>.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>

Strategic Direction	Moderate	Moderate
Reputation	Low	Moderate
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Moderate
Service Delivery	Low	Moderate
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	<p>By not amending the existing policy the City will not keep abreast of changes to industry standards and community expectations.</p> <p>Officers are aware of some issues relating to the interpretation of the current policy. If amendments are not made then these issues are expected to continue.</p>	

## FINANCIAL IMPLICATIONS

Not applicable for the purposes of this report, however there may be financial implications to decisions made by Council as identified in the report that will be highlighted in the report tabled at the PRDC meeting of 23 August 2022.

## STRATEGIC IMPLICATIONS

This policy provides guidance on how trees will be maintained and cared for on City managed land to sustain the long-term benefits provided by individual trees and the wider tree population in support of the objectives of the City's Urban Forest Strategy.

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

- Theme: Community
- Goal C3: Maximise the use of the City's facilities and parks by all sections of the community.
- Theme: Environment and Liveability
- Goal E2: Remain focused on greening the City's suburbs and streetscapes and increasing the tree canopy.
- Goal E4: Lessen the City's Impact on the environment through its buildings, infrastructure, services and targets, such as zero emissions by 2040, and empower the community to live sustainably.
- Goal E5: Protect and enhance the City's natural environment and biodiversity, and encourage the community to participate in its protection.
- Theme: Leadership and Governance
- Goal L1: Engage the community in a meaningful way.  
Provide opportunities for the community to have their say and consider their views when making decisions.
- Goal L4: Communicate in a clear and transparent way.  
Provide the community with useful information about Council's policies, services and events and advise the community of engagement outcomes.

## CONCLUSION

Amending the Policy in relation to all areas of tree management ensures the City provides a considered and modern approach to urban tree management, including the consideration of

regulatory compliance obligations, overarching duty of care and maximising the outcomes for tree planting, tree health and wellbeing of the community.

# Urban Trees Policy



<b>Responsible Division</b>	Works and Infrastructure
<b>Responsible Business Unit/s</b>	Parks and Gardens
<b>Responsible Officer</b>	Manager Parks and Gardens
<b>Affected Business Unit/s</b>	All Business Units
<b>Document Ref</b>	4129251

## PURPOSE

This policy provides guidance on how trees will be maintained and cared for on City-managed land.

## POLICY STATEMENT

### General

All trees irrespective of who planted them and which have at least 50% of their base located within City managed land will be maintained and cared for by the City.

### Tree Planting

The City will undertake the planting of trees on City-managed land under its annual tree planting program which includes requests from residents. The City will determine the species and select the location of the tree in consideration of site conditions, infrastructure, utility services, sight lines and other constraints. Generally, one tree will be planted per property, while properties with larger or corner frontages may receive more. The City will undertake all activities required to establish new trees and provide ongoing maintenance, with the prior approval of the property owner.

### Tree Pruning

Pruning may be undertaken to improve the form of a tree, reduce an assessed risk, or improve stability.

All pruning will be in accordance with the Australian Standard for Pruning of Amenity Trees (AS 4371 – 2007).

Generally, pruning services are provided to:

- maintain required clearances from power lines, utilities and other infrastructure.
- maintain appropriate clearances for sightlines, and accessibility for road and footpath users.
- reduce risk of harm.
- remove or reduce hazardous dead wood.
- correct structural defects in natural growth or form (remedial pruning).
- re-establish tree after damage (restoration pruning).
- optimise form and branch structure in a juvenile tree (formative pruning).



- clear significant overhanging influence from private buildings.

Pruning is not undertaken for the following reasons:

- To improve views.
- To reduce tree size or height.
- Personal health concerns.
- To discourage the presence of animals or insects.
- Clearance for advertising signage.
- Overshadowing of buildings, property and/or solar panels, unless it can be proved it is impacting the performance of the solar panels.

The City may determine occasions where specialist pruning that falls outside these criteria is required to maintain the health of a tree.

### **Tree Removal**

Tree removal may be undertaken when:

- a tree is dead.
- an unacceptable level of risk exists within the tree's structure that remedial techniques cannot rectify.
- the tree is suffering from a disease where remedial techniques will not prevent further spread of the disease, and the removal will be of benefit to other trees around it.
- the tree is causing significant damage to infrastructure, and modification to the infrastructure or tree is impractical, and suitable documented evidence to support this is provided by a qualified professional.
- there is an imminent safety risk to people, property and/or infrastructure.
- the removal is approved under a crossover approval granted by the City. Such removal may be subject to conditions of the crossover approval granted in accordance with the City's crossovers policy.
- the removal is approved under a subdivision approval granted by the Western Australian Planning Commission or development approval granted by the City. Such removal may be subject to conditions in accordance with those approvals.

Tree removal is not undertaken for the following reasons:

- Tree species, form, size, shape or location is not the personal preference of the resident.
- The tree is considered an inconvenience for proposed or current construction works.
- The tree is interfering with views.
- Overshadowing of buildings, property and/or solar panels.
- The tree drops natural debris such as leaves, flowers, fruit and bark.

Where a tree is removed, the City will endeavour to plant a replacement tree of a suitable species as practicably close to the removed tree as part of its annual tree planting program.

Where a tree is approved for removal for a subdivision, development and/or for works undertaken for a utility provider or other authority, then the City will seek compensation for the amenity (Helliwell) valuation of the tree, plus the cost of removing the existing tree, if Council is required to remove it.

### **Tree Vandalism**

Where vandalism of trees occurs, the City after an investigation, may authorise the following actions:

- Issuing of infringement notice with a penalty.
- Where the tree is less than 2m tall and/or fewer than four trees are vandalised, the City will install a tree vandalism sign of 0.6m x 1.2m for a period of 2 years.
- Where the tree is greater than 2m tall and/or more than three trees are vandalised, the City will install a tree vandalism sign of 3m x 3m for a period of 2 years.
- Painting of dead trees in bright colour to highlight their demise.
- Write to affected residents in the vicinity of the tree(s) advising of the City's actions in response to the vandalism.

A sign can be removed prior to the two-year period if a resident or group of residents applies to the City to replace the vandalised trees (of a similar size and species) at a 2:1 ratio at their own cost.

In addition to the above, if the damage or vandalism has occurred as a direct result of development activities without prior approval, the City may seek from the person or company responsible compensation for the amenity (Helliwell) valuation of the tree, plus the cost of removing the existing tree if required, and the cost of arranging provision of a replacement tree(s) and three years' maintenance if required.

### **Definitions**

City-managed trees – Trees located in road reserves, reserves and on land vested in, or otherwise managed by the City, and includes Grass Trees (*Xanthorrhoea* species) and Zamia Palms (*Macrozamia* species).

Tree vandalism – Subjecting a tree to intentional harm, including unauthorised pruning, poisoning, removal, and physical or chemical damage.

Unauthorised pruning - Pruning activities conducted by any persons other than authorised City employees or authorised contractors.

### **Related Legislation**

- *Local Government (Miscellaneous Provisions) Act 1995*
- *Environmental Protections Act 1986*
- *Thoroughfares Local Law 2020*
- *Section 444 of Criminal Code WA*
- Department of Mines, Industry Regulation and Safety - Guidelines for the management of vegetation near power lines.

### **Related Documentation**

- *Trees on Private Land and Street Verges Policy*
- *Private Trees Policy*
- *Crossovers Policy*

- *Australian Standard for Amenity Pruning (AS 4373-2007)*
- *City of Bayswater Tree Planting Guideline*

<b>Relevant Delegations</b>	<b>EF-D04 Notices requiring certain things to be done</b> <b>EF-D08 Reserves under the Control of Local Government</b>
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**Risk Evaluation**

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<b>Council Adoption</b>	<b>9 April 2019</b>
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<b>Review/Modified</b>	<b>7 December 2021</b>
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# Urban Trees Policy



<b>Responsible Division</b>	Works and Infrastructure
<b>Responsible Business Unit/s</b>	Parks and Gardens
<b>Responsible Officer</b>	Manager Parks and Gardens
<b>Affected Business Unit/s</b>	All Business Units
<b>Document Ref</b>	4129251

## PURPOSE

This policy provides guidance on how trees will be maintained and cared for on City-managed land.

## POLICY STATEMENT

### General

All trees irrespective of who planted them and which have at least 50% of their base located within City managed land will be maintained and cared for by the City.

[Residents can also care for trees on the verge adjacent to their property in accordance with the conditions of this Policy.](#)

### Tree Planting

The City will undertake the planting of trees on City-managed land under its annual tree planting program which includes requests from residents. [The City will determine the species and select the location of the tree in consideration of site conditions, infrastructure, utility services, sight lines and other constraints. Property owners will be given the opportunity to discuss the species selection and positioning of the tree on the verge. The City will undertake all activities required to establish new trees and provide ongoing maintenance.](#)

[New Trees – Where a new tree is proposed for a verge that is not a replacement tree, the City will plant the tree unless requested otherwise by the adjacent property owner. Generally, one tree will be planted per verge abutting private property, while properties with larger or corner frontages may receive more. The City will determine the species and select the location of the tree in consideration of site conditions, infrastructure, utility services, sight lines and other constraints. Generally, one tree will be planted per verge abutting private property, while properties with larger or corner frontages may receive more. The City will undertake all activities required to establish new trees and provide ongoing maintenance.](#)

[Replacement Trees – If a new tree is proposed for a verge, with the prior approval of the property owner, The City will endeavour to plant a new tree for each tree that has been removed from residential verges under this policy on the same verge. Where it is not possible to plant a replacement tree on the same verge, the City will plant the new tree in a suitable location as near as possible to the original location.](#)

## Tree Pruning

Pruning may be undertaken to improve the form or health of a tree, and or to remove or reduce an assessed risk, ~~or improve stability.~~

~~All pruning will be in accordance with the Australian Standard for Pruning of Amenity Trees (AS 4371 –2007).~~

Generally, pruning services will be authorised and provided by the City ~~are provided~~ to:

- maintain required clearances from power lines, street lights, utilities and other infrastructure.
- ~~maintain appropriate clearances for sightlines, and accessibility for~~ driveways, roads and footpaths ~~users.~~
- maintain visibility of street name signage, directional signage, advanced warning and regulatory traffic signs.
- remove or reduce risk of harm.
- remove or reduce hazardous dead wood.
- correct structural defects in natural growth or form (remedial pruning).
- re-establish tree after damage (restoration pruning).
- optimise form and branch structure in a juvenile tree (formative pruning).
- clear ~~significant~~ overhanging influence from private buildings.

Property owners may request pruning of trees abutting their private property. Unless the requested pruning is for the reasons listed above, authorisation of the request will be at the discretion of the Director Works and Infrastructure. If authorisation is given, the property owner requesting the pruning will be required to pay for the pruning costs incurred by the City. Pensioners are exempt from the requirement to pay for the cost of pruning trees abutting their private property.

Residents are authorised to undertake minor pruning of trees located on verge areas abutting their property in accordance with the City's Tree Pruning Guideline for Residents.

Pruning is not undertaken for the following reasons:

- ~~—To improve views.~~
- ~~—To reduce tree size or height.~~
- ~~—Personal health concerns.~~
- To discourage the presence of animals or insects.
- Clearance for advertising and business signage.
- ~~—Overshadowing of buildings, property and/or solar panels, unless it can be proved it is impacting the performance of the solar panels.~~

~~The City may determine occasions where specialist pruning that falls outside these criteria is required to maintain the health of a tree.~~

## Tree Removal

Tree removal may only be undertaken when:

- a tree is dead.
- an unacceptable level of risk exists within the tree's structure that remedial techniques cannot rectify.
- the tree is suffering from a disease where remedial techniques will not prevent further spread of the disease, and the removal will be of benefit to other trees around it.
- the tree is causing significant damage to infrastructure, and modification to the infrastructure or tree is impractical, and suitable documented evidence to support this is provided by a qualified professional.
- there is an imminent safety risk to people, property and/or infrastructure.
- the removal is approved under a crossover approval granted by the City. Such removal may be subject to conditions of the crossover approval granted in accordance with the City's crossovers policy.
- the removal is approved under a subdivision approval granted by the Western Australian Planning Commission ~~or development approval granted by the City~~. Such removal may be subject to conditions in accordance with those approvals.

~~Tree removal is not undertaken for the following reasons:~~

- ~~• Tree species, form, size, shape or location is not the personal preference of the resident.~~
- ~~• The tree is considered an inconvenience for proposed or current construction works.~~
- ~~• The tree is interfering with views.~~
- ~~• Overshadowing of buildings, property and/or solar panels.~~
- ~~• The tree drops natural debris such as leaves, flowers, fruit and bark.~~

Where a tree is removed, the City will ~~endeavour to~~ plant a replacement tree of a suitable species as practicably close to the location of the removed tree as part of its annual tree planting program. Where a tree is approved for removal for a subdivision, development and/or for works undertaken for a utility provider or other authority, then the City will seek compensation for the amenity (Helliwell) valuation of the tree, plus the cost of removing the existing tree, if Council is required to remove it.

### Tree Vandalism

Where vandalism of trees occurs, the City after an investigation, may authorise the following actions:

- Issuing of an infringement notice with a penalty in accordance with the City's Local Laws to those who have been identified responsible for the damage;
- Where the vandalism involves the removal of a tree, or results in the need for tree removal as a consequence of the vandalism, the City will plant a replacement tree plus an additional new tree on the same verge. The City will seek compensation for the cost of removing the existing tree if required, and the cost of arranging provision of two trees and three years' maintenance.-
- ~~• Where the tree is less than 2m tall and/or fewer than four trees are vandalised, the City will install a tree vandalism sign of 0.6m x 1.2m for a period of 2 years.~~
- ~~• Where the tree is greater than 2m tall and/or more than three trees are vandalised, the City will install a tree vandalism sign of 3m x 3m for a period of 2 years.~~
- ~~• Painting of dead trees in bright colour to highlight their demise.~~
- Write to affected residents in the vicinity of the tree(s) advising of the City's actions in response to the vandalism.

~~A sign can be removed prior to the two-year period if a resident or group of residents applies to the City to replace the vandalised trees (of a similar size and species) at a 2:1 ratio at their own cost.~~

In addition to the above, if the damage or vandalism has occurred as a direct result of development activities without prior approval, the City ~~may~~ will seek from the person or company responsible

compensation for the amenity (Helliwell) valuation of the tree, plus the cost of removing the existing tree if required, and the cost of arranging provision of a replacement tree(s) and three years' maintenance if required.

### Definitions

City-managed trees – Trees located in road reserves, reserves and on land vested in, or otherwise managed by the City, and includes Grass Trees (*Xanthorrhoea* species) and Zamia Palms (*Macrozamia* species).

Pensioner – A person who receives a full pension.

Tree vandalism – Subjecting a tree to intentional harm, including unauthorised pruning, poisoning, removal, and physical or chemical damage.

Unauthorised pruning - Pruning activities conducted by any persons other than authorised City employees or authorised contractors, or pruning undertaken by residents contrary to the City's Tree Pruning Guideline.

### Related Legislation

- *Local Government (Miscellaneous Provisions) Act 1995*
- *Environmental Protections Act 1986*
- *Thoroughfares Local Law 2020*
- *Section 444 of Criminal Code WA*
- *Department of Mines, Industry Regulation and Safety - Guidelines for the management of vegetation near power lines.*

### Related Documentation

- *Trees on Private Land and Street Verges Policy*
- *Trees on Private Land and Street Verges Trees Policy*
- *Crossovers Policy*
- *Australian Standard for Amenity Pruning (AS 4373-2007)*
- *City of Bayswater Tree Planting Guideline*
- *City of Bayswater Tree Pruning Guideline for Residents*

### Relevant Delegations

EF-D04 Notices requiring certain things to be done

EF-D08 Reserves under the Control of Local Government

### Risk Evaluation

### Council Adoption

9 April 2019

### Review/Modified

7 December 2021



# Tree Pruning Guideline for Residents

<b>Responsible Division</b>	Works and Infrastructure
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<b>Responsible Business Unit/s</b>	Parks and Gardens
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<b>Responsible Officer</b>	Manager Parks and Gardens
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<b>Affected Business Unit/s</b>	Parks and Gardens
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<b>Document Ref</b>	
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## PURPOSE

This guideline provides guidance to residents on how to care for trees located on verges abutting their property, which are under the care, control and management of the City of Bayswater (the City).

## General Prohibitions

Residents may not undertake pruning on:

- Trees growing under power lines.
- Juvenile trees (less than three years old), identified by being staked and surrounded by a mulch bowl or green well.
- Parts of trees that are overhanging roads.
- Trees that are diseased, declining or dead.
- Tree roots.
- The City will undertake all necessary maintenance in regards to the above. Residents are urged to contact the City to discuss any maintenance that may be required.

## Tree Pruning

Residents are authorised to undertake minor pruning of trees on the verge directly abutting their property in accordance with the following conditions:

- Only tree material less than 3cm in diameter may be pruned.
- Pruning is undertaken with due care and consideration for the ongoing health, growth and longevity of the tree.
- The resident adheres to the provided guidelines, and other recommendations and advice as provided by the City.
- Pruning cuts are to be precise and executed in such a way as to not cause unnecessary damage or injury to the tree.
- Only hand-held manual garden pruning tools fit for the purposes of tree pruning may be used.

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- Pole pruners, and extension or telescopic tools may not be used.
- Petrol or electric powered tools, machinery or equipment may not be used.
- Only minor pruning conducted while standing on ground level can be undertaken.
- Ladders, items, materials or other devices which raise the resident above ground level must not be used.
- Tools are sharp and are thoroughly cleaned before use.
- Green waste from pruning activities are collected and disposed of or composted by the resident.
- No more than 5% reduction in the diameter of the reachable canopy can be removed in a 12 month period.
- Personal protective equipment suited to the task must be worn.
- The resident is to consider taking and storing photos prior to and after minor pruning works in the instance evidence is required of the pruning undertaken.

#### **Tree Watering**

Residents are encouraged to provide additional water to trees between October and April according to the following rates:

30 to 50 litres per week for juvenile trees

70 to 100 litres per week for mature trees

100 to 150 litres per week for trees adjacent to development sites.

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### Related Legislation

- xxxx

### Related Documentation

- xxxx

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Council Adoption

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Review/Modified

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[Type here]



Our Ref

SW:SM:BAYS:48762

Your Ref

10 February 2022

Alex Barker  
Technical Officer  
City of Bayswater  
PO Box 467  
BAYSWATER WA 6943

*By email: alex.barker@bayswater.wa.gov.au*

Dear Alex

### **Tree maintenance conducted by residents**

Thank you for your instructions to provide services in accordance with our quote dated 12 January 2022.

You have requested advice regarding the liability of the City of Bayswater (**City**) under the *Work Health and Safety Act 2020 (WHS Act)*, if it were to permit residents to undertake tree maintenance or pruning activities on trees located on City managed land.

### **Background**

It is the current practice that the City's employees and authorised contractors undertake all tree maintenance activities on trees located on City managed land. These activities are undertaken as a part of programmed works and following requests from ratepayers in certain circumstances.

The City employs qualified arborists and from time to time will also engage the services of specialist contractors to ensure that the tree maintenance activities are performed in a manner that ensures the safety of workers and other people.

The City's arborists and specialist contractors are trained, qualified and experienced in hazard identification, risk mitigation and safe work methods in relation to tree maintenance. The nature of the work undertaken often involves working at height, and the use of chainsaws and other hazardous plant and equipment.

The City recently undertook a review of the 'Urban Tree Policy', leading to a revised Policy being endorsed by Council at the 7 December 2021 Ordinary Council Meeting (**7 December OCM**).

The Policy review identified an inconsistency between the Urban Tree Policy and the Activities in Thoroughfares and Public Places and Trading Local Law 2020.



**McLEODS**  
BARRISTERS & SOLICITORS

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City of Bayswater

**Tree maintenance conducted by residents**

*McLeods*

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The inconsistencies were noted in the comments by officers within the draft revised Urban Tree Policy identified as Attachment 10.6.2.9.3 of the Minutes of the 7 December OCM.

Officers understand that the net effect of the inconsistency results in the permissibility of City residents to conduct tree maintenance on trees that are located upon City managed land, which is abutting their residence.

The City recognises that permitting such work to be undertaken by residents, may lead to liability under the new WHS Act, due for implementation in March 2022.

Accordingly, the City requires advice regarding its liability under the forthcoming WHS Act, arising from any decision to allow residents to undertake minor tree maintenance on trees located on City managed land.

### **Provisions of the WHS Act**

To provide context and convenience, I have set out the provisions of the WHS Act below, relevant to this advice.

Please note that the City, as a body corporate, is defined as the Person Conducting the Business or Undertaking (PCBU) for the purposes of the WHS Act, and the application of the duties therein.

#### WHS duties cannot be transferred or waived

No duty under the WHS Act can be transferred<sup>1</sup> or contracted, either formally or informally, to another person.

Section 272 of the WHS Act states:

‘Any agreement or contract that purports to exclude, limit or modify the operation of this Act or any duty owed under this Act or to transfer to another person any duty owed under this Act is of no effect.’

#### The primary duty of care

The primary duty of care is the overarching duty of care owed by a PCBU (in the present case, the City), to ensure the health and safety of workers and other people, so far as is reasonably practicable, pursuant to section 19 of the WHS Act.

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<sup>1</sup> Section 14 of the WHS Act.

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City of Bayswater

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**Tree maintenance conducted by residents**

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Section 19 states:

**‘19. Primary duty of care**

- (1) A person conducting a business or undertaking must ensure, so far as is reasonably practicable, the health and safety of —
  - (a) workers engaged, or caused to be engaged, by the person; and
  - (b) workers whose activities in carrying out work are influenced or directed by the person,while the workers are at work in the business or undertaking.
- (2) A person conducting a business or undertaking must ensure, so far as is reasonably practicable, that the health and safety of other persons is not put at risk from work carried out as part of the conduct of the business or undertaking.
- (3) Without limiting subsections (1) and (2), a person conducting a business or undertaking must ensure, so far as is reasonably practicable —
  - (a) the provision and maintenance of a work environment without risks to health and safety; and
  - (b) the provision and maintenance of safe plant and structures; and
  - (c) the provision and maintenance of safe systems of work; and
  - (d) the safe use, handling and storage of plant, structures and substances; and
  - (e) the provision of adequate facilities for the welfare at work of workers in carrying out work for the business or undertaking, including ensuring access to those facilities; and
  - (f) the provision of any information, training, instruction or supervision that is necessary to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of the business or undertaking; and

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**Tree maintenance conducted by residents**

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- (g) that the health of workers and the conditions at the workplace are monitored for the purpose of preventing illness or injury of workers arising from the conduct of the business or undertaking.

...’

(Underlining added for emphasis).

Reasonably practicable

The underlined portion of the extract above highlights the standard of the care required by the City when discharging its primary duty under section 19, as being ‘so far as is reasonably practicable’.

That is, the City must take such measures as are reasonably practicable at the time, to eliminate or mitigate risks to the health and safety of workers or other people.

The definition of reasonably practicable in section 18 of the WHS Act establishes an objective test, which is applied to ascertain whether the City is meeting the standard of care in relation to its duties.

Section 18 states:

**‘18. What is reasonably practicable in ensuring health and safety**

In this Act –

*reasonably practicable*, in relation to a duty to ensure health and safety, means that which is, or was at a particular time, reasonably able to be done in relation to ensuring health and safety, taking into account and weighing up all relevant matters including –

- (a) the likelihood of the hazard or risk concerned occurring; and
- (b) the degree of harm that might result from the hazard or the risk; and
- (c) what the person concerned knows, or ought reasonably to know, about –
  - (i) the hazard or the risk; and
  - (ii) ways of eliminating or minimising the risk; and
- (d) the availability and suitability of ways to eliminate or minimise the risk; and

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**Tree maintenance conducted by residents**

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- (e) after assessing the extent of the risk and available ways of eliminating or minimising the risk, the cost associated with available ways of eliminating or minimising the risk, including whether the cost is grossly disproportionate to the risk.’

(Underlining added for emphasis).

Volunteers

Section 4 of the WHS Act defines a volunteer as ‘...a person who is acting on a voluntary basis (irrespective of whether the person receives out of pocket expenses)’.

In the present case, a resident who is undertaking tree maintenance would be doing so in their capacity as a volunteer for the City.

Workers

Section 7 of the WHS Act contains a broad definition of a worker, as set out below:

**‘7. Meaning of worker**

- (1) a person is a worker if the person carries out work in any capacity for a person conducting a business or undertaking, including work as –
  - (a) an employee; or
  - (b) a contractor or subcontractor; or
  - ...
  - (h) a volunteer; ...’.

(Underlining added for emphasis).

Please note that volunteers fall within the definition of a worker under section 7(1)(h) set out above.

Accordingly, residents who conduct tree maintenance on City managed land are considered workers for the purposes of the WHS Act.

**Advice**

Any resident of the City who conducts tree maintenance on City managed land, is defined as a worker for the purposes of the WHS Act.

This remains the case regardless of whether the tree maintenance is of a minor or substantial nature.



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City of Bayswater

**Tree maintenance conducted by residents**

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Therefore, the City has the primary duty of care under section 19 of the WHS Act, to ensure the health and safety of residents conducting tree maintenance, so far as is reasonably practicable.

To comply with its duty under section 19 of the WHS Act, the City must ensure so far as is reasonably practicable, that the residents are provided with:

- a work environment that is without risks to health and safety; and
- safe plant<sup>2</sup> and structures; and
- safe systems of work such as procedures; and
- a way to safely use and store plant, structures and substances; and
- any information, training, instruction or supervision that is necessary to protect all persons from risks to their health and safety arising from the work carried out.

The standard of the City's primary duty of care is, to do all that is reasonably practicable in the circumstances.

The definition of 'reasonably practicable' is set out above under the heading 'Provisions of the WHS Act', and is contained within section 18 of the WHS Act.

To ascertain whether it has discharged its duty to the required standard, section 18 states that the City must consider 'all matters' including 'what the person [City] concerned knows, or ought reasonably to know', about the hazards and the way they may be eliminated or mitigated.

When assessing the City's level of knowledge about the risks associated with undertaking tree maintenance, regard must be given to the fact that the City employs expert arborists.

That is, the City must discharge its duty to ensure the health and the safety of workers, to the standard of any other employer who, in similar circumstances, also has access to the expert advice of arborists when undertaking tree maintenance activities.

#### The hazards arising from tree maintenance activities

Although I do not hold myself out to be an expert in the field of tree maintenance, I have set out examples below of some of the hazards of tree maintenance that are known to me as a generalist WHS specialist.

These hazards include but are not limited to:

- (a) the use of hazardous plant such as hand saws and powered chainsaws;
- (b) falls from height, such as ladders and platforms;

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<sup>2</sup> Section 4 of the WHS Act defines Plant as including '(a) any machinery, equipment, appliance, container, implement and tool; and (b) any component of any of those things; and (c) anything fitted or connected to any of those things;

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**Tree maintenance conducted by residents**

*McLeods*

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- (c) people being struck by moving objects, such as falling branches;
- (d) the unknown level of training, skill and experience of the resident performing the work;
- (e) instruction or guidance provided to the resident performing the work;
- (f) supervision of the work being conducted by the resident; and
- (g) control over the techniques and methods used by the resident conducting the work.

Please note: The above list is illustrative only. An arborist with expertise in the field of tree maintenance, such as those employed by the City, will possess a significantly greater knowledge of the associated hazards, along with the ways of elimination or mitigation.

To discharge its duty under section 19 of the WHS Act, the City would be required to eliminate or mitigate hazards such as those listed above, so far as is reasonably practicable.

Failure by the City to eliminate or mitigate so far as is reasonably practicable, at least those hazards listed above, amounts to a breach of its duties under the WHS Act.

#### Recent prosecution

In December 2021, the Camden Council in New South Wales (NSW) was successfully prosecuted in the New South Wales District Court for a breach of its duty to ensure the health and safety of volunteers.

Workplace health and safety in New South Wales is also regulated by a Work Health and Safety Act (**WHS Act NSW**), based on the Safe Work Australia Harmonised Work Health and Safety Bill, in terms that are substantially the same as Western Australia's imminent WHS Act.

In that case, the volunteers were members of the local 'Men's Shed', who were assisting to install irrigation at a council management park.

Unfortunately, during the course of installing the irrigation, one of the Men's Shed volunteers was struck by an irrigation pipe and suffered fatal injuries.

Following an investigation by SafeWork NSW, the Camden Council was successfully prosecuted for a breach of its obligations under section 19 of the WHS Act NSW, for failing to ensure the health and safety of the volunteers.<sup>3</sup>

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<sup>3</sup> SafeWork NSW v Camden Council [2021] NSWDC 709

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**Tree maintenance conducted by residents**

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In that case, the Judge found that the Camden Council failed to<sup>4</sup>:

1. ensure that a risk assessment was conducted for the irrigation work being performed by volunteers;
2. ensure that the activities of the volunteers were being monitored by the Council;
3. ensure that the Council provided and implemented safe work practices with regard to the volunteers and the work being undertaken;
4. ensure that the volunteers were suitably qualified and experienced;
5. provide adequate information, instruction and training to the volunteers; and
6. provide adequate supervision to volunteers.

Ultimately, the Council received a \$1,000,000 penalty, which was then reduced to \$750,000 for an early guilty plea.

It is critical to note for the purposes of this advice, that the activities proposed by the City in allowing residents to conduct tree maintenance, would be likely to involve the participation of a significantly larger number of volunteers than those in the Camden Council case above.

The level of liability faced by the City in the present matter would be significantly larger than that faced by the Camden Council in the above matter.

### **Penalties under the WHS Act**

The penalties applicable to the City as a body corporate, for a breach of its duties under section 19 of the WHS Act range from:

- (a) a fine of up to \$570,000 for a failure to comply with the duty, in the absence of any incident illness or injury;

to –

- (b) a fine of up to \$10m for an offence of industrial manslaughter.

The elements of the offence of industrial manslaughter are set out in section 30A of the WHS Act in the following terms:

1. the conduct of the PCBU who owes a duty under the WHS Act, caused the death of an individual; and
2. The PCBU's conduct constituted a breach of its duty under the WHS Act; and

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<sup>4</sup> SafeWork NSW v Camden Council [2021] NSWDC 709 [Paragraph 41]

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City of Bayswater

**Tree maintenance conducted by residents**

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3. The PCBU engaged in its conduct:

- (a) knowing that the conduct was likely to cause death or serious injury;
- (b) acted in disregard of that likelihood.

Based on the City's knowledge regarding the high level of risk associated with tree maintenance activities, in the event of the fatality of a resident who is conducting tree maintenance, the risk of the City's prosecution for an offence of industrial manslaughter should not be underestimated.

Personal liability of 'Officers' under the WHS Act

Although we have been instructed to advise on the City's liability under the WHS Act, we would be remiss if we failed to at least highlight the potential personal liability of the City's 'officers'<sup>5</sup>.

In the event of a fatal injury being suffered by a resident conducting tree maintenance it is not inconceivable that an officer may be personally liable for the offence of industrial manslaughter. There is a risk that an officer may be prosecuted for the offence.

The liability for prosecution arises from the fact that the City's 'officers' would be considered to have the knowledge that the uncontrolled performance of tree maintenance activities is likely to result in serious injury or death.

If, despite the knowledge of the risk, the officers neglect to ensure that the City takes reasonably practicable steps to eliminate or mitigate the risk, and allow the undertaking of the activities, they may satisfy the elements of the offence of industrial manslaughter under section 30A(3) of the WHS Act.

The penalty for an officer as an individual for the offence of industrial manslaughter is, 'imprisonment for 20 years and a fine of \$5,000,000'.

Yours sincerely



Contact: Scott Wade  
 Direct line: 9424 6247  
 Email: [swade@mcleods.com.au](mailto:swade@mcleods.com.au)  
 Partner responsible: Denis McLeod

<sup>5</sup> An 'officer' is defined under section 5 of the WHS Act as 'Officer' of a local government for the purposes of the WHS Act section 5(3) of the WHS Act defines an 'Officer' of a local government as 'a person who makes, or participates in making, decisions that effect the whole, or a substantial part, of the business or undertaking of a [local government]...' In the circumstances officers of the City of Bayswater would at least include the Chief Executive Officer and the City's Directors. Elected members are excluded from the definition of an officer.

# Urban Trees Policy



<b>Responsible Division</b>	Works and Infrastructure
<b>Responsible Business Unit/s</b>	Parks and Gardens
<b>Responsible Officer</b>	Manager Parks and Gardens
<b>Affected Business Unit/s</b>	All Business Units
<b>Document Ref</b>	4129251

## PURPOSE

This policy provides guidance on how trees will be maintained and cared for on City-managed land.

## POLICY STATEMENT

### General

All trees irrespective of who planted them and which have at least 50% of their base located within City managed land will be maintained and cared for by the City.

Residents can also care for trees on the verge adjacent to their property in accordance with the conditions of this Policy.

### Tree Planting

The City will undertake the planting of trees on City-managed land under its annual tree planting program which includes requests from residents. The City will determine the species and select the location of the tree in consideration of site conditions, infrastructure, utility services, sight lines and other constraints. Property owners will be given the opportunity to discuss the species selection and positioning of the tree on the verge. The City will undertake all activities required to establish new trees and provide ongoing maintenance.

New Trees – Where a new tree is proposed for a verge that is not a replacement tree, the City will plant the tree unless requested otherwise by the adjacent property owner. Generally, one tree will be planted per verge abutting private property, while properties with larger or corner frontages may receive more.

Replacement Trees – The City will endeavour to plant a new tree for each tree that has been removed from residential verges under this policy on the same verge. Where it is not possible to plant a replacement tree on the same verge, the City will plant the new tree in a suitable location as near as possible to the original location.

### Tree Pruning

Pruning may be undertaken to improve the form or health of a tree, and or to remove or reduce an assessed risk.

Generally, pruning services will be provided by the City to:

- maintain required clearances from power lines, street lights, utilities and other infrastructure.
- maintain appropriate clearances for sightlines, and accessibility for driveways, roads and footpaths.
- maintain visibility of street name signage, directional signage, advanced warning and regulatory traffic signs.
- remove or reduce risk of harm.
- remove or reduce hazardous dead wood.
- correct structural defects in natural growth or form (remedial pruning).
- re-establish tree after damage (restoration pruning).
- optimise form and branch structure in a juvenile tree (formative pruning).
- clear overhanging influence from private buildings.

Property owners may request pruning of trees abutting their private property. Unless the requested pruning is for the reasons listed above, authorisation of the request will be at the discretion of the Director Works and Infrastructure. If authorisation is given, the property owner requesting the pruning will be required to pay for the pruning costs incurred by the City. Pensioners are exempt from the requirement to pay for the cost of pruning trees abutting their private property.

Residents are authorised to undertake minor pruning of trees located on verge areas abutting their property in accordance with the City's Tree Pruning Guideline for Residents.

Pruning is not undertaken for the following reasons:

- To improve views.
- To discourage the presence of animals or insects.
- Clearance for advertising and business signage.

### **Tree Removal**

Tree removal may only be undertaken when:

- a tree is dead.
- an unacceptable level of risk exists within the tree's structure that remedial techniques cannot rectify.
- the tree is suffering from a disease where remedial techniques will not prevent further spread of the disease, and the removal will be of benefit to other trees around it.
- the tree is causing significant damage to infrastructure, and modification to the infrastructure or tree is impractical, and suitable documented evidence to support this is provided by a qualified professional.
- there is an imminent safety risk to people, property and/or infrastructure.
- the removal is approved under a crossover approval granted by the City. Such removal may be subject to conditions of the crossover approval granted in accordance with the City's crossovers policy.
- the removal is approved under a subdivision approval granted by the Western Australian Planning Commission. Such removal may be subject to conditions in accordance with those approvals.

Where a tree is removed, the City will plant a replacement tree of a suitable species as practicably close to the location of the removed tree as part of its annual tree planting program. Where a tree is approved

for removal for a subdivision, development and/or for works undertaken for a utility provider or other authority, then the City will seek compensation for the amenity (Helliwell) valuation of the tree, plus the cost of removing the existing tree, if Council is required to remove it.

### **Tree Vandalism**

Where vandalism of trees occurs, the City after an investigation, may authorise the following actions:

- Issuing of an infringement notice with a penalty in accordance with the City's Local Laws to those who have been identified responsible for the damage;
- Where the vandalism involves the removal of a tree, or results in the need for tree removal as a consequence of the vandalism, the City will plant a replacement tree plus an additional new tree on the same verge. The City will seek compensation for the cost of removing the existing tree if required, and the cost of arranging provision of two trees and three years' maintenance.
- Write to affected residents in the vicinity of the tree(s) advising of the City's actions in response to the vandalism.

In addition to the above, if the damage or vandalism has occurred as a direct result of development activities without prior approval, the City will seek from the person or company responsible compensation for the amenity (Helliwell) valuation of the tree, plus the cost of removing the existing tree if required, and the cost of arranging provision of a replacement tree(s) and three years' maintenance if required.

### **Definitions**

City-managed trees – Trees located in road reserves, reserves and on land vested in, or otherwise managed by the City, and includes Grass Trees (*Xanthorrhoea* species) and Zamia Palms (*Macrozamia* species).

Pensioner – A person who receives a full pension.

Tree vandalism – Subjecting a tree to intentional harm, including unauthorised pruning, poisoning, removal, and physical or chemical damage.

Unauthorised pruning - Pruning activities conducted by any persons other than authorised City employees or authorised contractors, or pruning undertaken by residents contrary to the City's Tree Pruning Guideline.

### **Related Legislation**

- *Local Government (Miscellaneous Provisions) Act 1995*
- *Environmental Protections Act 1986*
- *Thoroughfares Local Law 2020*
- *Section 444 of Criminal Code WA*
- *Department of Mines, Industry Regulation and Safety - Guidelines for the management of vegetation near power lines.*

### **Related Documentation**

- *Trees on Private Land and Street Verges Policy*
- *Trees on Private Land and Street Verges Policy*
- *Crossovers Policy*
- *City of Bayswater Tree Planting Guideline*
- *City of Bayswater Tree Pruning Guideline for Residents*

Relevant Delegations

EF-D04 Notices requiring certain things to be done

EF-D08 Reserves under the Control of Local Government

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Risk Evaluation

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Council Adoption

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Review/Modified

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City of  
**Bayswater**

# Urban Trees ~~Policy~~ Planting and Maintenance Policy



<b>Responsible Division</b>	Works and Infrastructure
<b>Responsible Business Unit/s</b>	Parks and Gardens
<b>Responsible Officer</b>	Manager Parks and Gardens
<b>Affected Business Unit/s</b>	All Business Units
<b>Document Ref</b>	4129251

## PURPOSE

This policy provides guidance on how trees will be planted, maintained and cared for on City-managed land.

## POLICY STATEMENT

### General

All trees irrespective of who planted them and which have at least 50% of their base located within City managed land will be maintained and cared for by the City.

Residents can also care for trees on the verge adjacent to their property in accordance with the conditions of this Policy.

### Tree Planting

The City will undertake the planting of trees on City-managed land under its annual tree planting program ~~which includes requests from residents~~. This program includes new tree planting in areas such as parks, road verges, medians, roundabouts, reserves and natural areas. Residents are also able to order a verge tree for planting in front of their property. The City will determine the species and select the location of the tree in consideration of site conditions, infrastructure, utility services, sight lines and other constraints. Property owners will be given the opportunity to discuss the species selection and positioning of the tree on the verge. The City will undertake all activities required to establish new trees and provide ongoing maintenance.

New Trees – Where a new tree is proposed for a verge that is not a replacement tree, the City will plant the tree unless requested otherwise by the adjacent property owner. Generally, one tree will be planted per verge abutting private property, while properties with larger or corner frontages may receive more.

Replacement Trees – The City will endeavour to plant a new tree for each tree that has been removed from residential verges under this policy on the same verge. Where it is not possible to plant a replacement tree on the same verge, the City will plant the new tree in a suitable location as near as possible to the original location.

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assessed risk.

Generally, pruning services will be provided by the City to:

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- there is an imminent safety risk to people, property and/or infrastructure.
- the removal is approved under a crossover approval granted by the City. Such removal may be subject to conditions of the crossover approval granted in accordance with the City's crossovers policy.
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- *Department of Mines, Industry Regulation and Safety - Guidelines for the management of vegetation near power lines.*

### Related Documentation

- *Trees on Private Land and Street Verges Policy*
- ~~*Trees on Private Land and Street Verges Policy*~~
- *Crossovers Policy*
- *City of Bayswater Tree Planting Guideline*
- ~~*City of Bayswater Tree Pruning Guideline for Residents*~~

- Urban Forest Strategy

Relevant Delegations

EF-D04 Notices requiring certain things to be done

EF-D08 Reserves under the Control of Local Government

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Risk Evaluation

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Council Adoption

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Review/Modified

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**10.2 Corporate And Strategy Directorate Reports****10.2.1 Financial Reports for the Period Ended 31 May 2022**

<b>Responsible Branch:</b>	Financial Services
<b>Responsible Directorate:</b>	Corporate and Strategy
<b>Authority/Discretion:</b>	Legislative
<b>Voting Requirement:</b>	Simple Majority Required <b><i>ABSOLUTE MAJORITY REQUIRED for limb 2</i></b>
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Monthly Financial Statement Snapshot [<b>10.2.1.1</b> - 1 page]</li> <li>2. Executive Summary and Financial Activity Statement Significant Variance [<b>10.2.1.2</b> - 7 pages]</li> <li>3. Financial Activity Statement [<b>10.2.1.3</b> - 2 pages]</li> <li>4. Statement of Comprehensive Income by Nature or Type [<b>10.2.1.4</b> - 1 page]</li> <li>5. Net Current Assets [<b>10.2.1.5</b> - 1 page]</li> <li>6. Cash Backed Reserve Report [<b>10.2.1.6</b> - 1 page]</li> <li>7. Capital Acquisitions &amp; Non-Operating Grants Report [<b>10.2.1.7</b> - 16 pages]</li> </ol>

**SUMMARY**

This report details the financial reports for the period ended 31 May 2022 including, Monthly Financial Statements with supporting information (**Attachments 1 to 5**), Cash Backed Reserve Report (**Attachment 6**) and Capital Acquisitions & Non-Operating Grants Report (**Attachment 7**).

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

**That Council:**

1. Receives the financial reports for the period ended 31 May 2022, comprising:
  - (a) Monthly Financial Statements with supporting information (**Attachments 1 to 5**).
  - (b) Cash Backed Reserve Report (**Attachment 6**).
  - (c) Capital Acquisitions & Non-Operating Grants Report (**Attachment 7**).
2. Approves the budget adjustments contained in **Tables 1 and 2**.

***ABSOLUTE MAJORITY REQUIRED***

**Cr Catherine Ehrhardt, Deputy Mayor Moved, Cr Giorgia Johnson Seconded**

**CARRIED UNANIMOUSLY: 9/0**

**For:** *Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Steven Ostaszewskyj, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik, Cr Dan Bull and Cr Giorgia Johnson.*

**Against:** *Nil.*

**BACKGROUND**

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

- (a) Annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c) of the *Local Government Act 1995*;

- (b) Budget estimates to the end of the month to which the statement relates;
- (c) Actual amounts of expenditure, revenue and income to the end of the month to which these statements relate;
- (d) The material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- (e) The net current assets at the end of the month to which the statement relates.

At its meeting on 30 June 2021, Council adopted the Annual Budget for the 2021/22 financial year. The figures in this report are compared to the adopted budget and subsequent amendments as approved by Council throughout the financial year.

Regulation 34(5) determines the mechanism required to ascertain the definition of material variances which are required to be reported to Council as part of the monthly report. It also requires Council to adopt a 'percentage or value' for what it will consider to be material variances on an annual basis. The material variance adopted by the Council for the 2021/22 Budget is \$50,000 or 10% of the appropriate base, whichever is the higher.

As part of the City's commitment to continuous improvement, the presentation of the monthly statutory reports has been revised. These reports are intended to not only meet the City's regulatory obligations in a form that is easy to understand, but also to enhance accountability, governance and financial management. These reports will continue to be refined, having regard to these principles and any feedback.

## EXTERNAL CONSULTATION

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

## OFFICER'S COMMENTS

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

- Monthly Financial Statements with supporting information (**Attachments 1 to 5**);
- Cash Backed Reserve Report (**Attachment 6**); and
- Capital Acquisitions & Non-Operating Grants Report (**Attachment 7**).

The Monthly Financial Statement Snapshot (**Attachment 1**) summarises total capital and operating expenditure. Details of the material variances are outlined in the Executive Summary and Financial Activity Statement Significant Variances Report (**Attachment 2**).

The Financial Activity Statement (**Attachment 3**) reports the financial position of the City to program level. It discloses the current liquidity position of the City after adjustment for non-cash items (depreciation, provisions, etc.).

The Statement of Comprehensive Income by Nature or Type Classifications (**Attachment 4**) discloses operating revenue and expenses by nature or type.

The City's net current assets are outlined in **Attachment 5** with details of any adjustments.

All of the reserve accounts are cash-backed and supported by funds held in financial institutions as set out in the City's Investment Policy (**Attachment 6**).

The projects summarised in the Capital Acquisitions & Non-Operating Grants Report (**Attachment 7**) detail the capital (actual and committed) expenditure for the period ended 31 May 2022.

**Table 1: Budget Adjustment – Maylands Sport and Recreation’s cool room**

Project	Type	Description	Current Budget \$	Adjustment \$	Amended Budget \$
1805-81076-6392-3000	Increase Expenditure	Maylands Sport & Recreation’s Cool room	0	10,967	10,967
1802-31008-6393-3008	Decrease Expenditure	Air Conditioners	50,000	(10,967)	39,033
1802-31008-4170-3030	Decrease Income	Air Conditioners	(5,455)	5,455	0
1805-81076-4906-3000	Increase Income	Maylands Sport & Recreation’s Cool room	0	(5,455)	(5,455)
		<b>Total</b>	<b>44,545</b>	<b>0</b>	<b>44,545</b>

The City has received contribution from the Maylands Sport and Recreation Club for the supply, install and commission a new cool room. The old unit was found that it could not be fully repaired which will cause the club’s beverages and food to be decomposing and unsafe for consumption. Savings have been identified in the air-condintor repairs budget to fund the City’s contribution to the project. The budget adjustment will recognise the contribution from the club of \$5,455 and the total cost of \$10,967.

**Table 2: Budget Adjustment – Additional Carry Forwards**

Project	Type	Description	Current Budget \$	Adjustment \$	Amended Budget \$
3300-80752-6381-4000	Increase Expenditure	Riverside Gardens – Carpark extension	0	48,459	48,459
2600-80269-4902-0000	Increase Income	Baigup Wetland Stage 1 - Activity Centre and Interpretation	(46,855)	(75,000)	(121,855)
2600-80269-6381-6000	Increase Expenditure	Baigup Wetland Stage 1 - Activity Centre and Interpretation	0	25,000	25,000
6000-14902-5238-0000	Increase Reserve Transfer	FOGO Reserve	4,585,516	180,000	4,765,516
		<b>Net current assets</b>	<b>(16,236,739)</b>	<b>178,459</b>	<b>(16,058,280)</b>

The additional carry forwards were presented to the 22 February 2022 Ordinary Council meeting, however since the report was presented, project 80752 – Riverside Gardens – Carpark extension; project 80269 – Baigup Wetland Stage 1 – Activity Centre and Interpretation and FOGO Reserve

transfer were identified as requiring further adjustment. These adjustments will not change the overall budget allocation originally approved by Council, rather they reflect the staged timeframe for actual completion. Although the City's 2021 Annual Financial Report is yet to be finalised, the uncompleted works from 2020/21 can be confirmed.

## LEGISLATIVE COMPLIANCE

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

## RISK ASSESSMENT

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

<b>Officer's Recommendation</b>	<b>That Council:</b> <b>1. Receives the financial reports for the period ended 31 May 2022, comprising:</b> <b>(a) Monthly Financial Statements with supporting information (Attachments 1 to 5).</b> <b>(b) Cash Backed Reserve Report (Attachment 6).</b> <b>(c) Capital Acquisitions &amp; Non-Operating Grants Report (Attachment 7).</b> <b>2. Approves the budget adjustments contained in Tables 1 and 2.</b> <b>ABSOLUTE MAJORITY REQUIRED</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
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
<b>Conclusion</b>	The financial reports have been compiled in accordance with the relevant provisions of the <i>Local Government Act 1995</i> and Local Government (Financial Management) Regulations 1996.  The budget adjustments are requested to ensure the budget is accurate and up to date.	

<b>Option 2</b>	<b>That Council:</b> <b>1. Receives the financial reports for the period ended 31 May 2022, comprising:</b> <b>(a) Monthly Financial Statements with supporting information (Attachments 1 to 5).</b> <b>(b) Cash Backed Reserve Report (Attachment 6).</b> <b>(c) Capital Acquisitions &amp; Non-Operating Grants Report (Attachment 7).</b>
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2. Does not approve the budget adjustments contained in <u>Tables 1 and 2</u> .		
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Moderate
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Moderate
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	<p>The financial reports have been compiled in accordance with the relevant provisions of the <i>Local Government Act 1995</i> and Local Government (Financial Management) Regulations 1996.</p> <p>Not approving the budget adjustments will result in the City returning grant funds and the budget not being up to date.</p>	

## FINANCIAL IMPLICATIONS

All amounts quoted in this report are exclusive of GST.

## STRATEGIC IMPLICATIONS

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

Theme: Leadership and Governance

Goal L4: Communicate in a clear and transparent way.

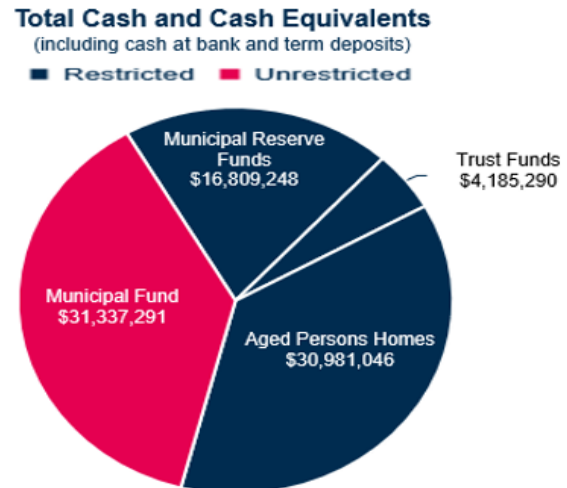
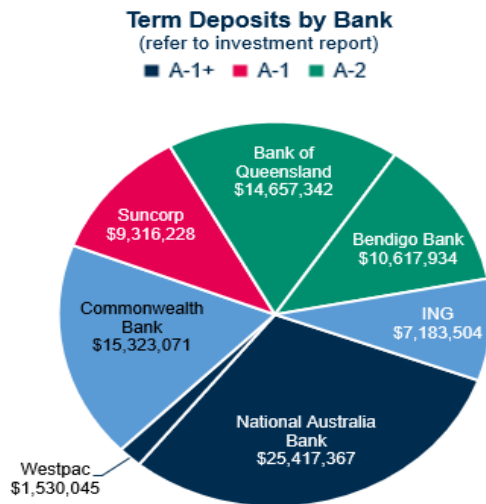
Provide the community with useful information about Council's policies, services and events and advise the community of engagement outcomes.

## CONCLUSION

In light of the above, it is recommended that Council receives the financial reports for the period ended 31 May 2022 and approves the budget adjustments.

# Monthly Financial Statement Snapshot

## May 2022



	Debtor				Trade Creditors
	Sundry	Infringement	Recreation	Total	
Total Outstanding	\$324,032	\$459,753	\$374,244	\$1,158,029	\$1,154,656
Not yet due	0%	0%	74%	24%	0%
Current	82%	6%	14%	30%	98%
Over 30 days	3%	2%	3%	3%	1%
Over 60 days	15%	92%	9%	43%	1%

Rates & Charges	
Collected	94.55%
Total Outstanding	\$3,043,317
Deferred Rates	\$700,275

Payment Options	YTD 2021/22	2020/21
Payment in Full	20,687	19,692 by 30/06/21
Instalment	8,370	9,145
Rates Smoothing	1,922	1,691
Arrangement	726	625
None Selected	1,254	1,639

### Capital

	Annual Budget	YTD Budget	YTD Actual	YTD % Spent
Expenditure	\$33,785,887	\$32,911,195	\$20,952,375	64%
	Annual Budget	YTD Budget	YTD Actual	YTD % Received
Revenue	\$9,268,848	\$7,998,434	\$2,421,928	30%

### Operating

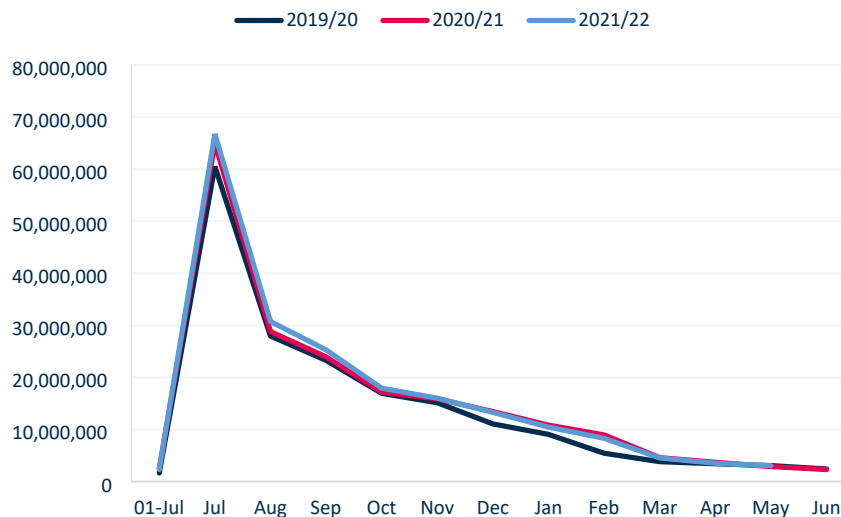
	Annual Budget	YTD Budget	YTD Actual	YTD % Spent
Expenditure	\$86,835,805	\$76,871,563	\$71,266,685	93%
	Annual Budget	YTD Budget	YTD Actual	YTD % Received
Revenue *excludes rates	\$26,041,190	\$24,182,788	\$27,366,303	113%

## City of Bayswater Executive Summary for the period 1 May 2022 to 31 May 2022

### Revenue

The annual rate notices were issued on 16 July with the last instalment due in March 2022. To date, there are 20,687 (63%) properties that have paid in full and just over 11,018 (33%) properties nominating a payment option. Currently there are 1,254 (4%) properties where no payment option has been selected. Of the properties where no payment options are selected, 951 non-pensioner properties have received a Notice of Intention to Summons. The City is currently making all efforts to contact these owners to discuss the outstanding debts and either receive payment in full or establish a payment arrangement. Unfortunately, if this is unsuccessful, the City will lodge a General Procedure Claim with the Magistrate's Court to recover the outstanding debt. To date, the City has lodged 37 General Procedure Claims with more to be lodged in June 2022.

### Rates Receivable (excluding prepaid and deferred rates)



### Debtors

Currently there is a total of \$1.16m of outstanding debts of which \$324k relates to sundry debtors, 82% of which are at 30 days; \$459k to Infringement debts and \$374k to Recreation debts.

### Capital

Capital revenue and expenditure are significantly below the total year-to-date budgets.

Capital revenue is recognised once the expenditure has been incurred. Revenue has not yet been realised for a number of projects, including the Maylands Waterland redevelopment \$1.5m, Wotton Skate Park \$2.5m, Wattle Park \$249k and Mahogany Reserve \$140k.

Total capital expenditure to May 2022 was \$21m against an annual budget of \$33m. Any uncompleted works will be carried forward to 2022/23.

### Operating

Year-to-date operating revenue is 111% in comparison to the year-to-date budget. The favourable variance can be attributed to the \$1.95m Financial Assistant Grant advance payment for 2022/23. Revenue for Bayswater Waves, The RISE and Maylands Golf Course remain ahead of their respective year-to-date budgets, but it is anticipated that revenue will be consistent with the 2021/22 budget provided that there are no significant implications due to COVID-19 such as subsequent restrictions or closures.

Year-to-date operating expenditure is 93% in comparison to the year-to-date budget. Expenditure on employee costs; materials and contracts are slightly under the year-to-date budget due to staff vacancies, delays in issuing purchase orders and the differing timeframe for projects based on the amended budget.

**City of Bayswater**  
**Financial Activity Statement**  
**Significant Variances**  
**for the period 1 May 2022 to 31 May 2022**

**Operating activities****Revenue from operating activities (excludes rates)**

<b>Program</b>	<b>YTD Amended Budget \$</b>	<b>YTD Actual \$</b>	<b>Variance Positive/ (Negative) \$</b>
General purpose funding <ul style="list-style-type: none"> <li>The variance is due to \$1.95m 2022/23 Financial Assistant Grant paid in advance.</li> </ul>	1,685,464	4,024,657	2,339,193
Governance <ul style="list-style-type: none"> <li>The variance is due to budget timing for reimbursement of insurance claim. It is expected to be in line with budget by year end.</li> </ul>	338,495	274,562	(63,933)
Law, order, public safety <ul style="list-style-type: none"> <li>The variance is due to higher than anticipated revenue for animal fines and penalties and local law prosecution.</li> </ul>	450,419	537,887	87,468
Health <ul style="list-style-type: none"> <li>The variance is due to the reimbursement for legal cost and long service leave not budgeted.</li> </ul>	232,801	246,869	14,068
Education and welfare <ul style="list-style-type: none"> <li>The variance is due to higher than anticipated reimbursement to school ground's maintenance program and long service leave not budgeted.</li> </ul>	194,762	235,702	40,940
Housing <ul style="list-style-type: none"> <li>Immaterial variance.</li> </ul>	0	3,447	3,447
Community amenities <ul style="list-style-type: none"> <li>The variance relates to the FOGO grants (\$257k) not yet recognised as revenue. The grants have been received, however, will be recognised following completion of the acquittal.</li> <li>Revenue received from planning fines, commission income and rebates not budgeted.</li> </ul>	13,275,807	13,162,942	(112,865)
Recreation and culture <ul style="list-style-type: none"> <li>The variance is due to Bayswater Waves, The RISE and Maylands Golf Course revenue being higher than budgeted \$505k. It is anticipated, by year end the total revenue will be within 10% of the annual budget.</li> <li>Venue and facility hire revenue are higher than year-to-date budget \$132k. It is anticipated, by year end the total revenue will be within 10% of the annual budget.</li> </ul>	6,596,248	7,371,168	774,920
Transport <ul style="list-style-type: none"> <li>The variance is due to higher than anticipated revenue for fines and penalties from parking services.</li> </ul>	826,148	880,490	54,342
Economic services <ul style="list-style-type: none"> <li>Immaterial variance.</li> </ul>	471,050	455,414	(15,636)
Other property and services <ul style="list-style-type: none"> <li>The variance is due to the reimbursement for long service leave \$27k and apprenticeship's subsidy not budgeted.</li> </ul>	111,594	173,164	61,569
<b>Total</b>	<b>24,182,788</b>	<b>27,366,303</b>	<b>3,183,514</b>

Expenditure from operating activities

Program	Amended Budget YTD \$	Actual YTD \$	Variance Positive/ (Negative) \$
General purpose funding <ul style="list-style-type: none"> <li>The variance is due to budget timing for expenditure such as consultant fee, legal expense and postage. It is anticipated these expenses will be under budget for the year.</li> </ul>	(740,626)	(683,971)	56,655
Governance <ul style="list-style-type: none"> <li>Project expenditure is lower than budgeted in marketing and communications' publications by approximately \$74k due to the timing of invoices received.</li> <li>Catering, program activities, consultant and contractors are lower than budgeted by approximately \$124k. A portion of the budget is anticipated to be carried forward to next financial year.</li> </ul>	(4,933,551)	(4,624,994)	308,557
Law, order, public safety <ul style="list-style-type: none"> <li>CCTV maintenance and minor equipment purchases are lower than budgeted. If no major failure of the system occurs in June 2022, it is anticipated these expenses will be under budget for the year.</li> <li>Employee costs are slightly under by approx \$61k against budget with the vacant full time Ranger position being recently filled. It is anticipated to be under budget for the year.</li> </ul>	(3,656,404)	(3,437,169)	219,235
Health <ul style="list-style-type: none"> <li>Immaterial variance.</li> </ul>	(2,004,263)	(1,962,498)	41,764
Education and welfare <ul style="list-style-type: none"> <li>The variance is due to budget timing as expenditure for projects such as the Age Friendly Strategy (\$16k) and Disability Access and Inclusion (46k) have not commenced due to staff vacancies. A portion of the budget to be carried forward to next financial year.</li> <li>Maintenance program to school and community centre (\$31k) commenced later than anticipated.</li> </ul>	(1,779,717)	(1,699,636)	80,080
Housing <ul style="list-style-type: none"> <li>Immaterial variance.</li> </ul>	(103,535)	(97,949)	5,586
Community amenities <ul style="list-style-type: none"> <li>The variance is due to budget timing of the FOGO implementation (995k). Any unspent funds is proposed to be carried forward to 2022/23.</li> <li>Several projects such as Emission reduction renewable energy plan (\$41k); Tranby House (\$57k); Urban Forest Strategy (\$28k) have not commenced yet or just started.</li> </ul>	(16,618,787)	(15,012,546)	1,606,241
Recreation and culture <ul style="list-style-type: none"> <li>Maylands Brickworks feasibility is \$81k under budget. A portion of budget to be carried forward to next financial year.</li> <li>Les Hansman Community Centre Redevelopment Plan (\$250k) – is proposed to be carried forward to 2022/23.</li> <li>Year-to-date expenses to Bayswater Waves (\$508k) and The RISE (\$118k); maintenance program for park (\$332k) are lower than budgeted.</li> </ul>	(28,521,370)	(26,981,789)	1,539,581

Program	Amended Budget YTD \$	Actual YTD \$	Variance Positive/ (Negative) \$
Transport <ul style="list-style-type: none"> <li>• Morley Activity Centre Streetscape Plan \$189k – project has been carried forward to 2022/23.</li> <li>• The tree planting, inspections, assessment program \$444k under budget. However, purchase orders for \$326k are issued. A portion of budget have been carried forward to 2022/23.</li> <li>• Powerline clearance program is \$304k under budget, (with commitment of \$246k).</li> <li>• Roads, car parks and crossover maintenance program (\$487k) are under budget.</li> </ul>	(16,088,589)	(14,851,323)	1,237,266
Economic services <ul style="list-style-type: none"> <li>• Business Investment and Economic Growth Program is underway. However, the project is \$155k under the year-to-date budget. The full budget is anticipated to be spent by June 2022.</li> <li>• Underground Power \$15k under budget due to delays with Western Power. This project is proposed to be carried forward to 2022/23.</li> </ul>	(1,673,257)	(1,481,005)	192,252
Other property and services <ul style="list-style-type: none"> <li>• The variance is due to the timing of asset disposals</li> </ul>	(751,465)	(433,804)	317,661
<b>Total</b>	<b>(76,871,563)</b>	<b>(71,266,685)</b>	<b>5,604,878</b>

Discontinued operations

Description	Amended Budget YTD \$	Actual YTD \$	Variance Positive/ (Negative) \$
<ul style="list-style-type: none"> <li>• Revenue and Expenditure are under budget. Revenue is under budget due to the recognition of the Personal Care subsidiaries. Expenditure is under budget due to the delay in recognition of expenses from Juniper.</li> </ul>	417,431	560,776	143,345

Non-cash operating activities excluded from the budget

Description	Amended Budget YTD \$	Actual YTD \$	Variance Positive/ (Negative) \$
Non-cash operating activities <ul style="list-style-type: none"> <li>• Movements in depreciation, Aged liability adjustment and leave provision.</li> </ul>	11,282,761	10,834,829	(447,932)

Investing activities

Description	Amended Budget YTD \$	Actual YTD \$	Variance Positive/ (Negative) \$
Non-operating grants, subsidies and contributions <ul style="list-style-type: none"> <li>The significant variance is due to grant funded projects such as:                             <ul style="list-style-type: none"> <li>Maylands Waterland \$742k,</li> <li>Wotton Skate Park Development \$2.5m,</li> <li>Roads projects \$1.59m.</li> <li>Parks and other projects \$1.18m</li> </ul> </li> <li>not yet commencing or recently commencing, therefore funds have not been realised.</li> </ul>	7,998,434	2,421,928	(5,576,506)
Purchase of property, plant and equipment <ul style="list-style-type: none"> <li>Expenditure is lower than the year-to-date budget for projects such as Building major capital works (\$492k); Building minor capital works (\$244k); Bayswater Waves refurbishment (\$987k); Fleet and plant replacement (\$1.5m). A portion of budget for these works have been carried forward to 2022/23.</li> </ul>	(14,169,573)	(9,581,888)	4,587,685
Purchase of construction and infrastructure <ul style="list-style-type: none"> <li>Expenditure is below the year-to-date budget for projects such as;                             <ul style="list-style-type: none"> <li>Maylands Waterland \$365k,</li> <li>Wotton Skate Park \$1.8m,</li> <li>Park projects \$758k,</li> <li>Road, Footpath, Drainage projects \$1.6m,</li> </ul> </li> <li>with a number of projects identified and carried forward to 2022/23</li> </ul>	(17,675,990)	(10,868,298)	6,807,692
Purchase of intangible assets <ul style="list-style-type: none"> <li>ERP Implementation Project is \$380k under budget, with commitment is raised for \$49k.</li> </ul>	(615,632)	(220,946)	394,686
Purchase of assets held for sale <ul style="list-style-type: none"> <li>The variance is due to budget timing, projects are expected in line with budget by June 2022.</li> </ul>	(450,000)	(281,243)	168,757
Proceeds from disposal of assets <ul style="list-style-type: none"> <li>Variance on asset disposal has not occurred due to budget timing, as projects have recently commenced.</li> </ul>	931,639	377,391	(554,248)
Proceeds from self-supporting loans <ul style="list-style-type: none"> <li>The variance is due to budget timing. It is expected that the reimbursement is in line with budget in the coming months.</li> </ul>	(2,511)	(5,106)	(2,595)

Financing activities

Description	Amended Budget YTD \$	Actual YTD \$	Variance Positive/ (Negative) \$
Repayment of borrowings <ul style="list-style-type: none"> <li>The variance is due to budget timing. It is expected that expenditure is in line with budget in the coming months.</li> </ul>	2,511	5,106	2,595
Proceeds from loans <ul style="list-style-type: none"> <li>Loan application process in progress.</li> </ul>	3,510,927	0	(3,510,927)
Payment for principal portion of lease liability <ul style="list-style-type: none"> <li>The variance is due to budget timing. It is expected that expenditure is in line with budget in June 2022.</li> </ul>	(149,408)	(95,201)	54,207



Description	Amended Budget YTD \$	Actual YTD \$	Variance Positive/ (Negative) \$
Transfer to reserves <ul style="list-style-type: none"> <li>Transfers to reserves which included General Waste Reserve and FOGO Waste transfers have not yet occurred. The reconciliations have been completed and awaiting for the investment maturity so that fund transfers can be actioned in June 2022.</li> <li>Aged Care Homes Reserve \$262k is to be transferred at the end of the year.</li> </ul>	(9,381,917)	(664,978)	8,716,939
Transfer from reserves <ul style="list-style-type: none"> <li>Recoup of funds from reserve has been processed for expenditure incurred from July to January. Funds are only transferred from the reserve account once the expenditure has been incurred.</li> </ul>	9,509,602	4,129,349	(5,380,253)
Rates <ul style="list-style-type: none"> <li>Immaterial variance.</li> </ul>	51,567,976	51,320,007	(247,969)

**City of Bayswater**  
**Financial Activity Statement**  
**for the period 1 July 2021 to 31 May 2022**

	Budget	Amended Budget	YTD Amended Budget	YTD Actual	Variance	Variance
	\$	\$	\$	\$	\$	%
<b>Net current assets at start of year - surplus/(deficit)</b>	8,382,712	16,236,739	16,236,739	17,695,590	1,458,851	9%
<b>Operating activities</b>						
<b>Revenue from operating activities (excludes rates)</b>						
General purpose funding	3,171,677	2,061,788	1,685,464	4,024,657	2,339,193	139%
Governance	139,950	379,950	338,495	274,562	(63,933)	(19%)
Law, order, public safety	392,540	469,640	450,419	537,887	87,468	19%
Health	254,484	265,484	232,801	246,869	14,068	6%
Education and welfare	228,495	227,189	194,762	235,702	40,940	21%
Housing	0	0	0	3,447	3,447	No Budget
Community amenities	13,393,509	13,363,509	13,275,807	13,162,942	(112,865)	(1%)
Recreation and culture	6,777,377	7,138,132	6,596,248	7,371,168	774,920	12%
Transport	853,150	938,150	826,148	880,490	54,342	7%
Economic services	662,082	632,082	471,050	455,414	(15,636)	(3%)
Other property and services	167,926	167,926	111,594	173,164	61,569	55%
	26,041,190	25,643,850	24,182,788	27,366,303	3,183,514	13%
<b>Expenditure from operating activities</b>						
General purpose funding	(858,654)	(858,655)	(740,626)	(683,971)	56,655	(8%)
Governance	(5,311,070)	(5,514,662)	(4,933,551)	(4,624,994)	308,557	(6%)
Law, order, public safety	(3,908,932)	(4,033,439)	(3,656,404)	(3,437,169)	219,235	(6%)
Health	(2,263,833)	(2,266,067)	(2,004,263)	(1,962,498)	41,764	(2%)
Education and welfare	(2,086,578)	(2,052,686)	(1,779,717)	(1,699,636)	80,080	(4%)
Housing	(111,741)	(111,741)	(103,535)	(97,949)	5,586	(5%)
Community amenities	(19,744,518)	(19,796,245)	(16,618,787)	(15,012,546)	1,606,241	(10%)
Recreation and culture	(32,266,176)	(31,499,736)	(28,521,370)	(26,981,789)	1,539,581	(5%)
Transport	(17,788,454)	(17,602,660)	(16,088,589)	(14,851,323)	1,237,266	(8%)
Economic services	(1,968,433)	(1,955,226)	(1,673,257)	(1,481,005)	192,252	(11%)
Other property and services	(527,418)	(765,140)	(751,465)	(433,804)	317,661	(42%)
	(86,835,806)	(86,456,259)	(76,871,563)	(71,266,685)	5,604,878	(7%)
<b>Discontinued operations</b>	952,160	952,160	417,431	560,776	143,345	34%

	Budget	Amended Budget	YTD Amended Budget	YTD Actual	Variance	Variance
	\$	\$	\$	\$	\$	%
<b>Operating activities excluded from budget</b>						
	12,533,025	12,533,025	11,282,761	10,834,829	(447,932)	(4%)
<b>Amount attributable to operating activities</b>	(38,926,720)	(31,090,485)	(24,751,844)	(14,809,188)	9,942,656	(40%)
<b>Investing activities</b>						
Non-operating grants, subsidies and contributions	9,268,848	8,916,828	7,998,434	2,421,928	(5,576,506)	(70%)
Purchase of property, plant and equipment	(13,394,630)	(14,887,460)	(14,169,573)	(9,581,888)	4,587,685	(32%)
Purchase and construction of infrastructure	(18,458,990)	(18,501,629)	(17,675,990)	(10,868,298)	6,807,692	(39%)
Purchase of intangible assets	(932,266)	(694,590)	(615,632)	(220,946)	394,686	(64%)
Purchase of assets held for sale	(1,000,000)	(1,093,168)	(450,000)	(281,243)	168,757	(38%)
Proceeds from disposal of assets	1,331,639	1,331,639	931,639	377,391	(554,248)	(59%)
<b>Amount attributable to investing activities</b>	(23,185,399)	(24,928,380)	(23,981,122)	(18,153,056)	5,828,066	(24%)
<b>Financing activities</b>						
Repayment of borrowings	(232,351)	(232,351)	2,511	5,106	2,595	103%
Proceeds from self-supporting loans	5,106	5,106	(2,511)	(5,106)	(2,595)	103%
Proceeds from loans	3,971,802	3,510,927	3,510,927	0	(3,510,927)	(100%)
Payment for principal portion of lease liability	(149,408)	(149,408)	(149,408)	(95,201)	54,207	(36%)
Transfer to reserves	(2,628,476)	(10,546,690)	(9,381,917)	(664,978)	8,716,939	(93%)
Transfer from reserves	8,696,202	10,982,038	9,509,602	4,129,349	(5,380,253)	(57%)
<b>Amount attributable to financing activities</b>	9,662,875	3,569,622	3,489,204	3,369,170	(120,034)	(3%)
<b>Budget deficiency before general rates</b>	(52,449,244)	(52,449,244)	(45,243,762)	(29,593,074)	15,650,688	(35%)
<b>Estimated amount to be raised from general rates</b>	51,567,976	51,567,976	51,567,976	51,320,007	(247,969)	(0%)
<b>Adjusted net current assets at the end of the year - surplus/(deficit)</b>	(881,268)	(881,268)	6,324,214	21,726,933	15,402,719	244%

**City of Bayswater**  
**Statement of Comprehensive Income**  
**by Nature or Type**  
**for the period 1 July 2021 to 31 May 2022**

	Budget	Amended Budget	YTD Budget	YTD Actual
	\$	\$	\$	\$
<b>Revenue</b>				
Rates	51,567,976	51,567,976	51,567,976	51,320,007
Operating grants, subsidies and contributions	3,382,996	2,378,474	1,796,830	3,736,862
Fees and charges	21,542,335	21,865,985	21,119,058	21,872,718
Interest earnings	629,914	604,914	587,813	637,127
Other revenue	457,164	765,696	660,306	1,109,603
	<u>77,580,385</u>	<u>77,183,045</u>	<u>75,731,983</u>	<u>78,676,317</u>
<b>Expenses</b>				
Employee costs	(36,946,630)	(35,924,880)	(32,959,416)	(32,191,139)
Materials and contracts	(32,984,419)	(33,917,588)	(28,873,379)	(24,434,093)
Utility charges	(3,371,124)	(3,371,124)	(3,044,087)	(3,090,092)
Depreciation and amortisation	(11,986,593)	(11,986,593)	(11,016,295)	(10,979,725)
Insurance expenses	(967,635)	(967,635)	(965,135)	(968,785)
Other expenditure	(970,287)	(640,288)	(546,373)	(541,579)
Interest expenses	(7,417)	(7,417)	(234)	(3,929)
Overhead costing	978,243	978,243	862,883	942,658
	<u>(86,255,862)</u>	<u>(85,837,281)</u>	<u>(76,542,036)</u>	<u>(71,266,685)</u>
	<u>(8,675,477)</u>	<u>(8,654,236)</u>	<u>(810,052)</u>	<u>7,409,633</u>
Discontinue operations	952,160	952,160	417,431	560,776
Non-operating grants, subsidies and contributions	9,268,848	8,916,828	7,998,434	2,421,928
Profit on asset disposals	28,781	28,781	18,781	0
(Loss) on asset disposals	(618,978)	(618,978)	(329,527)	0
Fair value adjustments to financial assets at fair value through profit or loss	0	0	0	9,992
	<u>9,630,811</u>	<u>9,278,791</u>	<u>8,105,119</u>	<u>2,992,696</u>
<b>Net result</b>	<u>955,334</u>	<u>624,555</u>	<u>7,295,066</u>	<u>10,402,328</u>
<b>Other comprehensive income</b>				
Changes on revaluation of non-current assets	0	0	0	0
<b>Total other comprehensive income</b>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<b>Total comprehensive income</b>	<u>955,334</u>	<u>624,555</u>	<u>7,295,066</u>	<u>10,402,328</u>

**City of Bayswater  
Net Current Assets  
as at 31 May 2022**

<b>Municipal and Aged Persons Homes</b>	<b>Opening Balance</b>	<b>Closing Balance</b>
	\$	\$
<b>Current assets</b>		
Cash and cash equivalents	85,198,901	83,312,875
Trade and other receivables	7,607,963	9,737,301
Inventories	149,661	188,247
Prepayments	89,458	164,109
<b>Total</b>	93,045,983	93,402,532
<b>Current liabilities</b>		
Trade and other payables	(33,631,790)	(33,569,388)
Other financial liabilities at amortised costs	(5,106)	(1,330)
Lease liabilities	(68,006)	(33,250)
Provisions	(6,998,095)	(6,665,068)
Grant Liabilities	(3,804,330)	(3,866,936)
Contract Liabilities	(645,534)	(709,009)
Clearing accounts	(7,642)	200,800
<b>Total</b>	(45,160,503)	(44,644,180)
<b>Net current assets</b>	47,885,480	48,758,352
Restricted - Reserves	(39,560,227)	(36,095,856)
Cash backed employee provisions	1,572,346	1,578,464
Restricted - Aged Persons Homes	7,762,954	7,485,691
Current Portion of Lease Liabilities	35,037	282
	17,695,590	21,726,933

**City of Bayswater  
Cash Backed Reserves  
for the period 1 July 2021 to 31 May 2022**

	Budget Amended				Actual			
	Opening Balance	Transfer to	Transfer (from)	Closing Balance	Opening Balance	Transfer to	Transfer (from)	Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$
Aged Persons Homes - General Reserve	17,030,614	1,219,865	(1,721,861)	16,528,618	16,379,693	67,415	(75,232)	16,371,876
Aged Persons Homes - Prudential Requirements Reserve	2,885,179	0	0	2,885,179	2,904,645	10,087	0	2,914,732
Bayswater Bowling Club Capital Improvements Reserve	10,348	41	0	10,389	10,315	40	0	10,355
Bayswater Tennis Club Reserve	138,461	547	0	139,008	138,249	542	0	138,791
Bayswater Waves Aquatic Centre Reserve	411,625	1,627	(307,172)	106,080	428,233	1,715	(2,560)	427,388
Bore and Reticulation Reserve	9,638	38	0	9,676	9,917	39	0	9,955
Building Furniture and Equipment Reserve	142,217	562	0	142,779	144,457	562	0	145,019
Cash in Lieu - Public Open Space	0	0	0	0	575,026	1,250	0	576,276
City Buildings and Amenities Reserve	612,823	2,422	(90,698)	524,547	838,046	3,286	(11,029)	830,303
Civic Centre Reserve	44,611	176	0	44,787	63,440	247	0	63,687
Economic Stimulus Reserve	4,412,450	17,440	(3,918,085)	511,805	4,770,646	14,977	(1,769,269)	3,016,354
Eric Singleton Bird Sanctuary Reserve	1,226,163	4,846	0	1,231,009	1,222,256	4,756	0	1,227,012
FOGO Reserve	656,073	4,588,136	(1,507,235)	3,736,974	0	0	0	0
Footpath and Cycleway Reserve	85,580	338	(80,000)	5,918	85,307	265	(30,813)	54,759
General Waste Management Reserve	528,460	3,358,006	(469,156)	3,417,310	28,370	110	0	28,481
Golf Courses Reserve	1,462,328	5,780	(44,806)	1,423,302	1,502,090	5,772	(44,806)	1,463,056
Information Technology Reserve	315,174	1,046	(63,344)	252,876	275,294	1,023	(44,575)	231,742
Landfill Restoration Reserve	384,905	1,521	(150,000)	236,426	384,008	1,491	(1,376)	384,123
Les Hansman Community Centre Development Reserve	4,630,885	15,508	(1,958,248)	2,688,145	4,328,791	13,354	(1,958,248)	2,383,897
Long Service Leave and Entitlements Reserve	1,577,372	6,235	0	1,583,607	1,572,346	6,118	0	1,578,464
Major Capital Works Reserve	702,204	518,455	(165,883)	1,054,776	641,938	519,409	0	1,161,346
Maylands Lakes Reserve	4,731	19	0	4,750	4,716	18	0	4,734
Maylands Waterland Reserve	429,886	1,699	0	431,585	428,516	1,667	0	430,183
Morley City Centre Reserve	542,361	2,144	0	544,505	541,107	2,105	0	543,212
Morley Sport and Recreation Centre Reserve	496,556	1,963	0	498,519	501,709	1,952	0	503,661
Noranda Netball Courts Reserve	65,795	260	0	66,055	69,309	270	0	69,579
Plant and Works Equipment Reserve	2,522	10	0	2,532	2,745	11	0	2,756
Playground and Parks Reserve	60,477	239	(12,923)	47,793	61,990	276	(11,243)	51,023
River Restoration Reserve	20,450	81	(101,737)	(81,206)	130,469	479	(9,445)	121,503
Roads and Drainage Reserve	12,046	48	0	12,094	12,856	169	0	13,025
Senior Citizens Building Reserve	6,040	24	0	6,064	25,503	99	0	25,603
Strategic Land Acquisition Reserve	11,968	815,047	0	827,015	11,929	46	0	11,976
Streetscapes Reserve	410,206	1,621	(194,004)	217,823	388,989	1,200	(164,004)	226,184
Sustainable Environment Reserve	168,406	666	(46,855)	122,217	77,300	347	(2,616)	75,030
The RISE Reserve	252,816	999	(150,031)	103,784	374,206	1,448	(4,133)	371,521
Workers' Compensation Reserve	627,814	2,481	0	630,295	625,816	2,435	0	628,251
<b>Total</b>	<b>40,379,185</b>	<b>10,569,890</b>	<b>(10,982,038)</b>	<b>39,967,037</b>	<b>39,560,227</b>	<b>664,978</b>	<b>(4,129,349)</b>	<b>36,095,856</b>

**City of Bayswater  
Capital Acquisitions & Non-Operating Grants  
for the period 1 July 2021 to 31 May 2022**

	Adopted Budget	Amended Budget	YTD Budget	YTD Actual	Commitments	Funds Remaining
	\$	\$	\$	\$	\$	\$
<b>Non-operating grants, subsidies and contributions - summary</b>						
1622 Buildings	(407,832)	(860,350)	(830,350)	(739,051)	0	(121,299)
1632 Furniture and equipment	(11,400)	(11,400)	(11,400)	(11,400)	0	0
1702 Roads	(1,818,999)	(1,516,849)	(1,516,849)	(985,653)	1,891	(533,087)
1712 Footpath	(766,960)	(613,220)	(427,560)	(57,590)	0	(555,630)
1732 Park development	(5,840,575)	(5,191,927)	(4,551,693)	(444,266)	0	(4,747,661)
1742 Other infrastructure	(423,082)	(723,082)	(660,582)	(183,969)	0	(539,113)
	<u>(9,268,848)</u>	<u>(8,916,828)</u>	<u>(7,998,434)</u>	<u>(2,421,928)</u>	<u>1,891</u>	<u>(6,496,791)</u>
<b>Capital acquisitions - summary</b>						
<b>Purchase of asset held for sale</b>						
1912 Assets Held for Sale	1,000,000	1,093,168	450,000	281,243	28,500	783,425
	<u>1,000,000</u>	<u>1,093,168</u>	<u>450,000</u>	<u>281,243</u>	<u>28,500</u>	<u>783,425</u>
<b>Purchase of property, plant and equipment</b>						
1622 Buildings	9,552,125	11,164,903	10,766,407	7,685,345	1,109,387	2,370,172
1632 Furniture and equipment	1,102,121	957,287	922,971	752,177	169,585	35,525
1652 Plant and equipment	2,740,385	2,765,270	2,736,350	1,144,366	1,466,420	154,484
	<u>13,394,630</u>	<u>14,887,460</u>	<u>14,425,727</u>	<u>9,581,888</u>	<u>2,745,391</u>	<u>2,560,181</u>
<b>Purchase and construction of infrastructure assets</b>						
1702 Roads	4,193,553	4,046,294	3,903,473	3,105,205	109,471	831,617
1712 Footpath	1,189,681	1,118,513	1,118,513	388,705	81,712	648,096
1722 Drainage	560,870	535,747	504,474	140,983	144,215	250,549
1732 Park development	11,132,046	10,958,642	10,444,388	6,398,907	3,605,901	953,834
1742 Other infrastructure	1,382,840	1,842,434	1,705,142	834,497	250,790	757,147
	<u>18,458,990</u>	<u>18,501,629</u>	<u>17,675,990</u>	<u>10,868,298</u>	<u>4,192,088</u>	<u>3,441,244</u>
<b>Purchase of intangible assets</b>						
1852 Intangible assets	932,266	694,590	615,632	220,946	93,004	380,639
	<u>932,266</u>	<u>694,590</u>	<u>615,632</u>	<u>220,946</u>	<u>93,004</u>	<u>380,639</u>
	<u>33,785,887</u>	<u>35,176,847</u>	<u>33,167,349</u>	<u>20,952,375</u>	<u>7,058,983</u>	<u>7,165,489</u>

		Adopted Budget	Amended Budget	YTD Budget	YTD Actual	Commitments	Funds Remaining
		\$	\$	\$	\$	\$	\$
<b>Buildings</b>							
<b>Building</b>							
80691	Security access control - Upgrade	0	12,503	0	0	7,370	5,133
		0	12,503	0	0	7,370	5,133
<b>Building major capital works</b>							
80474	Signage - renewal at various buildings	0	7,200	7,200	0	0	7,200
80596	Depot Offices Renovation	49,254	64,832	64,832	53,061	0	11,771
80800	Riverside Gardens Toilet Upgrade	254,269	216,191	216,191	194,827	58,326	(36,961)
80809	Depot Electrical Door Upgrade	14,015	13,000	13,000	12,445	0	555
80810	Depot Store Room Upgrades	30,187	28,000	28,000	3,917	0	24,083
80823	Bayswater Bowling Club - toilet upgrade	94,091	94,091	94,091	1,575	125	92,391
80824	Bayswater Waves - refurbishment	1,311,537	291,008	291,008	407,548	141,924	(258,463)
80825	Bedford Bowling Club - kitchen upgrade	35,284	35,284	35,284	38,916	0	(3,632)
80826	Civic Centre - building management system upgrade	176,420	176,420	176,420	184,918	2,309	(10,807)
80827	Ellis House - new studio design	58,807	58,807	58,807	9,261	0	49,546
80828	Hampton Park Scout Hall - asbestos removal and upgrade	41,165	18,894	18,894	15,994	0	2,899
80829	Maylands Peninsula Hotel - roof restoration	176,420	176,420	176,420	8,277	0	168,143
80830	Maylands Yacht Club - flooring upgrade	41,165	41,165	41,165	28,191	2,879	10,095
80831	Moojebing Reserve - Club Rooms - internal upgrade	11,761	11,761	11,761	10,960	26	776
80832	Morley Community Centre - toilet upgrade	70,568	70,568	70,568	75,041	350	(4,823)
80833	Morley Noranda Recreation Club - air-conditioner replacement	64,152	64,152	64,152	0	80,850	(16,698)
80834	Morley Sport & Recreation Centre - air-conditioner upgrade	117,613	117,613	117,613	114,219	0	3,394
80836	Morley Sport & Recreation Centre - roof renewal	47,045	47,045	47,045	45,818	0	1,227
80837	Paddy Walker Depot - improvements	109,968	169,968	154,968	49,065	28,382	92,521
80838	Roxy Theatre - switchboard upgrade	23,523	23,523	23,523	25,260	295	(2,033)
80839	The RISE - airconditioner replacement	235,226	235,226	235,226	126,000	99,382	9,844
80840	Upper Hillcrest Reserve - transportable changeroom	200,000	200,000	200,000	0	0	200,000
80841	Waste Disposal Facility - weighbridge	80,000	80,000	0	0	0	80,000
		3,242,468	2,241,166	2,146,166	1,405,292	414,846	421,028
<b>Building minor capital works</b>							
80482	Wotton Reserve - sewer connection	162,851	136,620	136,620	0	0	136,620
80843	Bayswater Bowling Club - shade shelter	10,591	10,591	10,591	62	0	10,529
80844	Bayswater Community Centre - paving	5,000	5,000	5,000	0	0	5,000
80845	Bayswater Family Centre - floor renewal	9,409	9,409	9,409	0	0	9,409
80846	Carramar Community Centre - entrance/exit upgrades	5,881	5,881	5,881	2,304	0	3,576
80847	East Maylands Pre-Primary - door upgrade	17,642	17,642	17,642	0	11,500	6,142



	Adopted Budget	Amended Budget	YTD Budget	YTD Actual	Commitments	Funds Remaining
	\$	\$	\$	\$	\$	\$
80848 Elstead Reserve Hall - internal & external upgrades	9,409	9,409	9,409	9,166	0	243
80849 Environment House - storage and path	4,721	4,721	4,721	8,418	0	(3,697)
80850 Hampton Infant Health - flooring upgrade	29,403	22,203	22,203	20,931	0	1,273
80851 Maylands Yacht Club - flooring renewal	8,019	18,290	18,290	6,431	1,318	10,541
80852 Maylands Yacht Club - roof renewal	5,881	5,881	5,881	3,414	0	2,466
80853 Moojebing Reserve Club Room - kitchen renewal	23,951	23,951	23,951	34,332	0	(10,381)
80854 Morley Community Centre - bathroom upgrade	10,000	10,000	10,000	11,075	0	(1,075)
80855 Morley Community Centre - security system	11,761	11,761	11,761	12,459	1,273	(1,971)
80856 Morley Sport & Recreation Ctre - toilet exhaust fan renewal	11,761	11,761	11,761	12,513	0	(752)
80857 Orana House - install security system	8,716	8,716	8,716	12,998	0	(4,282)
80858 Robert Thompson Reserve - Club Rooms - external doors	6,683	6,683	6,683	6,441	0	242
80859 Roxy Theatre - removal of asbestos	17,642	17,642	17,642	17,844	0	(202)
80953 Bayswater Morley Cricket Club - gazebo	15,000	15,000	15,000	0	0	15,000
80955 AP Hinds Reserve - electrical upgrade	82,329	82,329	82,329	6,699	62,900	12,730
80958 Gibney Reserve Club Rooms - air-conditioner replacement	0	0	0	10,343	0	(10,343)
80969 Maylands Yacht Club - bathroom renewal	0	0	0	1,378	2,730	(4,108)
	456,650	433,490	433,490	176,808	79,722	176,961
<b>Aquatic facilities</b>						
80365 Bayswater Waves - refurbishment tender design	128,427	251,000	251,000	252,359	2,900	(4,259)
	128,427	251,000	251,000	252,359	2,900	(4,259)
<b>Aged care facilities</b>						
80390 Aged Persons Homes - general provisions	0	256,154	256,154	0	0	256,154
80410 Aged Care - Mertome Redevelopment Project	0	104,834	0	0	0	104,834
	0	360,988	256,154	0	0	360,988
<b>Community capital requests</b>						
80637 Bayswater Elderly Community Help Org - new accessible toilet	36,364	36,364	0	0	0	36,364
80638 Bayswater ECHO - internal walls/floor renewal	0	6,291	0	0	0	6,291
80959 Bayswater State Emergency Services - New Storage Shed	0	32,518	32,518	19,153	13,594	(228)
80968 Noranda Sporting Complex - boundary fence	0	15,000	15,000	9,900	4,582	518
	36,364	90,173	47,518	29,053	18,175	42,945
<b>Building renewal</b>						
80822 Bayswater Waves - lighting replacements	127,127	127,127	127,127	111,777	1,113	14,238
	127,127	127,127	127,127	111,777	1,113	14,238

	Adopted Budget	Amended Budget	YTD Budget	YTD Actual	Commitments	Funds Remaining
	\$	\$	\$	\$	\$	\$
<b>Building upgrade</b>						
80860 The RISE - non-slip floor on balcony	10,000	15,000	15,000	0	9,086	5,914
	10,000	15,000	15,000	0	9,086	5,914
<b>Building new</b>						
80821 Waste Disposal Facility - hazardous household waste shed	10,000	18,000	12,000	6,883	26,951	(15,834)
	10,000	18,000	12,000	6,883	26,951	(15,834)
<b>Sustainable environment</b>						
80936 Solar PV installation program	150,000	150,000	150,000	97,076	30,081	22,843
	150,000	150,000	150,000	97,076	30,081	22,843
<b>COVID-19 \$5m Stimulus Package Projects</b>						
80613 Morley Sport & Recreation Ctre - basketball court extension	3,216,180	3,924,386	3,908,206	3,415,445	3,445	505,496
80614 Bayswater Waves - Refurbish 25m pool, pool hall, plant room	1,500,500	2,801,056	2,774,234	2,017,051	439,981	344,024
80619 Energy Efficiency Projects	105,000	100,190	100,190	77,956	2,044	20,190
	4,821,680	6,825,632	6,782,630	5,510,452	445,470	869,710
<b>Administration Buildings</b>						
80666 Rangers and Security - security system	11,761	11,761	11,761	12,504	0	(743)
	11,761	11,761	11,761	12,504	0	(743)
<b>Childcare &amp; Education Buildings</b>						
80962 Noranda Family Centre - play equipment	0	30,000	0	32,457	0	(2,457)
	0	30,000	0	32,457	0	(2,457)
<b>Halls &amp; Community Centres</b>						
80819 Morley Library Lighting Upgrade	35,284	30,000	30,000	0	0	30,000
	35,284	30,000	30,000	0	0	30,000
<b>Water Facilities</b>						
80781 Bayswater Waves - Changeroom refurbishment	213,377	216,159	216,159	0	0	216,159
80787 Bayswater Waves - Unplanned capital expenditure	51,044	51,044	45,833	5,245	0	45,799
	264,421	267,203	261,992	5,245	0	261,958

		Adopted Budget	Amended Budget	YTD Budget	YTD Actual	Commitments	Funds Remaining
		\$	\$	\$	\$	\$	\$
<b>Sport &amp; Recreation Facilities</b>							
80646	Grand Prom Self Cleaning Toilet - Upgrade external façade	72,975	74,047	74,047	1,575	73,673	(1,201)
80668	The RISE- Upg sports hall light with LED	0	49,196	0	0	0	49,196
80672	Wotton Reserve - External upgrades	24,699	7,229	7,229	4,685	0	2,544
80690	The RISE - Disability access ramp construction	118,977	119,244	119,244	5,208	0	114,036
80764	Lightning Park Recreation Centre - Spectator shelter	30,000	30,000	30,000	0	0	30,000
80788	The RISE- Upg security and monitoring	0	10,096	0	0	0	10,096
		246,652	289,812	230,520	11,468	73,673	204,671
<b>Libraries</b>							
80684	Bayswater Library - External renewal	11,291	11,048	11,048	11,340	0	(292)
		11,291	11,048	11,048	11,340	0	(292)
<b>Other Buildings</b>							
80965	Dog Pound - fence replacments	0	0	0	22,630	0	(22,630)
		0	0	0	22,630	0	(22,630)
Total Buildings		9,552,125	11,164,903	10,766,407	7,685,345	1,109,387	2,370,172
<b>Furniture and equipment</b>							
<b>Furniture and equipment</b>							
80385	The RISE - strength equipment replacement	12,871	(5,000)	(5,000)	0	0	(5,000)
80861	Bayswater Waves - equipment renewal	212,942	163,075	130,042	75,995	78,616	8,464
80862	Bayswater Waves - pool safety buoys and ropes replacement	5,615	5,615	5,500	5,452	0	163
80863	Bayswater Waves - replace dumbbells, rack	18,376	18,376	18,000	0	16,767	1,609
80864	Bayswater Waves - replace pool inflatable	10,209	10,209	10,000	9,088	0	1,121
80865	Bayswater Waves - replace pool platform	122,505	0	0	0	0	0
80866	Embleton Golf Club - furniture	11,400	11,400	11,400	10,376	0	1,024
80868	The RISE - equipment renewal	41,416	41,416	40,833	38,705	0	2,711
80869	The RISE - function room equipment	20,383	20,383	20,383	20,065	0	318
		455,717	265,474	231,158	159,681	95,383	10,410
<b>IT capital</b>							
80089	Network infrastructure	100,000	106,912	106,912	106,912	0	0
80091	Workstation replacement program	280,600	280,600	280,600	276,154	0	4,446
80792	Network security infrastructure updates	0	5,344	5,344	5,140	0	204
		380,600	392,856	392,856	388,206	0	4,650

	Adopted Budget	Amended Budget	YTD Budget	YTD Actual	Commitments	Funds Remaining
	\$	\$	\$	\$	\$	\$
<b>IT renewal</b>						
80387 General IT Equipment Replacement Program	57,000	88,603	88,603	88,551	0	52
80871 GIS Lab & Communication Hut - UPS & switch renewal	5,000	5,000	5,000	0	0	5,000
80872 Spatial Virtual Machine hosts	75,000	75,000	75,000	0	71,442	3,558
	137,000	168,603	168,603	88,551	71,442	8,609
<b>CCTV Renewal</b>						
80274 CCTV Infrastructure replacement program	109,964	109,964	109,964	107,358	2,760	(154)
	109,964	109,964	109,964	107,358	2,760	(154)
<b>Plant and equipment</b>						
80874 City-wide - traffic counter program	10,000	10,000	10,000	8,380	0	1,620
	10,000	10,000	10,000	8,380	0	1,620
<b>Water Facilities</b>						
80786 Bayswater Waves - replace pneumatic system	8,840	10,390	10,390	0	0	10,390
	8,840	10,390	10,390	0	0	10,390
Total Furniture and equipment	1,102,121	957,287	922,971	752,177	169,585	35,525
<b>Plant and equipment</b>						
<b>Building major capital works</b>						
80808 Depot Chemical Mixing Facility Upgrade	53,906	49,871	49,871	61,040	95	(11,263)
	53,906	49,871	49,871	61,040	95	(11,263)
<b>Furniture and equipment</b>						
80525 In-vehicle camera equipment and storage	0	28,920	0	0	0	28,920
	0	28,920	0	0	0	28,920
<b>Plant and equipment</b>						
80257 Plant and Fleet Replacement Program	2,286,979	2,252,979	2,252,979	1,083,327	1,077,078	92,575
80759 Library Services - commercial delivery vehicle procurement	44,500	44,500	44,500	0	0	44,500
80956 New FTE Plant and Equipment	355,000	389,000	389,000	0	389,247	(247)
	2,686,479	2,686,479	2,686,479	1,083,327	1,466,325	136,827
Total Plant and equipment	2,740,385	2,765,270	2,736,350	1,144,366	1,466,420	154,484

	Adopted Budget	Amended Budget	YTD Budget	YTD Actual	Commitments	Funds Remaining
	\$	\$	\$	\$	\$	\$
<b>Roads</b>						
<b>Road construction</b>						
80198 Resurface Right of Ways	107,580	105,495	105,495	47,348	8,740	49,407
80245 Traffic management - general	50,000	147,966	118,475	64,541	35,864	47,561
80419 ROW Widening - 110 Milne St	0	8,500	0	0	0	8,500
80426 Design of slip lane at 60 Russell Street corner Walter Road	59,168	149,541	44,712	168,207	0	(18,666)
80803 Morley Town Site - Street Lighting Upgrade	120,000	0	0	0	0	0
80804 Noranda Connecting - footpath construction	21,516	20,000	20,000	17,934	0	2,066
80818 Living Laneways - upgrade lighting	17,213	16,000	16,000	18,011	0	(2,011)
80875 Driscoll Way - re-kerbing	38,729	38,729	38,729	75,533	0	(36,804)
80960 Low Cost Urban Safety Prog Area 1-Design & Construction	0	0	0	0	12,586	(12,586)
	414,206	486,231	343,410	391,574	57,190	37,467
<b>Road renewal</b>						
80516 Resurface - McGilvray/Benara	0	0	0	0	7,324	(7,324)
	0	0	0	0	7,324	(7,324)
<b>Roads to recovery</b>						
80293 Resurface Wheatstone Drive	0	0	0	5,355	0	(5,355)
80739 Telstar Dr- Beechboro Rd N/Bottlebrush D	0	0	0	14,417	0	(14,417)
80876 Banksia Rd - Beechboro Road North to Bluegum Rd - resurface	73,154	73,154	73,154	76,311	0	(3,157)
80877 Bluegum Road - Mahogany Road to Blackboy Way - resurface	214,084	214,084	214,084	127,620	0	86,464
80878 Marriot Way - Cranleigh Street to Driscoll Way - resurface	65,020	65,020	65,020	58,715	0	6,305
80879 Napier Road - Annison Place to Wonga Road - resurface	98,974	98,974	98,974	121,249	0	(22,275)
80880 Westlake Road - Napier Road to Crimea Road - resurface	90,367	90,367	90,367	93,233	4,315	(7,181)
80897 Mahogany Road - Benara Road to Banksia Road - resurface	0	0	0	47,270	0	(47,270)
80899 Munyard Way - Rhodes Street to Westlake Road - resurface	0	0	0	31,375	0	(31,375)
80907 Wonga Road - Crimea Street to Napier Road - resurface	0	0	0	76,619	0	(76,619)
	541,600	541,600	541,600	652,164	4,315	(114,880)
<b>Black spot state</b>						
80748 Benara Road / Camboon Road	31,000	49,367	49,367	46,800	5,197	(2,630)
80749 Coode Street / Catherine Street	22,000	86,292	86,292	86,569	0	(277)
80750 Coode Street / Sixth Avenue	50,375	50,465	50,465	4,551	0	45,914
80881 Camboon Road & Wolseley Rd - install island/street lighting	120,000	120,000	120,000	2,425	7,001	110,574
80882 Walter Road West and Coode St - install right turn signal	129,700	129,700	129,700	0	0	129,700
	353,075	435,824	435,824	140,345	12,198	283,281

	Adopted Budget	Amended Budget	YTD Budget	YTD Actual	Commitments	Funds Remaining
	\$	\$	\$	\$	\$	\$
<b>Black spot federal</b>						
80526 Eighth Ave and East St - Roundabout	0	56,935	56,935	46,040	0	10,895
80751 King Street / Raymond Avenue	209,500	0	0	85,600	4,500	(90,100)
80883 Crimea St and Westlake Rd - splitter islands/street lighting	55,000	55,000	55,000	17,141	0	37,859
	264,500	111,935	111,935	148,781	4,500	(41,346)
<b>Base road grant</b>						
80317 Drainage kerb renewal	96,822	96,822	96,822	74,486	3,596	18,740
80719 Argosy Place - Aerial Place to Culdesac	0	0	0	652	0	(652)
80735 Carparks - Clarkson Jetty	75,306	0	0	0	0	0
80736 Drainage & Kerbing - Various	0	0	0	697	0	(697)
80884 Acacia Court - Bluegum Road to Cul-de-sac - resurface	17,213	17,213	17,213	18,688	0	(1,475)
80885 Addington Street - Puttenham St to Marriot Way - resurface	22,592	22,592	22,592	21,515	0	1,077
80886 Annison Place - Napier Road to Cul-de-sac - resurface	30,122	30,122	30,122	32,253	0	(2,131)
80887 Bagshot Place - Morley Drive to Annison Place - resurface	11,834	11,834	11,834	15,650	0	(3,816)
80888 Blackboy Way - Bluegum Road to Banksia Road - resurface	69,927	69,927	69,927	59,659	0	10,268
80889 Boyle Place - Westlake Place to Cul-de-sac - resurface	16,137	16,137	16,137	14,994	0	1,143
80890 Capel Place - Wonga Road to Ramsden Way - resurface	13,985	13,985	13,985	12,818	0	1,168
80891 Cranleigh Street - Annison Place to Marriot Way - resurface	45,184	45,184	45,184	36,466	0	8,718
80892 Driscoll Way - Puttenham Street to Crimea Street - resurface	49,487	49,487	49,487	57,973	0	(8,486)
80893 Frimley Place - Morley Drive to Annison Place - resurface	11,834	11,834	11,834	14,451	0	(2,618)
80894 Frimley Way - Sunningdale Street to Crimea St - resurface	54,866	54,866	54,866	66,872	0	(12,006)
80895 Hakea Court - Mahogany Road to Cul-de-sac - resurface	13,985	13,985	13,985	24,555	0	(10,570)
80896 Hamersley Place - Alfreda Avenue to Culdesac - resurface	54,866	54,866	54,866	55,379	0	(513)
80897 Mahogany Road - Benara Road to Banksia Road - resurface	37,653	37,653	37,653	0	0	37,653
80898 McArthur Street - Frimley Way to Driscoll Way - resurface	36,577	36,577	36,577	36,703	0	(126)
80899 Munyard Way - Rhodes Street to Westlake Road - resurface	32,274	32,274	32,274	0	0	32,274
80900 Paperbark Way - Banksia Road to Paperbark Way - resurface	60,245	60,245	60,245	57,626	0	2,618
80901 Puttenham Street - Cranleigh St to McArthur St - resurface	37,653	37,653	37,653	40,871	0	(3,218)
80902 Ramsden Way - Simmonds Street to Westlake Road - resurface	76,382	76,382	76,382	87,728	0	(11,346)
80903 Rhodes Street - Westlake Road to Ramsden Way - resurface	25,819	25,819	25,819	21,281	0	4,538
80904 Simmonds Street - Wonga Road to Westlake Street - resurface	35,501	35,501	35,501	33,245	0	2,256
80905 Stone Street - McGann Street to Cul-de-sac - resurface	23,668	23,668	23,668	27,559	0	(3,891)
80906 Sunningdale Street - Cranleigh St to Frimley Way - resurface	29,047	29,047	29,047	25,825	0	3,222
80907 Wonga Road - Crimea Street to Napier Road - resurface	69,927	69,927	69,927	0	0	69,927
80908 Zinnia Place - Hakea Court to Cul-de-sac - resurface	11,834	11,834	11,834	3,889	0	7,944
	1,060,739	985,433	985,433	841,835	3,596	140,002

	Adopted Budget	Amended Budget	YTD Budget	YTD Actual	Commitments	Funds Remaining
	\$	\$	\$	\$	\$	\$
<b>Traffic management</b>						
80291 City-wide traffic implementation	120,000	120,000	120,000	108,428	275	11,297
80297 Traffic Management - Disability Access Committee	25,000	25,000	25,000	10,230	9,920	4,849
80752 Riverside Gardens - Carpark extension	0	0	0	14,148	2,966	(17,114)
	145,000	145,000	145,000	132,807	13,161	(968)
<b>Other road construction</b>						
80745 Clarkson to Tranby - Resurface Cycleway	91,443	85,384	85,384	47,008	0	38,376
80746 The Strand, Arundel St, Essex St, May St - Reconstruct ROW	29,853	19,750	19,750	23,838	3,232	(7,320)
80747 Towns Development Program - Various	37,653	42,158	42,158	24,665	1,018	16,475
80909 Baigup to Riverside Gardens - resurface cycleway	86,064	86,064	86,064	0	0	86,064
80912 Vernon Street, Noranda - Right of Way reconstruction	34,426	34,426	34,426	0	0	34,426
	279,439	267,782	267,782	95,511	4,250	168,021
<b>Arterial road construction</b>						
80913 Beaufort Str/Grand Promenade - 4-way intersection resurface	109,732	109,732	109,732	2,780	0	106,952
80914 Crimea Street - North-bound Hoby Rd to Benara Rd - resurface	97,898	97,898	97,898	103,964	0	(6,066)
	207,629	207,629	207,629	106,744	0	100,885
<b>Other infrastructure construction</b>						
80918 Hamilton Street Carpark - construction	231,615	231,615	231,615	196,825	0	34,790
80920 Noranda Carpark - resurfacing	53,790	53,790	53,790	33,168	0	20,622
80922 Verge Paving - paving of small areas under traffic	26,895	26,895	26,895	0	0	26,895
	312,300	312,300	312,300	229,994	0	82,307
<b>Metropolitan Regional Road Group Projects</b>						
80737 Whatley Crescent - Charles Street to Caledonian Avenue	120,490	60,107	60,107	0	0	60,107
80923 Widgee Road, Noranda - resurface	464,453	464,453	464,453	354,103	2,937	107,413
	584,943	524,560	524,560	354,103	2,937	167,520
<b>Footpath renewal</b>						
80561 Resurface - Cycleway - Swan Bank/Clarkson Road	30,122	28,000	28,000	11,348	0	16,652
	30,122	28,000	28,000	11,348	0	16,652
Total Roads	4,193,553	4,046,294	3,903,473	3,105,205	109,471	831,617

	Adopted Budget	Amended Budget	YTD Budget	YTD Actual	Commitments	Funds Remaining
	\$	\$	\$	\$	\$	\$
<b>Footpath</b>						
<b>Building minor capital works</b>						
80842 Bayswater Bowling Club - landscaping	18,182	18,182	18,182	28,762	0	(10,580)
	18,182	18,182	18,182	28,762	0	(10,580)
<b>Other road construction</b>						
80910 Drake Street - Bay View Street - train station - new pathway	172,128	172,128	172,128	25,375	28,450	118,303
80911 Drake Street - Broun Avenue/Rothbury Road - new pathway	37,363	37,363	37,363	0	0	37,363
	209,491	209,491	209,491	25,375	28,450	155,666
<b>Footpath construction</b>						
80063 New footpath construction and Local Bike Plan	193,644	300,273	300,273	51,466	53,262	195,545
80702 Footpath Repair Program	113,669	113,669	113,669	129,911	0	(16,242)
80703 Arterial Road New Dual-Use Path Program	215,160	100,000	100,000	72,893	0	27,107
80761 Emberson Reserve - ACROD bay and access path	30,000	19,584	19,584	804	0	18,780
80924 Crimea Street - Morley Drive to Fedders St - pathway	183,596	183,596	183,596	0	0	183,596
80926 Robann Way - Lincoln Road to Jennifer Road - pathway	63,257	63,257	63,257	0	0	63,257
80927 Timms Place - Halvorson Road to Morley Drive - pathway	48,572	48,572	48,572	452	0	48,120
	847,898	828,951	828,951	255,526	53,262	520,163
<b>Park development construction</b>						
80765 Maylands Tennis Club - ACROD pathway	30,000	22,327	22,327	27,339	0	(5,012)
80776 New Pathways within Reserves	84,110	39,562	39,562	51,703	0	(12,141)
	114,110	61,889	61,889	79,042	0	(17,153)
Total Footpath	1,189,681	1,118,513	1,118,513	388,705	81,712	648,096
<b>Drainage</b>						
<b>Footpath renewal</b>						
80483 Wotton Res C/hse - paths and drainage	0	24,000	0	0	0	24,000
	0	24,000	0	0	0	24,000
<b>Drainage construction</b>						
80047 Russell Street Park - grant funds	23,379	17,929	17,929	386	0	17,543
80248 Urban water sensitive design	284,153	229,069	229,069	13,082	78,529	137,458
80697 Nora Hughes Park - living stream	55,000	60,628	60,628	28,428	0	32,200
80928 City-wide - optimise drainage amenity	80,000	80,000	72,727	2,322	41,660	36,018
	442,532	387,626	380,353	44,218	120,189	223,219



	Adopted Budget	Amended Budget	YTD Budget	YTD Actual	Commitments	Funds Remaining
	\$	\$	\$	\$	\$	\$
<b>Drainage renewal</b>						
80705 Low Point Dual Gully Program	53,790	59,573	59,573	57,896	0	1,677
80929 City-wide - drainage grates renewal	64,548	64,548	64,548	38,869	24,026	1,654
	118,338	124,121	124,121	96,764	24,026	3,331
<b>Total Drainage</b>	<b>560,870</b>	<b>535,747</b>	<b>504,474</b>	<b>140,983</b>	<b>144,215</b>	<b>250,549</b>
<b>Park development</b>						
<b>Furniture and equipment</b>						
80867 Robert Thompson - exercise equipment	30,000	30,000	30,000	29,296	0	704
	30,000	30,000	30,000	29,296	0	704
<b>Entry statement</b>						
80534 Bayswater Library/Bert Wright Sculpture	30,000	30,000	20,000	0	0	30,000
	30,000	30,000	20,000	0	0	30,000
<b>Other infrastructure construction</b>						
80916 Bardon Park - Malgamongup - signage	11,800	11,800	11,800	5,390	6,083	327
80919 Maylands Brickworks - signage	10,000	10,000	10,000	0	0	10,000
80921 Noranda Town Centre - outdoor chess tables	10,000	10,000	10,000	0	9,091	909
	31,800	31,800	31,800	5,390	15,174	11,236
<b>Park development construction</b>						
80067 Enhanced tree management	0	21,903	0	0	5,952	15,951
80071 Maylands Lakes Stage 1	0	0	0	90	0	(90)
80242 Riverbank restoration	70,000	101,737	101,737	9,445	19,010	73,282
80259 Maylands Waterland redevelopment	50,000	0	0	0	0	0
80438 Noranda Netball - renew court surfaces	0	0	0	680	0	(680)
80695 Bayswater Industrial Estate Imp Program	0	19,598	19,598	17,598	0	2,000
80757 Golf Course Development Program	56,181	68,859	0	67,256	970	633
80760 Bayswater Cricket Club - cricket nets	39,760	0	0	1,499	0	(1,499)
80767 Noranda SC- Little Athletic timers stand	0	5,400	5,400	2,800	0	2,600
80775 Dog Exercise Area - construction	79,578	99,578	94,578	75,834	15,751	7,993
80777 Gus Weimer- Play Space Redevelopment Prg	0	0	0	1,316	0	(1,316)
80806 Mahogany Reserve Redevelopment	301,872	419,872	419,872	388,828	16,381	14,663
80807 Wattle Park Redevelopment	539,057	579,672	579,672	552,203	0	27,469
80813 Nederpelt Reserve - Replace Court Surface	20,000	7,564	7,564	1,320	0	6,244

	Adopted Budget	Amended Budget	YTD Budget	YTD Actual	Commitments	Funds Remaining
	\$	\$	\$	\$	\$	\$
80930 Arbor Park - park redevelopment (Our Park - Our Place)	120,000	120,000	100,000	30,708	69,332	19,960
80931 Bert Wright Park - implement concept plan	159,561	159,561	159,561	56,009	41,259	62,293
80933 Gibbney Reserve East - park redevelopment	388,121	388,121	388,121	6,871	217,166	164,084
80943 Claughton Reserve - excersie equipment	25,000	25,000	25,000	0	22,132	2,868
	1,849,130	2,016,865	1,901,103	1,212,457	407,954	396,455
<b>Sustainable environment</b>						
80269 Baigup Wetland Stage 1 - activity centre and interpretation	190,436	96,855	190,436	56,497	85,547	(45,189)
80270 Bayswater Brook - living stream	35,000	35,481	35,481	0	0	35,481
80272 Lightning Swamp Interpretation Plan Works	0	0	0	950	40	(990)
80273 Maylands Lakes restoration Stage 2	600,000	859,801	819,801	710,339	105,833	43,629
80622 Russell St Living Stream Link Agreement	10,000	10,000	10,000	0	0	10,000
80696 Arbor Park upgrade - Greening Australia project	90,000	86,825	86,825	32,864	0	53,961
	925,436	1,088,962	1,142,543	800,650	191,420	96,892
<b>Tree management</b>						
80276 Streetscape upgrades	0	0	0	(136)	0	136
	0	0	0	(136)	0	136
<b>Drink fountains</b>						
80380 Drinks Fountains Replacement Program	0	1,671	1,671	3,579	0	(1,908)
80774 Noranda Nook - Water drinking fountain	0	508	0	454	0	54
	0	2,179	1,671	4,033	0	(1,854)
<b>Playground</b>						
80938 Grand Promenade Reserve - shade sails	25,000	25,000	25,000	20,610	0	4,390
80951 Synthetic cricket wicket - sport reserve	32,000	32,000	32,000	32,572	0	(572)
	57,000	57,000	57,000	53,182	0	3,818
<b>Floodlights</b>						
80442 Wotton Reserve - renew sports floodlight	9,110	9,110	0	9,110	0	0
80443 Bayswater Bowling - renew floodlights	0	8,251	8,251	8,251	0	(0)
	9,110	17,361	8,251	17,361	0	(0)
<b>Other infrastructure construction</b>						
80595 Hinds Reserve - construction of a multi-user access ramp	21,076	21,076	21,076	0	0	21,076
80817 Bayswater Waves - access and inclusion improvement	500,000	109,332	75,832	1,000	0	108,332
80940 Bayswater Morley Cricket Club - shade shelter	9,091	9,091	9,091	0	0	9,091

	Adopted Budget	Amended Budget	YTD Budget	YTD Actual	Commitments	Funds Remaining
	\$	\$	\$	\$	\$	\$
80941 Bedford Bowling Club - synthetic surface	232,373	232,373	232,373	0	0	232,373
80942 Lightning Swamp Bushland - limestone wall	80,000	80,000	80,000	0	0	80,000
80944 Morley Bowling Club - synthetic surface	272,727	272,727	272,727	77,393	13,516	181,818
80945 Natural Environment Improvement Program	200,000	40,000	40,000	0	49,467	(9,467)
80946 Wotton Skate Park and surrounding facilities	2,500,000	2,500,000	2,250,000	408,024	2,081,241	10,735
	3,815,267	3,264,599	2,981,099	486,416	2,144,225	633,958
<b>Other infrastructure renewal</b>						
80753 Bore and Pump Maintenance Program	301,872	337,148	319,510	274,878	12,330	49,941
80755 Critical Asset Renewal Program	461,115	384,694	384,694	298,993	6,199	79,502
80947 Farnham Reserve - basketball court renewal	20,000	20,000	20,000	13,552	0	6,449
80948 Grand Prom Reserve - basketball court renewal	20,000	20,000	20,000	28,150	0	(8,150)
80949 Houghton Park Reserve - tennis court renewal	50,000	50,000	50,000	61,800	0	(11,800)
	852,987	811,842	794,204	677,372	18,528	115,941
<b>COVID-19 \$5m Stimulus Package Projects</b>						
80364 Maylands Waterland redevelopment	3,531,317	3,608,034	3,476,717	3,111,274	828,600	(331,840)
	3,531,317	3,608,034	3,476,717	3,111,274	828,600	(331,840)
<b>Not Applicable</b>						
80814 Wotton Park Skate Park Construction	0	0	0	1,612	0	(1,612)
	0	0	0	1,612	0	(1,612)
Total Park development	11,132,046	10,958,642	10,444,388	6,398,907	3,605,901	953,834
<b>Other infrastructure</b>						
<b>Community capital requests</b>						
80635 Wotton Reserve - soccer goals - pitch C	0	9,291	9,291	9,970	0	(679)
	0	9,291	9,291	9,970	0	(679)
<b>Street lights</b>						
80250 Street light upgrade	19,364	22,538	22,538	24,770	0	(2,232)
80805 Street Lighting Upgrades	457,215	457,215	457,215	113,235	11,857	332,122
	476,579	479,753	479,753	138,006	11,857	329,890

	Adopted Budget	Amended Budget	YTD Budget	YTD Actual	Commitments	Funds Remaining
	\$	\$	\$	\$	\$	\$
<b>Other infrastructure construction</b>						
80251 PAW gates and reserve lighting	12,910	0	0	0	5,745	(5,745)
80801 Noranda Netball Court Carpark	90,000	90,000	90,000	60,234	4,149	25,617
80917 Doyle Street and Linton Place - public access	20,000	20,000	20,000	0	7,282	12,718
	122,910	110,000	110,000	60,234	17,176	32,590
<b>Footpath construction</b>						
80431 Footpath - Bookham Street and Boag Place	73,154	57,942	57,942	34,167	0	23,775
	73,154	57,942	57,942	34,167	0	23,775
<b>Park development construction</b>						
80768 Park signage renewals	0	1,680	0	0	1,680	0
	0	1,680	0	0	1,680	0
<b>Sustainable environment</b>						
80935 Emission reduction and renewable energy implementation	100,000	100,000	88,888	605	71,565	27,830
	100,000	100,000	88,888	605	71,565	27,830
<b>Playground</b>						
80937 Crimea Park - level ground around all mounds	11,018	11,018	11,018	14,500	0	(3,482)
	11,018	11,018	11,018	14,500	0	(3,482)
<b>Floodlights</b>						
80939 RA Cook Reserve - floodlight renewal	50,000	50,000	0	0	0	50,000
	50,000	50,000	0	0	0	50,000
<b>Sports Goals</b>						
80952 Morley Geals Gaelic Football Club goals	12,713	12,713	12,713	16,439	0	(3,726)
	12,713	12,713	12,713	16,439	0	(3,726)
<b>Other infrastructure construction</b>						
80252 Bus shelters	43,032	43,032	43,032	22,801	0	20,231
80391 Noranda Town Centre - City-led infrastructure activation	76,322	76,909	76,909	46,805	2,963	27,141
80392 Maylands Town Centre - City-led infrastructure activation	22,000	26,000	15,000	26,167	0	(167)
80393 Bayswater Town Centre City-led Infrastructure Activation	10,000	21,626	20,626	218	0	21,408
80394 Morley Town Centre City-led Infrastructure Activation	30,000	10,000	10,000	10,804	0	(804)
80693 Bedford Shopping Precincts Regeneration Project	61,000	106,000	106,000	53,463	0	52,537
80954 Claughton Reserve - passive lighting	47,045	47,045	47,045	30,564	10,604	5,878

	Adopted Budget	Amended Budget	YTD Budget	YTD Actual	Commitments	Funds Remaining
	\$	\$	\$	\$	\$	\$
80957 Morley Activity Centre - streetscape improvement (RAC Grant)	0	220,000	157,500	124,525	33,535	61,939
80967 Grand Prom - Shopping Precinct Regeneration (RAC Grant)	0	100,000	100,000	0	12,144	87,856
	289,399	650,612	576,112	315,346	59,246	276,020
<b>Other infrastructure renewal</b>						
80704 Drainage Sump Fencing Program	43,032	80,813	80,813	33,163	0	47,650
80706 Depot Upgrade/Lighting	34,426	23,444	23,444	44,754	0	(21,310)
	77,458	104,257	104,257	77,917	0	26,340
<b>COVID-19 \$5m Stimulus Package Projects</b>						
80617 Passive Light Replacement Program	79,609	80,366	80,366	7,556	72,690	120
80618 Town Centre Streetscape Works	90,000	174,802	174,802	159,756	16,575	(1,529)
	169,609	255,168	255,168	167,313	89,264	(1,409)
Total Other infrastructure	1,382,840	1,842,434	1,705,142	834,497	250,790	757,147
<b>Intangible assets</b>						
<b>IT capital</b>						
80558 Payroll CAnywhere - implementation	0	10,000	0	0	0	10,000
80870 ERP implementation	564,590	564,590	508,132	127,592	49,180	387,818
	564,590	574,590	508,132	127,592	49,180	397,818
<b>IT renewal</b>						
80873 Spatial Virtual Machine storage	20,000	20,000	20,000	0	18,934	1,066
	20,000	20,000	20,000	0	18,934	1,066
<b>Software</b>						
80398 Software	50,000	50,000	50,000	20,350	0	29,650
80789 Corporate Performance System	247,676	0	0	55,314	0	(55,314)
80950 Website development for online bookings	50,000	50,000	37,500	17,690	24,890	7,420
	347,676	100,000	87,500	93,354	24,890	(18,244)
Total Intangible assets	932,266	694,590	615,632	220,946	93,004	380,639

	Adopted Budget	Amended Budget	YTD Budget	YTD Actual	Commitments	Funds Remaining
	\$	\$	\$	\$	\$	\$
<b>Assets Held for Sale</b>						
<b>Aged care facilities</b>						
80404 Aged Care - Homeswest ILUs	0	0	0	58,088	0	(58,088)
80799 Aged Care - Assets Held for Sale	0	93,168	0	223,155	28,500	(158,487)
	0	93,168	0	281,243	28,500	(216,575)
<b>Aged Persons Homes</b>						
80794 Aged Persons Homes - Capital works	1,000,000	1,000,000	450,000	0	0	1,000,000
	1,000,000	1,000,000	450,000	0	0	1,000,000
Total Assets Held for Sale	1,000,000	1,093,168	450,000	281,243	28,500	783,425
<b>Total capital projects</b>	33,785,887	35,176,847	33,167,349	20,952,375	7,058,983	7,165,489

**10.2.5 Schedule of Proposed Fees and Charges for 2022/23**

<b>Responsible Branch:</b>	Financial Services
<b>Responsible Directorate:</b>	Corporate and Strategy
<b>Authority/Discretion:</b>	Legislative
<b>Voting Requirement:</b>	Absolute Majority Required
<b>Attachments:</b>	1. Attachment 1 - Schedule of Proposed Fees and Charges for 2022-23 [ <b>10.2.5.1</b> - 48 pages]

**SUMMARY**

For Council to adopt the Schedule of Proposed Fees and Charges for the 2022/23 financial year, effective from 1 July 2022.

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

That Council adopts, pursuant to section 6.16 of the *Local Government Act 1995*, the Schedule of Proposed Fees and Charges for the 2022/23 financial year, as contained in Attachment 1.

Cr Catherine Ehrhardt, Deputy Mayor Moved, Cr Josh Eveson Seconded

**CARRIED: 8/1**

**For:** Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Steven Ostaszewskyj, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik and Cr Giorgia Johnson.

**Against:** Cr Dan Bull.

**BACKGROUND**

The *Local Government Act 1995* requires fees and charges that are to be imposed during a financial year be adopted with the Annual Budget. However, as the 2022/23 Budget will not be considered for adoption until the evening of 18 July 2022 this report has been brought forward for Council's consideration.

**EXTERNAL CONSULTATION**

Extensive internal consultation has occurred between all directorates and through workshops with elected members. A public notice advising the community of the City's intent to increase fees and charges was published on 16 June 2022.

**OFFICER'S COMMENTS**

As the budget adoption is planned to be considered by Council on 18 July 2022, it is recommended that the fees and charges be approved in advance of the budget meeting. This will enable officers to make the changes effective 1 July 2022 and ensure a smooth transition between financial years.

**LEGISLATIVE COMPLIANCE**

Section 6.16 of the *Local Government Act 1995* states:

*"Fees and charges are to be imposed when adopting the annual budget but may be -*

*(a) imposed\* during a financial year; and*

*(b) amended\* from time to time during a financial year.*

*\*Absolute majority required"*

## RISK ASSESSMENT

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.

Officer's recommendation	That Council adopts the Schedule of Proposed Fees and Charges for the 2022/23 financial year, commencing 1 July 2022.		
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome	
Strategic Direction	Moderate	Low	
Reputation	Low	Low	
Governance	Low	Low	
Community and Stakeholder	Moderate	Low	
Financial Management	Low	Low	
Environmental Responsibility	Low	Low	
Service Delivery	Low	Low	
Organisational Health and Safety	Low	Low	
Conclusion	The City of Bayswater meets its requirements under the Act and the schedule of proposed fees and charges can commence as of 1 July 2022.		

Option 2	That Council adopts the Schedule of Proposed Fees and Charges with amendments for the 2022/23 financial year, commencing 1 July 2022.		
Risk Category		Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction		Moderate	The risks are dependent on the amendment/s determined by Council.
Reputation		Low	
Governance		Low	
Community and Stakeholder		Moderate	
Financial Management		Low	
Environmental Responsibility		Low	
Service Delivery		Low	
Organisational Health and Safety		Low	
Conclusion	Council considers any changes to the schedule of proposed fees and charges for 2022/23 and adopts the schedule in its revised form.		

Option 3	That Council refers the Schedule of Proposed Fees and Charges to form part of the budget consideration planned for 18 July 2022.		
Risk Category	Adopted Risk Appetite		Risk Assessment Outcome
Strategic Direction	Moderate		Moderate
Reputation	Low		Low
Governance	Low		Low
Community and Stakeholder	Moderate		Moderate
Financial Management	Low		Moderate
Environmental Responsibility	Low		Low
Service Delivery	Low		Low
Organisational Health and Safety	Low		Low
Conclusion	Referring the schedule of proposed fees and charges to form part of the budget consideration planned for 18 July 2022 may result in the City missing out on revenue for any fees and charges that have increased between 1 July 2022 and the date of budget adoption.		

## FINANCIAL IMPLICATIONS

As the budget adoption is planned to be presented to Council on 18 July 2022, it is recommended that the fees and charges be approved in advance to prevent the City from potentially missing out on revenue for any fees and charges that have increased between 1 July 2022 and the date of budget adoption.



## **STRATEGIC IMPLICATIONS**

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

Theme: Leadership and Governance

Goal L4: Communicate in a clear and transparent way.

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

## **CONCLUSION**

That Council adopts the Schedule of Proposed Fees and Charges for the 2022/23 financial year, effective from 1 July 2022 as contained in **Attachment 1**.

# Fees and charges

## 2022/23



bayswater.wa.gov.au



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The information on statutory fees and charges is subject to the relevant Authorities release of any 2022/23 changes.  
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Name	Year 21/22 Last YR Fee (incl. GST)	Year 22/23			Veterans' Discount Applicable
		Fee (excl. GST)	GST	Fee (incl. GST)	

## City of Bayswater

Effective 1 July 2021, Council introduced a Veterans' discount of 10% on adopted fees and charges (with the exception of regulated/prescribed fees) for any eligible resident veteran. A 5% discount is to be applied for eligible non-residents.

## COMMUNITY AND DEVELOPMENT

### Bus Hire

#### Not-for-profit community groups

No charge (fee waiver)	\$0.00	\$0.00	\$0.00	\$0.00	N
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#### For-profit-groups and not-for-profit groups exceeding usage limit as per bus hire terms and conditions

Booking fee	\$25.00	\$22.73	\$2.27	\$25.00	N
Bus non-refueling fee	\$85.00	\$77.27	\$7.73	\$85.00	N

### Community Centres - Bayswater & Morley

#### Other fees

Computer lessons	\$7.00	\$6.36	\$0.64	\$7.00	N
Hairdressing service (half day)	\$25.00	\$22.73	\$2.27	\$25.00	N
Hairdressing service (whole day)	\$50.00	\$45.45	\$4.55	\$50.00	N

#### Membership & activity fees

City Registered Volunteer Membership Fee	\$7.50	\$6.82	\$0.68	\$7.50	Y
Community Centre Controlled Access Card Replacement Fee	\$0.00	\$7.27	\$0.73	\$8.00	N
Entry Fee Multi-Pass (10 visits)	\$20.00	\$18.18	\$1.82	\$20.00	N
Entry Fee Multi-Pass (25 visits)	\$50.00	\$45.45	\$4.55	\$50.00	N
Annual membership fee	\$15.00	\$13.64	\$1.36	\$15.00	Y
Half year membership fee waiver (July - December or January - June)	\$7.50	\$6.82	\$0.68	\$7.50	Y
Non-member entry fee per activity	\$5.00	\$4.55	\$0.45	\$5.00	N
Entry fee for activities	\$2.00	\$1.82	\$0.18	\$2.00	N
Tea and coffee fee (bingo players only)	\$2.00	\$1.82	\$0.18	\$2.00	N
Life members fee waiver	\$0.00	\$0.00	\$0.00	\$0.00	N

#### Program fees

Other Program Fees - Activity Cost Recovery to a Maximum of \$40.00	\$0.00	\$0.00	\$0.00	\$0.00	N
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Name	Year 21/22 Last YR Fee (incl. GST)	Year 22/23			Veterans' Discount Applicable
		Fee (excl. GST)	GST	Fee (incl. GST)	

## Community Development

Program 1 fee	\$2.00	\$2.00	\$0.00	\$2.00	Y
Program 2 fee	\$5.00	\$5.00	\$0.00	\$5.00	Y

## Events

### Community events

#### Art award and exhibition

Entry fee of Artwork	\$27.50	\$27.27	\$2.73	\$30.00	N
Artwork Sale Commission Fee	Cost varies. 15% commission on sales of artwork for the artists aged 18 and over				N

#### Art award and exhibition - youth

Entry fee of Artwork	\$13.00	\$11.82	\$1.18	\$13.00	N
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### Community festivals

#### Site fees

Market stall - non food (whole day) per stall	\$30.00	\$30.00	\$0.00	\$30.00	Y
Food stall at events with expected attendance is less than 500 people				Free	N
Food stall (whole day)	\$50.00	\$50.00	\$0.00	\$50.00	Y
Food stall (less than 4 hours)	\$25.00	\$25.00	\$0.00	\$25.00	Y
Market stall - non food (less than 4 hours)	\$15.00	\$15.00	\$0.00	\$15.00	Y
Market stall - Non food at events with expected attendance less than 500 people				Free	N

## Library & Customer Services

Library bags (per bag)	\$2.75	\$2.50	\$0.25	\$2.75	N
Lost, damaged, stolen library membership card (per card)	\$4.50	\$4.50	\$0.00	\$4.50	N
Sale of donated and discarded items	Cost varies. Based on condition of item and demand for subject or genre content.				N
Lost, damaged, stolen City of Bayswater materials (i.e. books, DVDs, talking books, magazines, comics and graphic novels)	Cost varies. Calculated on original cost per item, less annual depreciation. Depreciation is determined using State Library of WA's depreciation schedules.				N
Audio ear buds	\$4.00	\$3.64	\$0.36	\$4.00	N
Temporary public internet service membership	\$3.00	\$2.73	\$0.27	\$3.00	N
USB flash drives	\$7.50	\$9.09	\$0.91	\$10.00	N

## Photocopying

Black and white A4 and A3 (per page)	\$0.20	\$0.18	\$0.02	\$0.20	N
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The information on statutory fees and charges is subject to the relevant Authorities release of any 2022/23 changes.  
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Name	Year 21/22 Last YR Fee (incl. GST)	Year 22/23			Veterans' Discount Applicable
		Fee (excl. GST)	GST	Fee (incl. GST)	

### Photocopying [continued]

Colour A4 and A3 (per page)	\$1.00	\$0.91	\$0.09	\$1.00	N
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### Printing from public PCs

Black and white A4 (per page)	\$0.20	\$0.18	\$0.02	\$0.20	N
Colour A4 (per page)	\$1.00	\$0.91	\$0.09	\$1.00	N

### "Changes they've seen" book

Soft cover	\$20.00	\$18.18	\$1.82	\$20.00	N
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### Land information certificates (per property)

Order & Requisitions	\$79.00	\$79.00	\$0.00	\$79.00	N
Rates	\$22.00	\$22.00	\$0.00	\$22.00	N

### Development Approvals

Development approval search ~	\$50.00	\$50.00	\$0.00	\$50.00	N
Advertising an application or matters relating to an application ~	Advertising involving more than 10 letters: \$1.50 per letter				N
Zoning certificate	\$73.00	\$73.00	\$0.00	\$73.00	N
Property settlement questionnaire	\$73.00	\$73.00	\$0.00	\$73.00	N
Written planning advice	\$73.00	\$66.36	\$6.64	\$73.00	N
Scheme amendments, structure plans, activity centre plans and local development plans (and modifications thereof) where documentation is prepared by applicant	Deposit payable on lodgement: \$3,000.00  Total estimated fees are calculated in accordance with the Planning and Development Regulations 2009 and are to be paid prior to advertising.  Hourly rates will be calculated based on the following: Director: \$88.00; Manager/Coordinator/Senior Planner: \$66.00; Planning officer: \$36.86; Other officers: \$36.86; Business Development Officer: \$30.20				N
Subdivision clearance reinspection	\$56.10	\$57.22	\$0.00	\$57.22	N
Scheme text	\$37.00	\$38.00	\$0.00	\$38.00	N
MHI (CD)	\$36.00	\$37.00	\$0.00	\$37.00	N

### Development

Application for Advice - Development Approval Exemptions for Single House	\$295.00	\$295.00	\$0.00	\$295.00	N
Not more than \$50,000 ^	\$147.00	\$147.00	\$0.00	\$147.00	N
More than \$50,000 but not more than \$500,000 ^	0.32% of the estimated cost of development				N
More than \$500,000 but not more than \$2.5 million ^	\$1,700 + 0.257% for every \$1 in excess of \$500,000				N
More than \$2.5 million but not more than \$5 million ^	\$7,161 + 0.206% for every \$1 in excess of \$2.5 million				N
More than \$5 million but not more than \$21.5 million ^	\$12,633 + 0.123% for every \$1 in excess of \$5 million				N

The information on statutory fees and charges is subject to the relevant Authorities release of any 2022/23 changes.  
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Name	Year 21/22 Last YR Fee (incl. GST)	Year 22/23			Veterans' Discount Applicable
		Fee (excl. GST)	GST	Fee (incl. GST)	

## Development [continued]

More than \$21.5 million ^	\$34,196.00	\$34,196.00	\$0.00	\$34,196.00	N
Where the development has commenced or been carried out ^	The fee based on estimated cost plus, by way of penalty, twice that fee				N
Extractive industry ^	\$739.00	\$739.00	\$0.00	\$739.00	N
Extractive industry (where development has commenced or been carried out) ^	\$2,217.00	\$2,217.00	\$0.00	\$2,217.00	N
Amend or cancel development approval ^	\$295.00	\$295.00	\$0.00	\$295.00	N

## Subdivision Clearance (Freehold and Survey-strata)

Not more than 5 lots	\$73 per lot				N
More than 5 lots but not more than 195 lots	\$73 per lot for the first 5 lots and then \$35 per lot				N
More than 195 lots	\$7,393.00	\$7,393.00	\$0.00	\$7,393.00	N

## Strata Subdivision (Form 15A)

1 to 5 lots	\$656 plus \$65 for each lot				N
6 to 100 lots	\$981 (being the fee payable for the first 5 lots) plus \$43.50 for each other lot				N
101 or more lots	\$5,113.50				N

## Development Assessment Panel

Not less than \$2 million and less than \$7 million	\$5,701.00	\$5,701.00	\$0.00	\$5,701.00	N
Not less than \$7 million and less than \$10 million	\$8,801.00	\$8,801.00	\$0.00	\$8,801.00	N
Not less than \$10 million and less than \$12.5 million	\$9,576.00	\$9,576.00	\$0.00	\$9,576.00	N
Not less than \$12.5 million and less than \$15 million	\$9,849.00	\$9,849.00	\$0.00	\$9,849.00	N
Not less than \$15 million and less than \$17.5 million	\$10,122.00	\$10,122.00	\$0.00	\$10,122.00	N
Not less than \$17.5 million and less than \$20 million	\$10,397.00	\$10,397.00	\$0.00	\$10,397.00	N
\$20 million or more	\$10,670.00	\$10,670.00	\$0.00	\$10,670.00	N
Amend or cancel development approval by the Development Assessment Panel	\$245.00	\$245.00	\$0.00	\$245.00	N

## Design Review Panel

Design Review Panel application fee (one panel member) ^	\$500.00	\$500.00	\$0.00	\$500.00	N
Design Review Panel application fee (full panel) ^	\$2,500.00	\$2,500.00	\$0.00	\$2,500.00	N
Design Review Panel sitting fee (chairperson)	\$700.00	\$700.00	\$0.00	\$700.00	N
Design Review Panel sitting fee (member)	\$425.00	\$425.00	\$0.00	\$425.00	N

## Change of Use

Change of use ~	\$295.00	\$295.00	\$0.00	\$295.00	N
Change of use where the development has commenced or been carried out ~	The fee for change of use plus, by way of penalty, twice that fee				N

Name	Year 21/22 Last YR Fee (incl. GST)	Year 22/23			Veterans' Discount Applicable
		Fee (excl. GST)	GST	Fee (incl. GST)	

### Cash-in-lieu of Car Parking

Bayswater Town Centre (per bay)	\$10,000.00	\$10,000.00	\$0.00	\$10,000.00	N
Maylands Activity Centre (per bay)	\$10,000.00	\$10,000.00	\$0.00	\$10,000.00	N
Morley Activity Centre (per bay)	\$10,000.00	\$10,000.00	\$0.00	\$10,000.00	N
Other areas	Cost of providing on-street car parking and associated landscaping and street trees in immediate vicinity				N

### Mobile Food Vehicles

Permit application fee	\$52.00	\$53.00	\$0.00	\$53.00	N
Permit renewal fee	\$31.00	\$32.00	\$0.00	\$32.00	N
Three month permit	\$255.00	\$255.00	\$0.00	\$255.00	N
Six month permit ~	\$510.00	\$510.00	\$0.00	\$510.00	N
12 month permit	\$1,020.00	\$1,020.00	\$0.00	\$1,020.00	N

### Ranger Services

#### Dog poundage fees

Dog surrender fee	\$130.00	\$150.00	\$0.00	\$150.00	N
Inspection fee - declaring a dog dangerous	\$100.00	\$100.00	\$0.00	\$100.00	N
Annual inspection fee - after dog is declared dangerous	\$100.00	\$100.00	\$0.00	\$100.00	N

#### Public poundage

Registered dogs impound fee	\$100.00	\$105.00	\$0.00	\$105.00	N
Unregistered dogs impound fee	\$140.00	\$150.00	\$0.00	\$150.00	N
Daily keep - sustenance	\$18.00	\$20.00	\$0.00	\$20.00	N
Other animals (excepting cats)	\$102.00	\$104.00	\$0.00	\$104.00	N

#### Cat poundage fees

Cat surrender fee	\$130.00	\$150.00	\$0.00	\$150.00	N
Cat trap delivery fee	\$40.00	\$36.36	\$3.64	\$40.00	N
Cat trap collection fee (rescheduling / no show)	\$40.00	\$36.36	\$3.64	\$40.00	N
Damages to cat trap fee	\$145.00	\$200.00	\$20.00	\$220.00	N

#### Public poundage

Registered cats impound fee	\$66.00	\$72.00	\$0.00	\$72.00	N
Unregistered cats impound fee	\$122.00	\$132.00	\$0.00	\$132.00	N
Daily keep - sustenance	\$25.00	\$25.00	\$0.00	\$25.00	N

The information on statutory fees and charges is subject to the relevant Authorities release of any 2022/23 changes.  
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Name	Year 21/22 Last YR Fee (incl. GST)	Year 22/23			Veterans' Discount Applicable
		Fee (excl. GST)	GST	Fee (incl. GST)	

## Dog licence fees

### Micro-chipped and sterilised

50% of fee payable for pensioners

One year	\$20.00	\$20.00	\$0.00	\$20.00	N
Three years	\$42.50	\$42.50	\$0.00	\$42.50	N
Lifetime	\$100.00	\$100.00	\$0.00	\$100.00	N

### Micro-chipped and unsterilised

50% of fee payable for pensioners

One year	\$50.00	\$50.00	\$0.00	\$50.00	N
Three years	\$120.00	\$120.00	\$0.00	\$120.00	N
Lifetime	\$250.00	\$250.00	\$0.00	\$250.00	N

## Cat licence fees

Annual application for approval or renewal of approval to breed cats (per cat)	\$100.00	\$100.00	\$0.00	\$100.00	N
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### Micro-chipped and sterilised

50% of fee payable for pensioners

One year	\$20.00	\$20.00	\$0.00	\$20.00	N
Three years	\$42.50	\$42.50	\$0.00	\$42.50	N
Lifetime	\$100.00	\$100.00	\$0.00	\$100.00	N

## Kennel establishment

Application for more than 2 dogs	\$105.00	\$115.00	\$0.00	\$115.00	N
Application for more than 3 cats	\$105.00	\$115.00	\$0.00	\$115.00	N
Kennel licence fee	\$200.00	\$215.00	\$0.00	\$215.00	N
Transfer of kennel licence	\$40.00	\$40.00	\$0.00	\$40.00	N

## Abandoned vehicle fees

Storage and administration fee	\$75.00	\$75.00	\$0.00	\$75.00	N
Vehicle Impound fee				n/a	N

Fee set by towage company as part of agreement with City.  
As per invoice received from towing company plus GST

## Signs

Prohibited verge and private parking signs including installation (per sign)	\$220.00	\$222.73	\$22.27	\$245.00	N
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Name	Year 21/22 Last YR Fee (incl. GST)	Year 22/23			Veterans' Discount Applicable
		Fee (excl. GST)	GST	Fee (incl. GST)	

### Signs maintenance costs borne by

Residential signage	As per invoice received from signage company, plus GST	N
Less than 50 parking bays	As per invoice received from signage company, plus GST	N
50 or more parking bays	City and applicant on 50 / 50 basis	N

### Stallholders & traders

(Local community groups can apply for exemption)

Permit application fee	\$60.00	\$53.00	\$0.00	\$53.00	N
Permit Renewal Fee	\$0.00	\$31.00	\$0.00	\$31.00	

### Additional charges

Per day	\$25.00	\$12.50	\$0.00	\$12.50	N
Per week	\$70.00	\$0.00	\$0.00	\$0.00	N
Per month	\$150.00	\$0.00	\$0.00	\$0.00	N
12 Month Permit	\$1,400.00	\$1,020.00	\$0.00	\$1,020.00	N
Six Month Permit	\$0.00	\$510.00	\$0.00	\$510.00	N
Three Month Permit	\$0.00	\$255.00	\$0.00	\$255.00	

### Commercial filming fees

Permit application Fee	\$52.00	\$52.00	\$0.00	\$52.00	N
Per day	\$12.50	\$12.50	\$0.00	\$12.50	N
Per 3 Months	\$255.00	\$255.00	\$0.00	\$255.00	N

### Parking

Parking permit fee	\$40.00	\$60.00	\$0.00	\$60.00	N
Parking permit replacement (lost permits)	\$20.00	\$25.00	\$0.00	\$25.00	N
Additional parking permit fee (if approved)	\$40.00	\$60.00	\$0.00	\$60.00	N

### Other fees and charges

Microchipping	\$45.00	\$45.00	\$0.00	\$45.00	N
Release of impounded goods (non animal)	\$85.00	\$100.00	\$0.00	\$100.00	N
Release of Impounded Shopping Trolley fee	\$100.00	\$100.00	\$0.00	\$100.00	N
Fire break installation	As per invoice received from contractor, plus GST				N
Dangerous dog products	As per City agreement with contractor.				N

### Environmental Health

Food Business Notification	\$75.00	\$75.00	\$0.00	\$75.00	N
Coopex	\$7.85	\$7.14	\$0.71	\$7.85	N

The information on statutory fees and charges is subject to the relevant Authorities release of any 2022/23 changes.  
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Name	Year 21/22 Last YR Fee (incl. GST)	Year 22/23			Veterans' Discount Applicable
		Fee (excl. GST)	GST	Fee (incl. GST)	

## Environmental Health [continued]

Offensive trades	Variable - specified under the Health (Offensive Trades Fees) Regulations 1976.				N
	<b>Last year fee</b> Variable - specified under the Health (offensive trades fees) regulations 1976.				
High risk food business	\$439.45	\$440.00	\$0.00	\$440.00	N
Medium risk food business	\$220.25	\$220.00	\$0.00	\$220.00	N
Health business enquiry	\$63.65	\$65.00	\$0.00	\$65.00	N
Food sampling reports	\$56.40	\$57.50	\$0.00	\$57.50	N
Licence of a morgue	\$118.25	\$120.60	\$0.00	\$120.60	N
Licence of a lodging house	\$118.25	\$120.60	\$0.00	\$120.60	N
Fines / prosecutions				Variable	N
Septic tank application fee	\$118.00	\$118.00	\$0.00	\$118.00	N
Permit to use septic tank system	\$118.00	\$118.00	\$0.00	\$118.00	N
Septic tank plan copy	\$14.10	\$14.40	\$0.00	\$14.40	N
Temporary public building, not requiring building licence, accommodating up to 1000 people	\$162.00	\$165.00	\$0.00	\$165.00	N
Temporary public building, not requiring building licence, accommodating more than 1000 people	\$423.00	\$425.00	\$0.00	\$425.00	N
Noise management plan fee	\$100.00	\$100.00	\$0.00	\$100.00	N

## Statutory Building

Fees applicable as prescribed by the Building Act 2011.

Smoke alarm inspection	\$179.40	\$179.40	\$0.00	\$179.40	N
Building Surveying Services Fee - Building Surveying services such as issuing a certificate of construction, certificate of building compliance or bushfire attack level one assessments.	\$75.00 per hour with minimum charge \$112.50 for first 1.5 hours				N
CTF (collection only)				0.20%	N
Residential plans - includes photocopy charge ~	\$77.00	\$77.00	\$0.00	\$77.00	N
Residential strata plans - plus photocopy charge ~	\$77.00	\$77.00	\$0.00	\$77.00	N
Commercial / industrial plans - plus photocopy charge ~	\$121.00	\$121.00	\$0.00	\$121.00	N
For the issue of a licence for the deposit of materials on, or excavation of a street ^	\$1 per month or part of a month for each m <sup>2</sup> of the area of the street enclosed by any hoarding or fence				N
Electric or razor wire fence	\$50.00	\$50.00	\$0.00	\$50.00	N

## Certified application for a building permit

Domestic development	0.19% of the estimated value of the building work but not less than \$110.00	N
For building work for a Class 1 or Class 10 building or incidental structure calculated on the estimated value of the building work as determined by the relevant permit authority		

Name	Year 21/22 Last YR Fee (incl. GST)	Year 22/23			Veterans' Discount Applicable
		Fee (excl. GST)	GST	Fee (incl. GST)	

### Certified application for a building permit [continued]

Commercial, industrial and multi residential development	0.09% of the estimated value of the building work but not less than \$110.00	N
	<b>Last year fee</b> 0.09% of the estimated value of the building work but not less than \$110.00	
For building work for a Class 2 to Class 9 building or incidental structure calculated on the estimated value of the building work as determined by the relevant permit authority		

### Uncertified application for a building permit

For a building permit calculated on the estimated value of the building work as determined by the relevant permit authority	0.32% (Minimum \$110.00)	N
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### Application for a demolition permit

For demolition work in respect of a class 1 or class 10 building or incidental structure	\$110.00	\$110.00	\$0.00	\$110.00	N
For demolition work in respect of a class 2 to class 9 building or incidental structure	\$110.00 for each storey of the building				N

### Application to extend building or demolition permit

For the extension of time to which a building or demolition permit has effect	\$110.00	\$110.00	\$0.00	\$110.00	N
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### Application for occupancy permits, building approval certificates

Application for occupancy permit for a completed building	\$110.00	\$110.00	\$0.00	\$110.00	N
Application for a temporary occupancy permit for an incomplete building	\$110.00	\$110.00	\$0.00	\$110.00	N
Application for modification of an occupancy permit for additional use of a building on a temporary basis	\$110.00	\$110.00	\$0.00	\$110.00	N
Application for a replacement occupancy permit for permanent change of the building's use, classification	\$110.00	\$110.00	\$0.00	\$110.00	N
Application for an occupancy permit or building approval certificate for registration of strata scheme, plan of re-subdivision	\$110.00 <b>Last year fee</b> \$11.60 for each strata unit covered by the application, but not less than \$110.00				N
Application for an occupancy permit for a building in respect of which unauthorised work has been done	0.18% of the estimated value of the unauthorised work as determined by the relevant permit authority, but not less than \$110.00				N
Application for a building approval certificate for a building in respect of which unauthorised work has been done	0.38% of the estimated value of the unauthorised work as determined by the relevant permit authority, but not less than \$110.00				N
Application to replace an occupancy permit for an existing building	\$110.00	\$110.00	\$0.00	\$110.00	N

Name	Year 21/22 Last YR Fee (incl. GST)	Year 22/23			Veterans' Discount Applicable
		Fee (excl. GST)	GST	Fee (incl. GST)	

### Application for occupancy permits, building approval certificates [continued]

Application for a building approval certificate for an existing building where unauthorised work has not been done	\$110.00	\$110.00	\$0.00	\$110.00	N
Application to extend the time which an occupancy permit of building approval certificate has effect	\$110.00	\$110.00	\$0.00	\$110.00	N
Non-application, modification, of building standard	\$2,160.15	\$2,160.15	\$0.00	\$2,160.15	N
Occupancy permit reinspection fee	\$400.00	\$400.00	\$0.00	\$400.00	N

### Building service levy (collection only) \$45,000 or less

Building permit	\$61.65	\$61.65	\$0.00	\$61.65	N
Demolition permit	\$61.65	\$61.65	\$0.00	\$61.65	N
Occupancy permit for approved building work	\$61.65	\$61.65	\$0.00	\$61.65	N
Building approval certificate for approved building work	\$61.65	\$61.65	\$0.00	\$61.65	N
Occupancy permit for unauthorised building work	\$123.30	\$123.30	\$0.00	\$123.30	N
Building approval certificate for unauthorised building work	\$123.30	\$123.30	\$0.00	\$123.30	N

### Building service levy (collection only) over \$45,000

Building permit	0.137% of work value				N
Demolition permit	0.137% of work value				N
Occupancy permit for approved building work	\$61.65	\$61.65	\$0.00	\$61.65	N
Building approval certificate for approved building work	\$61.65	\$61.65	\$0.00	\$61.65	N
Occupancy permit for unauthorised building work	0.274% of the estimated value of the unauthorised work as determined by the relevant permit authority, but not less than \$123.30				N
Building approval certificate for unauthorised building work	0.274% of the estimated value of the unauthorised work as determined by the relevant permit authority, but not less than \$123.30				N

### Swimming pool / spa

Annual inspection fee ~	\$28.55	\$29.00	\$0.00	\$29.00	N
Request for inspection	\$0.00	\$80.00	\$0.00	\$80.00	N

## CORPORATE AND STRATEGY

### Aged Persons Homes

### Accommodation payments, service fees, daily fees, retentions and other charges

City of Bayswater Hostel	In accordance with My Aged Care website	N
Carramar Hostel	In accordance with My Aged Care website	N
Mertome Gardens	In accordance with rental agreement	N

The information on statutory fees and charges is subject to the relevant Authorities release of any 2022/23 changes.  
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Name	Year 21/22 Last YR Fee (incl. GST)	Year 22/23			Veterans' Discount Applicable
		Fee (excl. GST)	GST	Fee (incl. GST)	

## Accommodation payments, service fees, daily fees, retentions and other charges [continued]

Carramar Village	In accordance with residence agreement	N
Salisbury Retreat	In accordance with residence agreement	N
Noranda	In accordance with residence agreement	N

## Entry contributions

### Carramar Village

#### Units

1 bedroom (with carport)	\$161,700.00	\$161,700.00	\$0.00	\$161,700.00	N
1 bedroom (without carport)	\$156,000.00	\$156,000.00	\$0.00	\$156,000.00	N
2 bedroom (with carport)	\$222,500.00	\$222,500.00	\$0.00	\$222,500.00	N
2 bedroom (without carport)	\$217,500.00	\$217,500.00	\$0.00	\$217,500.00	N

### Salisbury

Salisbury Retreat	\$215,000.00	\$215,000.00	\$0.00	\$215,000.00	N
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### Noranda

2 bedroom	\$225,000.00	\$225,000.00	\$0.00	\$225,000.00	N
3 bedroom	\$280,000.00	\$280,000.00	\$0.00	\$280,000.00	N

## Financial Services

Historical financial statement (printed)	\$25.00	\$25.00	\$0.00	\$25.00	N
Printed copy of rates notice (charge per year from 2 years ago and older)	\$10.00	\$10.00	\$0.00	\$10.00	N
Payment arrangement fee	\$25.00	\$25.00	\$0.00	\$25.00	N
Direct debit set up fee	\$25.00	\$25.00	\$0.00	\$25.00	N
Credit card surcharge				0.40%	N

## Fines and penalties enforcement fees

Fee for issuing a final demand	\$24.80	\$24.80	\$0.00	\$24.80	N
Fee for preparing an enforcement certificate	\$21.10	\$21.10	\$0.00	\$21.10	N
Fee for registering an infringement notice with the registry	\$79.50	\$79.50	\$0.00	\$79.50	N
Fee for withdrawal of infringement (permits / ACROD - repeat offenders)	\$35.00	\$35.00	\$0.00	\$35.00	N
Withdrawal after 28 days (before FER)	\$35.00	\$35.00	\$0.00	\$35.00	N
Withdrawal (once with FER)	\$108.50	\$108.50	\$0.00	\$108.50	N

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Name	Year 21/22 Last YR Fee (incl. GST)	Year 22/23			Veterans' Discount Applicable
		Fee (excl. GST)	GST	Fee (incl. GST)	

## Governance & Organisational Strategy

### Freedom of Information

Request for information - F.O.I. application fees	\$30.00	\$30.00	\$0.00	\$30.00	N
Time taken by staff dealing with F.O.I. application (per hour or pro rata for a part of an hour)	\$30.00	\$30.00	\$0.00	\$30.00	N
Charge for access time supervised by staff (per hour or pro rata for a part of an hour) plus the actual additional cost to the agency of any special arrangements (eg hire of facilities or equipment)	\$30.00	\$30.00	\$0.00	\$30.00	N
Charge for time taken by staff transcribing information from a tape or other device (per hour, or pro rata for a part of an hour)	\$30.00	\$30.00	\$0.00	\$30.00	N
Charge for duplicating a tape, film or computer information				Actual cost	N
Freedom of Information Regulations 1993 - Schedule 1					

Charge for delivery, packaging and postage				Actual cost	N
Advance deposit which may be required by an agency under section 18(1) of the Act, expressed as a percentage of the estimated charges which will be payable in excess of the application fee				25%	N
Further advance deposit which may be required by an agency under section 18(4) of the Act, expressed as a percentage of the estimated charges which will be payable in excess of the application fee				75%	N

## WORKS AND INFRASTRUCTURE

### Asset and Mapping Services

#### Street locality atlas

A4 booklet	\$20.80	\$21.20	\$0.00	\$21.20	N
A3 booklet	\$22.50	\$22.95	\$0.00	\$22.95	N

### Engineering Works

Erection of directional sign	\$278.10	\$261.68	\$26.17	\$287.85	N
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### Roadside Traffic Management Plan (Road Closure)

Obstruction Permit not requiring full closure for works of a temporary nature	\$550.00	\$561.00	\$0.00	\$561.00	
Road Closure Permit for works extending beyond one month or permanent	\$1,850.00	\$1,887.00	\$0.00	\$1,887.00	N

### Roadside Traffic Management Plan (TMP Audit)

Remedial Audit of Unapproved and/or Non-conforming TMP	\$180.00	\$183.60	\$0.00	\$183.60	N
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The information on statutory fees and charges is subject to the relevant Authorities release of any 2022/23 changes.  
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Name	Year 21/22 Last YR Fee (incl. GST)	Year 22/23			Veterans' Discount Applicable
		Fee (excl. GST)	GST	Fee (incl. GST)	

### Roadside Traffic Management Plan (TMP Audit) [continued]

Weekly Audit of Approved TMP extending beyond one month	\$240.00	\$244.80	\$0.00	\$244.80	N
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### Roadside Traffic Management Plan (TMP Approval)

Approval or Alteration of TMP less than one week	\$180.00	\$183.60	\$0.00	\$183.60	N
Approval or Alteration of TMP more than one week	\$240.00	\$244.80	\$0.00	\$244.80	N

### Crossovers

Constructed by council (per m <sup>2</sup> )	\$65.85	\$61.36	\$6.14	\$67.50	N
Crossovers to 22m <sup>2</sup> and eligible for a subsidy will be subsidised on a 50 / 50 basis				Variable	N
Crossovers over 22m <sup>2</sup> and eligible for a subsidy will receive a maximum subsidy	\$710.30	\$661.86	\$66.19	\$728.05	N
Industrial / commercial - 150mm thick (extra per m <sup>2</sup> )	\$16.30	\$15.18	\$1.52	\$16.70	N

### Drainage & Misc charges

Adjustment to drainage lids	\$443.00	\$412.82	\$41.28	\$454.10	N
Convert to trafficable drainage lids	\$1,052.30	\$980.55	\$98.05	\$1,078.60	N
Relocate drainage pit	\$1,622.90	\$1,512.23	\$151.22	\$1,663.45	N
City of Bayswater number plates	\$429.10	\$390.09	\$39.01	\$429.10	N
Annual administration fee for dinghy storage service	\$61.80	\$63.05	\$0.00	\$63.05	N

### Constructed privately and subsidised

Subsidy per m <sup>2</sup>	\$28.40	\$26.45	\$2.65	\$29.10	N
Maximum limit	\$624.65	\$582.05	\$58.20	\$640.25	N
Cost for kerb removal	\$134.45	\$125.27	\$12.53	\$137.80	N

### Verge bond

Standard residential lot	\$1,400.00	\$1,435.00	\$0.00	\$1,435.00	N
Commercial	\$1,400.00	\$1,435.00	\$0.00	\$1,435.00	N
Temporary verge crossing permit (verge protection permit)	\$180.00	\$184.00	\$0.00	\$184.00	N

### Repair charges for damage

Minimum site repair charge	\$417.18	\$427.61	\$0.00	\$427.61	N
Road scarring (per m <sup>2</sup> )	\$234.84	\$240.71	\$0.00	\$240.71	N
Concrete path – 2m wide (per m <sup>2</sup> )	\$132.35	\$135.65	\$0.00	\$135.65	N
Kerbing (per metre)	\$107.15	\$109.85	\$0.00	\$109.85	N
Temporary limestone hardstand (per m <sup>2</sup> )	\$154.50	\$158.36	\$0.00	\$158.36	N
Crossover removals	\$494.40	\$506.76	\$0.00	\$506.76	N

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Name	Year 21/22 Last YR Fee (incl. GST)	Year 22/23			Veterans' Discount Applicable
		Fee (excl. GST)	GST	Fee (incl. GST)	

## Golf course hire fees

### Maylands Peninsula Public Golf Course

#### Midweek

9 holes	\$20.00	\$20.00	\$2.00	\$22.00	N
18 holes	\$27.00	\$27.27	\$2.73	\$30.00	N

#### Weekends

9 holes	\$26.00	\$25.45	\$2.55	\$28.00	N
18 holes	\$34.00	\$32.73	\$3.27	\$36.00	N

#### Midweek - concession / junior

9 holes	\$16.00	\$16.36	\$1.64	\$18.00	N
18 holes	\$21.00	\$21.82	\$2.18	\$24.00	N

#### Twilight access - 4:00 PM to close October to March (3:00 PM April to September)

Entry Fee	\$12.50	\$12.73	\$1.27	\$14.00	N
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#### Promotional discount (discretionary)

9 holes	\$2.00	\$1.82	\$0.18	\$2.00	N
18 holes	\$5.00	\$4.55	\$0.45	\$5.00	N

### Embleton Public Golf Course

#### Midweek

9 holes	\$18.00	\$17.27	\$1.73	\$19.00	N
18 holes	\$22.00	\$20.00	\$2.00	\$22.00	N

#### Weekends

9 holes	\$22.00	\$21.82	\$2.18	\$24.00	N
18 holes	\$26.00	\$25.45	\$2.55	\$28.00	N

#### Midweek - concession / junior

9 holes	\$14.00	\$13.64	\$1.36	\$15.00	N
18 holes	\$18.00	\$18.18	\$1.82	\$20.00	N

#### Twilight access - 4:00 PM to close October to March (3:00 PM April to September)

Entry fee	\$12.50	\$12.73	\$1.27	\$14.00	N
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Name	Year 21/22 Last YR Fee (incl. GST)	Year 22/23			Veterans' Discount Applicable
		Fee (excl. GST)	GST	Fee (incl. GST)	

#### Promotional discount (discretionary)

9 holes	\$2.00	\$1.82	\$0.18	\$2.00	N
18 holes	\$5.00	\$4.55	\$0.45	\$5.00	N

## Leasing

### Bonds

Key bond	\$205.00	\$205.00	\$0.00	\$205.00	N
Facility bond	\$350.00	\$350.00	\$0.00	\$350.00	N

## Parks and Gardens

Removal of tree due to construction and or development	Calculation based on the Helliwell tree valuation system multiplied by \$79 to produce the amenity value of the tree.  <b>Last year fee</b> Calculation based on the Helliwell tree valuation system multiplied by \$63 to produce the amenity value of the tree.				N
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## Sanitation

Domestic service (annual charge)	\$368.30	\$384.60	\$0.00	\$384.60	N
Commercial service (annual charge)	\$368.30	\$384.60	\$0.00	\$384.60	N
240-litre cart	Weekly service				N
Three (3) cubic metre bin	Three (3) services per annum				N

## Additional domestic refuse service charges

Compassionate Rubbish service	Free				
FOGO service	\$113.10	\$118.11	\$0.00	\$118.11	N
Rubbish service	\$102.20	\$106.75	\$0.00	\$106.75	N
Recycling service	\$96.00	\$100.25	\$0.00	\$100.25	N

## Additional commercial refuse service charges

FOGO service	\$113.10	\$118.11	\$0.00	\$118.11	N
Rubbish service	\$102.20	\$106.75	\$0.00	\$106.75	N
Recycling service	\$96.00	\$100.25	\$0.00	\$100.25	N
Sporting clubs / associations	Free				N

## FOGO liners

FOGO compostable liners (roll of 75) - First 2 Rolls (per household/waste year)	Free				N
FOGO compostable liners (roll of 75) - Additional Roll	\$0.00	\$6.00	\$0.00	\$6.00	N

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Name	Year 21/22 Last YR Fee (incl. GST)	Year 22/23			Veterans' Discount Applicable
		Fee (excl. GST)	GST	Fee (incl. GST)	

## MAJOR PROJECTS AND COMMERCIAL ACTIVITIES

### Bayswater Waves

#### Casual health & fitness

##### Promotions

Free spa / sauna upgrade				Variable	Y
\$10 family swim pass	\$10.00	\$9.09	\$0.91	\$10.00	Y
Free birthday cake	\$0.00	\$0.00	\$0.00	\$0.00	Y
Half price family swim	\$10.55	\$9.73	\$0.97	\$10.70	Y

#### Casual swimming

Adult (16 years and over)	\$7.00	\$6.55	\$0.65	\$7.20	Y
Child, Seniors and Concession	\$5.40	\$4.91	\$0.49	\$5.40	Y
Family pass (2+2 or 1+3)	\$21.10	\$19.45	\$1.95	\$21.40	Y
Off peak swim (Monday to Friday 11:30 AM - 1:30 PM, excludes school holidays)	\$5.40	\$5.09	\$0.51	\$5.60	Y

##### In term swimming

Terms 1 and 4	\$3.40	\$3.18	\$0.32	\$3.50	Y
Terms 2 and 3	\$2.70	\$2.55	\$0.25	\$2.80	Y
Vacation lesson entry - Education Department	\$4.50	\$4.18	\$0.42	\$4.60	N

#### Health and rehabilitation suite

##### Hydrotherapy, spa, sauna

Adult (16 years and over)	\$13.00	\$12.18	\$1.22	\$13.40	Y
Seniors (WA seniors card holders) or concession (health care card)	\$11.00	\$10.27	\$1.03	\$11.30	Y
Upgrade adult	\$6.00	\$5.64	\$0.56	\$6.20	Y
Upgrade senior or concession	\$5.60	\$5.36	\$0.54	\$5.90	Y

#### Swimming lessons (per lesson)

Learn to swim class fee	\$16.50	\$17.00	\$0.00	\$17.00	Y
Additional family member discount				5%	Y
Free one on one lessons				0%	Y
Holiday program	\$12.90	\$13.40	\$0.00	\$13.40	Y
Adults	\$19.00	\$20.00	\$0.00	\$20.00	Y
Special needs	\$22.50	\$23.20	\$0.00	\$23.20	Y
Private lessons	\$50.00	\$52.00	\$0.00	\$52.00	Y
Lifesaving award - levels 10 - 16				Variable	Y

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Name	Year 21/22 Last YR Fee (incl. GST)	Year 22/23			Veterans' Discount Applicable
		Fee (excl. GST)	GST	Fee (incl. GST)	

### Swimming lessons (per lesson) [continued]

Swimming school cancellation fee	\$30.00	\$30.00	\$0.00	\$30.00	Y
Swimming lessons 16 weeks - Government Agency (group classes)	\$300.00	\$309.00	\$0.00	\$309.00	N
Swimming lessons 16 weeks - Government Agency (special needs)	\$380.00	\$391.40	\$0.00	\$391.40	N
Swimming lessons 16 weeks - Government Agency (private one on one)	\$800.00	\$824.00	\$0.00	\$824.00	N
Direct debit joining fee	\$20.00	\$20.00	\$0.00	\$20.00	Y
Direct debit re-joining fee special	\$1.00	\$0.00	\$0.00	\$0.00	Y
One free lesson promotion	\$0.00	\$0.00	\$0.00	\$0.00	Y
14 day free trial of facility with swim school enrolment promotion	\$0.00	\$0.00	\$0.00	\$0.00	Y
Multiple swimming program promotion				10% Discount	Y

### Squads

Per Session	\$12.50	\$11.82	\$1.18	\$13.00	N
External junior squad entry	\$3.70	\$3.55	\$0.35	\$3.90	N
External adult squad entry	\$5.40	\$4.91	\$0.49	\$5.40	N

### Carnivals

Carnival fee (up to 3 hours)	\$450.00	\$409.09	\$40.91	\$450.00	N
Carnival fee (additional per hour)	\$150.00	\$136.36	\$13.64	\$150.00	N
Electronic timing set (per carnival)	\$175.00	\$159.09	\$15.91	\$175.00	N
Carnival entry fee per swimmer	\$3.40	\$3.18	\$0.32	\$3.50	N
Qualified lifeguard / swim instructor per hour	\$46.00	\$43.64	\$4.36	\$48.00	N
Qualified pool supervisor per hour	\$53.00	\$50.00	\$5.00	\$55.00	N
Refund / cancellation fee	\$75.00	\$68.18	\$6.82	\$75.00	N

### Hire rates

Waterslide day pass	\$6.00	\$5.45	\$0.55	\$6.00	N
Lockers - 1 hour	\$2.50	\$2.27	\$0.23	\$2.50	N
Lockers - 2 hours	\$3.50	\$3.18	\$0.32	\$3.50	N
Lockers - 4 hours	\$4.50	\$4.09	\$0.41	\$4.50	N
Lockers - 6 hours	\$5.50	\$5.00	\$0.50	\$5.50	N
Pool inflatable (schools / user groups) including qualified staff per hour	\$180.00	\$163.64	\$16.36	\$180.00	N
Bouncy castle hire per hour	\$115.00	\$104.55	\$10.45	\$115.00	N
Floating volleyball net per hour	\$70.00	\$63.64	\$6.36	\$70.00	N
Fun nut hire per hour (small)	\$4.00	\$4.55	\$0.45	\$5.00	N
Fun nut hire per hour (large)	\$6.00	\$6.36	\$0.64	\$7.00	N
Fun nut hire double	\$8.00	\$8.18	\$0.82	\$9.00	N
Kickboard hire per session (includes other pool equipment)	\$2.50	\$2.27	\$0.23	\$2.50	N
Equipment hire fee 1	\$1.00	\$0.91	\$0.09	\$1.00	N

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Name	Year 21/22 Last YR Fee (incl. GST)	Year 22/23			Veterans' Discount Applicable
		Fee (excl. GST)	GST	Fee (incl. GST)	

## Hire rates [continued]

Equipment hire fee 2	\$1.50	\$1.36	\$0.14	\$1.50	N
Equipment hire fee 3	\$2.00	\$1.82	\$0.18	\$2.00	N
Equipment hire fee 4	\$2.50	\$2.27	\$0.23	\$2.50	N
Equipment hire fee 5	\$3.00	\$2.73	\$0.27	\$3.00	N
Equipment hire fee 6	\$3.50	\$3.18	\$0.32	\$3.50	N
Equipment hire fee 7	\$4.00	\$3.64	\$0.36	\$4.00	N
Equipment hire fee 8	\$5.00	\$4.55	\$0.45	\$5.00	N
Equipment hire fee 9	\$6.00	\$5.45	\$0.55	\$6.00	N
Equipment hire fee 10	\$7.00	\$6.36	\$0.64	\$7.00	N
Equipment hire fee 11	\$10.00	\$9.09	\$0.91	\$10.00	N
Equipment hire fee 12	\$15.00	\$13.64	\$1.36	\$15.00	N
Equipment hire fee 13	\$20.00	\$18.18	\$1.82	\$20.00	N
Equipment hire fee 14	\$30.00	\$27.27	\$2.73	\$30.00	N
Equipment hire fee 15	\$40.00	\$36.36	\$3.64	\$40.00	N
Equipment hire fee 16	\$50.00	\$45.45	\$4.55	\$50.00	N
Lane hire - 50m olympic pool casual hire per hour	\$20.00	\$22.73	\$2.27	\$25.00	N
Lane hire - 50m olympic pool regular hire per hour	\$16.00	\$18.18	\$1.82	\$20.00	N
Lane hire - 50m olympic pool club hire per hour	\$6.00	\$5.45	\$0.55	\$6.00	N
Lane hire - 25m / wave casual hire per hour	\$15.00	\$18.18	\$1.82	\$20.00	N
Lane hire - 25m / wave pool regular hire per hour	\$12.00	\$13.64	\$1.36	\$15.00	N
Lane hire - 25m / wave club hire per hour	\$5.50	\$5.45	\$0.55	\$6.00	N
Aquatic facility hire inside or outside per 3 hour minimum (after hours only)	\$1,200.00	\$1,090.91	\$109.09	\$1,200.00	N
Aquatic facility hire inside or outside additional per hour (after hours only)	\$627.60	\$570.55	\$57.05	\$627.60	N
Aquatic facility hire additional lifeguard per hour	\$65.00	\$59.09	\$5.91	\$65.00	N
Shade shelter hire per day	\$65.00	\$59.09	\$5.91	\$65.00	N
Hydrotherapy pool per hour	\$50.00	\$45.45	\$4.55	\$50.00	N
Creche room hire - commercial (2 hours)	\$55.00	\$50.00	\$5.00	\$55.00	N
Creche room hire - community (2 hours)	\$32.00	\$29.09	\$2.91	\$32.00	N
Training room / mezzaine room hire (4 hours)	\$100.00	\$90.91	\$9.09	\$100.00	N
Training room / mezzaine room hire per hour	\$30.00	\$27.27	\$2.73	\$30.00	N
Reserved outdoor area (4 hours) including shade shelter	\$100.00	\$90.91	\$9.09	\$100.00	N
Bond (refundable)	\$500.00	\$500.00	\$0.00	\$500.00	N

## Activities

Police services accreditation swim and certificate	\$20.00	\$18.18	\$1.82	\$20.00	Y
Scuba single entry	\$22.00	\$20.45	\$2.05	\$22.50	Y

## Birthday parties

Party (up to 10 children, 1 adult spectator per child)	\$118.00	\$107.27	\$10.73	\$118.00	N
Party (up to 20 children, 1 adult spectator per child)	\$168.00	\$152.73	\$15.27	\$168.00	N
Party (up to 30 children, 1 adult spectator per child)	\$218.00	\$198.18	\$19.82	\$218.00	N

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Name	Year 21/22 Last YR Fee (incl. GST)	Year 22/23			Veterans' Discount Applicable
		Fee (excl. GST)	GST	Fee (incl. GST)	

### Birthday parties [continued]

Additional children	\$11.80	\$10.73	\$1.07	\$11.80	N
Party leader (2 hours)	\$115.00	\$104.55	\$10.45	\$115.00	N
2nd party leader (1 hour)	\$90.00	\$81.82	\$8.18	\$90.00	N
Party inflatable hire (1 hour)	\$115.00	\$104.55	\$10.45	\$115.00	N
Non refundable deposit	\$60.00	\$54.55	\$5.45	\$60.00	N
Birthday party promotion				10% discount	N

### Fitness activity hire

Circuit room 1 hour	\$70.00	\$63.64	\$6.36	\$70.00	N
Spin room 1 hour	\$70.00	\$63.64	\$6.36	\$70.00	N
School group fitness room hire 1 hour	\$40.00	\$36.36	\$3.64	\$40.00	N
School circuit hire 1 hour	\$40.00	\$36.36	\$3.64	\$40.00	N
School spin hire 1 hour	\$40.00	\$36.36	\$3.64	\$40.00	N
School aqua hire 1 hour	\$40.00	\$36.36	\$3.64	\$40.00	N

### Memberships - full time students or seniors (WA seniors card holders)

#### Squad aquatic membership (under 16 years)

3 months	\$163.00	\$152.73	\$15.27	\$168.00	N
6 months	\$270.00	\$252.73	\$25.27	\$278.00	N
12 months	\$395.00	\$370.00	\$37.00	\$407.00	N
Direct debit (ongoing)	\$31.50	\$30.91	\$3.09	\$34.00	N

### The RISE

#### Sportshall

Full arena per hour	\$99.00	\$91.82	\$9.18	\$101.00	N
Single court per hour	\$50.00	\$46.36	\$4.64	\$51.00	N
Half court per hour	\$32.00	\$30.00	\$3.00	\$33.00	N
Half court junior per hour	\$23.00	\$21.36	\$2.14	\$23.50	N
Full arena junior booking per hour	\$71.00	\$65.45	\$6.55	\$72.00	N
Single court junior per hour	\$36.00	\$33.64	\$3.36	\$37.00	N
Volleyball training court per hour	\$36.00	\$33.64	\$3.36	\$37.00	N
Badminton court / table tennis / pickleball per hour	\$20.00	\$18.18	\$1.82	\$20.00	N
Badminton / table tennis / pickleball equipment hire fee (4 rackets and 1 shuttlecock)	\$5.00	\$4.55	\$0.45	\$5.00	N
Casual admission - per person per hour	\$5.90	\$5.45	\$0.55	\$6.00	Y

#### Sporting competitions

Game fee - Basketball & Futsal	\$65.00	\$59.09	\$5.91	\$65.00	N
Game fee - Netball	\$65.00	\$63.64	\$6.36	\$70.00	N

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Name	Year 21/22 Last YR Fee (incl. GST)	Year 22/23			Veterans' Discount Applicable
		Fee (excl. GST)	GST	Fee (incl. GST)	

### Sporting competitions [continued]

Daytime senior sports team fee per game	\$56.00	\$50.91	\$5.09	\$56.00	N
Team forfeit bond				As game fee	N
Team forfeit fine				As game fee	N
New team registration fee	\$50.00	\$45.45	\$4.55	\$50.00	N

### Schools fees

Full arena per hour	\$71.00	\$65.45	\$6.55	\$72.00	N
Single sports hall per hour	\$42.00	\$39.09	\$3.91	\$43.00	N
Group fitness class room hire	\$42.00	\$38.18	\$3.82	\$42.00	N
School fitness instructor hire	\$85.00	\$77.27	\$7.73	\$85.00	N

### Leisure program specials

Early bird discounts - 10%				Variable	Y
First game fee	\$0.00	\$0.00	\$0.00	\$0.00	Y
Fit kids - 10 week program	\$85.00	\$79.55	\$7.95	\$87.50	Y
Fit kids - per lesson rate	\$8.50	\$7.95	\$0.80	\$8.75	Y

### All bookings

Security bond - paid upon booking if function is more than \$250	\$250.00	\$227.27	\$22.73	\$250.00	N
Setup fee - small functions	\$85.00	\$77.27	\$7.73	\$85.00	N
Setup fee - large functions	\$150.00	\$136.36	\$13.64	\$150.00	N
Packup fee - small functions	\$85.00	\$77.27	\$7.73	\$85.00	N
Packup fee - large functions	\$150.00	\$136.36	\$13.64	\$150.00	N
Additional charges 1	\$25.00	\$22.73	\$2.27	\$25.00	N
Additional charges 2	\$50.00	\$45.45	\$4.55	\$50.00	N
Additional charges 3	\$75.00	\$68.18	\$6.82	\$75.00	N
Additional charges 4	\$100.00	\$90.91	\$9.09	\$100.00	N
Additional charges 5	\$125.00	\$113.64	\$11.36	\$125.00	N
Additional charges 6	\$150.00	\$136.36	\$13.64	\$150.00	N
Setup / packup fee combined - small functions	\$150.00	\$136.36	\$13.64	\$150.00	N
Setup / packup fee combined - large functions	\$275.00	\$250.00	\$25.00	\$275.00	N

### Meeting room

Small meeting room - community rate per hour	\$18.00	\$17.27	\$1.73	\$19.00	N
Small meeting room - commercial & public holiday rate per hour	\$29.00	\$27.27	\$2.73	\$30.00	N

### Community hall

Back section - community rate per hour	\$51.00	\$48.18	\$4.82	\$53.00	N
Back section - fundraiser rate per hour	\$43.00	\$40.00	\$4.00	\$44.00	N

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Name	Year 21/22 Last YR Fee (incl. GST)	Year 22/23			Veterans' Discount Applicable
		Fee (excl. GST)	GST	Fee (incl. GST)	

## Community hall [continued]

Back section - commercial & public holiday rate per hour	\$84.00	\$79.09	\$7.91	\$87.00	N
Front section - community rate per hour	\$49.00	\$45.45	\$4.55	\$50.00	N
Front section - fundraiser rate per hour	\$42.00	\$39.09	\$3.91	\$43.00	N
Front section - commercial & public holiday rate per hour	\$80.00	\$74.55	\$7.45	\$82.00	N
Whole hall - community rate per hour	\$87.00	\$81.82	\$8.18	\$90.00	N
Whole hall - fundraiser rate per hour	\$75.00	\$70.00	\$7.00	\$77.00	N
Whole hall - commercial & public holiday rate per hour	\$135.00	\$126.36	\$12.64	\$139.00	N
Whole hall full day rate - community per hour	\$620.00	\$580.91	\$58.09	\$639.00	N
Whole hall full day rate - fundraiser rate	\$520.00	\$487.27	\$48.73	\$536.00	N
Whole hall full day rate - commercial & public holiday rate per hour	\$920.00	\$861.82	\$86.18	\$948.00	N
Community hall - promotion (charges rate)				Variable	N
Community hall - promotion (up to \$500)				Variable	N

## Function suite

Front section - community rate per hour	\$56.00	\$52.73	\$5.27	\$58.00	N
Front section - fundraiser rate per hour	\$48.00	\$44.55	\$4.45	\$49.00	N
Front section - commercial & public holiday rate per hour	\$76.00	\$70.91	\$7.09	\$78.00	N
Back section - community rate per hour	\$105.00	\$98.18	\$9.82	\$108.00	N
Back section - fundraiser rate per hour	\$93.00	\$87.27	\$8.73	\$96.00	N
Back section - commercial & public holiday rate per hour	\$148.00	\$138.18	\$13.82	\$152.00	N
Full suite - community rate per hour	\$158.00	\$148.18	\$14.82	\$163.00	N
Full suite - fundraiser rate per hour	\$138.00	\$129.09	\$12.91	\$142.00	N
Full suite - commercial & public holiday rate per hour	\$220.00	\$206.36	\$20.64	\$227.00	N
Full suite - community full day rate	\$1,185.00	\$1,110.00	\$111.00	\$1,221.00	N
Full suite - fundraiser full day rate	\$1,000.00	\$936.36	\$93.64	\$1,030.00	N
Full suite - commercial & public holiday rate per day	\$1,650.00	\$1,545.45	\$154.55	\$1,700.00	N
Peak tariff 1 staff member (Friday / Saturday)	\$350.00	\$328.18	\$32.82	\$361.00	N
Peak tariff 1 staff member (Sunday)	\$545.00	\$510.91	\$51.09	\$562.00	N
Peak tariff 1 staff member (public holiday)	\$770.00	\$720.91	\$72.09	\$793.00	N
Bond - part room hire	\$500.00	\$500.00	\$0.00	\$500.00	N
Bond - whole room hire	\$1,000.00	\$1,000.00	\$0.00	\$1,000.00	N
Podium platform - single speaker only	\$55.00	\$50.00	\$5.00	\$55.00	N
Stage hire - small stage	\$230.00	\$209.09	\$20.91	\$230.00	N
Stage hire - medium stage	\$340.00	\$309.09	\$30.91	\$340.00	N
Stage hire - large stage	\$550.00	\$500.00	\$50.00	\$550.00	N
Standard dance floor - included	\$52.00	\$90.91	\$9.09	\$100.00	N
Booking late change fee	\$52.00	\$49.09	\$4.91	\$54.00	N
Function cleaning - half room	\$220.00	\$206.36	\$20.64	\$227.00	N
Function cleaning - full room	\$330.00	\$309.09	\$30.91	\$340.00	N

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		Fee (excl. GST)	GST	Fee (incl. GST)	

## Function suite [continued]

Function cleaning - kitchen	\$220.00	\$206.36	\$20.64	\$227.00	N
Function suite - promotion (hire room for lesser fees and charges rate)				n/a	N
Function suite - promotion (up to \$500)				Variable	N
Function suite - promotion free stage hire				n/a	N
Function suite - promotion free stage upgrade				n/a	N
Function suite - promotion free dance floor hire				n/a	N

## Foyer and balcony areas

Ground / 1st floor lobby or balcony - commercial rate per hour	\$80.00	\$74.55	\$7.45	\$82.00	N
Ground / 1st floor lobby or balcony - community rate per hour	\$40.00	\$37.27	\$3.73	\$41.00	N
1st floor balcony commercial rate per hour	\$80.00	\$74.55	\$7.45	\$82.00	N
1st floor balcony community rate per hour	\$40.00	\$37.27	\$3.73	\$41.00	N
Amphitheatre - community rate per hour	\$40.00	\$37.27	\$3.73	\$41.00	N
Amphitheatre - commercial rate per hour	\$80.00	\$74.55	\$7.45	\$82.00	N

## Creche

Hourly room hire rate creche - community rate	\$24.00	\$21.82	\$2.18	\$24.00	N
Hourly room hire rate creche - commercial rate	\$35.00	\$31.82	\$3.18	\$35.00	N
Hourly room hire rate creche - public holiday rate	\$35.00	\$31.82	\$3.18	\$35.00	N

## Other fees

Cleaning fee (per hour)	\$120.00	\$112.73	\$11.27	\$124.00	N
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## Recreation

### Activities

Creche 1 hour	\$4.40	\$4.09	\$0.41	\$4.50	Y
Creche 1.5 hours	\$5.50	\$5.18	\$0.52	\$5.70	Y
Creche 2 hours	\$6.60	\$6.18	\$0.62	\$6.80	Y

### Casual health & fitness

Health club casual workout	\$19.00	\$17.73	\$1.77	\$19.50	Y
Health club concession	\$16.20	\$15.00	\$1.50	\$16.50	Y
Casual day rate	\$29.00	\$27.27	\$2.73	\$30.00	Y
Casual weekly rate	\$75.00	\$70.00	\$7.00	\$77.00	Y
Silver sneakers exercise class	\$11.00	\$10.00	\$1.00	\$11.00	Y
Group fitness classes - 30 minutes	\$10.25	\$9.55	\$0.95	\$10.50	Y
Group fitness classes - 45-60 minutes	\$16.50	\$15.45	\$1.55	\$17.00	Y

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Name	Year 21/22 Last YR Fee (incl. GST)	Year 22/23			Veterans' Discount Applicable
		Fee (excl. GST)	GST	Fee (incl. GST)	

### Casual health & fitness [continued]

Group fitness classes - 90 minutes	\$25.00	\$23.64	\$2.36	\$26.00	Y
Group fitness concession - 30 minutes	\$9.00	\$8.18	\$0.82	\$9.00	Y
Group fitness concession - 45-60 minutes	\$14.50	\$13.18	\$1.32	\$14.50	Y
Group fitness concession - 90 minutes	\$21.90	\$20.00	\$2.00	\$22.00	Y
Aquanauts (WA seniors card holder)	\$11.00	\$10.27	\$1.03	\$11.30	Y
Fitness appraisal	\$35.00	\$31.82	\$3.18	\$35.00	Y
Fitness program	\$35.00	\$31.82	\$3.18	\$35.00	Y

### Promotions

7 days for \$7	\$7.00	\$6.36	\$0.64	\$7.00	Y
30 day special				Various	Y
2 for 1 entry				Variable	Y
Free 3 days trial membership	\$0.00	\$0.00	\$0.00	\$0.00	Y
Free 1 day trial membership	\$0.00	\$0.00	\$0.00	\$0.00	Y
Half price joining fee	\$30.00	\$27.27	\$2.73	\$30.00	Y
14 days for \$14	\$14.00	\$12.73	\$1.27	\$14.00	Y
2 weeks free	\$0.00	\$0.00	\$0.00	\$0.00	Y
Upgrade special	\$0.00	\$0.00	\$0.00	\$0.00	Y
\$0 join fee	\$0.00	\$0.00	\$0.00	\$0.00	Y
Turn back time				Variable	Y
Up to 1 free month (for approved promotions)	\$0.00	\$0.00	\$0.00	\$0.00	Y
2 free personal training sessions (with any 12 month commitment)	\$0.00	\$0.00	\$0.00	\$0.00	Y
3 personal training sessions for \$99	\$99.00	\$90.00	\$9.00	\$99.00	Y
3 personal training sessions for \$39 plus joining fee	\$39.00	\$35.45	\$3.55	\$39.00	Y
Free class	\$0.00	\$0.00	\$0.00	\$0.00	Y
Buy 1 10 visit voucher, get the second at half price				Variable	Y
Free equipment hire				Variable	Y
Purchase 10 casual sessions and get one visit free				Variable	Y

### Creche

Creche staff member per hour	\$47.00	\$42.73	\$4.27	\$47.00	Y
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### Direct debit fees

Concession and student membership discount				15%	Y
Direct debit joining fee	\$60.00	\$54.55	\$5.45	\$60.00	Y
Joining fee membership special	\$0.00	\$0.00	\$0.00	\$0.00	Y

### Essential 1 option (Health Club, Group Fitness or Aquatic Membership)

12 months	\$720.00	\$674.55	\$67.45	\$742.00	Y
Direct debit (ongoing)	\$60.00	\$56.36	\$5.64	\$62.00	Y

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		Fee (excl. GST)	GST	Fee (incl. GST)	

### Fitness activity hire

Fitness instructor hire 1 hour	\$80.00	\$72.73	\$7.27	\$80.00	N
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### General program fees

Program fee 31	\$1.00	\$0.91	\$0.09	\$1.00	Y
Program fee 32	\$2.00	\$1.82	\$0.18	\$2.00	Y
Program fee 33	\$3.00	\$2.73	\$0.27	\$3.00	Y
Program fee 34	\$4.00	\$3.64	\$0.36	\$4.00	Y
Program fee 1	\$5.00	\$4.55	\$0.45	\$5.00	Y
Program fee 2	\$5.50	\$5.00	\$0.50	\$5.50	Y
Program fee 3	\$6.00	\$5.45	\$0.55	\$6.00	Y
Program fee 4	\$6.50	\$5.91	\$0.59	\$6.50	Y
Program fee 5	\$7.00	\$6.36	\$0.64	\$7.00	Y
Program fee 6	\$7.50	\$6.82	\$0.68	\$7.50	Y
Program fee 7	\$8.00	\$7.27	\$0.73	\$8.00	Y
Program fee 8	\$8.50	\$7.73	\$0.77	\$8.50	Y
Program fee 9	\$9.00	\$8.18	\$0.82	\$9.00	Y
Program fee 10	\$9.50	\$8.64	\$0.86	\$9.50	Y
Program fee 11	\$10.00	\$9.09	\$0.91	\$10.00	Y
Program fee 12	\$11.00	\$10.00	\$1.00	\$11.00	Y
Program fee 13	\$12.00	\$10.91	\$1.09	\$12.00	Y
Program fee 14	\$13.00	\$11.82	\$1.18	\$13.00	Y
Program fee 15	\$14.00	\$12.73	\$1.27	\$14.00	Y
Program fee 16	\$15.00	\$13.64	\$1.36	\$15.00	Y
Program fee 17	\$17.50	\$15.91	\$1.59	\$17.50	Y
Program fee 18	\$20.00	\$18.18	\$1.82	\$20.00	Y
Program fee 19	\$22.50	\$20.45	\$2.05	\$22.50	Y
Program fee 20	\$25.00	\$22.73	\$2.27	\$25.00	Y
Program fee 21	\$30.00	\$27.27	\$2.73	\$30.00	Y
Program fee 22	\$35.00	\$31.82	\$3.18	\$35.00	Y
Program fee 23	\$40.00	\$36.36	\$3.64	\$40.00	Y
Program fee 24	\$45.00	\$40.91	\$4.09	\$45.00	Y
Program fee 25	\$50.00	\$45.45	\$4.55	\$50.00	Y
Program fee 26	\$60.00	\$54.55	\$5.45	\$60.00	Y
Program fee 27	\$70.00	\$63.64	\$6.36	\$70.00	Y
Program fee 28	\$80.00	\$72.73	\$7.27	\$80.00	Y
Program fee 29	\$90.00	\$81.82	\$8.18	\$90.00	Y
Program fee 30	\$100.00	\$90.91	\$9.09	\$100.00	Y

### Insurance Memberships

City of Bayswater Employee Membership				Free	
1 month	\$185.00	\$180.91	\$18.09	\$199.00	Y
3 months	\$449.00	\$417.27	\$41.73	\$459.00	Y
12 months	\$900.00	\$845.45	\$84.55	\$930.00	Y

The information on statutory fees and charges is subject to the relevant Authorities release of any 2022/23 changes.  
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Name	Year 21/22 Last YR Fee (incl. GST)	Year 22/23			Veterans' Discount Applicable
		Fee (excl. GST)	GST	Fee (incl. GST)	

## Insurance Memberships [continued]

Direct debit (ongoing)	\$75.00	\$70.00	\$7.00	\$77.00	Y
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## Memberships

### Corporate membership (minimum of 5 from the same business)

12 months - multi venue	\$876.00	\$818.18	\$81.82	\$900.00	Y
Direct debit (ongoing) - multi venue	\$73.00	\$68.18	\$6.82	\$75.00	Y

### Fitness access (health club & group fitness)

12 months	\$880.00	\$749.09	\$74.91	\$824.00	Y
Direct debit (ongoing)	\$73.70	\$62.73	\$6.27	\$69.00	Y

### Platinum family

12 months	\$2,195.20	\$2,045.45	\$204.55	\$2,250.00	Y
Direct debit (ongoing)	\$183.00	\$170.91	\$17.09	\$188.00	Y
Additional child - 12 months	\$485.00	\$453.64	\$45.36	\$499.00	Y
Additional Child - Direct debit (ongoing)	\$41.00	\$38.64	\$3.86	\$42.50	Y

### Platinum

12 months	\$900.00	\$845.45	\$84.55	\$930.00	Y
Direct debit (ongoing)	\$75.00	\$70.00	\$7.00	\$77.00	Y

## Membership fees

Suspension and transfers	\$15.00	\$13.64	\$1.36	\$15.00	Y
Card replacement fee	\$5.50	\$5.00	\$0.50	\$5.50	Y
Wrist band replacement	\$0.00	\$9.09	\$0.91	\$10.00	Y
Cancellation fee	\$60.00	\$54.55	\$5.45	\$60.00	Y

## Personal training

30 minute sessions	\$55.00	\$50.00	\$5.00	\$55.00	Y
5 x 30 minute sessions	\$260.00	\$240.91	\$24.09	\$265.00	Y
10 x 30 minute sessions	\$495.00	\$450.00	\$45.00	\$495.00	Y
20 x 30 minute sessions	\$695.00	\$659.09	\$65.91	\$725.00	Y
30 x 30 minute sessions	\$900.00	\$859.09	\$85.91	\$945.00	Y
60 minute session - one on one	\$75.00	\$70.91	\$7.09	\$78.00	Y
5 x 60 minute session - one on one	\$350.00	\$340.91	\$34.09	\$375.00	Y
10 x 60 minute session - one on one	\$650.00	\$631.82	\$63.18	\$695.00	Y
20 x 60 minute session - one on one	\$1,200.00	\$1,127.27	\$112.73	\$1,240.00	Y
30 x 60 minute session - one on one	\$1,740.00	\$1,590.91	\$159.09	\$1,750.00	Y
90 minute session	\$90.00	\$81.82	\$8.18	\$90.00	Y

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Name	Year 21/22 Last YR Fee (incl. GST)	Year 22/23			Veterans' Discount Applicable
		Fee (excl. GST)	GST	Fee (incl. GST)	

## Personal training [continued]

5 x 90 minute session	\$425.00	\$386.36	\$38.64	\$425.00	Y
10 x 90 minute session	\$800.00	\$727.27	\$72.73	\$800.00	Y
1 x 30 minute session per week - direct debit	\$55.00	\$50.00	\$5.00	\$55.00	Y
2 x 30 minute session per week - direct debit	\$99.00	\$90.00	\$9.00	\$99.00	Y
3 x 30 minute session per week - direct debit	\$134.00	\$121.82	\$12.18	\$134.00	Y
1 x 60 minute session per week - direct debit	\$75.00	\$68.18	\$6.82	\$75.00	Y
2 x 60 minute session per week - direct debit	\$130.00	\$118.18	\$11.82	\$130.00	Y
3 x 60 minute session per week - direct debit	\$180.00	\$163.64	\$16.36	\$180.00	Y

## Recreation Services

### Reserve hire fees

#### Active reserves (sport)

#### Home fixtures

Charged per season, per team including interchange players (subs), up to a maximum of 15 fixtures

#### Seniors (18 years +)

Baseball / softball	\$430.00	\$402.73	\$40.27	\$443.00	N
Cricket	\$430.00	\$402.73	\$40.27	\$443.00	N
Football (AFL)	\$570.00	\$533.64	\$53.36	\$587.00	N
Football (Gaelic)	\$510.00	\$477.27	\$47.73	\$525.00	N
Lacrosse	\$430.00	\$402.73	\$40.27	\$443.00	N
Rugby (Union)	\$510.00	\$477.27	\$47.73	\$525.00	N
Soccer	\$510.00	\$477.27	\$47.73	\$525.00	N
Other team sports	\$430.00	\$402.73	\$40.27	\$443.00	N
Additional match play - including pre and post season scratch matches and social games (per game, per club) - half day up to four hours	\$95.00	\$89.09	\$8.91	\$98.00	N

#### Club equipment storage area

Less than 10 sqm	\$20 per month	N
Greater than 10 sqm	\$30 per month	N

#### Juniors - applicable to all reserves

City of Bayswater based clubs	Free	N
(Subject to the requirements / conditions of Council policy)		
Non-City of Bayswater based schools / clubs	50% off senior rate	N



Name	Year 21/22 Last YR Fee (incl. GST)	Year 22/23			Veterans' Discount Applicable
		Fee (excl. GST)	GST	Fee (incl. GST)	

### Enclosed grounds

Frank Drago / Wotton Reserve	\$470.00	\$440.00	\$44.00	\$484.00	N
Per day when gate fees are charged					
Turf reinstatement fee	\$520.00	\$487.27	\$48.73	\$536.00	N

### Turf cricket wickets

WACA country week cricket (per day)	\$240.00	\$224.55	\$22.45	\$247.00	N
WACA country week cricket synthetic wicket (per day)	\$100.00	\$93.64	\$9.36	\$103.00	N

### Tennis courts

Day rate applies to bookings prior to 6.00 PM, night rate applies to bookings from 6.00 PM to 10.00 PM

Public use only tennis courts - Crimea, Whatley, Hampton & Houghton				Free	N
Annual user licence fee (Noranda etc)	\$1,865.00	\$1,709.09	\$170.91	\$1,880.00	N
Authorised tennis coaching (commercial) - day rate per hour per court (up until 6:00 PM)	\$28.00	\$26.36	\$2.64	\$29.00	N
Authorised tennis coaching (commercial) - night rate per hour per court (after 6:00 PM)	\$30.00	\$28.18	\$2.82	\$31.00	N

### Home ground training

City of Bayswater clubs - seasonal training (per night, per club)	\$23.00	\$21.82	\$2.18	\$24.00	N
City of Bayswater clubs - out of season club training (per night, per club)	\$45.00	\$41.82	\$4.18	\$46.00	N
Non City of Bayswater clubs - training (per night, per club)	\$45.00	\$41.82	\$4.18	\$46.00	N

### Other reserve hire rates

Personal Trainer 12 month permit	\$0.00	\$1,000.00	\$100.00	\$1,100.00	
Personal Trainer 6 month permit	\$0.00	\$545.45	\$54.55	\$600.00	
Personal Trainer Permit Application fee	\$0.00	\$40.91	\$4.09	\$45.00	
Casual hire - full day	\$270.00	\$252.73	\$25.27	\$278.00	N
Casual hire - half day	\$160.00	\$150.00	\$15.00	\$165.00	N
Field sports commercial coaching per hour	\$50.00	\$47.27	\$4.73	\$52.00	N
Personal trainer (up to 3 hours max)	\$23.00	\$21.82	\$2.18	\$24.00	N
Dog obedience classes per hour (limited reserve use)	\$31.00	\$29.09	\$2.91	\$32.00	N

### Drill Hall hire fees

#### Meeting room

Fundraiser rate per hour	\$13.50	\$12.73	\$1.27	\$14.00	N
Community rate per hour	\$17.00	\$16.36	\$1.64	\$18.00	N
Commercial rate per hour	\$30.00	\$28.18	\$2.82	\$31.00	N

The information on statutory fees and charges is subject to the relevant Authorities release of any 2022/23 changes.  
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Name	Year 21/22 Last YR Fee (incl. GST)	Year 22/23			Veterans' Discount Applicable
		Fee (excl. GST)	GST	Fee (incl. GST)	

#### Meeting room [continued]

Peak rate (per hour, Friday & Saturday nights after 6:00 PM)	\$80.00	\$74.55	\$7.45	\$82.00	N
Country Womens Association (CWA) - Bayswater branch per hour	\$10.00	\$9.09	\$0.91	\$10.00	N
No charge				n/a	N

#### Main hall

Fundraiser rate per hour	\$20.00	\$19.09	\$1.91	\$21.00	N
Community rate per hour	\$28.00	\$26.36	\$2.64	\$29.00	N
Commercial rate per hour	\$50.00	\$47.27	\$4.73	\$52.00	N
Peak rate (per hour, Friday & Saturday nights after 6:00 PM)	\$75.00	\$70.00	\$7.00	\$77.00	N
No charge				n/a	N

#### Les Hansman hire fees

##### Meeting room

Fundraiser rate per hour	\$13.50	\$12.73	\$1.27	\$14.00	N
Community rate per hour	\$17.00	\$16.36	\$1.64	\$18.00	N
Commercial rate per hour	\$30.00	\$28.18	\$2.82	\$31.00	N

##### Mezzanine room

Fundraiser rate per hour	\$13.50	\$12.73	\$1.27	\$14.00	N
Community rate per hour	\$17.00	\$16.36	\$1.64	\$18.00	N
Commercial rate per hour	\$30.00	\$28.18	\$2.82	\$31.00	N
Campania association monthly fee	\$175.00	\$163.64	\$16.36	\$180.00	N

#### Bayswater Community Centre hire fees

Program for older adults room hire waiver - not for profit

##### Dining room and kitchen

Fundraiser rate per hour	\$10.00	\$9.09	\$0.91	\$10.00	N
Community rate per hour	\$13.00	\$11.82	\$1.18	\$13.00	N
Commercial rate per hour	\$22.50	\$20.91	\$2.09	\$23.00	N

##### Main hall and kitchen

Fundraiser rate per hour	\$17.00	\$16.36	\$1.64	\$18.00	N
Commercial rate per hour	\$38.00	\$35.45	\$3.55	\$39.00	N
Community rate per hour	\$22.50	\$20.91	\$2.09	\$23.00	N

The information on statutory fees and charges is subject to the relevant Authorities release of any 2022/23 changes.  
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Name	Year 21/22 Last YR Fee (incl. GST)	Year 22/23			Veterans' Discount Applicable
		Fee (excl. GST)	GST	Fee (incl. GST)	

#### Full facility

Fundraiser rate per hour	\$25.00	\$23.64	\$2.36	\$26.00	N
Community rate per hour	\$31.00	\$29.09	\$2.91	\$32.00	N
Commercial rate per hour	\$45.00	\$41.82	\$4.18	\$46.00	N

#### Morley Community Centre hire fees

Program for older adults room hire waiver - not for profit

##### Main hall and kitchen

Fundraiser rate per hour	\$17.00	\$16.36	\$1.64	\$18.00	N
Community rate per hour	\$22.00	\$20.91	\$2.09	\$23.00	N
Commercial rate per hour	\$39.00	\$36.36	\$3.64	\$40.00	N

##### Harry Hall activity room

Fundraiser rate per hour	\$17.00	\$16.36	\$1.64	\$18.00	N
Community rate per hour	\$22.00	\$20.91	\$2.09	\$23.00	N
Commercial rate per hour	\$39.00	\$36.36	\$3.64	\$40.00	N

#### Full facility

Fundraiser rate per hour	\$25.00	\$23.64	\$2.36	\$26.00	N
Community rate per hour	\$31.00	\$29.09	\$2.91	\$32.00	N
Commercial rate per hour	\$45.00	\$41.82	\$4.18	\$46.00	N

#### All hall hire fees

##### Bonds

Key bond	\$200.00	\$200.00	\$0.00	\$200.00	N
Facility bond	\$350.00	\$350.00	\$0.00	\$350.00	N
Casual bond			\$350.00 - \$2,000.00		N

#### Hall and reserve hire fees

##### Miscellaneous charges

Fee for issuing building / landscapers access permit	\$210.00	\$216.00	\$0.00	\$216.00	N
Fee for issuing wedding access permit	\$105.00	\$108.00	\$0.00	\$108.00	N
5 x bins	\$120.00	\$112.73	\$11.27	\$124.00	N
Each additional bin thereafter	\$11.00	\$10.00	\$1.00	\$11.00	N
No charge	\$0.00	\$0.00	\$0.00	\$0.00	N
Additional keys cutting	\$40.00	\$37.27	\$3.73	\$41.00	N

The information on statutory fees and charges is subject to the relevant Authorities release of any 2022/23 changes.  
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Building permit	[Building service levy (collection only) over \$45,000]	15
Building Surveying Services Fee - Building Surveying services such as issuing a certificate of construction, certificate of building compliance or bushfire attack level one assessments.	[Statutory Building]	13
Bus non-refueling fee	[For-profit-groups and not-for-profit groups exceeding usage limit as per bus hire terms and conditions]	6
Buy 1 10 visit voucher, get the second at half price	[Promotions]	28
<b>C</b>		
Campania association monthly fee	[Mezzanine room]	33
Cancellation fee	[Membership fees]	30
Card replacement fee	[Membership fees]	30
Carnival entry fee per swimmer	[Carnivals]	22
Carnival fee (additional per hour)	[Carnivals]	22
Carnival fee (up to 3 hours)	[Carnivals]	22
Carramar Hostel	[Accommodation payments, service fees, daily fees, retentions and other charges]	15
Carramar Village	[Accommodation payments, service fees, daily fees, retentions and other charges]	16
Casual admission - per person per hour	[Sportshall]	24
Casual bond	[Bonds]	34
Casual day rate	[Casual health & fitness]	27
Casual hire - full day	[Other reserve hire rates]	32
Casual hire - half day	[Other reserve hire rates]	32
Casual weekly rate	[Casual health & fitness]	27
Cat surrender fee	[Cat poundage fees]	10
Cat trap collection fee (rescheduling / no show)	[Cat poundage fees]	10
Cat trap delivery fee	[Cat poundage fees]	10
Change of use ~	[Change of Use]	9
Change of use where the development has commenced or been carried out ~	[Change of Use]	9
Charge for access time supervised by staff (per hour or pro rata for a part of an hour) plus the actual additional cost to the agency of any special arrangements (eg hire of facilities or equipment)	[Freedom of Information]	17
Charge for delivery, packaging and postage	[Freedom of Information]	17
Charge for duplicating a tape, film or computer information	[Freedom of Information]	17
Charge for time taken by staff transcribing information from a tape or other device (per hour, or pro rata for a part of an hour)	[Freedom of Information]	17
Child, Seniors and Concession	[Casual swimming]	21
Circuit room 1 hour	[Fitness activity hire]	24
City of Bayswater based clubs	[Juniors - applicable to all reserves]	31
City of Bayswater clubs - out of season club training (per night, per club)	[Home ground training]	32
City of Bayswater clubs - seasonal training (per night, per club)	[Home ground training]	32
City of Bayswater Employee Membership	[Insurance Memberships]	29
City of Bayswater Hostel	[Accommodation payments, service fees, daily fees, retentions and other charges]	15
City of Bayswater number plates	[Drainage & Misc charges]	18
City Registered Volunteer Membership Fee	[Membership & activity fees]	6
Cleaning fee (per hour)	[Other fees]	27
Colour A4 (per page)	[Printing from public PCs]	8

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Fee Name	Parent Name	Page
<b>C</b> [continued]		
Colour A4 and A3 (per page)	[Photocopying]	8
Commercial	[Verge bond]	18
Commercial / industrial plans - plus photocopy charge ~	[Statutory Building]	13
Commercial rate per hour	[Main hall and kitchen]	33
Commercial rate per hour	[Full facility]	34
Commercial rate per hour	[Mezzanine room]	33
Commercial rate per hour	[Full facility]	34
Commercial rate per hour	[Main hall and kitchen]	34
Commercial rate per hour	[Harry Hall activity room]	34
Commercial rate per hour	[Meeting room]	32
Commercial rate per hour	[Dining room and kitchen]	33
Commercial rate per hour	[Meeting room]	33
Commercial rate per hour	[Main hall]	33
Commercial service (annual charge)	[Sanitation]	20
Commercial, industrial and multi residential development	[Certified application for a building permit]	14
Community Centre Controlled Access Card Replacement Fee	[Membership & activity fees]	6
Community hall - promotion (charges rate)	[Community hall]	26
Community hall - promotion (up to \$500)	[Community hall]	26
Community rate per hour	[Dining room and kitchen]	33
Community rate per hour	[Main hall]	33
Community rate per hour	[Meeting room]	33
Community rate per hour	[Main hall and kitchen]	33
Community rate per hour	[Harry Hall activity room]	34
Community rate per hour	[Full facility]	34
Community rate per hour	[Mezzanine room]	33
Community rate per hour	[Main hall and kitchen]	34
Community rate per hour	[Full facility]	34
Community rate per hour	[Meeting room]	32
Compassionate Rubbish service	[Additional domestic refuse service charges]	20
Computer lessons	[Other fees]	6
Concession and student membership discount	[Direct debit fees]	28
Concrete path – 2m wide (per m²)	[Repair charges for damage]	18
Constructed by council (per m²)	[Crossovers]	18
Convert to trafficable drainage lids	[Drainage & Misc charges]	18
Coopex	[Environmental Health]	12
Cost for kerb removal	[Constructed privately and subsidised]	18
Country Womens Association (CWA) - Bayswater branch per hour	[Meeting room]	33
Creche 1 hour	[Activities]	27
Creche 1.5 hours	[Activities]	27
Creche 2 hours	[Activities]	27
Creche room hire - commercial (2 hours)	[Hire rates]	23
Creche room hire - community (2 hours)	[Hire rates]	23
Creche staff member per hour	[Creche]	28
Credit card surcharge	[Financial Services]	16
Cricket	[Seniors (18 years +)]	31
Crossover removals	[Repair charges for damage]	18
Crossovers over 22m² and eligible for a subsidy will receive a maximum subsidy	[Crossovers]	18
Crossovers to 22m² and eligible for a subsidy will be subsidised on a 50 / 50 basis	[Crossovers]	18
CTF (collection only)	[Statutory Building]	13
<b>D</b>		
Daily keep - sustenance	[Public poundage]	10
Daily keep - sustenance	[Public poundage]	10
Damages to cat trap fee	[Cat poundage fees]	10
Dangerous dog products	[Other fees and charges]	12
Daytime senior sports team fee per game	[Sporting competitions]	25
Demolition permit	[Building service levy (collection only) \$45,000 or less]	15
Demolition permit	[Building service levy (collection only) over \$45,000]	15
Design Review Panel application fee (full panel) ^	[Design Review Panel]	9
Design Review Panel application fee (one panel member) ^	[Design Review Panel]	9

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**D** [continued]

Design Review Panel sitting fee (chairperson)	[Design Review Panel]	9
Design Review Panel sitting fee (member)	[Design Review Panel]	9
Development approval search ~	[Development Approvals]	8
Direct debit (ongoing)	[Fitness access (health club & group fitness)]	30
Direct debit (ongoing)	[Essential 1 option (Health Club, Group Fitness or Aquatic Membership)]	28
Direct debit (ongoing)	[Insurance Memberships]	30
Direct debit (ongoing)	[Platinum]	30
Direct debit (ongoing)	[Platinum family]	30
Direct debit (ongoing)	[Squad aquatic membership (under 16 years)]	24
Direct debit (ongoing) - multi venue	[Corporate membership (minimum of 5 from the same business)]	30
Direct debit joining fee	[Swimming lessons (per lesson)]	22
Direct debit joining fee	[Direct debit fees]	28
Direct debit re-joining fee special	[Swimming lessons (per lesson)]	22
Direct debit set up fee	[Financial Services]	16
Dog obedience classes per hour (limited reserve use)	[Other reserve hire rates]	32
Dog surrender fee	[Dog poundage fees]	10
Domestic development	[Certified application for a building permit]	13
Domestic service (annual charge)	[Sanitation]	20

**E**

Each additional bin thereafter	[Miscellaneous charges]	34
Early bird discounts - 10%	[Leisure program specials]	25
Electric or razor wire fence	[Statutory Building]	13
Electronic timing set (per carnival)	[Carnivals]	22
Entry fee	[Twilight access - 4:00 PM to close October to March (3:00 PM April to September)]	19
Entry Fee	[Twilight access - 4:00 PM to close October to March (3:00 PM April to September)]	19
Entry fee for activities	[Membership & activity fees]	6
Entry Fee Multi-Pass (10 visits)	[Membership & activity fees]	6
Entry Fee Multi-Pass (25 visits)	[Membership & activity fees]	6
Entry fee of Artwork	[Art award and exhibition]	7
Entry fee of Artwork	[Art award and exhibition - youth]	7
Equipment hire fee 1	[Hire rates]	22
Equipment hire fee 10	[Hire rates]	23
Equipment hire fee 11	[Hire rates]	23
Equipment hire fee 12	[Hire rates]	23
Equipment hire fee 13	[Hire rates]	23
Equipment hire fee 14	[Hire rates]	23
Equipment hire fee 15	[Hire rates]	23
Equipment hire fee 16	[Hire rates]	23
Equipment hire fee 2	[Hire rates]	23
Equipment hire fee 3	[Hire rates]	23
Equipment hire fee 4	[Hire rates]	23
Equipment hire fee 5	[Hire rates]	23
Equipment hire fee 6	[Hire rates]	23
Equipment hire fee 7	[Hire rates]	23
Equipment hire fee 8	[Hire rates]	23
Equipment hire fee 9	[Hire rates]	23
Erection of directional sign	[Engineering Works]	17
External adult squad entry	[Squads]	22
External junior squad entry	[Squads]	22
Extractive industry (where development has commenced or been carried out) ^	[Development]	9
Extractive industry ^	[Development]	9

**F**

Facility bond	[Bonds]	34
Facility bond	[Bonds]	20
Family pass (2+2 or 1+3)	[Casual swimming]	21
Fee for issuing a final demand	[Fines and penalties enforcement fees]	16
Fee for issuing building / landscapers access permit	[Miscellaneous charges]	34
Fee for issuing wedding access permit	[Miscellaneous charges]	34
Fee for preparing an enforcement certificate	[Fines and penalties enforcement fees]	16

Fee Name	Parent Name	Page
<b>F</b> [continued]		
Fee for registering an infringement notice with the registry	[Fines and penalties enforcement fees]	16
Fee for withdrawal of infringement (permits / ACROD - repeat offenders)	[Fines and penalties enforcement fees]	16
Field sports commercial coaching per hour	[Other reserve hire rates]	32
Fines / prosecutions	[Environmental Health]	13
Fire break installation	[Other fees and charges]	12
First game fee	[Leisure program specials]	25
Fit kids - 10 week program	[Leisure program specials]	25
Fit kids - per lesson rate	[Leisure program specials]	25
Fitness appraisal	[Casual health & fitness]	28
Fitness instructor hire 1 hour	[Fitness activity hire]	29
Fitness program	[Casual health & fitness]	28
Floating volleyball net per hour	[Hire rates]	22
FOGO compostable liners (roll of 75) - Additional Roll	[FOGO liners]	20
FOGO compostable liners (roll of 75) - First 2 Rolls (per household/waste year)	[FOGO liners]	20
FOGO service	[Additional domestic refuse service charges]	20
FOGO service	[Additional commercial refuse service charges]	20
Food Business Notification	[Environmental Health]	12
Food sampling reports	[Environmental Health]	13
Food stall (less than 4 hours)	[Site fees]	7
Food stall (whole day)	[Site fees]	7
Food stall at events with expected attendance is less than 500 people	[Site fees]	7
Football (AFL)	[Seniors (18 years +)]	31
Football (Gaelic)	[Seniors (18 years +)]	31
For a building permit calculated on the estimated value of the building work as determined by the relevant permit authority	[Uncertified application for a building permit]	14
For demolition work in respect of a class 1 or class 10 building or incidental structure	[Application for a demolition permit]	14
For demolition work in respect of a class 2 to class 9 building or incidental structure	[Application for a demolition permit]	14
For the extension of time to which a building or demolition permit has effect	[Application to extend building or demolition permit]	14
For the issue of a licence for the deposit of materials on, or excavation of a street ^	[Statutory Building]	13
Frank Drago / Wotton Reserve	[Enclosed grounds]	32
Free 1 day trial membership	[Promotions]	28
Free 3 days trial membership	[Promotions]	28
Free birthday cake	[Promotions]	21
Free class	[Promotions]	28
Free equipment hire	[Promotions]	28
Free one on one lessons	[Swimming lessons (per lesson)]	21
Free spa / sauna upgrade	[Promotions]	21
Front section - commercial & public holiday rate per hour	[Community hall]	26
Front section - commercial & public holiday rate per hour	[Function suite]	26
Front section - community rate per hour	[Community hall]	26
Front section - community rate per hour	[Function suite]	26
Front section - fundraiser rate per hour	[Community hall]	26
Front section - fundraiser rate per hour	[Function suite]	26
Full arena junior booking per hour	[Sportshall]	24
Full arena per hour	[Sportshall]	24
Full arena per hour	[Schools fees]	25
Full suite - commercial & public holiday rate per day	[Function suite]	26
Full suite - commercial & public holiday rate per hour	[Function suite]	26
Full suite - community full day rate	[Function suite]	26
Full suite - community rate per hour	[Function suite]	26
Full suite - fundraiser full day rate	[Function suite]	26
Full suite - fundraiser rate per hour	[Function suite]	26
Fun nut hire double	[Hire rates]	22
Fun nut hire per hour (large)	[Hire rates]	22
Fun nut hire per hour (small)	[Hire rates]	22
Function cleaning - full room	[Function suite]	26

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## F [continued]

Function cleaning - half room	[Function suite]	26
Function cleaning - kitchen	[Function suite]	27
Function suite - promotion (hire room for lesser fees and charges rate)	[Function suite]	27
Function suite - promotion (up to \$500)	[Function suite]	27
Function suite - promotion free dance floor hire	[Function suite]	27
Function suite - promotion free stage hire	[Function suite]	27
Function suite - promotion free stage upgrade	[Function suite]	27
Fundraiser rate per hour	[Mezzanine room]	33
Fundraiser rate per hour	[Meeting room]	32
Fundraiser rate per hour	[Full facility]	34
Fundraiser rate per hour	[Main hall and kitchen]	34
Fundraiser rate per hour	[Main hall and kitchen]	33
Fundraiser rate per hour	[Harry Hall activity room]	34
Fundraiser rate per hour	[Main hall]	33
Fundraiser rate per hour	[Full facility]	34
Fundraiser rate per hour	[Meeting room]	33
Fundraiser rate per hour	[Dining room and kitchen]	33
Further advance deposit which may be required by an agency under section 18(4) of the Act, expressed as a percentage of the estimated charges which will be payable in excess of the application fee	[Freedom of Information]	17

## G

Game fee - Basketball & Futsal	[Sporting competitions]	24
Game fee - Netball	[Sporting competitions]	24
Greater than 10 sqm	[Club equipment storage area]	31
Ground / 1st floor lobby or balcony - commercial rate per hour	[Foyer and balcony areas]	27
Ground / 1st floor lobby or balcony - community rate per hour	[Foyer and balcony areas]	27
Group fitness class room hire	[Schools fees]	25
Group fitness classes - 30 minutes	[Casual health & fitness]	27
Group fitness classes - 45-60 minutes	[Casual health & fitness]	27
Group fitness classes - 90 minutes	[Casual health & fitness]	28
Group fitness concession - 30 minutes	[Casual health & fitness]	28
Group fitness concession - 45-60 minutes	[Casual health & fitness]	28
Group fitness concession - 90 minutes	[Casual health & fitness]	28

## H

Hairdressing service (half day)	[Other fees]	6
Hairdressing service (whole day)	[Other fees]	6
Half court junior per hour	[Sportshall]	24
Half court per hour	[Sportshall]	24
Half price family swim	[Promotions]	21
Half price joining fee	[Promotions]	28
Half year membership fee waiver (July - December or January - June)	[Membership & activity fees]	6
Health business enquiry	[Environmental Health]	13
Health club casual workout	[Casual health & fitness]	27
Health club concession	[Casual health & fitness]	27
High risk food business	[Environmental Health]	13
Historical financial statement (printed)	[Financial Services]	16
Holiday program	[Swimming lessons (per lesson)]	21
Hourly room hire rate creche - commercial rate	[Creche]	27
Hourly room hire rate creche - community rate	[Creche]	27
Hourly room hire rate creche - public holiday rate	[Creche]	27
Hydrotherapy pool per hour	[Hire rates]	23

## I

Industrial / commercial - 150mm thick (extra per m²)	[Crossovers]	18
Inspection fee - declaring a dog dangerous	[Dog poundage fees]	10

Fee Name	Parent Name	Page
<b>J</b>		
Joining fee membership special	[Direct debit fees]	28
<b>K</b>		
Kennel licence fee	[Kennel establishment]	11
Kerbing (per metre)	[Repair charges for damage]	18
Key bond	[Bonds]	34
Key bond	[Bonds]	20
Kickboard hire per session (includes other pool equipment)	[Hire rates]	22
<b>L</b>		
Lacrosse	[Seniors (18 years +)]	31
Lane hire - 25m / wave casual hire per hour	[Hire rates]	23
Lane hire - 25m / wave club hire per hour	[Hire rates]	23
Lane hire - 25m / wave pool regular hire per hour	[Hire rates]	23
Lane hire - 50m olympic pool casual hire per hour	[Hire rates]	23
Lane hire - 50m olympic pool club hire per hour	[Hire rates]	23
Lane hire - 50m olympic pool regular hire per hour	[Hire rates]	23
Learn to swim class fee	[Swimming lessons (per lesson)]	21
Less than 10 sqm	[Club equipment storage area]	31
Less than 50 parking bays	[Signs maintenance costs borne by]	12
Library bags (per bag)	[Library & Customer Services]	7
Licence of a lodging house	[Environmental Health]	13
Licence of a morgue	[Environmental Health]	13
Life members fee waiver	[Membership & activity fees]	6
Lifesaving award - levels 10 - 16	[Swimming lessons (per lesson)]	21
Lifetime	[Micro-chipped and sterilised]	11
Lifetime	[Micro-chipped and unsterilised]	11
Lifetime	[Micro-chipped and sterilised]	11
Lockers - 1 hour	[Hire rates]	22
Lockers - 2 hours	[Hire rates]	22
Lockers - 4 hours	[Hire rates]	22
Lockers - 6 hours	[Hire rates]	22
Lost, damaged, stolen City of Bayswater materials (i.e. books, DVDs, talking books, magazines, comics and graphic novels)	[Library & Customer Services]	7
Lost, damaged, stolen library membership card (per card)	[Library & Customer Services]	7
<b>M</b>		
Market stall - non food (less than 4 hours)	[Site fees]	7
Market stall - non food (whole day) per stall	[Site fees]	7
Market stall - Non food at events with expected attendance less than 500 people	[Site fees]	7
Maximum limit	[Constructed privately and subsidised]	18
Maylands Activity Centre (per bay)	[Cash-in-lieu of Car Parking]	10
Medium risk food business	[Environmental Health]	13
Mertome Gardens	[Accommodation payments, service fees, daily fees, retentions and other charges]	15
MHI (CD)	[Development Approvals]	8
Microchipping	[Other fees and charges]	12
Minimum site repair charge	[Repair charges for damage]	18
More than \$2.5 million but not more than \$5 million ^	[Development]	8
More than \$21.5 million ^	[Development]	9
More than \$5 million but not more than \$21.5 million ^	[Development]	8
More than \$50,000 but not more than \$500,000 ^	[Development]	8
More than \$500,000 but not more than \$2.5 million ^	[Development]	8
More than 195 lots	[Subdivision Clearance (Freehold and Survey-strata)]	9
More than 5 lots but not more than 195 lots	[Subdivision Clearance (Freehold and Survey-strata)]	9
Morley Activity Centre (per bay)	[Cash-in-lieu of Car Parking]	10
Multiple swimming program promotion	[Swimming lessons (per lesson)]	22

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<b>N</b>		
New team registration fee	[Sporting competitions]	25
No charge	[Miscellaneous charges]	34
No charge	[Main hall]	33
No charge	[Meeting room]	33
No charge (fee waiver)	[Not-for-profit community groups]	6
Noise management plan fee	[Environmental Health]	13
Non City of Bayswater clubs - training (per night, per club)	[Home ground training]	32
Non refundable deposit	[Birthday parties]	24
Non-application, modification, of building standard	[Application for occupancy permits, building approval certificates]	15
Non-City of Bayswater based schools / clubs	[Juniors - applicable to all reserves]	31
Non-member entry fee per activity	[Membership & activity fees]	6
Noranda	[Accommodation payments, service fees, daily fees, retentions and other charges]	16
Not less than \$10 million and less than \$12.5 million	[Development Assessment Panel]	9
Not less than \$12.5 million and less than \$15 million	[Development Assessment Panel]	9
Not less than \$15 million and less than \$17.5 million	[Development Assessment Panel]	9
Not less than \$17.5 million and less than \$20 million	[Development Assessment Panel]	9
Not less than \$2 million and less than \$7 million	[Development Assessment Panel]	9
Not less than \$7 million and less than \$10 million	[Development Assessment Panel]	9
Not more than \$50,000 ^	[Development]	8
Not more than 5 lots	[Subdivision Clearance (Freehold and Survey-strata)]	9
<b>O</b>		
Obstruction Permit not requiring full closure for works of a temporary nature	[Roadside Traffic Management Plan (Road Closure)]	17
Occupancy permit for approved building work	[Building service levy (collection only) \$45,000 or less]	15
Occupancy permit for approved building work	[Building service levy (collection only) over \$45,000]	15
Occupancy permit for unauthorised building work	[Building service levy (collection only) \$45,000 or less]	15
Occupancy permit for unauthorised building work	[Building service levy (collection only) over \$45,000]	15
Occupancy permit reinspection fee	[Application for occupancy permits, building approval certificates]	15
Off peak swim (Monday to Friday 11:30 AM - 1:30 PM, excludes school holidays)	[Casual swimming]	21
Offensive trades	[Environmental Health]	13
One free lesson promotion	[Swimming lessons (per lesson)]	22
One year	[Micro-chipped and sterilised]	11
One year	[Micro-chipped and unsterilised]	11
One year	[Micro-chipped and sterilised]	11
Order & Requisitions	[Land information certificates (per property)]	8
Other animals (excepting cats)	[Public poundage]	10
Other areas	[Cash-in-lieu of Car Parking]	10
Other Program Fees - Activity Cost Recovery to a Maximum of \$40.00	[Program fees]	6
Other team sports	[Seniors (18 years +)]	31
<b>P</b>		
Packup fee - large functions	[All bookings]	25
Packup fee - small functions	[All bookings]	25
Parking permit fee	[Parking]	12
Parking permit replacement (lost permits)	[Parking]	12
Party (up to 10 children, 1 adult spectator per child)	[Birthday parties]	23
Party (up to 20 children, 1 adult spectator per child)	[Birthday parties]	23
Party (up to 30 children, 1 adult spectator per child)	[Birthday parties]	23
Party inflatable hire (1 hour)	[Birthday parties]	24
Party leader (2 hours)	[Birthday parties]	24
Payment arrangement fee	[Financial Services]	16
Peak rate (per hour, Friday & Saturday nights after 6:00 PM)	[Meeting room]	33
Peak rate (per hour, Friday & Saturday nights after 6:00 PM)	[Main hall]	33
Peak tariff 1 staff member (Friday / Saturday)	[Function suite]	26
Peak tariff 1 staff member (public holiday)	[Function suite]	26
Peak tariff 1 staff member (Sunday)	[Function suite]	26
Per 3 Months	[Commercial filming fees]	12
Per day	[Additional charges]	12
Per day	[Commercial filming fees]	12
Per month	[Additional charges]	12

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**P** [continued]

Per Session	[Squads]	22
Per week	[Additional charges]	12
Permit application fee	[Stallholders & traders]	12
Permit application fee	[Mobile Food Vehicles]	10
Permit application Fee	[Commercial filming fees]	12
Permit renewal fee	[Mobile Food Vehicles]	10
Permit Renewal Fee	[Stallholders & traders]	12
Permit to use septic tank system	[Environmental Health]	13
Personal trainer (up to 3 hours max)	[Other reserve hire rates]	32
Personal Trainer 12 month permit	[Other reserve hire rates]	32
Personal Trainer 6 month permit	[Other reserve hire rates]	32
Personal Trainer Permit Application fee	[Other reserve hire rates]	32
Podium platform - single speaker only	[Function suite]	26
Police services accreditation swim and certificate	[Activities]	23
Pool inflatable (schools / user groups) including qualified staff per hour	[Hire rates]	22
Printed copy of rates notice (charge per year from 2 years ago and older)	[Financial Services]	16
Private lessons	[Swimming lessons (per lesson)]	21
Program 1 fee	[Community Development]	7
Program 2 fee	[Community Development]	7
Program fee 1	[General program fees]	29
Program fee 10	[General program fees]	29
Program fee 11	[General program fees]	29
Program fee 12	[General program fees]	29
Program fee 13	[General program fees]	29
Program fee 14	[General program fees]	29
Program fee 15	[General program fees]	29
Program fee 16	[General program fees]	29
Program fee 17	[General program fees]	29
Program fee 18	[General program fees]	29
Program fee 19	[General program fees]	29
Program fee 2	[General program fees]	29
Program fee 20	[General program fees]	29
Program fee 21	[General program fees]	29
Program fee 22	[General program fees]	29
Program fee 23	[General program fees]	29
Program fee 24	[General program fees]	29
Program fee 25	[General program fees]	29
Program fee 26	[General program fees]	29
Program fee 27	[General program fees]	29
Program fee 28	[General program fees]	29
Program fee 29	[General program fees]	29
Program fee 3	[General program fees]	29
Program fee 30	[General program fees]	29
Program fee 31	[General program fees]	29
Program fee 32	[General program fees]	29
Program fee 33	[General program fees]	29
Program fee 34	[General program fees]	29
Program fee 4	[General program fees]	29
Program fee 5	[General program fees]	29
Program fee 6	[General program fees]	29
Program fee 7	[General program fees]	29
Program fee 8	[General program fees]	29
Program fee 9	[General program fees]	29
Prohibited verge and private parking signs including installation (per sign)	[Signs]	11
Property settlement questionnaire	[Development Approvals]	8
Public use only tennis courts - Crimea, Whatley, Hampton & Houghton	[Tennis courts]	32
Purchase 10 casual sessions and get one visit free	[Promotions]	28

**Q**

Qualified lifeguard / swim instructor per hour	[Carnivals]	22
Qualified pool supervisor per hour	[Carnivals]	22



Fee Name	Parent Name	Page
<b>R</b>		
Rates	[Land information certificates (per property)]	8
Recycling service	[Additional domestic refuse service charges]	20
Recycling service	[Additional commercial refuse service charges]	20
Refund / cancellation fee	[Carnivals]	22
Registered cats impound fee	[Public poundage]	10
Registered dogs impound fee	[Public poundage]	10
Release of impounded goods (non animal)	[Other fees and charges]	12
Release of Impounded Shopping Trolley fee	[Other fees and charges]	12
Relocate drainage pit	[Drainage & Misc charges]	18
Remedial Audit of Unapproved and/or Non-conforming TMP	[Roadside Traffic Management Plan (TMP Audit)]	17
Removal of tree due to construction and or development	[Parks and Gardens]	20
Request for information - F.O.I. application fees	[Freedom of Information]	17
Request for inspection	[Swimming pool / spa]	15
Reserved outdoor area (4 hours) including shade shelter	[Hire rates]	23
Residential plans - includes photocopy charge ~	[Statutory Building]	13
Residential signage	[Signs maintenance costs borne by]	12
Residential strata plans - plus photocopy charge ~	[Statutory Building]	13
Road Closure Permit for works extending beyond one month or permanent	[Roadside Traffic Management Plan (Road Closure)]	17
Road scarring (per m²)	[Repair charges for damage]	18
Rubbish service	[Additional domestic refuse service charges]	20
Rubbish service	[Additional commercial refuse service charges]	20
Rugby (Union)	[Seniors (18 years +)]	31
<b>S</b>		
Sale of donated and discarded items	[Library & Customer Services]	7
Salisbury Retreat	[Accommodation payments, service fees, daily fees, retentions and other charges]	16
Salisbury Retreat	[Salisbury]	16
Scheme amendments, structure plans, activity centre plans and local development plans (and modifications thereof) where documentation is prepared by applicant	[Development Approvals]	8
Scheme text	[Development Approvals]	8
School aqua hire 1 hour	[Fitness activity hire]	24
School circuit hire 1 hour	[Fitness activity hire]	24
School fitness instructor hire	[Schools fees]	25
School group fitness room hire 1 hour	[Fitness activity hire]	24
School spin hire 1 hour	[Fitness activity hire]	24
Scuba single entry	[Activities]	23
Security bond - paid upon booking if function is more than \$250	[All bookings]	25
Seniors (WA seniors card holders) or concession (health care card)	[Hydrotherapy, spa, sauna]	21
Septic tank application fee	[Environmental Health]	13
Septic tank plan copy	[Environmental Health]	13
Setup / pickup fee combined - large functions	[All bookings]	25
Setup / pickup fee combined - small functions	[All bookings]	25
Setup fee - large functions	[All bookings]	25
Setup fee - small functions	[All bookings]	25
Shade shelter hire per day	[Hire rates]	23
Silver sneakers exercise class	[Casual health & fitness]	27
Single court junior per hour	[Sportshall]	24
Single court per hour	[Sportshall]	24
Single sports hall per hour	[Schools fees]	25
Six Month Permit	[Additional charges]	12
Six month permit ~	[Mobile Food Vehicles]	10
Small meeting room - commercial & public holiday rate per hour	[Meeting room]	25
Small meeting room - community rate per hour	[Meeting room]	25
Smoke alarm inspection	[Statutory Building]	13
Soccer	[Seniors (18 years +)]	31
Soft cover	["Changes they've seen" book]	8
Special needs	[Swimming lessons (per lesson)]	21
Spin room 1 hour	[Fitness activity hire]	24

The information on statutory fees and charges is subject to the relevant Authorities release of any 2022/23 changes.  
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<b>Fee Name</b>	<b>Parent Name</b>	<b>Page</b>
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**S** [continued]

Sporting clubs / associations	[Additional commercial refuse service charges]	20
Stage hire - large stage	[Function suite]	26
Stage hire - medium stage	[Function suite]	26
Stage hire - small stage	[Function suite]	26
Standard dance floor - included	[Function suite]	26
Standard residential lot	[Verge bond]	18
Storage and administration fee	[Abandoned vehicle fees]	11
Subdivision clearance reinspection	[Development Approvals]	8
Subsidy per m <sup>2</sup>	[Constructed privately and subsidised]	18
Suspension and transfers	[Membership fees]	30
Swimming lessons 16 weeks - Government Agency (group classes)	[Swimming lessons (per lesson)]	22
Swimming lessons 16 weeks - Government Agency (private one on one)	[Swimming lessons (per lesson)]	22
Swimming lessons 16 weeks - Government Agency (special needs)	[Swimming lessons (per lesson)]	22
Swimming school cancellation fee	[Swimming lessons (per lesson)]	22

**T**

Tea and coffee fee (bingo players only)	[Membership & activity fees]	6
Team forfeit bond	[Sporting competitions]	25
Team forfeit fine	[Sporting competitions]	25
Temporary limestone hardstand (per m2)	[Repair charges for damage]	18
Temporary public building, not requiring building licence, accommodating more than 1000 people	[Environmental Health]	13
Temporary public building, not requiring building licence, accommodating up to 1000 people	[Environmental Health]	13
Temporary public internet service membership	[Library & Customer Services]	7
Temporary verge crossing permit (verge protection permit)	[Verge bond]	18
Terms 1 and 4	[In term swimming]	21
Terms 2 and 3	[In term swimming]	21
Three (3) cubic metre bin	[Sanitation]	20
Three month permit	[Mobile Food Vehicles]	10
Three Month Permit	[Additional charges]	12
Three years	[Micro-chipped and sterilised]	11
Three years	[Micro-chipped and unsterilised]	11
Three years	[Micro-chipped and sterilised]	11
Time taken by staff dealing with F.O.I. application (per hour or pro rata for a part of an hour)	[Freedom of Information]	17
Training room / mezzanine room hire (4 hours)	[Hire rates]	23
Training room / mezzanine room hire per hour	[Hire rates]	23
Transfer of kennel licence	[Kennel establishment]	11
Turf reinstatement fee	[Enclosed grounds]	32
Turn back time	[Promotions]	28

**U**

Unregistered cats impound fee	[Public poundage]	10
Unregistered dogs impound fee	[Public poundage]	10
Up to 1 free month (for approved promotions)	[Promotions]	28
Upgrade adult	[Hydrotherapy, spa, sauna]	21
Upgrade senior or concession	[Hydrotherapy, spa, sauna]	21
Upgrade special	[Promotions]	28
USB flash drives	[Library & Customer Services]	7

**V**

Vacation lesson entry - Education Department	[In term swimming]	21
Vehicle Impound fee	[Abandoned vehicle fees]	11
Volleyball training court per hour	[Sportshall]	24

**W**

WACA country week cricket (per day)	[Turf cricket wickets]	32
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Fee Name	Parent Name	Page
<b>W</b> [continued]		
WACA country week cricket synthetic wicket (per day)	[Turf cricket wickets]	32
Waterslide day pass	[Hire rates]	22
Weekly Audit of Approved TMP extending beyond one month	[Roadside Traffic Management Plan (TMP Audit)]	18
Where the development has commenced or been carried out ^	[Development]	9
Whole hall - commercial & public holiday rate per hour	[Community hall]	26
Whole hall - community rate per hour	[Community hall]	26
Whole hall - fundraiser rate per hour	[Community hall]	26
Whole hall full day rate - commercial & public holiday rate per hour	[Community hall]	26
Whole hall full day rate - community per hour	[Community hall]	26
Whole hall full day rate - fundraiser rate	[Community hall]	26
Withdrawal (once with FER)	[Fines and penalties enforcement fees]	16
Withdrawal after 28 days (before FER)	[Fines and penalties enforcement fees]	16
Wrist band replacement	[Membership fees]	30
Written planning advice	[Development Approvals]	8
<b>Z</b>		
Zoning certificate	[Development Approvals]	8
<b>Other</b>		
\$0 join fee	[Promotions]	28
\$10 family swim pass	[Promotions]	21
\$20 million or more	[Development Assessment Panel]	9

**10.2.6 Gas Supply Contract**

<b>Responsible Branch:</b>	Governance and Strategy
<b>Responsible Directorate:</b>	Major Projects and Commercial Activities
<b>Authority/Discretion:</b>	Executive/Strategic
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	1. CONFIDENTIAL - Copy of Gas Consumption Analysis Waves [10.2.6.1 - 1 page]

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

- (e) **a matter that if disclosed, would reveal -**
- (i) **a trade secret; or**
  - (ii) **information that has a commercial value to a person; or**
  - (iii) **information about the business, professional, commercial or financial affairs of a person; or**
  - (iv) **where the trade secret or information is held by, or is about, a person other than the local government.**

**SUMMARY**

For Council to award a reticulated natural gas supply agreement for Bayswater Waves aquatic centre to Kleenheat for the period 1 July 2022 to 30 June 2025 to provide pricing certainty for the foreseeable future.

**OFFICER'S RECOMMENDATION**

That Council awards the three-year reticulated natural gas supply agreement for Bayswater Waves aquatic centre for the period 1 July 2022 to 30 June 2025 to Kleenheat, based on the proposal submitted under the State Government *Reticulated Gas Supply Common Use Agreement CUARGS2014*.

**COUNCIL RESOLUTION**

**That Council:**

1. **Awards the three-year reticulated natural gas supply agreement for Bayswater Waves aquatic centre for the period 1 July 2022 to 30 June 2025 to Kleenheat, based on the proposal submitted under the State Government *Reticulated Gas Supply Common Use Agreement CUARGS2014*.**
2. **Requests the Chief Executive Officer to present a business case for renewable energy options to replace the gas burner to Council before 30 June 2024.**

**Cr Georgia Johnson Moved, Cr Catherine Ehrhardt, Deputy Mayor Seconded**

**CARRIED UNANIMOUSLY: 9/0**

**For:** *Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Steven Ostaszewskyj, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik, Cr Dan Bull and Cr Georgia Johnson.*

**Against:** *Nil.*

## **REASON FOR CHANGE**

***The Emission Reduction and Renewable Energy plan says “ Pool heating technology for Bayswater Waves will be upgraded to electric heat pumps from 2037 (20-year asset life) which will result in a 95% reduction in natural gas consumption for this site” however, technology and community changes may make this a poor choice and this amendment proposed to review this timeline prior to the expiration of the agreement so council at that time are not locked into gas and are able to budget for the heating to be replaced.***

## **BACKGROUND**

The Bayswater Waves aquatic centre has an ongoing requirement for reticulated natural gas which is used to heat the pools. Gas usage at the centre was originally about 18 tera joules (TJ) per annum but that has diminished over the past few years due to upgrades in the building management systems to improve efficiency in heating control and heat recovery. Usage is anticipated to remain at around 14 TJ per annum for the foreseeable future.

The City has been sourcing reticulated natural gas from retailers under the contestable energy rules for some time, and a three-year contract period provides a workable balance between supply certainty and market pricing volatility. In the past few years, the City has contracted with Alinta, Perth Energy and most recently, Kleenheat, over successive three-year supply agreements.

All reticulated natural gas in Perth is supplied through infrastructure owned by the distribution utility ATCO Gas Australia. The City can however, choose its own retailer under the contestability rules for large volume consumers.

Previous supply agreements were sourced through the WA Local Government Association (WALGA) energy panel agreements. However, local governments are now also able to access the State Government Common Use Agreement (CUA) for reticulated gas supply. That option has been chosen on this occasion as Perth Energy has since withdrawn from WALGA's own energy panel agreement.

The State Government CUA is accessible to customers using over 1 tera joule (TJ) of gas per annum.

The current supply agreement with Kleenheat expires on 30 June 2022, and pricing has been sought from the following gas retailers:

- Alinta
- Perth Energy
- Kleenheat
- Synergy

As the only real distinction between the retailers is for billing purposes, no qualitative criteria were used to assess the responses. All comparisons were made on pricing and the contract conditions (which vary slightly under the same overall retail supply framework). Essentially, this is a supply agreement only, and all gas is supplied through the same ATCO infrastructure.

## **EXTERNAL CONSULTATION**

Rigorous due diligence has already been undertaken by the State Government on all gas retailers as part of the Head Agreement.

## OFFICER'S COMMENTS

The supply proposals are based on a three-year contract which gives a reasonable certainty over pricing. The detailed analysis of submissions (all prices exclusive of GST) forms **Confidential Attachment 1**.

Submissions were compared on the basis of:

- Gas usage per giga joule
- Pass through charges (ATCO)
- Contractual commitment (minimum take requirements)
- Annual price review mechanism
- Surcharges for excess use

Three responses were received from Alinta, Perth Energy and Kleenheat. Synergy did not respond.

Kleenheat is the current retailer and is part of the Wesfarmers group of companies. The Kleenheat proposal includes stepped pricing for years two and three. Their pricing is the most competitive as indicated by the usage modelling in the attachment, which includes seasonal variations. Their contractual conditions are similar to the current supply agreement, and suit the consumption predictions.

## LEGISLATIVE COMPLIANCE

Direct sourcing is permissible through WALGA and State Government agreements under r.11 (2) (e) of the *Local Government (Functions and General) Regulations 1996*.

## RISK ASSESSMENT

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

<b>Officer's Recommendation</b>	<b>That Council awards the three-year reticulated natural gas supply agreement for Bayswater Waves aquatic centre for the period 1 July 2022 to 30 June 2025 to Kleenheat, based on the proposal submitted under the State Government Reticulated Gas Supply Common Use Agreement CUARGS2014.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
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
<b>Conclusion</b>	Kleenheat has supplied gas to Bayswater Waves for the past three years and their proposal for the period 1 July 2022 to 30 June 2025 represents best overall value based on pricing and contract conditions. Direct sourcing is permissible through the State Government CUA for reticulated natural gas.	
<b>Option 2</b>	<b>That Council awards the three-year reticulated natural gas supply agreement for Bayswater Waves aquatic centre for the period 1 July 2022 to 30 June 2025 to another gas retailer under the State Government Reticulated Gas Supply Common Use Agreement CUARGS2014.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>

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
<b>Conclusion</b>	Alinta and Perth Energy have both supplied gas under contract to the Bayswater Waves aquatic centre in the past and are also on the State Government <i>Reticulated Gas Supply Common Use Agreement CUARGS2014</i> . However, as their pricing on this occasion is not as competitive, the financial management risk would increase to moderate.	

<b>Option 3</b>	<b>That Council does not award the three-year reticulated natural gas supply agreement for Bayswater Waves aquatic centre for the period 1 July 2022 to 30 June 2025 to a gas retailer under the State Government <i>Reticulated Gas Supply Common Use Agreement CUARGS2014</i>.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Low
Reputation	Low	Moderate
Governance	Low	Moderate
Community and Stakeholder	Moderate	Low
Financial Management	Low	High
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	The intention of the long-term agreement is to lock in pricing certainty for budget purposes, and to also take advantage of the State Government pricing structure. Without a formal agreement in place, the City would pay normal retail rates which would have a significant financial impact due to the high annual consumption and accordingly would also have associated increase to reputational and governance risks	

## FINANCIAL IMPLICATIONS

Modelling based on available data indicates that the annual expenditure will be approximately \$120,000 per annum, which is less than the current cost of \$135,000 due to the lower price per giga joule being offered.

## STRATEGIC IMPLICATIONS

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

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

## CONCLUSION

The pricing submission from Kleenheat under the State Government CUA for reticulated natural gas for a three-year supply agreement has been evaluated as providing the best overall value and least risk. A three-year period is considered to provide the best balance of supply and pricing certainty and, the price per giga joule is slightly less than the City is currently paying. That represents a good outcome for the City under current market conditions.

As the supply agreement is being sourced through the State Government CUA, the submissions from Alinta and Perth Energy could be considered, but would effectively provide the same result at higher price points.

Accordingly, it is recommended that Council accepts the submission from Kleenheat for the period 1 July 2022 to 30 June 2025.

**10.3 Works And Infrastructure Directorate Reports****10.3.1 Low Cost Urban Road Safety Program Phase 2**

<b>Responsible Branch:</b>	Engineering and Spatial Services
<b>Responsible Directorate:</b>	Works and Infrastructure
<b>Authority/Discretion:</b>	Executive/Strategic
<b>Voting Requirement:</b>	Simple Majority Required for limbs 1-4 <b><i>ABSOLUTE MAJORITY REQUIRED for limb 5</i></b>
<b>Attachments</b>	1. Funding schedule and estimated cash flow [ <b>10.3.1.1</b> - 1 page]

**CR GIORGIA JOHNSON DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Giorgia Johnson declared an impartial interest in this item as she is involved with Transition Town Bayswater. Cr Johnson remained in the room during voting on this item.*

**SUMMARY**

For Council to consider the next phase of the Low-Cost Urban Road Safety Program (LCURSP) offered by Main Roads WA for 11 areas within the City of Bayswater.

**OFFICER'S RECOMMENDATION**

That Council:

1. Approves the City's involvement in 11 precincts as part of phase 2 of the MRWA LCURSP on a staged basis over the 2022/23 and 2023/24 financial years.
2. Approves the 11 delivery steps for Phase 2 of the Low-Cost Urban Road Safety Program, as detailed in this report.
3. Notes that a review will be undertaken of the installed treatments, a minimum of six months after installation, to assess their effectiveness against 'rat-running', high traffic volumes and speed, and a report on the findings will be presented to Council.
4. Endorses the MRWA Low-Cost Urban Road Safety Program as part of the Coode Street and Sixth Avenue alternative treatment, in lieu of the Black Spot proposal.
5. Approves the budget adjustment contained in Table 1.

**COUNCIL RESOLUTION**

That Council:

1. Approves the City's involvement in 11 precincts as part of phase 2 of the MRWA LCURSP on a staged basis over the 2022/23 and 2023/24 financial years.
2. Approves the 11 delivery steps for Phase 2 of the Low-Cost Urban Road Safety Program, as detailed in this report.
3. Notes that a review will be undertaken of the installed treatments, a minimum of six months after installation, to assess their effectiveness against 'rat-running', high traffic volumes and speed, and a report on the findings will be presented to Council.
4. Endorses the MRWA Low-Cost Urban Road Safety Program as part of the Coode Street and Sixth Avenue alternative treatment, in lieu of the Black Spot proposal.
5. Approves the budget adjustment contained in Table 1.

6. Requests the Chief Executive Officer to seek to liaise with Transition Town Bayswater and Future Bayswater in respect of design elements and a sustainable approach.

Cr Dan Bull Moved, Cr Sally Palmer Seconded

CARRIED UNANIMOUSLY: 9/0

**For:** Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Steven Ostaszewskyj, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik, Cr Dan Bull and Cr Giorgia Johnson.

**Against:** Nil.

#### **REASON FOR CHANGE**

*A sixth limb has been added to encourage engagement with Transition Town Bayswater and Future Bayswater to work towards more sustainable approaches in design.*

#### **BACKGROUND**

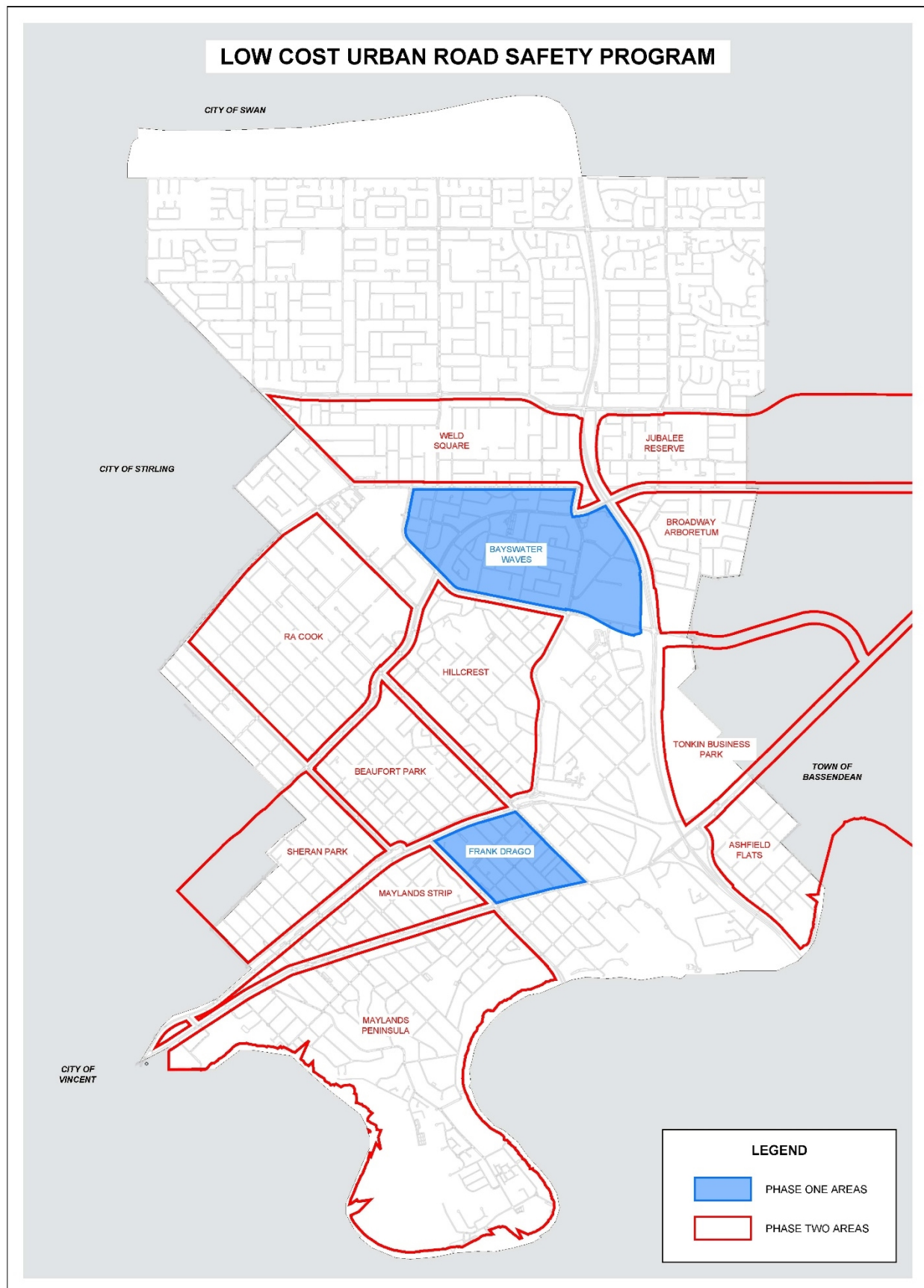
At the Ordinary Council Meeting held on 26 April 2022, Council approved Phase 1 low-cost traffic management treatments for two precincts – the first precinct in Bayswater and the second precinct in Embleton.

The funding provided by Main Roads WA (MRWA) was available for the design and construction of traffic treatments; however, it was also conditional on the City undertaking public consultation and development of a comprehensive plan of proposed traffic treatments in the areas identified by MRWA.

The City is in the process of designing and delivering these treatments commencing in June and to be completed by October 2022. Traffic counts will be undertaken before and a minimum of six months after implementation to assess the success of the treatments.

MRWA have now proposed a further 11 precincts in the next phase of the program for the City of Bayswater, which have been selected using a Mains Roads assessment method based on a liveability index relating to crashes, and connections with schools and parks (see map below).





Some precincts extend over neighbouring council areas, as the plan above indicates.

MRWA have designated titles for each precinct and have determined preliminary suggestions for low-cost treatments and budgets for each, which forms the basis for the distribution of funding under the program (**Attachment 1**).

It should be noted that MRWA have provided two sets of estimations:

- The first set is based on each precinct as an entirety even though some precincts extend across multiple council areas.
- The second set is based on each precinct but only includes the cost estimations for treatments that are within the City of Bayswater portion of the precinct.

The funding to be provided by MRWA under the program covers the full extent of the design and construction of the treatments, thus the City is not required to contribute any funds (**Attachment 1**).

These projects are in the top 20 of the northeast quadrant of the whole metropolitan area and there are an estimated 98 treatments to be considered in the City of Bayswater alone.

### **OFFICER'S COMMENTS**

Using the reviewed process developed for the first two precincts, the City does not have the resource capacity to undertake all 13 precincts at the same time. Each precinct takes nearly 12 months to complete and taking into account their ranking and the resourcing required, City officers have scheduled the precincts over a two-year period, commencing with Weld Square, Shearn Park and the Maylands Strip. The schedule and an estimated cash flow are included in **Attachment 1**. It should be noted that the Maylands Strip partially overlaps with the Maylands Revitalisation Study area and officers will ensure that the two projects are coordinated to avoid duplication of effort and the best possible solution is achieved.

A communications plan is being prepared based on lessons learned from Phase 1, however the 11 delivery steps for Phase 2 are as follows:

1. Community engagement (local user experience) for each precinct
2. Draft treatment proposals based on user experience, technical input and site constraints/impacts
3. Community feedback on draft treatments
4. Detailed design based on feedback, including appropriate consideration for tree planting.
5. Report to Council on the engagement and resulting detailed design
6. Main Roads WA approval of plans
7. Closing the loop on Engage Bayswater of the approved plan
8. Plan delivery process and contracts - possibly tender works if above tender limits
9. Advise residents of construction
10. Deliver treatments including line marking
11. Report to Council as to effectiveness of treatments.

This program also includes the Shearn Park precinct which encompasses the intersection of Coode Street and Sixth Avenue, roads that were the subject of a Black Spot project. The project originally proposed extensive widening which was highly contested by adjoining residents. The Black Spot works have not commenced to date. The treatment options under the LCURSP can address this intersection and the precinct as a whole – an option that was not available as part of the Black Spot program. The low-cost treatments will not require the extensive widening of the verge areas

at the intersection which was the greatest concern raised by nearby residents. Therefore, it is recommended that the Black Spot project be discontinued, and any funding received returned to the Black Spot Program.

It should be further noted that the State Black Spot Program required the City to contribute one-third of the cost of the Black Spot Project. By treating the intersection through the LCURSP, the City is not required to contribute to the works apart from undertaking the consultation process at its cost. Consultation costs will be covered by the City's existing budget allocations.

Furthermore, due to the project submission being undertaken some 24 months ago, costs have dramatically risen, which would require the City to provide extra funding. However, with the LCURSP, MRWA is funding all design and construction.

Council adopted a City-Wide Traffic Management Study in 2017 and an associated priority list of treatments in 2019. Treatments under the Study have been progressively, but slowly, rolled out across the City. Its slow progress is the result of the City having to fund the treatments from its own sources and has had to compete against other project priorities. Officers estimate that less than 10% of this Study has been rolled out by the City since its adoption (excluding treatments to be funded under Phase 1 of the LCURSP).

The LCURSP consists of similar treatments to the City-Wide Traffic Management Study but is rolled out in bulk on a precinct basis rather than separate single treatments across the City. Phase 2 combined with Phase 1 of the LCURSP will see approximately 55% of the City being considered for traffic treatments. Therefore, the LCURSP will enable the City to make significant progress in rolling out traffic management across the City over the next two years. It is expected that the remaining areas will be completed in future phases of the program. As a consequence, the City may be able to complete all of the treatments originally programmed in the City's Traffic Management Plan under the LCURSP within four years instead of approximately 30 years if the City had to fund the Plan from its own sources.

## LEGISLATIVE COMPLIANCE

To be eligible for MRWA funding, the project needs to comply with the MRWA LCURSP Strategy and Implementation Framework.

## RISK ASSESSMENT

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

<b>Officer's Recommendation</b>	<p><b>That Council:</b></p> <ol style="list-style-type: none"> <li><b>Approves the City's involvement in 11 precincts as part of phase 2 of the MRWA LCURSP on a staged basis over the 2022/23 and 2023/24 financial years.</b></li> <li><b>Approves the 11 delivery steps for Phase 2 of the Low-Cost Urban Road Safety Program, as detailed in this report.</b></li> <li><b>Notes that a review will be undertaken of the installed treatments, a minimum of six months after installation, to assess their effectiveness against 'rat-running', high traffic volumes and speed, and a report on the findings will be presented to Council.</b></li> <li><b>Endorses the MRWA Low-Cost Urban Road Safety Program as part of the Coode Street and Sixth Avenue alternative treatment, in lieu of the Black Spot proposal.</b></li> <li><b>Approves the budget adjustment contained in <u>Table 1</u>.</b></li> </ol>
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Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Moderate
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Moderate
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	Following engagement, the treatments recommended will go some way to meeting the objectives of reducing speed, rat run and volumes. These low-cost treatments may not solve all community issues hence moderate risk on reputation and community and stakeholder. Service delivery and availability of contractors may be affected by COVID.	

<b>Option 2</b>	<b>That Council does not support the proposed traffic treatments within the City of Bayswater as part of the Low-Cost Urban Road Safety Program funded by Main Roads WA.</b>	
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
<b>Conclusion</b>	If the LCURS program does not proceed then the current Black Spot proposal for the intersection of Coode Street and Sixth Avenue will require an extra \$40,000 of funding.	

## FINANCIAL IMPLICATIONS

The cost of the treatments will be covered by the funding provided under the Low-Cost Urban Road Safety Program by MRWA.

The program involves implementing traffic management in lieu of the City-wide traffic study undertaken in 2017 which would have been required to be funded by the City.

The budget recognises the grant revenue and expenditure as per the table below.

**Item 1:** Installation of low-cost treatments

**Asset Category:** New

**Source of Funds:** Grant

ITEM NO.	CAPITAL / UPFRONT COSTS (\$)	ONGOING COSTS (\$)		INCOME (\$)	ASSET LIFE (YEARS)	WHOLE OF LIFE COSTS (\$)	CURRENT BUDGET (\$)
		MATERIALS & CONTRACT	STAFFING				
1	1,300,000	6,500	0	1,300,000	20	Unknown*	1,300,000**

\*The whole of life costs will be determined once the detailed design is complete.

\*\* The net cost to Council for the project is \$0 (\$1,300,000 expenditure and \$1,300,000 income)

As outlined in this report, the Coode Street and Sixth Avenue Black Spot project will now be completed as part of the MRWA Low-Cost Urban Safety Program. As a result, the City will be unable to claim the remaining Black Spot funding, and the below budget adjustment is recommended:

**Table 1: Budget Adjustment - Coode Street and Sixth Avenue**

Project	Type	Description	Current Budget \$	Adjustment \$	Amended Budget \$
3300-80750-4818	Decrease Income	Coode Street / Sixth Avenue – Grant - Capital - Black Spots - State	(32,798)	28,247	(4,551)
3300-80750-6381	Decrease expenditure	Coode Street / Sixth Avenue – carry forward expenditure	50,465	(28,247)	22,217
<b>Total</b>			17,667	0	17,667

**STRATEGIC IMPLICATIONS**

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

Theme: Environment and Liveability

Goal E3: Improve the City's walking and cycling network and create safer streets.

Theme: Vibrancy

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

Theme: Leadership and Governance

Goal L1: Engage the community in a meaningful way.  
Provide opportunities for the community to have their say and consider their views when making decisions.

**CONCLUSION**

The LCURSP provides an opportunity for the City to roll out an extensive program of traffic treatments across a significant portion of the City over the next two financial years. The design and construction of the treatments will be fully paid for by MRWA.

It is proposed that once installed, these low-cost options funded by MRWA will be assessed to confirm their effectiveness.

**Funding schedule and estimated cash flow**

						Engage	Consultation+	Survey/Design	Construction	Shared Project	T	Tender																												
Low Cost Urban Road (LCUR) Safety Treatment Phase 2																																								
Main Roads WA Precinct Name	Suburb Area	Council responsibility	Main Roads Estimated Primary Treatment Cost	City of Bayswater Component	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	21/22	22/23	23/24								
Frank Drago	Bayswater	City of Bayswater	\$ 600,000	\$ 600,000																										\$ 150,000	\$ 450,000									
Bayswater Waves	Embleton	City of Bayswater	\$ 620,000	\$ 620,000																										\$ 150,000	\$ 50,000									
Weld Square	Morley	City of Bayswater	\$ 368,500	\$ 368,500												T															\$ 257,950	\$ 110,550								
Jubilee Reserve	Eden Hill/Morley	Shared - Town of Bassendean	\$ 209,000	\$ 10,000																					T						\$ 500	\$ 9,500								
Shearn Park	Maylands	Shared - City of Stirling	\$ 376,200	\$ 221,300												T															\$ 154,910	\$ 66,390								
Maylands Strip	Maylands	City of Bayswater	\$ 341,000	\$ 341,000												T															\$ 238,700	\$ 102,300								
Hillcrest	Bays/Embleton	City of Bayswater	\$ 242,000	\$ 242,000																T											\$ 48,400	\$ 193,600								
Broadway Arboretum	Eden Hill/Morley	Shared - Town of Bassendean	\$ 451,000	\$ 47,500																					T						\$ 2,375	\$ 45,125								
Tonkin Business Park	Bass/Bays	Shared - Town of Bassendean	\$ 374,000	\$ 93,500																					T						\$ 4,675	\$ 88,825								
Maylands Peninsula	Maylands	City of Bayswater	\$ 572,000	\$ 572,000																					T						\$ 28,600	\$ 543,400								
Beaufort Park	Bedford/Bays	City of Bayswater	\$ 88,000	\$ 88,000																T											\$ 17,600	\$ 70,400								
RA Cook Park	Bedford/Morley	City of Bayswater	\$ 247,500	\$ 247,500																T											\$ 49,500	\$ 198,000								
Ashfield Flats	Ashfield/Bays	Shared - Town of Bassendean	\$ 451,000	\$ 106,117																					T						\$ 5,306	\$ 100,811								
			\$ 3,720,200	\$ 2,337,417																										\$ 300,000	\$1,308,516	\$1,528,901								

**13 NEW BUSINESS OF AN URGENT NATURE****13.1 Tender No. 3-2022 - Disposal Of Land - 22 Russell Street, Morley**

<b>Responsible Branch:</b>	Recreation and Commercial Activities
<b>Responsible Directorate:</b>	Major Projects and Commercial Activities
<b>Authority/Discretion:</b>	Executive/Strategic
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	Nil
<b>Refer:</b>	Item 14.1.2 OCM 25.05.21

**REASON FOR CONFIDENTIALITY**

*This is a CONFIDENTIAL REPORT in accordance with section 5.23(2) of the Local Government Act 1995 (WA), which permits the meeting to be closed to the public for the business relating to:*

- (b) the personal affairs of any person;*
- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;*
- (e) a matter that if disclosed, would reveal -*
  - (i) a trade secret; or*
  - (ii) information that has a commercial value to a person; or*
  - (iii) information about the business, professional, commercial or financial affairs or a person.*

*Where the trade secret or information is held by, or is about, a person other than the local government.*

**PROCEDURAL MOTION**

That item 13.1 be brought forward for discussion.

Cr Filomena Piffaretti, Mayor Moved, Cr Josh Eveson Seconded

**CARRIED: 8/1**

*For: Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Steven Ostaszewskyj, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Dan Bull and Cr Giorgia Johnson.*

*Against: Cr Elli Petersen-Pik.*

**COUNCIL RESOLUTION**

That the meeting be closed to the public and the recording be suspended.

Cr Sally Palmer Moved, Cr Josh Eveson Seconded

**CARRIED: 7/2**

*For: Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Dan Bull and Cr Giorgia Johnson.*

*Against: Cr Steven Ostaszewskyj and Cr Elli Petersen-Pik.*

*At 11:10pm on the 28 June 2022, the meeting closed to the public and the recording was suspended.*

### **COUNCIL RESOLUTION**

That item 13.1 be dealt with as urgent business.

Cr Catherine Ehrhardt, Deputy Mayor Moved, Cr Assunta Meleca Seconded

**CARRIED UNANIMOUSLY: 9/0**

*For: Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Steven Ostaszewskyj, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik, Cr Dan Bull and Cr Giorgia Johnson.*

*Against: Nil.*

### **COUNCIL RESOLUTION**

**(OFFICER'S RECOMMENDATION)**

That the recommendation as contained in the "Confidential' Report" be adopted.

Cr Catherine Ehrhardt, Deputy Mayor MOVED, Cr Sally Palmer SECONDED

**CARRIED UNANIMOUSLY: 9/0**

*For: Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Steven Ostaszewskyj, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik, Cr Dan Bull and Cr Giorgia Johnson.*

*Against: Nil.*

### **COUNCIL RESOLUTION**

That the meeting be reopened to the public and the recording be resumed.

Cr Sally Palmer Moved, Cr Steven Ostaszewskyj Seconded

**CARRIED UNANIMOUSLY: 9/0**

*For: Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Steven Ostaszewskyj, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik, Cr Dan Bull and Cr Giorgia Johnson.*

*Against: Nil.*

*At 11:13pm on the 28 June 2022, the meeting was reopened to the public and the recording resumed.*

### **ADJOURNMENT**

That the Ordinary Council Meeting be adjourned and scheduled to reconvene on 4 July 2022 at 6:30pm.

Cr Filomena Piffaretti, Mayor Moved, Cr Catherine Ehrhardt, Deputy Mayor Seconded

**CARRIED: 6/3**

*For: Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Steven Ostaszewskyj, Cr Sally Palmer, Cr Josh Eveson and Cr Catherine Ehrhardt, Deputy Mayor.*

*Against: Cr Elli Petersen-Pik, Cr Dan Bull and Cr Giorgia Johnson.*

*The meeting was adjourned at 11:14pm.*

### **10 MEETING RECONVENED**

*Minutes of the adjourned Ordinary Council Meeting held on Monday 4 July 2022 commencing at 6:30pm.*

### **10 ATTENDANCE**



## **Members**

### North Ward

Cr Filomena Piffaretti, Mayor (Chairperson)  
Cr Josh Eveson

### Central Ward

Cr Assunta Meleca  
Cr Sally Palmer

### South Ward

Cr Catherine Ehrhardt, Deputy Mayor  
Cr Elli Petersen-Pik (attended via electronic means)

### West Ward

Cr Giorgia Johnson

## **Officers**

Mr Cliff Frewing	Chief Executive Officer
Mr Des Abel	Director Community and Development
Ms Lorraine Driscoll	Director Corporate and Strategy
Mr Luke Botica	Director Works and Infrastructure
Mr Bryce Coelho	Principal Engineer Major Projects
Mr Mitchell Halls	Minutes and Agenda Officer
Mr Joe Gomboc	Manager Building Works
Ms Karen D'Cunha	A/Governance Project Officer
Ms Chelsea Beavinton	Executive Assistant to the CEO

## **Observers**

Press -  
Public - 2

## **Apologies**

Cr Lorna Clarke  
Cr Steven Ostaszewskyj  
Mr Doug Pearson, Director Major Projects and Commercial Activities

## **Approved Leave of Absence**

Cr Dan Bull  
Cr Michelle Sutherland

## **10.4 Community And Development Directorate Reports**

### **10.4.3 Proposed Relocation of Loading Bay on Eighth Avenue, Maylands**

<b>Responsible Branch:</b>	Development and Place
<b>Responsible Directorate:</b>	Community and Development
<b>Authority/Discretion:</b>	Executive/Strategic
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	Nil
<b>Refer:</b>	Item 9.8: OCM 10.04.2018

**CR CATHERINE EHRHARDT, DEPUTY MAYOR DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Catherine Ehrhardt, Deputy Mayor declared an impartial interest in this item as her mother owns 46 Eighth Avenue, and she knows the tenants and the surrounding business and land owners. Cr Ehrhardt, Deputy Mayor remained in the room during voting on this item.*

**SUMMARY**

Council consideration is sought in relation to the Eighth Avenue loading bay which is currently located in front of 46 Eighth Avenue, Maylands to be relocated to in front of 42 Eighth Avenue, and the resultant reduction in taxi bays on Eighth Avenue, Maylands.

**OFFICER'S RECOMMENDATION**

That Council:

1. Endorses the Eighth Avenue loading bay in front of 46 Eighth Avenue, Maylands to be relocated in front of 42 Eighth Avenue, Maylands, and associated modifications to the line marking and signage to provide car parking on Eighth Avenue in front of 46 Eighth Avenue.
2. Endorses the reduction in taxi bays on Eighth Avenue in front of 50 and 54 Eighth Avenue, Maylands from three bays to two bays, to provide an additional on-street car parking bay, and associated modifications to the line marking and signage on Eighth Avenue.
3. Refuses the removal of the street tree in front of 42 Eighth Avenue, Maylands as the street tree is in good health, is an appropriate species and contributes to the amenity and walkability of the street.

**COUNCIL RESOLUTION**

That Council:

1. Endorses the Eighth Avenue loading bay in front of 46 Eighth Avenue, Maylands to be relocated in front of 42 Eighth Avenue, Maylands, and associated modifications to the line marking and signage to provide car parking on Eighth Avenue in front of 46 Eighth Avenue.

Cr Catherine Ehrhardt, Deputy Mayor Moved, Cr Assunta Meleca Seconded

**CARRIED UNANIMOUSLY: 7/0**

*For: Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik and Cr Giorgia Johnson.*

*Against: Nil.*

**COUNCIL RESOLUTION**

That Council:

2. Endorses the reduction in taxi bays on Eighth Avenue in front of 50 and 54 Eighth Avenue, Maylands from three bays to one bay, to provide two additional on-street car parking bays and associated modifications to the line marking and signage on Eighth Avenue referring to taxi and ride share pickup and drop-off only.

**CARRIED: 5/2**

*For: Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor and Cr Giorgia Johnson.*

*Against: Cr Sally Palmer and Cr Elli Petersen-Pik.*

**COUNCIL RESOLUTION**

**That Council:**

- 3. Refuses the removal of the street tree in front of 42 Eighth Avenue, Maylands as the street tree is in good health, is an appropriate species and contributes to the amenity and walkability of the street.**

**Cr Catherine Ehrhardt, Deputy Mayor Moved, Cr Assunta Meleca Seconded**

**CARRIED UNANIMOUSLY: 7/0**

**For:** Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik and Cr Giorgia Johnson.

**Against:** Nil.

**REASON FOR CHANGE**

***With the increase in ride share services and lack of use of the current taxi ranks on Eighth Avenue, businesses feel they can be serviced by just one taxi bay.***

**BACKGROUND**

At the Ordinary Council Meeting held on 10 April 2018, Council adopted the Maylands Town Centre Car Parking Strategy which identified a series of actions to improve parking availability within the Maylands town centre. It is noted that the strategy does not address the existing loading bay and therefore does not provide any guidance on this matter.

The City has received a request from the owner of Rabble Books and Games to move the existing Eighth Avenue loading bay. The loading bay is currently located at the front of 46 Eighth Avenue (Rabble Books and Vinnies). The request advised that there is currently insufficient clearance between the awning and the loading bay to allow for trucks to safely unload. This is causing ongoing damage to the front awning and associated signage which the landowner has had to replace on multiple occasions.



**Damaged Rabble Books and Games Signage Adjoining Loading Bay**

The loading bay is used by a large number of businesses along Eighth Avenue between Guildford Road and Whatley Crescent and is still required to service the town centre.

The City's officers have been investigating alternative locations for the loading bay along Eighth Avenue and liaising with the affected business and landowners. A number of alternative locations along Eighth Avenue were considered. It was considered that any new location was required to have no overhead awning (to ensure the same issues do not arise) and that there is no net loss of on-street car parking bays within the town centre.

The City has since considered further alternative locations for the loading bay, which does not result in any net loss of on-street car parking bays being available within Maylands Town Centre.

Additionally, the City received a request on 25 October 2018 to reduce the number of taxi bays on Eighth Avenue. The owner of Rabble Books and Games raised concerns about the relocation of the taxi bays which had occurred along Eighth Avenue, as the taxi bays were relocated in front of their tenancy. The business owner outlined that the removal of on-street car parking bays for customers near their shop would have a detrimental impact on them, as their business relies on the use of those bays for their customers.

## EXTERNAL CONSULTATION

In June 2021, the City undertook engagement with the businesses along Eighth Avenue on the proposal to reduce the number of taxi bays and to relocate the loading bay to be in front of 41 Eighth Avenue (Maylands Church of Christ). The City received one submission objecting to the proposal on behalf of the church and its parishioners. The submission believed it to be more appropriate to swap the loading bay with the on-street car parking bays which are available in front of 42 and 44 Eighth Avenue. This was due to there being more on-street parking bays available on the north-eastern side of Eighth Avenue in comparison to the south-western side. The submission outlined that it would result in a better outcome to balance the amount of parking bays on both sides of Eighth Avenue to allow cars to be able to park on the street without having to make a U-turn to access the bays. There were no concerns raising during the consultation period in relation to the reduction in taxi bays.

In light of the feedback received, the City considered alternative locations for the loading bay to try to reduce any impacts. Another location identified was in front of 42 Eighth Avenue (*Rotana Café*).

The City has had difficulties in obtaining comments from the owner of 42 Eighth Avenue (Rotana Café) in relation to relocating the loading bay in front of their property. The City has attempted to contact the owner since November 2021, with a letter outlining the proposal, and several site visits, telephone messages and emails.

As no comments were received the City posted and hand delivered a letter to the owner with a request that they provide a response to the City by 5 May 2022. The City received a submission in relation to the relocation of the loading bay following the conclusion of the consultation period.

The submission outlined that the landowner was supportive of the relocation of the loading bay on the condition that the street tree in front of the property is relocated as it is considered by the owner to be a hazard due to its size and it blocks the signage of the premises when people pass by. The submission states that the loading bay will result in the premises being blocked, whereby the relocation of the tree will ensure that the signage is still visible. The officers' comments below address this matter in detail.

The proposed reduction of the taxi bay area from three standard bays to two was not included in the recent consultation, as there was no objection received in relation to this matter as part of the initial consultation in June 2021.

## OFFICER'S COMMENTS

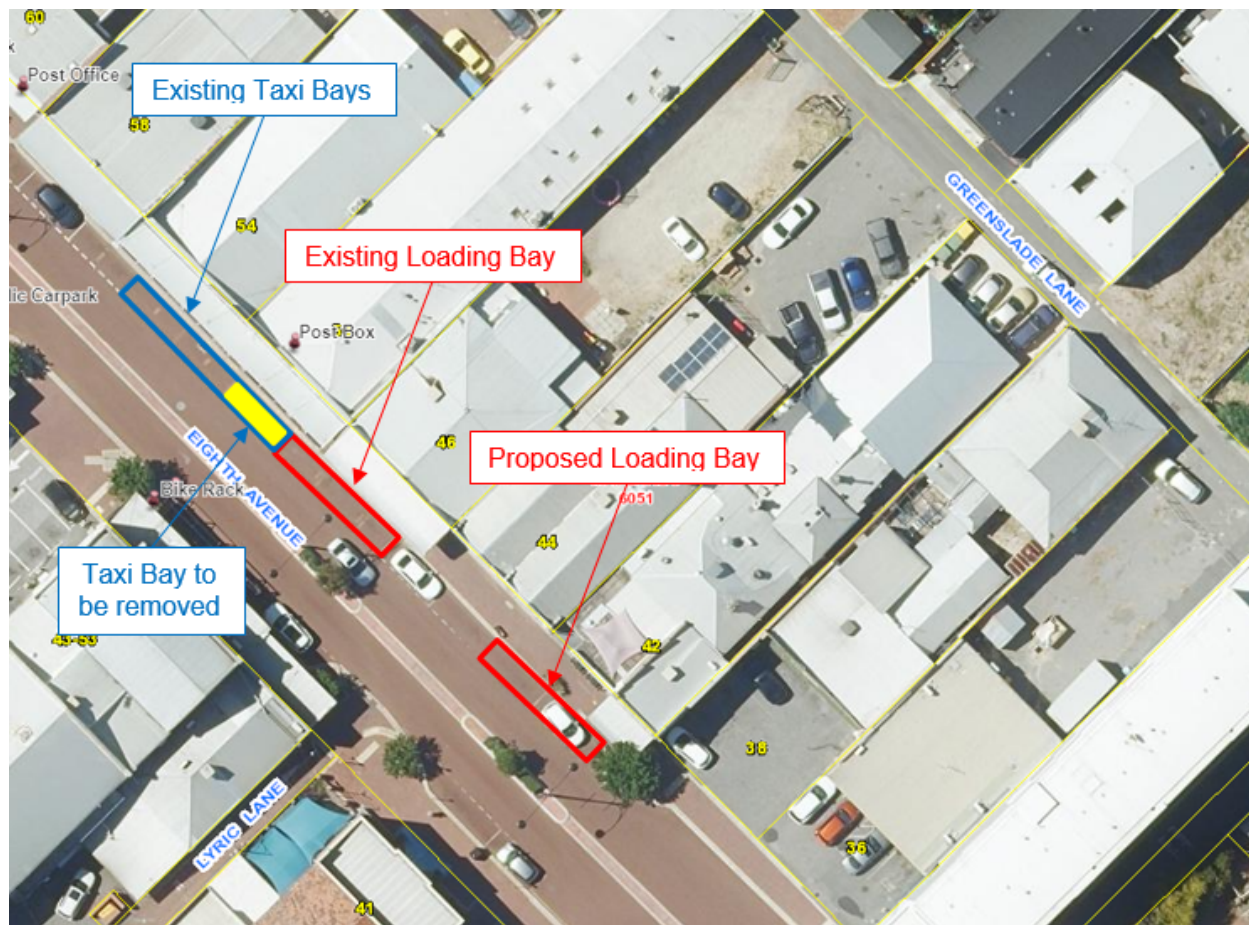
### Relocation of Loading Bay

Initially, the City considered the option to relocate the loading bay to be in front of 41 Eighth Avenue (Maylands Church of Christ) however the Church and its parishioners objected to the proposal.

As the proposal to relocate the loading bay to be in front of 41 Eighth Avenue was not supported by the affected landowner, the City's officers considered alternative locations.



The loading bay which is currently located in front of 46 Eighth Avenue (Rabble Books and Games and Vinnies) is proposed to be relocated to the front of 42 Eighth Avenue (Rotana Garden Café), as shown below:



Aerial Image Indicating Location of Loading Bay and Taxi Bays





## Existing Loading Bay



### Existing Loading Bay in Use

The proposed location is considered appropriate as it would result in there being no damage to any awning along Eighth Avenue. The proposed location will be clear of the awning to 42 Eighth Avenue, as this projects over the portion of the verge which is paved and not over the on-street car parking bays.

The two on-street car parking bays which are currently located in front of 42 Eighth Avenue would be relocated to where the existing loading bay is, in front of 46 Eighth Avenue. Therefore, there would not be any net loss in car parking bays provided.

### Reduction of Taxi Bays

There are currently three taxi bays located along the north-eastern side of Eighth Avenue, which are located in front of 50 and 54 Eighth Avenue as shown below.



### **Existing Taxi Bays**

The existing taxi bays are considered to be underutilised and generally vacant. Due to the proximity of the taxi bays to the numerous public transport services, it is considered that there is an excess of taxi bays in the locality.

In light of the availability of public transport, with the train station and bus stops within close proximity, it is considered to be reasonable to reduce the taxi bays down from three to two bays. It is considered that this will allow for a sufficient number of bays to be available for taxi's to service the locality, whilst providing an additional on street car parking bay in a locality where there is currently a high demand for parking.

### **Relocation of Street Tree**

There is currently an existing street tree located in front of 42 Eighth Avenue, which is clear of the existing on-street car parking bays. During the consultation period the landowner of 42 Eighth Avenue advised that they do not object to the relocation of the loading bay on the condition that the existing street tree is relocated as it is considered to be a hazard to the building due to its size and it blocks the signage of the premises when people pass by.





### **Existing Street Tree**

The City's officers have inspected the street tree which revealed that the tree is not causing or likely to cause any damage to the building or public realm, and it is not considered hazardous or to be causing any risk to safety.

The City's current Urban Tree Policy outlines the requirements for when a street tree can be relocated or removed. Typically the relocation of an established tree is difficult as it requires approximately three months of preparation prior to the relocation, with the survival rate of the tree being dependent upon the location of where the tree will be planted, the time of year of the relocation, and where the age of the tree is greater than 12 months, its chances of survival are low. There have been no alternative locations identified for the street tree. Additionally, the process is likely to be more costly than the tree is worth. As the street tree is established and in good health the relocation or removal of the tree is not supported. Additionally, the street tree does not meet the requirements under the current Urban Tree Policy for removal and therefore it is recommended that the tree be retained.

### **Conclusion**

It is considered that the above approach would resolve the conflict between the location of the loading bay and damage caused to the awning at 46 Eighth Avenue. Importantly it would mean that the adjoining landowners would not have to continue to repair the awning when it is damaged through circumstances outside of their control. As the loading bay will not conflict with the existing street tree, which is in good health, this street tree is recommended to be retained.



Additionally, the reduction in the taxi bays would allow for an additional on-street car parking bay to be provided for visitors in a location with an existing high demand, whilst still providing enough bays to service the town centre.

## LEGISLATIVE COMPLIANCE

The City's *Parking and Parking Facilities Local Law 2016*, enables the City to establish parking limits on land under its control and management, including the allocation of loading bays.

The City's *Urban Tree Policy*, enables the City to remove, relocate and plant trees located within the street verge.

## RISK ASSESSMENT

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

<b>Officer's Recommendation</b>	<b>That Council:</b> <ol style="list-style-type: none"> <li><b>Endorses the Eighth Avenue loading bay in front of 46 Eighth Avenue, Maylands to be relocated in front of 42 Eighth Avenue, Maylands, and associated modifications to the line marking and signage to provide car parking on Eighth Avenue in front of 46 Eighth Avenue.</b></li> <li><b>Endorses the reduction in taxi bays on Eighth Avenue in front of 50 and 54 Eighth Avenue, Maylands from three bays to two bays, to provide an additional on-street car parking bay, and associated modifications to the line marking and signage on Eighth Avenue.</b></li> <li><b>Refuses the removal of the street tree in front of 42 Eighth Avenue, Maylands as the street tree is in good health, is an appropriate species and contributes to the amenity and walkability of the street.</b></li> </ol>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
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
<b>Conclusion</b>	It is considered there is a predominately low risk to the City if Council decides to proceed with this option, as it will resolve the matter which is causing damage to occur to the awning of 46 Eighth Avenue. Additionally, the proposed outcome does not result in a reduction in car parking bays available and does not adversely impact other landowners in the vicinity. However, there is a moderate risk to reputation and community and stakeholders as not all landowners/businesses will be satisfied with the outcome, with respect to the street tree being retained.	

<b>Option 2</b>	<b>That Council:</b> <ol style="list-style-type: none"> <li><b>Endorses the Eighth Avenue loading bay in front of 46 Eighth Avenue, Maylands to be relocated in front of _____, and associated modifications to the line marking and signage to provide car parking on Eighth Avenue in front of 46 Eighth Avenue.</b></li> <li><b>Endorses the reduction in taxi bays on Eighth Avenue in front of 50 and 54 Eighth Avenue, Maylands from three bays to two bays, to provide an additional on-street car parking bay, and associated</b></li> </ol>	
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	<p><b>modifications to the line marking and signage on Eighth Avenue, with the following amendment(s):</b></p> <p>(a) _____</p> <p>(b) _____</p> <p>(c) _____</p> <p><b>3. Refuses the removal of the street tree in front of 42 Eighth Avenue, Maylands as the street tree is in good health_ is an appropriate species and contributes to the amenity and walkability of the street.</b></p>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Dependent on the modification(s) determined by Council.
Reputation	Low	
Governance	Low	
Community and Stakeholder	Moderate	
Financial Management	Low	
Environmental Responsibility	Low	
Service Delivery	Low	
Organisational Health and Safety	Low	
<b>Conclusion</b>	It is considered that the risks associated with this option are dependent on the modification(s) determined by Council.	

<b>Option 3</b>	<p><b>That Council:</b></p> <ol style="list-style-type: none"> <li>Does not endorse the Eighth Avenue loading bay in front of 46 Eighth Avenue, Maylands to be relocated in front of 42 Eighth Avenue, Maylands, and associated modifications to the line marking and signage to provide car parking on Eighth Avenue in front of 46 Eighth Avenue.</li> <li>Does not endorse the reduction in taxi bays on Eighth Avenue in front of 50 and 54 Eighth Avenue, Maylands from three bays to two bays, to provide an additional on-street car parking bay, and associated modifications to the line marking and signage on Eighth Avenue.</li> <li>Refuses the removal of the street tree in front of 42 Eighth Avenue, Maylands as the street tree is in good health, is an appropriate species and contributes to the amenity and walkability of the street.</li> </ol>	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	High
Governance	Low	Low
Community and Stakeholder	Moderate	High
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	There is considered to be high risk to the City's reputation and community and stakeholders if Council proceeds with this option as the awning will continue to be damaged by vehicles using the loading bay.	

<b>Option 4</b>	<p><b>That Council:</b></p> <ol style="list-style-type: none"> <li>Endorses the Eighth Avenue loading bay in front of 46 Eighth Avenue, Maylands to be relocated in front of 42 Eighth Avenue, Maylands, and associated modifications to the line marking and signage to provide car parking on Eighth Avenue in front of 46 Eighth Avenue.</li> <li>Endorses the reduction in taxi bays on Eighth Avenue in front of 50 and 54 Eighth Avenue, Maylands from three bays to two bays, to</li> </ol>	
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	provide an additional on-street car parking bay, and associated modifications to the line marking and signage on Eighth Avenue.	
	3. Approves the removal of the street tree in front of 42 Eighth Avenue, Maylands.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	High
Reputation	Low	High
Governance	Low	Low
Community and Stakeholder	Moderate	High
Financial Management	Low	Low
Environmental Responsibility	Low	High
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	There is considered to be high risk to the City's strategic direction, reputation, community and stakeholders, and environmental responsibility if Council proceeds with this option as the removal of a healthy street tree is inconsistent with the Urban Tree Policy.	

## FINANCIAL IMPLICATIONS

The costs associated with modifications to line marking (approximately \$450) and signage (about \$900) are covered as a part of the operating budget and are considered to be minor with no impacts on the Long Term Financial Plan.

## STRATEGIC IMPLICATIONS

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

Theme: Environment and Liveability

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

Theme: Vibrancy

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

It is considered that the proposal will resolve the matter associated with the location of the loading bay in a fair and reasonable way for the adjoining landowners and allow for the City to better maintain the Maylands Town Centre, which will better maintain the identity of the neighbourhood.

## CONCLUSION

In light of the above, it is recommended that Council endorses the relocation of the Eighth Avenue loading bay to be in front of 42 Eighth Avenue, Maylands and reduction in the number of taxi bays from three to two, and requires the retention of the street tree in front of 42 Eighth Avenue.

**10.5 Major Projects And Commercial Activities Directorate Reports****10.5.4 Under the Bridge Activation - Claughton Reserve, Bayswater**

<b>Applicant/Proponent:</b>	Tonkin Gap Alliance
<b>Responsible Branch:</b>	Major Projects
<b>Responsible Directorate:</b>	Major Projects and Commercial Activities
<b>Authority/Discretion:</b>	Executive/Strategic
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	1. Concept Plan [10.5.4.1 - 1 page]

**CR DAN BULL DECLARED A PROXIMITY INTEREST**

*In accordance with section 5.60b of the Local Government Act 1995, Cr Dan Bull declared a proximity interest in this item as his home abuts the Tonkin Gap Project. Cr Bull was on leave of absence when this item was resolved.*

**CR SALLY PALMER DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Sally Palmer declared an impartial interest in this item as she is the chair of the Reconciliation Advisory Committee. Cr Palmer remained in the room during voting on this item.*

**SUMMARY**

As part of the Tonkin Highway gap works, the alliance contractor, Tonkin Gap Alliance (TGA), have undertaken community consultation in relation to the potential to activate the area under the bridge across the Swan River, adjacent to Claughton Reserve.

Using the results from this consultation, TGA have developed a draft concept plan for the area and the plan is now presented for Council consideration.

**OFFICER'S RECOMMENDATION**

That Council reconsiders a draft concept plan for activation under the Redcliffe Bridge following consideration of the following items:

- (a) the draft concept plan being advertised for public comment and any submissions received being considered and the plan being revised as necessary;
- (b) the inclusion of low impact, motion activated lighting and a barbeque in the project; and
- (c) confirmation that the final agreed plan will be implemented in its entirety at the cost of Tonkin Gap Alliance/Main Roads WA and maintained for the first five years following installation.

Cr Eveson raised the following alternative motion:

**COUNCIL RESOLUTION**

**That Council, prior to formally considering the plan for under the bridge activation under the Redcliffe Bridge, requests that further community consultation be undertaken on the current draft plan to gauge the level of community support for the elements proposed in the plan.**

**Cr Josh Eveson Moved, Cr Sally Palmer Seconded**

**CARRIED: 5/2**

**For:** *Cr Assunta Meleca, Cr Sally Palmer, Cr Josh Eveson, Cr Elli Petersen-Pik and Cr Giorgia Johnson.*

**Against:** *Cr Filomena Piffaretti, Mayor and Cr Catherine Ehrhardt, Deputy Mayor.*

### **REASON FOR CHANGE**

***To ensure design elements deliver on local community expectations.***

### **BACKGROUND**

The Tonkin Gap project is aimed at addressing the bottleneck where the highway reduces from three lanes to two lanes in Bayswater and Redcliffe, significantly reducing travel times and improving safety.

The works include:

- Widening Tonkin Highway to provide new lanes in each direction from Dunreath Drive to Collier Road, as well as new roads linking Guildford Road and Great Eastern Highway;
- New bridges over the Swan River, Dunstone Road, Guildford Road and Railway Parade;
- New fully grade-separated Principal Shared Path (PSP) on the western side of Tonkin Highway from north of Guildford Road interchange to approximately Stanton Road with local connections;
- Noise walls; and
- Upgraded lighting and intelligent transport systems (ITS) infrastructure.

In addition to the above, the works also incorporate rail-enabling works for the METRONET Morley-Ellenbrook Line along Tonkin Highway, including underpasses and drive structures, to enable trains to enter and travel along the median of Tonkin Highway then exit in Malaga. Road and bus bridges will also be built at Broun Avenue to provide access to the future Morley Station.

Construction is well underway on the new Redcliffe Bridge in Bayswater. A key component of the work includes bridge span replacements and additional spans being added to widen the bridge structure. The bridge carries the Tonkin Highway over the Swan River and is connected with a network of shared pathways with links to Bayswater, Morley, Bassendean, Belmont and beyond.

In conjunction with the work and in recognition of appropriate community amenity, consideration has been given to what community facilities might be developed in and around the site, and in this instance, under the bridge in order to activate any redeveloped space.

In this regard, TGA have undertaken community consultation in relation to the potential to activate the area under the bridge across the Swan River, adjacent to Claughton Reserve.



There is also some work proposed for the Belmont side of the bridge.

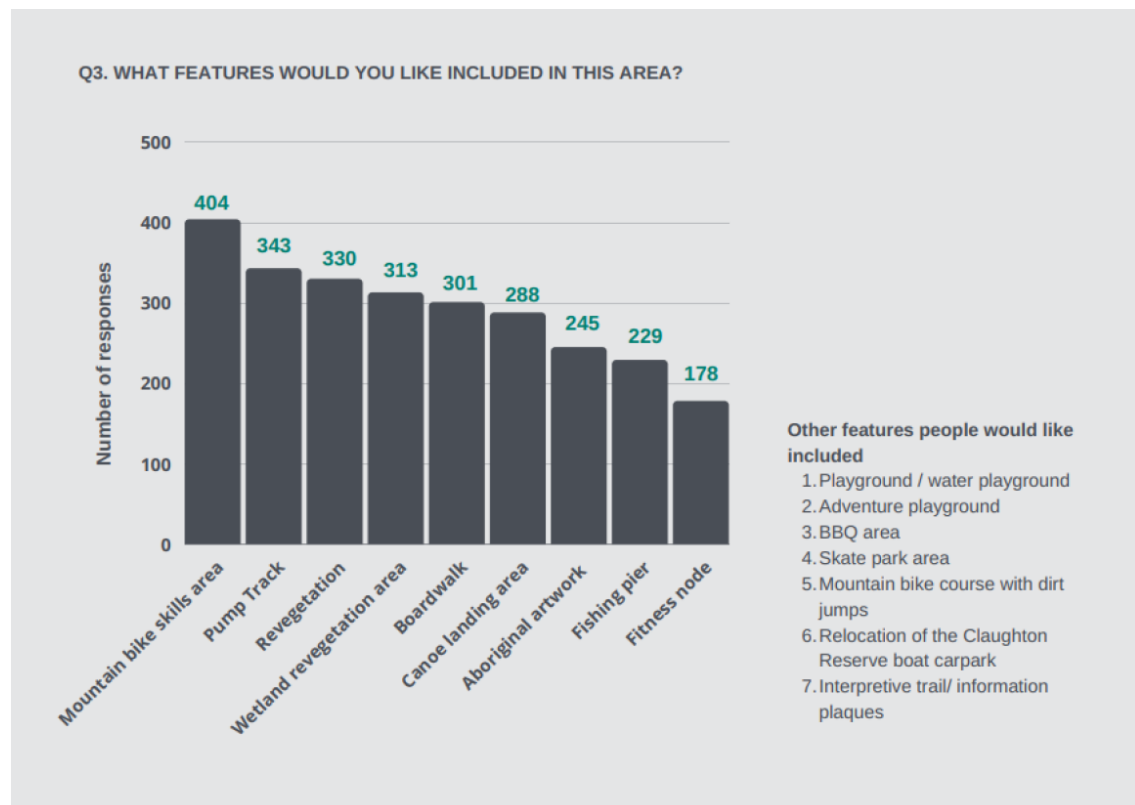
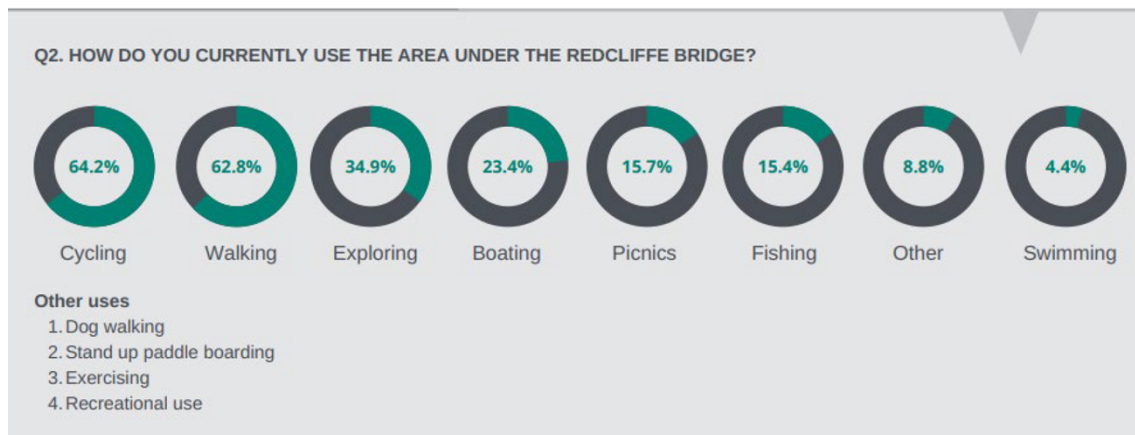
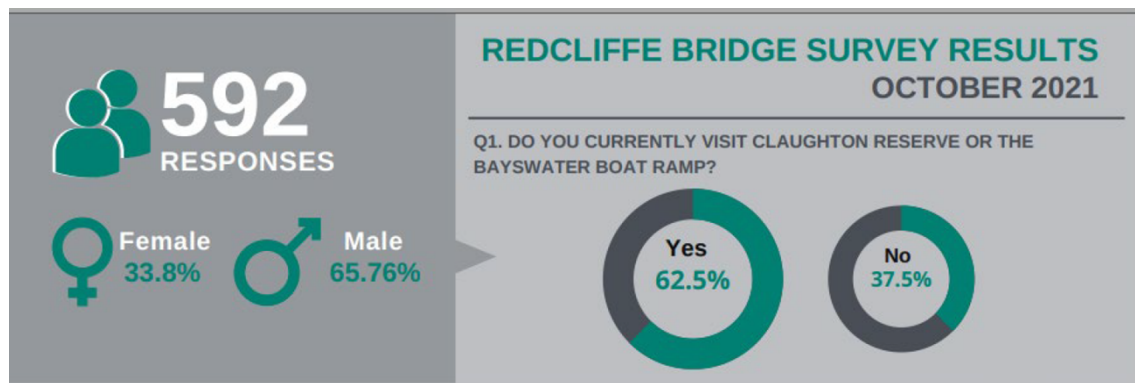
Using the results from this consultation, TGA have developed a draft concept plan for the area and the plan is now presented for Council consideration (**Attachment 1**).

The draft concept plan includes the following elements:

- Pump track;
- Mountain bike skills area;
- Revegetation;
- Yarning circle;
- Pathways;
- Canoe landing areas; and
- Indigenous planting response areas.

## **EXTERNAL CONSULTATION**

As detailed above, TGA undertook community and stakeholder engagement in relation to what the community would like to see under the bridge and the results of this consultation can be summarised as follows:



It should be noted that this consultation was not limited to City of Bayswater residents and about 40 of the responses were received in person and Tonkin Gap Alliance are unable to track where they are from. The following outlines where the online responses were from:

- Total responses: 553

- Total responses City of Bayswater: 185
- **Total percentage:** **33.45%**

In addition to the above, consultation was undertaken with a Traditional Owner Working Group for the project and their comments were as follows:

- Design embedded into the bridge abutments/piers or PSP with Aboriginal art;
- Consider using plants native to the area;
- Consider preserving and acknowledging the scar trees – opportunities to integrate into an interpretive heritage trail;
- Consider signage to be included to show the different aboriginal areas (like suburbs); and
- Consider landform art.

Consultation was also undertaken with the Department of Biodiversity, Conservation and Attractions (DBCA) as their approval will be required given the sites proximity to the river.

It should also be noted that TGA presented the concept plan to Council's Reconciliation Advisory Committee (RAC) and to Councillors at a Briefing Session on 14 June 2022. The RAC was generally supportive of the proposal, however, requested consideration of the provision of a barbeque near the proposed yarning circle.

A memorandum in relation to the project was also sent to Council's Skate and Bike Development Advisory Committee for comment.

### **OFFICER'S COMMENTS**

In considering the feedback received from the community and stakeholder engagement detailed above, TGA have developed the current draft concept plan.

In considering the plan, there are a number of factors that Council needs to take into account.

Firstly, whilst it is understood that the proposed works will be funded under the funding available for the Tonkin Gap project, should the project proceed, the City will ultimately be responsible for the ongoing maintenance of the area. Whilst the area is land that is under the control of MRWA, as it forms part of the highway reservation, their expectation is that should the area be developed, the City would be responsible for ongoing maintenance following the 5-year defects and maintenance period, where TGA would be responsible. This is not dissimilar to other areas under the control of MRWA, where the City wants a higher level of service than that traditionally provided by MRWA. Examples of this are the median on Morley Drive and the verges on Guildford Road.

At this stage, it is not possible to predict an accurate cost estimate for the ongoing maintenance of the area given that the plan is at concept stage and a number of variables (e.g., path materials, pump track surface, extent of revegetation required etc.) are yet to be finalised. Notwithstanding this, it is thought that annual maintenance costs for the area are likely to be in the vicinity of \$40,000. It should also be noted that the City would also become responsible for the replacement (due to damage or end of asset life) of any of the components of the plan after the initial 5-year period.

Secondly, consideration needs to be given to the appropriateness of the proposed development in the subject area.

It is considered that there is potential for anti-social behaviour at the site should it be developed as the activation itself may not only appeal to law abiding community members but may also be



attractive to anti-social elements. This is due to the lack of passive surveillance at the site and the number of easy access and escape routes.

The lighting of the area can be considered although it is unclear whether lighting would increase or decrease the likelihood of anti-social behaviour. If lighting was to be included something similar to the lighting in AP Hinds would be preferred. This lighting is LED low power consumption lighting which is very dull unless it detects movement, it can then reach its maximum brightness (only on motion) and will then dull again after a set time period with no movement. The dull light is not bright enough to encourage people to stay in the area after dark and the light cycling bright and dark upon movement would be annoying for people congregating at the location.

Finally, Council needs to consider the level of consultation that is involved with the draft concept plan. Whilst a considerable amount of engagement has been undertaken to inform the development of the plan, TGA are not proposing to undertake another round of formal consultation inviting feedback on the plan. The level of consultation they are proposing involves informing by going out to the community, including showing them the final design, site walk with Friends of Cloughton Reserve and a sign detailing the proposal being installed near the works area.

It is possible that sections of the community may not support some of the proposed elements, however, the consultation undertaken to date indicated that the proposed elements are what the respondents to the community and stakeholder engagement would like to see in the area. Furthermore, it should be noted that as part of the engagement on the City's Community Recreation Plan, there was a high community demand for walking and cycling facilities within the City.

## LEGISLATIVE COMPLIANCE

- DBCA approval would be required for the proposed works.

## RISK ASSESSMENT

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

<b>Officer's Recommendation</b>	<b>That Council reconsiders a draft concept plan for activation under the Redcliffe Bridge following consideration of the following items:</b> <ul style="list-style-type: none"> <li>(a) the draft concept plan being advertised for public comment and any submissions received being considered and the plan being revised as necessary;</li> <li>(b) the inclusion of low impact, motion activated lighting and a barbeque in the project; and</li> <li>(c) confirmation that the final agreed plan will be implemented in its entirety at the cost of Tonkin Gap Alliance/Main Roads WA and maintained for the first five years following installation.</li> </ul>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Moderate
Environmental Responsibility	Low	Low
Service Delivery	Low	Moderate
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	Providing another round of community engagement on the proposal may impact on the service delivery timeframes for the proposal. The financial management	

	risk has been assessed as moderate given the additional operational costs the City will incur for ongoing maintenance of the area.
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<b>Option 2</b>	<p><b>That Council provides in principle support of the draft concept plan (TGA-03-0700-DRG-1001) for activation under the Redcliffe Bridge as detailed in <u>Attachment 1</u>, subject to the:</b></p> <ul style="list-style-type: none"> <li>a) consideration of the inclusion of low impact, motion activated lighting and a barbeque in the project; and</li> <li>b) final agreed plan being implemented in its entirety at the cost of Tonkin Gap Alliance/Main Roads WA and maintained for the first five years following installation.</li> </ul>
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<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Moderate
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low

<b>Conclusion</b>	The concept plan has been based on considerable community consultation and provides activation of a previously relatively unused area within the City. The financial management risk has been assessed as moderate given the additional operational costs the City will incur for ongoing maintenance of the area.
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<b>Option 3</b>	<p><b>That Council provides in principle support of the draft concept plan (TGA-03-0700-DRG-1001) for activation under the Redcliffe Bridge as detailed in <u>Attachment 1</u>, subject to the:</b></p> <ul style="list-style-type: none"> <li>a) following modifications: <ul style="list-style-type: none"> <li>i) _____;</li> <li>ii) _____;</li> <li>iii) _____;</li> </ul> </li> <li>b) draft concept plan being advertised for public comment and any submissions received being considered and the plan being revised as necessary.</li> <li>c) consideration of the inclusion of low impact, motion activated lighting and a barbeque in the project;</li> <li>d) final agreed plan being implemented in its entirety at the cost of Tonkin Gap Alliance/Main Roads WA and maintained for the first five years following installation; and</li> </ul>
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<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Dependent on proposed modification
Reputation	Low	
Governance	Low	
Community and Stakeholder	Moderate	
Financial Management	Low	
Environmental Responsibility	Low	
Service Delivery	Low	
Organisational Health and Safety	Low	

<b>Conclusion</b>	The risks involved will be dependent on the modifications requested by Council
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<b>Option 4</b>	<b>That Council does not support the draft concept plan (TGA-03-0700-DRG-1001) for activation under the Redcliffe Bridge and requests that a new plan</b>
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	<b>be developed that incorporates only passive uses (planting and pathways) and has a reduced ongoing maintenance requirement.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Low
Reputation	Low	Moderate
Governance	Low	Low
Community and Stakeholder	Moderate	High
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	Not proceeding with the level of activation proposed may cause concern to the community as a lost opportunity, especially to those that responded to the initial consultation on the matter. This option will, however, limit the ongoing maintenance costs to the City	

## FINANCIAL IMPLICATIONS

As per the officer recommendation, it is assumed that the draft concept plan will be implemented in its entirety by TGA/MRWA at no cost to the City. Following a handover period, the City would become responsible for the maintenance of the area at an estimated cost in the vicinity of \$40,000 per annum. Costs associate with the replacement of any of the elements once they reach the end of their useful life cannot be determined at this draft concept stage.

## STRATEGIC IMPLICATIONS

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

Theme: Community

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

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

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

Theme: Environment and Liveability

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

Goal E3: Improve the City's walking and cycling network and create safer streets.

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

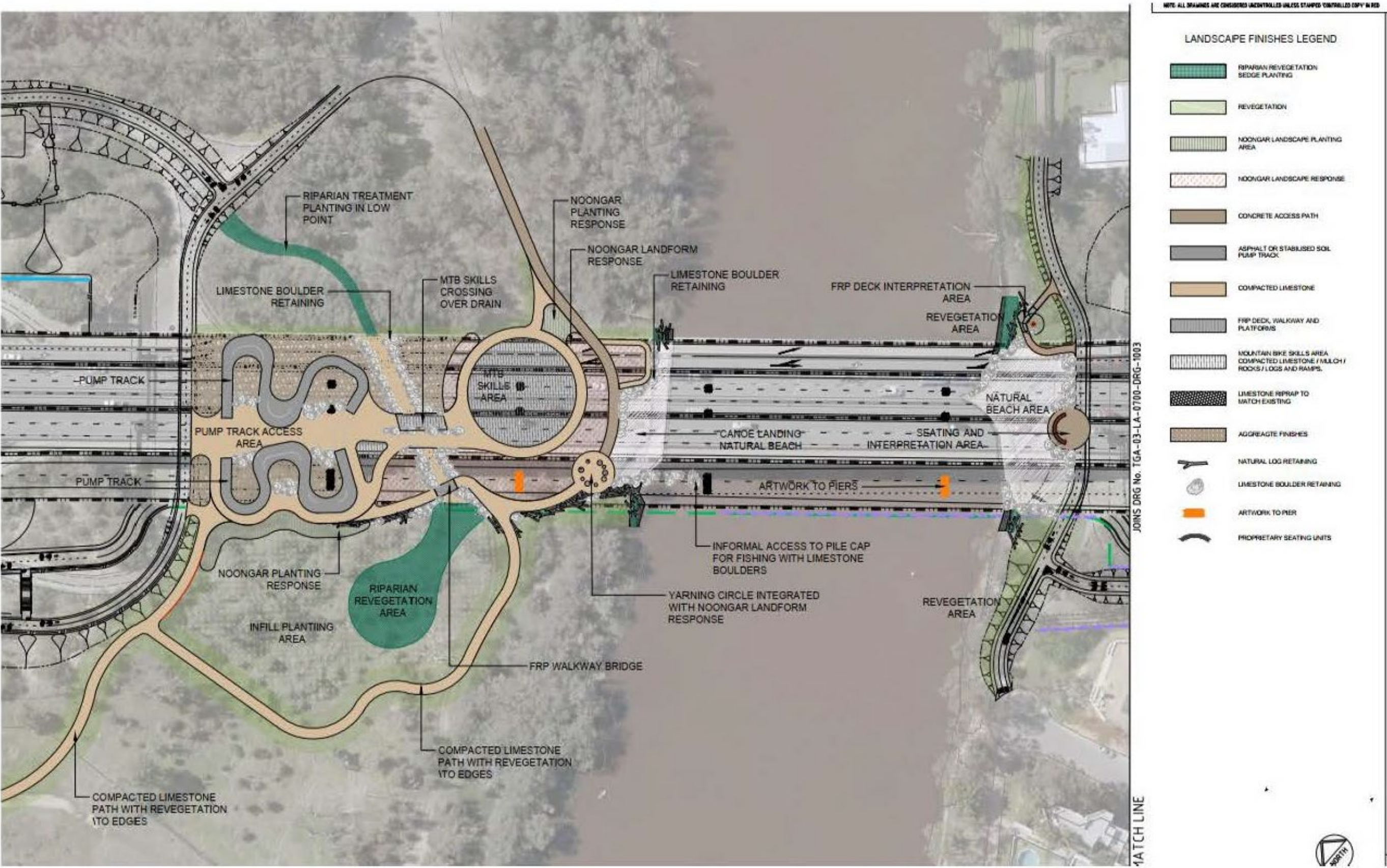
## CONCLUSION

In conjunction with the Tonkin Gap works and in recognition of appropriate community amenity, consideration has been given to what community facilities might be developed in and around the site, and in this instance, under the bridge in order to activate any redeveloped space.

Community and stakeholder engagement was undertaken and in consideration of the feedback received the current draft plan has been developed. As the engagement undertaken involved feedback from areas beyond Bayswater it is considered appropriate that the draft concept plan be advertised for further consultation.

Whilst the implementation of the plan will result in ongoing operational costs to the City, the City is being provided with an upgraded asset at no upfront cost and for the benefit of the community.







**10.5.2 Drainage - Rose Avenue, Bayswater**

<b>Applicant/Proponent:</b>	Evolve Bayswater Alliance/Public Transport Authority
<b>Responsible Branch:</b>	Major Projects
<b>Responsible Directorate:</b>	Major Projects and Commercial Activities
<b>Authority/Discretion:</b>	Executive/Strategic
<b>Voting Requirement:</b>	Simple Majority Required

**SUMMARY**

To allow Council consideration of a proposal to install underground stormwater storage and an associated easement within Lot 1 and 2, No. 92 Railway Parade, Bayswater, for drainage purposes in order to mitigate potential flooding at Rose Avenue, Bayswater.

**OFFICER'S RECOMMENDATION**

That Council advises the applicant, Evolve Bayswater Alliance/Public Transport Authority, that:

1. Its preference is for any additional drainage infrastructure associated with the redevelopment of the Bayswater Train Station to be constructed on rail, road or drainage reserved land.
2. It does not support the placement of the stormwater drainage infrastructure on land that is held in freehold by the City.

Cr Catherine Ehrhardt raised the following alternative motion:

**COUNCIL RESOLUTION**

**That Council advises the applicant, Evolve Bayswater Alliance/Public Transport Authority, that:**

1. **Any additional drainage infrastructure associated with the redevelopment of the Bayswater Train Station to be constructed on rail, road or drainage reserved land.**
2. **It does not support the placement of the stormwater drainage infrastructure on land that is held in freehold by the City.**

**Cr Catherine Ehrhardt, Deputy Mayor Moved, Cr Josh Eveson Seconded**

**CARRIED UNANIMOUSLY: 7/0**

**For:** *Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik and Cr Giorgia Johnson.*

**Against:** *Nil.*

**REASON FOR CHANGE**

***The City should be taking a very strong stance on refusing State infrastructure that will limit development potential of key strategic sites in the Bayswater town centre.***

**BACKGROUND**

Construction of new rail infrastructure for the development of the Bayswater Train Station is well underway and Evolve Bayswater Alliance (Evolve) will be commencing road modifications in particular at the Whatley Crescent, King William Street, Coode Street and Railway Parade intersections shortly. These roads will be undergoing considerable permanent changes including rerouting, re-alignment, carriageway modification, lane reconfiguration and signal modifications. The proposed works also include raising the vertical alignment of the road in order to provide adequate clearance to the existing groundwater levels, as well as flood prevention.

The majority of the stormwater catchment for the station precinct falls under the King William Street branch drainage catchment. The King William Street branch drain begins at the low point of King William Street, under the railway bridge underpass and runs along the road alignment below its pavement in a southerly direction towards Guildford Road. It crosses Guildford Road and connects to an open drain within Riverside Gardens. Water is then conveyed into the Bayswater Brook adjacent to the Eric Singleton Bird Sanctuary and ultimately discharges to an outlet into the Swan River.

It should be noted that the King William Street branch drain is a Water Corporation asset under the care and control of the Water Corporation whilst the underground drainage pipe network from the City's road system that connects to the King William Street Branch Drain is owned and maintained by the City.

As part of the design process for the development of the train station, a flood study for the station precinct and the King William Street branch drain was undertaken to confirm flood levels under various storm events. The alliance contractor for the project, Evolve, are also required to ensure that the post-station development peak flows and hydraulic gradients do not exceed the pre-station development flows as part of the design requirement for the station.

It should be noted that the King William Street Branch Drain is at or at times under capacity. The sag at the King William Street underpass has been known to flood periodically and therefore effectively acts as a pseudo detention basin on the road surface.

It has been identified that there are significant capacity limitations for the King William Street Branch Drain which will limit the ability for the system to receive additional flows along with existing flows from the proposed railway station and corridor. These parameters were therefore, taken into consideration by Evolve in their post-development drainage design.

As part of the design development of the station, the underpass will be raised and the new rail bridge will also be higher. The new rail bridge will provide a minimum vertical clearance of 4.8m compared to the current 3.8m clearance. The existing sag at King William Street will also be raised to alleviate potential flooding at the underpass.

Although the lifting of the sag provides benefits to the mitigation of flooding at the underpass, it can, however, produce localised impact to the nearby drainage pipe network such as causing flooding at other locations in the network. During the drainage design development stage, it was noted that the lifting of the sag causes an increase to the water levels in the local drainage systems upstream causing potential flooding on Rose Avenue and at the new Bus Link Road. Put simply, by removing the flooding which previously occurred at the subway the problem is moved upstream.

In order to resolve these potential flooding issues, in particular along the Rose Avenue drainage line, a number of measures have been proposed by Evolve and the Water Corporation. These measures include the use of underground storage tanks and installation of backflow flap valves in the pipe system.

Due to the confined space available around the station precinct, in addition to the topography of the surrounding area, plus the high groundwater level, a number of flood storage locations will be required to accommodate the storage volume needed. The proposed flood storage locations can be seen below:



### EXTERNAL CONSULTATION

Although no consultation has yet occurred with the public or other agencies on this matter, it is envisaged that residents on Rose Avenue and the Department of Communities site located on 86 – 90 Railway Parade will be notified of the works. As the storage locations are contained within road reserve, these underground storage tanks would not cause an impact on their respective properties, apart from temporary impacts associated with the installation of the tanks.

The property at 92 Railway Parade is owned by the City in freehold. The Halliday Reserve carpark located within this property is maintained by the City.

### OFFICER'S COMMENTS

The Rose Avenue drainage line is a local drainage pipe network that collects stormwater runoff from Rose Avenue and Halliday Park which are both under the care and control of the City. The line begins upstream at Rose Avenue and runs along the southern boundary of Halliday Park through the property of 86 - 90 Railway Parade and connects downstream to the King William Street Branch Drain. This line is depicted in the figure below in red.

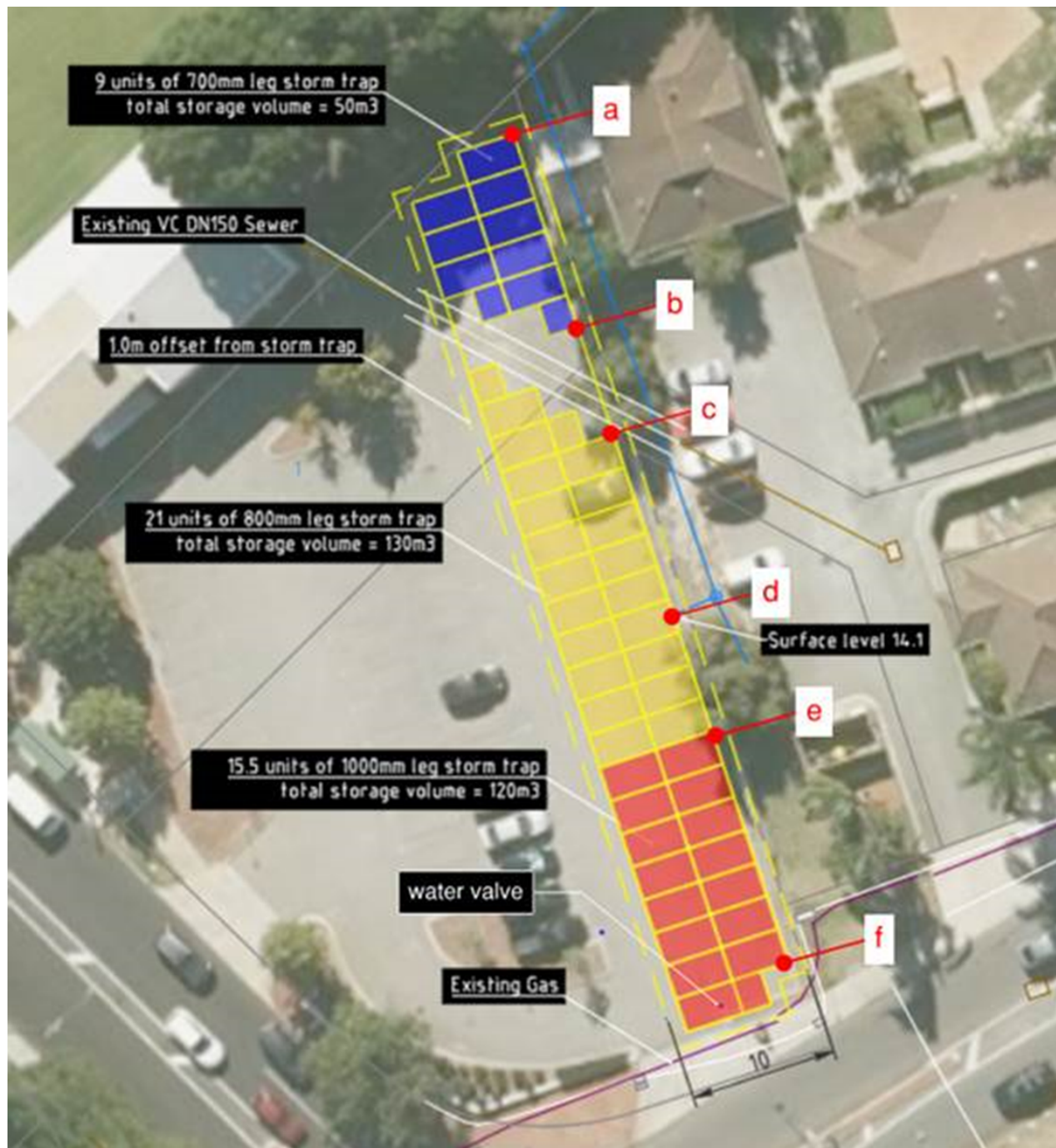




The lifting of the sag under the King William Street underpass will produce higher water levels in the pipe system. This is mainly due to the removal of the storage on the road surface (King William Street sag), which in turn creates a “tailwater” effect that reduces the rate at which the stormwater on Rose Avenue can drain. To mitigate the higher inundation levels at Rose Avenue during the larger storm events, the provision of underground storage along the downstream line of Rose Avenue will be required.

Based on the drainage modelling, a total storage volume of approximately 300m<sup>3</sup> is required in addition to the proposed storage located at Coode Street, the new Bus Link road and Rose Avenue as shown above. To detain this volume of water, Evolve has proposed that the underground storage be provided at the Halliday carpark at 92 Railway Parade given the site constraints in this area. A diagram detailing the extent of the required storage within this land can be seen below:





The proposed underground storage consists of a series of concrete units along the east side of the carpark boundary running in parallel to the Rose Avenue drainage line. These concrete units will be placed underneath the Halliday Park carpark pavement and can withstand vehicle loading. The proposed underground storage will therefore, not have an impact on the layout of the carpark aside from during installation of these units.

Given that the Halliday Park carpark is the City's freehold land, an easement over this storage unit will be required to be created. An easement width of 10m parallel to the eastern lot boundary which allows 1m clearance from the edge of the storage tanks to the edge of the easement has been proposed. A diagram detailing the extent of the easement required to accommodate the underground storage can be seen below:



Although the option to locate the proposed underground storage in the Halliday Park carpark will mitigate the flooding in Rose Avenue, it will have an impact on the potential future development options of this land. Evolve was therefore, requested to investigate possible alternative locations for underground storage.

One of the options was the potential to have the storage in an alternative location on the subject lot. Considering any developments predominantly require boundary setbacks, an alternative option was to locate the storage along the west and south sides of the carpark with the intention to maximise the building envelope for future development of this lot. This option, however, required a larger easement due to the level difference and site constraints including a number of existing trees.

An easement width of 13.5m would be required to allow sufficient clearance for excavation and to achieve the required storage volume of 300m<sup>3</sup>. Two trees that are located inside the carpark lot would, however, require removal and a significant tree that is listed in the City's Municipal Heritage Inventory which has also been identified with high retention value located on the south-west corner of the lot will be compromised based on its close proximity to the edge of the storage location.

A diagram detailing the extent of the easement required for this option can be seen below:





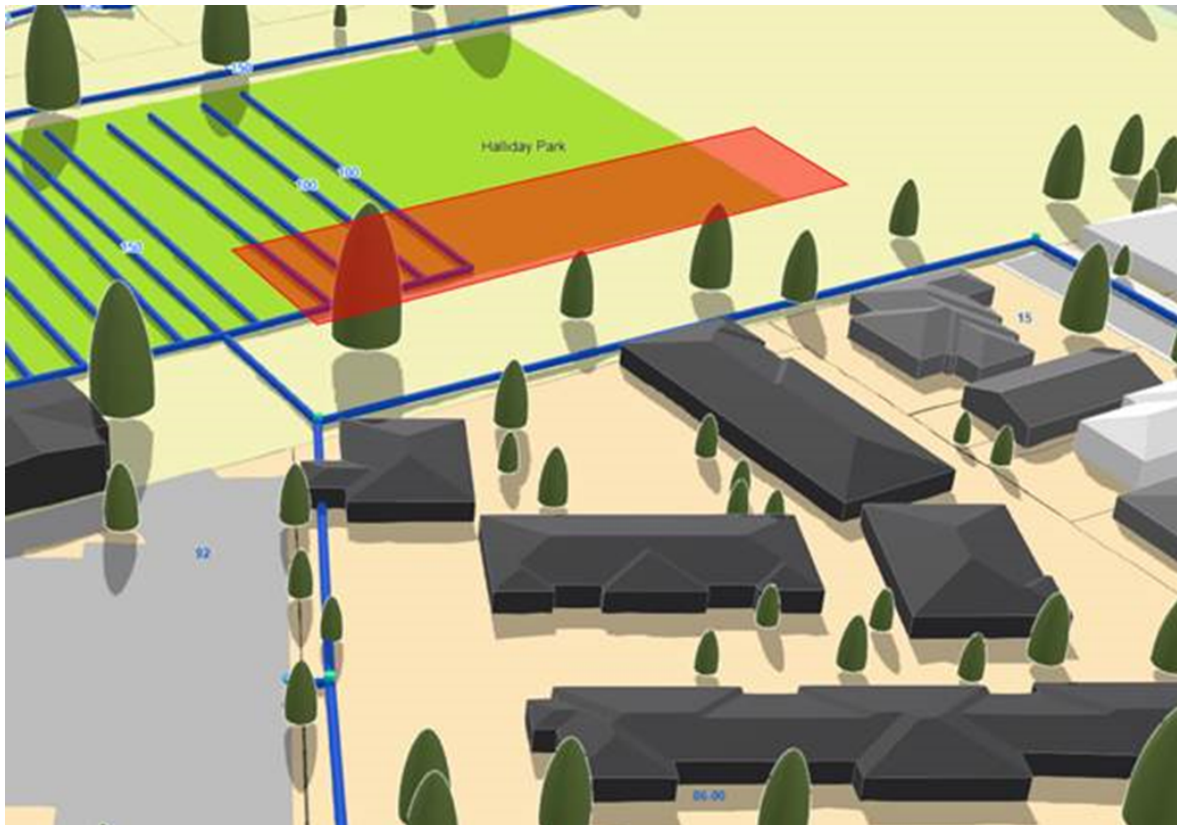
Evolve were also requested to investigate the option of locating the storage within Halliday Reserve. Although this option would eliminate any disruptions to the Halliday carpark, this option, however, also presented a number of issues that need to be taken in consideration. These include the following:

- There are a series of existing trees running along the southern boundary of Halliday Reserve. In order to avoid any disturbance to these mature trees, the underground storage would need to be located away from them. The storage location is shown in the figure below. By locating the storage units further into the reserve, however, would encroach into the reserve playing field areas. Sports that are played at this reserve such as Lacrosse and Archery will therefore, be impacted during the installation and re-establishment of the area.



- There is also existing intricate subsoil drainage located below the playing fields in the reserve that will clash with underground storage. Below is a 3D model showing the storage extent (in red) clashing with the subsoil drainage (in blue). Modification or replacement of the subsoil drainage would, therefore, be required.





- As the storage in the Halliday Reserve is located further upstream along the Rose Avenue drainage line, there are more constrictions on the depth of storage available. The extent of the storage footprint would be larger compared to the footprint in the Halliday carpark option as the storage tank depth in Halliday Reserve is constrained by the invert levels of the existing downstream pipes.
- It should be noted that the current playing fields at Halliday Park become water-logged on a regular basis during the winter period. This is mainly due to the soil being saturated during the raining months with the addition of a high water table resulting in limited infiltration as the soil cannot absorb any more water. For this reason, there is an extensive network of subsoil drainage located below the grounds of this reserve. Although there is an expectation for Evolve to modify and replace all the subsoil drainage, to facilitate the underground storage, the water logging issue will remain and may indeed worsen under this option.
- Halliday Park is also listed on the City's Municipal Heritage Inventory. Given the proposed storage does not encroach onto the War Memorial and garden beds located at the northern end of the park nor the community building and clubrooms located at the south west corner of the park, it is not considered for this option to have significant impact.

Due to the ongoing water logging issues, providing further underground storage below the playing fields of Halliday Park is not recommended. This option is also constrained by the existing ground levels, high water table levels and limited storage depth resulting in the need for a larger footprint area to accommodate the underground storage facility. Due to this, if the storage needs to go on City land it is preferred that it be placed in the Halliday carpark as the resulting area required for the storage is smaller compared to the reserve option and will not impact the playing surface on the reserve.

Given the property of 92 Railway Parade Bayswater is the City's freehold land, an easement for the proposed underground storage would need to be created for access and maintenance purposes. An encumbrance to the title of this property in the form of an easement for drainage purposes to accommodate the underground storage would therefore be created.

Because there is development potential associated with this land, in particular the recently adopted guidelines for this area to allow development up to 15 storeys which is applicable to the subject lot, should any encumbrance to the title of this property in the form of an easement for drainage purposes to accommodate the underground storage be required, it is recommended that the City receive appropriate compensation for such an encumbrance. The diagram above that depicts the extent of easement required to accommodate the underground storage within the subject lot should be used to determine the level of compensation, which would be determined based on the loss of development potential of the land.

It should be noted that the assessment of the above options was based on results from the stormwater drainage modelling that had been undertaken by Water Corporation and Evolve, and various safety factors have been applied in the determination of the proposed storage volume. The detailed design of the storage and the drainage network are yet to be finalised, hence there is a likelihood that the size of the easement will be reduced.

Another option that may be viable and does not appear to have been considered at this stage, is the placement of the storage in the Department of Communities land that abuts the Halliday carpark.



This area is also currently a carpark and is State Government land, so the process associated with using the area for the storage may be simplified. Officers will raise this option with Evolve/PTA.

#### LEGISLATIVE COMPLIANCE

- *Land Administration Act 1997*; and
- Creation of easement in title deeds or certificate.

**RISK ASSESSMENT**

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

<b>Officer's Recommendation</b>	<p>That Council advises the applicants, Evolve Bayswater Alliance/Public Transport Authority, that:</p> <ol style="list-style-type: none"> <li>1. Its preference is for any additional drainage infrastructure associated with the redevelopment of the Bayswater Train Station to be constructed on rail, road or drainage reserved land, or other State Government land holdings</li> <li>2. It does not support the placement of the stormwater drainage infrastructure on land that is held in freehold by the City, unless the City is compensated for the loss of value on the subject land as a result of the encumbrance on the land.</li> </ol>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
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
<b>Conclusion</b>	<p>This option presents a low risk as it does not impact the development potential of any freehold land owned by the City. It will also not cause any disruptions to the sporting clubs and can enable the implementation of flood mitigation measures in Rose Avenue.</p>	

<b>Option 2</b>	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Endorses the installation of underground stormwater drainage infrastructure within portions of land parcels Lot 1 and 2, No. 92 Railway Parade, Bayswater (Plan Diagram No: D008433) and approves the creation of an easement on the lot subject to the City being adequately compensated for the encumbrance on the lot.</li> <li>2. Notes that should suitable compensation for the loss of value for the lot not be offered, Halliday Park will be considered as an alternative location for the required underground stormwater storage.</li> </ol>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
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
<b>Conclusion</b>	<p>This option presents an acceptable level of risk, however, will limit the ultimate development potential of the subject land. It will mitigate potential flooding issues in Rose Avenue and it also protects the City's financial interests by requiring compensation for the encumbrance associated with the provision of a drainage easement.</p>	

<b>Option 3</b>	<p>That Council endorses the installation of underground stormwater drainage infrastructure within portions of Halliday Park Reserve, 6 Coode Street, Bayswater (Plan Diagram No: D010083) and approves the creation</p>	
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	of an easement on the lot subject to the City being adequately compensated for the encumbrance on the lot.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Moderate
Service Delivery	Low	Moderate
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	This option presents a moderate to low risk and is required to mitigate any potential flooding issues in Rose Avenue. The sporting clubs that currently use this reserve may not be satisfied with this outcome and service delivery may be impacted due to increased waterlogging on the reserve.	

### FINANCIAL IMPLICATIONS

Construction of all drainage infrastructure and implementation of measures such as underground storage and flood valves will be funded by Evolve as part of the delivery of the Bayswater Station project. Measures that are associated with the operation and maintenance of any infrastructure within land under the control of the City, is expected to be under the responsibility of the City.

The City will, therefore, be responsible for the ongoing maintenance of the underground storage regardless of where it is installed. The type of maintenance required for these storage units mainly consists of annual cleaning. This involves a vacuum truck and water jet truck to remove any solids built up within the units. The cost estimate to undertake maintenance for each storage location equates to approximately \$5,000 per year. The City may be, however, be able to negotiate a contribution to ongoing maintenance from the Water Corporation and will pursue this option. The capital costs for the installation of these units, however, will likely be shared between Water Corporation and Evolve Bayswater as part of the Station project.

### STRATEGIC IMPLICATIONS

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

Theme: Vibrancy

Goal V1: Plan for increased business opportunities around transport nodes.

Theme: Leadership and Governance

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

### CONCLUSION

The existing low point of King William Street where the King William Street Branch Drain commences will be raised as part of the Bayswater Station project works. Whilst this will reduce the potential for flooding in this area, it does, however, result in the need to provide alternate storage to prevent inundation at Rose Avenue. Evolve have proposed the provision of this alternate storage at the Halliday carpark at 92 Railway Parade and given that this is freehold land, owned by the City, this option is not the City's preference. The City's preference is that any drainage infrastructure required as a result of the redevelopment of the Bayswater train station is placed in road, rail or drainage reserved land, **or other State Government land holdings**, as this is the norm for such infrastructure.



**10.6 Sub Committee Reports****10.6.1 Policy Review and Development Committee - 31 May 2022****10.6.1.1 Community Facility Lease And Licence/User Agreement Policy**

<b>Responsible Department</b>	Building Works
<b>Responsible Directorate:</b>	Works and Infrastructure
<b>Authority/Discretion:</b>	Executive/Strategic
<b>Voting Requirement:</b>	Simple Majority
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Amended Lease Policy 2022 [8.1.1 - 5 pages]</li> <li>2. Annexure 1 Categories of Tenants Reviewed 2022 [8.1.2 - 6 pages]</li> <li>3. Amended Lease Policy 2022 Track Changes [8.1.3 - 5 pages]</li> <li>4. ECM 3249778 v10 Community Facility Lease and Licence User Agre [8.1.4 - 3 pages]</li> <li>5. Committee Amendments to Annexure 1 [8.1.5 - 6 pages]</li> </ol>
<b>Refer:</b>	<p>Item 11.2: OCM 26 April 2022</p> <p>Item 10.4.4 OCM 26 May 2020</p> <p>Item 11.4: OCM 20 August 2019</p> <p>Item 10.1.1: OCM 9 April 2019</p> <p>Item 11.1: OCM 25 September 2018</p> <p>Item 13.3: OCM 28 August 2018</p> <p>Item 11.2.7: OCM 19 April 2011</p>

**CR ASSUNTA MELECA DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Assunta Meleca declared an impartial interest in this item as is a member of Ellis House. Cr Meleca remained in the room during voting on this item.*

**CR STEVEN OSTASZEWSKYJ DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Steven Ostaszewskyj declared an impartial interest in this item as he is a member of one of the clubs potentially affected by the lease agreement. Cr Ostaszewskyj remained in the room during voting on this item.*

**CR DAN BULL DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Dan Bull declared an impartial interest in this item as he is a member of a number of community groups potentially affected by the lease agreement. Cr Bull remained in the room during voting on this item.*

**CR GIORGIA JOHNSON DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Giorgia Johnson declared an impartial interest in this item as she is a member of a number of community groups potentially affected by the lease agreement. Cr Johnson remained in the room during voting on this item.*

**CR CATHERINE EHRHARDT, DEPUTY MAYOR DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Catherine Ehrhardt, Deputy Mayor declared an impartial interest in this item as she is a member of a community group mentioned in the report. Cr Ehrhardt, Deputy Mayor remained in the room during voting on this item.*

**CR ELLI PETERSEN-PIK DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Elli Petersen-Pik declared an impartial interest in this item as he is a member of a number of community groups potentially affected by the lease agreement. Cr Petersen-Pik remained in the room during voting on this item.*

**CR JOSH EVESON DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Josh Eveson declared an impartial interest in this item as he is a member of a community group potentially affected by the lease agreement. Cr Eveson remained in the room during voting on this item.*

**SUMMARY**

For Council to consider adopting the amended *Community Facility Lease and Licence/User Agreement Policy*.

**OFFICER'S RECOMMENDATION**

That Council:

1. Adopts the revised Community Facility Lease and Licence/User Agreement Policy as outlined in Attachment 1.
2. Notes that the revised policy will apply to all new City of Bayswater Community leases or licences and existing leases or licences as they are renewed.

**COUNCIL RESOLUTION**

**(COMMITTEE RECOMMENDATION TO COUNCIL)**

That Council:

1. Adopts the revised Community Facility Lease and Licence/User Agreement Policy as outlined in Attachment 1, with the following amendment:  
The words "(exemptions apply for Historical Societies)" be inserted after "Emergency Services Levy" in the annexure for "Category 1a - Small Volunteer Groups" as shown in new Attachment 5.
2. Notes that the revised policy will apply to all new City of Bayswater Community leases or licences and existing leases or licences as they are renewed.

Cr Catherine Ehrhardt, Deputy Mayor Moved, Cr Josh Eveson Seconded

**CARRIED: 4/3**

**For:** Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Josh Eveson and Cr Catherine Ehrhardt, Deputy Mayor.

**Against:** Cr Sally Palmer, Cr Elli Petersen-Pik and Cr Giorgia Johnson.

*At 7:14pm on 4 July 2022, Mr Joe Gomboc withdrew from the meeting and did not return.*

**BACKGROUND**

At the Ordinary Council Meeting on 26 April 2022, Council made the following resolution regarding community facility leases:

*“That Council:*

- 1. Requests the Chief Executive Officer to present a revised Community Facility Lease and Licence/User Agreement Policy, that includes the requirement for lessees to be responsible for all outgoings including utility costs and Emergency Services Levy, to the next Policy Review and Development Committee Meeting.*
- 2. Notes that the amended Policy will apply to all new City of Bayswater leases or existing leases as they are renewed and may include exemptions for specific lessees depending on circumstances.”*

The *Community Facility Lease and Licence/User Agreement Policy* (the Policy) has been reviewed to address the requirements of the Council resolution. City officers have also taken the opportunity to conduct a general review of the entire policy.

The amended Policy is presented to the Committee for its consideration and recommendation.

**EXTERNAL CONSULTATION**

The City has reviewed leasing policies and/or framework from the following local government authorities (LGAs):

- City of Wanneroo;
- City of Canning;
- City of Joondalup; and
- City of Vincent.

Whilst the approach to community leasing differs for each of the above LGAs, there is consistency around the lessee’s responsibility to pay all outgoings associated with the leased facility, including utility costs, regardless of the size of the community group. Some LGAs do allow lessees to apply for ‘financial relief’ requiring significant evidence and justification of the lessee’s inability to pay for associated outgoings.

No consultation with existing leaseholders in the City has occurred at this stage. However, the City is aware that some leaseholders are aware that the City is reviewing the Policy, as the Notice of Motion was publicly available in the City’s Ordinary Council Meeting Agenda and Minutes.

**OFFICER'S COMMENTS**

The revised Community Facility Lease and Licence/User Agreement policy provides a clear structured framework to ensure a consistent approach to the management of the City’s community lease, licence and user agreements.

Whilst the intent of the current policy remains the same, the reviewed policy further elaborates and provides a clear statement on how the City will manage its lease, licence and user agreements.

**Annexure 1 – Tenant Categories**

Tenant categories have been re-defined with a clear set of criteria assigned to each. The new criteria will assist City officers, as well as current and potential tenants to better understand which category a leaseholder fits into and the associated roles and responsibilities. The redefined categories are as follows:

- Category 1a) – Small Volunteer Groups
- Category 1b) – Not-for-Profit Community Groups and Organisations
- Category 2) – Sporting Clubs and Recreational Groups
- Category 3) – Community Child Care Centres
- Category 4) – Large Not-for-Profit Organisations, State and National Clubs/Associations and Places of Worship
- Category 5) – Child Health Clinics

The redefined tenant categories follow the same basic categories as the current policy, with more specific category names and clearer definitions for each. Community Child Care Centres has also been placed in its own category (category 3), rather than being considered as a 'sub-category' under the current policy. The current tenant categories are as follows:

- Category 1 – Not-for-Profit Community Groups;
  - A) – Local Service Groups
  - B) – Community Child Care Centres
  - C) – Other Community Groups
- Category 2 – Sporting and Recreational Groups
- Category 3 – Not-for-Profit – Funded
- Category 4 – Child Health Clinics

The City has received feedback from leaseholders on the lack of clarity around each parties' responsibilities. Under the revised policy; the roles and responsibilities of the lessor and the lessee are now clearly defined based on the relevant tenant category. Aside from the amendment that all tenants will be responsible for utility costs as a part of their outgoings (unless otherwise exempt), the tenant's responsibilities and lease fees and charges remain unchanged.

#### Lease Fees and Charges

The City has noted that under the current policy, routine maintenance charges and responsibilities may not be clear, with tenants often confused by who should be maintaining inbuilt systems such as air conditioning, cool rooms, fire safety systems etc, and who is responsible for the associated maintenance costs.

Under the current policy, the City is responsible for undertaking the servicing of all inbuilt mechanical services, with the cost being borne by the tenant. This remains the same under the revised policy, with amended wording to clarify that the tenant will be invoiced annually for the routine maintenance costs associated with the facility they lease/licence.

Currently tenants are invoiced when the routine maintenance works are undertaken. This creates an administration burden for City officers leading to inconsistent invoicing and inconsistent expenses throughout the year for tenants. Instead, routine maintenance costs will be billed in advance at the start of the new financial year, once the estimated costs for the year have been calculated. Should tenants find themselves not able to pay the upfront costs of the routine maintenance, they may be able to enter into a 'payment arrangement' with the City's finance team.

#### Exemptions

Category 1a) tenants are generally small volunteer groups with limited or no capacity to generate revenue. To assist these groups financially and in recognition of the important programs/services

they provide to the local community, these groups will only be charged 50% of the annual routine maintenance costs applicable to the leased facility.

In addition, and as per previous agreements, historical societies (who are considered as a Category 1a) will be exempt from utility and waste charges, in recognition of the contribution these volunteer groups provide by preserving historical information, items and facilities.

#### Utility Costs Under Current Policy

At the Ordinary Council Meeting held on 26 April 2022, officers estimated that the City pays in the vicinity of \$350,000 per annum in utility reimbursements and payments of utility bills for the leaseholders' use and occupation of City owned properties. As accurate figures were not able to be obtained at the time, it was noted that the City will be reviewing the actual figures for the 2020-2021 financial year to provide a more accurate estimation of the annual utility costs.

Upon reviewing the figures, the City now estimates that for the 2020-2021 financial year, the utility expenses are approximately \$290,000. The below table demonstrates indicative annual and cumulative savings the City could expect to see under the revised policy.

Note that the annual savings will not be realised immediately. The savings will start low in the first year and will increase in future years. This is on the understanding that the new charges will come into effect when new leases are entered into or existing ones expire and are renewed. The gradual change is the consequence of Limb 2 of Council Resolution from the April 2022 Ordinary Council Meeting.

Calculated Annual Savings for the City based on 2020/2021 usage figures are estimated as follows:

(Note: figures are not indexed for future years)

Year	Annual	Cumulative
2022/2023	\$10,220	\$10,220
2023/2024	\$52,679	\$62,899
2024/2025	\$135,577	\$198,477
2025/2026	\$186,697	\$385,174
2026/2027	\$247,327	\$632,502
2027/2028	\$269,062	\$901,565
2028/2029	\$269,062	\$1,170,627
2029/2030	\$269,062	\$1,439,690
2030/2031	\$269,062	\$1,708,752
2031/2032	\$269,062	\$1,977,815

It should be noted that the savings are based on usage figures from the 2020-2021 financial year. The actual savings are expected to vary from this, the extent of variation is dependent on usage patterns of the lease-holders and any changes to the facilities, such as the installation of solar panels.

#### **LEGISLATIVE COMPLIANCE**

Any changes made will be reflected in the Community Facility Lease and Licence/User Agreement Policy.

## RISK ASSESSMENT

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

<b>Officer's Recommendation</b>	<b>That Council:</b> <ol style="list-style-type: none"> <li>1. <b>Adopts the revised Community Facility Lease and Licence/User Agreement Policy as outlined in <u>Attachment 1</u>.</b></li> <li>2. <b>Notes that the revised policy will apply to all new City of Bayswater Community leases or licences and existing leases or licences as they are renewed.</b></li> </ol>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	It is considered that this option carries a moderate Community and Stakeholder risk, as some community groups/clubs may not wish to be responsible for utility costs under a new agreement.	

Option 2	That Council:  1. Adopts the revised Community Facility Lease and Licence/User Agreement Policy as outlined in <u>Attachment 1</u> , with further amendments  2. Notes that the revised policy will apply to all new City of Bayswater Community leases or licences and existing leases or licences as they are renewed.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Dependent on amendments made.
Reputation	Low	
Governance	Low	
Community and Stakeholder	Moderate	
Financial Management	Low	
Environmental Responsibility	Low	
Service Delivery	Low	
Organisational Health and Safety	Low	
Conclusion	The risks for this option will be dependent on changes made to the Policy	

<b>Option 3</b>	<b>That Council:</b> <ol style="list-style-type: none"> <li>1. <b>Does not adopt the revised Community Facility Lease and Licence/User Agreement Policy as outlined in <u>Attachment 1</u>.</b></li> <li>2. <b>Chooses to continue with the current Community Facility Lease and Licence/User Agreement Policy.</b></li> </ol>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	High

Environmental Responsibility	Low	Low
Service Delivery	Low	Moderate
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	It is considered that this option carries a high Financial Management risk, as the continued accumulated cost to the City for the payment of utility bills incurred by community lease/licence holders is quite significant with annual CPI being applied. It is also considered that this option carries a moderate Service Delivery risk as the revised policy provides a much clearer and updated approach to the City's community lease/licences.	

## FINANCIAL IMPLICATIONS

The following financial implications are applicable:

**Item 1:** Amendment to Community Facility Lease and Licence/User Agreement Policy

**Asset Category:** Other

**Source of Funds:** Municipal

**LTFP Impacts:** The current LTFP has the utility expenses already included. The change in policy will allow reimbursement of part of the utility expenses, starting initially at approximately \$10,000 per annum, increasing annually to approximately \$270,000 in several years' time.

**Notes:** Financial implications are identified in table above.

ITEM NO.	CAPITAL / UPFRONT COSTS (\$)	ONGOING COSTS (\$) ANNUAL		INCOME (\$)	ASSET LIFE (YEARS)	WHOLE OF LIFE COSTS (\$)	CURRENT BUDGET (\$)
		MATERIALS & CONTRACT	STAFFING				
1	-	-	-	Estimated \$10,000 - \$270,000 annual	-	-	-

## STRATEGIC IMPLICATIONS

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

Theme: Leadership and Governance

Goal L4: Communicate in a clear and transparent way.

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

## CONCLUSION

It is recommended that Council adopt the revised *Community Facility Lease and License/User Agreement Policy*, as the revised policy aims to reduce the City's costs associated with community leases/licences in future budgets. The revised policy also provides for a significant update to the existing policy, by delivering structured framework for a clearer, refined and consistent approach to the City's management of its community leases/licenses, in-line with other LGAs.

# Community Facility Lease and Licence/User Agreement Policy



<b>Responsible Division</b>	Works and Infrastructure
<b>Responsible Business Unit</b>	Building Works
<b>Responsible Officer</b>	Community Lease Officer
<b>Affected Business Units</b>	Building Works
<b>ECM Document Set ID</b>	[ECM document set ID]

## Purpose

To provide a structured framework and basic principles to ensure a consistent and equitable approach to the management of community lease and licence/user agreements, for the use and tenancy of City owned and managed properties, including land. This policy will provide guidance to City officers to assess and negotiate tenancy agreements.

## Scope

This policy applies to all Community Lease and Licence/User Agreements for the use of City owned and managed properties. The policy defines clear tenant categories and associated roles and responsibilities of each party under a tenancy agreement, and provides basic principles for the consistent, equitable and effective management of the City's community leases, licences and user agreements.

## Definitions

For the purpose of this policy —

**Agreement:** a legally binding arrangement between parties, i.e. a Lease, License or User Agreement.

**Authorised Contact/s:** individuals of a group, organisation or club who have been nominated as the primary contacts for all lease, licence or user agreement correspondence.

**City:** City of Bayswater.

**Council:** a body of individuals elected by City ratepayers to manage the affairs of the City

**Facility:** land or building owned or managed by the City

**Lease:** a contract by which one party conveys land, property or service to another for a specified time usually in return of periodic payment.

**Licence:** a contract for the non-exclusive use of a facility.

**Licensee:** a person, group, club or organisation that holds a licence for the use of a facility.

**Lessee:** a person, group, club or organisation that holds the lease for the exclusive use of a facility.

**Lessor:** the owner of an asset that is leased to another party.



**Not for Profit:** an organisation that does not operate for the financial gain of a group or individual

**Public Liability Insurance:** a type of insurance that covers an organisation or group against losses or damage to a third party as a result of that group's or organisation's activities.

**Sub-tenant:** someone who occupies all or part of a premises under a lease agreement with the original/primary tenant of the premises.

**Tenant/s:** a person or persons who occupy a facility leased from the City, also known as lessee

**User Agreement:** contractual arrangement outlining the terms and conditions associated with usage, as negotiated.

## Policy Statement

1. The City will provide a range of well-maintained and well managed community facilities and enter into agreements with community based not-for-profit organisations and sporting and recreational groups to support community needs and engagement.
2. The City will ensure consistent and fair access to its community facilities for locally based groups/clubs and larger not-for-profit organisations which provide benefit to the community.
3. The City will aim to increase community access to activities and services by ensuring optimal utilisation of City facilities by encouraging multiuse, integration and co-location.
4. Any new tenancy agreements should be negotiated on the terms set out in this policy.
5. For the purposes of tenancy negotiation, all community lease and licences shall be classified into one of the categories as outlined in **Annexure 1**.
6. Council's adopted standard community lease agreement will be applied to all new community leases, including renewals of existing tenants. The standard community lease agreement will not be varied, unless it is required to meet the operational needs of the tenant, and only then will minor variations be made under delegated authority.
7. The City reserves the right in all cases to inspect the premises and ensure lease conditions and Key Performance Indicators are being met.

## Types of Agreements

8. The City will enter into one of the following agreements for the use of City owned and managed facilities:
  - a. Lease – provides exclusive use of a facility or a portion of a facility for an agreed term.
  - b. Licence – contractual agreement for the non-exclusive use of a premises under particular conditions, such as permitted access between agreed times only. Generally, will include regular payment as a consideration.
  - c. User Agreement – contractual tenancy agreement which outlines the terms and conditions associated with the usage of the facility. The terms of a user agreement are not usually standard and are negotiated between the two parties.

**Advertising a Facility for Lease/Licence and Lease/Licence Applications**

9. The City will advertise and seek expressions of interest (EOI's) for consideration, to lease or licence a facility or portion of a facility when:
  - An existing building or space becomes vacant;
  - An existing agreement expires and is not renewed;
  - For reasons, an agreement is terminated by either party; and
  - A new building is constructed on land owned or managed by the City.
10. EOI submissions will be assessed by a panel against the City's Lease Assessment Criteria and presented to Council for consideration.
11. All EOI submissions must demonstrate how they satisfy each of the City's Lease Assessment Criteria and provide a formal proposal including the following:
  - A comprehensive business/organisation plan detailing the applicant's vision for the proposed lease space; and
  - Evidence that the proposed service/activities provides community benefit and/or an identified need of the community.

**Lease Administration and Management**

12. Lease/licence tenure, fees and charges and all tenant obligations shall be as applicable to the respective tenant category outlined in **Annexure 1**.
13. Where practicable, utility charges will be individually metered for each tenant, otherwise an equitable percentage of the overall site utility charges will be applied.
14. The City will undertake annual property inspections to ensure lease conditions and will provide the tenant with a copy of the inspection report and appropriate feedback. Prior notice of the inspection will be given to the tenants.
15. The tenant is expected to maintain and keep the premises clean and in good repair. Tenants are to report any maintenance, damage, or repair requirements to the City in writing and in a timely manner.
16. All maintenance and repair requests will be considered by the relevant City officer/s and only undertaken if deemed necessary.
17. Approved maintenance or repairs will be undertaken by the City within a reasonable timeframe determined by the level of urgency.
18. Tenants are not permitted to sub-let any part of the leased premises without the written consent from the City and then must use the City's standard sub-lease agreement.

## Annual Audit

19. On the anniversary of the tenancy agreement, the City will assess the tenant's annual performance against the City's Lease Key Performance indicators (KPI's) and provide appropriate feedback on their performance. Tenants are required to complete the City's annual audit information request and provide copies of:
- Public Liability insurance with a minimum \$10 million coverage, preference being given to minimum coverage of \$20 million;
  - Pest control certificate;
  - Up to date authorised contacts list;
  - An up to date key register
  - Organisation financials/accounts;
  - AGM Minutes;
  - Playground inspection certificate (if applicable);
  - Any required maintenance records where maintenance is required as part of the lease; and
  - Copies of any required certifications or accreditations associated with the organisation.

## Related Legislation

*Local Government Act 1995 (WA)*

*Local Government (Functions and General) Regulations 1996*

*Residential Tenancies Act 1987 (WA)*

*Residential Park (Long-Stay Tenants) Act 2006 (WA) & Regulations*

## Related Documentation

City of Bayswater Community Lease Agreement

City of Bayswater Community and Commercial Lease KPI's and Assessment Criteria

City of Bayswater Breach of Lease Policy

## Document details

**Relevant delegations** EF – D11 Leasing Agreements

**Risk evaluation** [low/moderate/high/extreme]

**Strategic link** [link to Strategic Community Plan]

**Council adoption** 19 April 2011 **Resolution** 11.2.7

Reviewed/modified	1 March 2016	Resolution	
	9 April 2019		10.1.1
	28 June 2022		10.6.1.1

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## Category 1a – Small Volunteer Community Groups

<b>Criteria</b> Locally based organisations with a voluntary management committee and are a stand-alone Not-for-Profit organisation/community group (whether incorporated or not). Run solely by volunteers and facilitates programs/activities specifically targeted at local residents. Demonstrates a limited or no capacity to generate revenue through facility use and/or activities. Income is generally limited to low membership fees. Considered 'Exempt Dispositions' from section 3.58 of the <i>Local Government Act 1995</i> .	
<b>Tenancy Term</b>	Lease/Licence Agreement: Minimum term of 2 years – Maximum term of 5 years
<b>Lease Fees and Charges</b>	Annual Rent: \$1.00  Outgoings: <ul style="list-style-type: none"> <li>• Emergency Services Levy</li> <li>• All utility costs related to the tenants use of the premises (exemptions for historical societies)</li> <li>• Waste charges (exceptions for historical societies)</li> <li>• Annual routine maintenance charges applicable to the facility discounted by 50% (e.g. servicing of air conditioning systems, cool rooms, alarm systems and fire safety systems)</li> </ul> *Local Government Rates will not be charged by the City*
<b>Tenant Obligations</b>	<ul style="list-style-type: none"> <li>• Contents, public liability insurance and any other insurances associated with the tenants use of the facility</li> <li>• Internal and external cleaning (including annual carpet cleaning)</li> <li>• Consumables associated with the facility and the tenants use.</li> <li>• Pest control (excluding termite inspections and treatment)</li> <li>• Minor general maintenance of the premises such as the repair and replacement of fittings and fixtures including light globes, taps, toilets, paper towel/roll dispensers and clearing of plumbing blockages caused by the tenants use.</li> </ul>
<b>City Obligations</b>	<ul style="list-style-type: none"> <li>• Building insurance</li> <li>• Building structural repairs and maintenance.</li> <li>• Gutter cleaning</li> <li>• External Drainage</li> <li>• Servicing of all inbuilt mechanical systems, security systems and fire safety systems (routine maintenance) with the cost being born by the tenant</li> <li>• Repair and replacement of inbuilt mechanical systems due to failure/end of useful life (not attributed to tenant's misuse or neglect)</li> <li>• Annual termite inspections and treatments as required.</li> </ul>

## Category 1b – Not-for-Profit Community Groups and Organisations

<b>Criteria</b>	<p>Locally based Not-for-Profit organisation, club, or community group run by volunteers or paid workers and are incorporated under the <i>Associations Incorporation Act 1987</i>. Servicing a wider catchment than the City of Bayswater District with their primary base of operations located within the City of Bayswater. Demonstrates an affordable membership regime and facilitates programs and activities that add value to the social and community fabric of the City. Has the capacity to generate revenue through membership, use of the premises, or activities consistent with the organisations purpose.</p>
<b>Tenancy Term</b>	Lease/Licence Agreement: Minimum term of 2 years – Maximum term of 5 years
<b>Lease Fees and Charges</b>	<p>Annual Rent: \$1,390 plus GST and indexed annually to CPI</p> <p>Outgoings:</p> <ul style="list-style-type: none"> <li>• Emergency Services Levy</li> <li>• All utility costs related to the tenants use of the premises</li> <li>• Waste charges</li> <li>• Annual routine maintenance charges applicable to the facility (e.g. servicing of air conditioning systems, cool rooms, alarm systems and fire safety systems)</li> </ul> <p>*Local Government Rates will not be charged by the City*</p>
<b>Tenant Obligations</b>	<ul style="list-style-type: none"> <li>• Contents, public liability insurance and any other insurances associated with the tenants use of the facility</li> <li>• Internal and external cleaning (including annual carpet cleaning)</li> <li>• Consumables associated with the facility and the tenants use.</li> <li>• Pest control (excluding termite inspections and treatment)</li> <li>• Minor general maintenance of the premises such as the repair and replacement of fittings and fixtures including light globes, taps, toilets, paper towel/roll dispensers and clearing of plumbing blockages caused by the tenants use.</li> </ul>
<b>City Obligations</b>	<ul style="list-style-type: none"> <li>• Building insurance</li> <li>• Building structural repairs and maintenance.</li> <li>• Gutter cleaning</li> <li>• External Drainage</li> <li>• Servicing of all inbuilt mechanical systems, security systems and fire safety systems (routine maintenance) with the cost being born by the tenant</li> <li>• Repair and replacement of inbuilt mechanical systems due to failure/end of useful life (not attributed to tenant's misuse or neglect)</li> <li>• Annual termite inspections and treatments as required.</li> </ul>

## Category 2 – Sporting Clubs and Recreational Groups

<b>Criteria</b>	Locally based sporting clubs and recreational groups (whether incorporated or not) with a voluntary management committee. Demonstrates an affordable membership regime and facilitates sporting or recreational activities and programs that add value to the social and community fabric of the City. Has the capacity to generate revenue through its use of the property by way of membership, bar/kitchen facilities, or activities consistent with the club/groups purpose. Considered 'Exempt Dispositions' from section 3.58 of the <i>Local Government Act 1995</i> . *Excludes state and national sporting/recreational bodies*
<b>Tenancy Term</b>	Lease/Licence Agreement: Minimum term of 2 years – Maximum term of 5 years
<b>Lease Fees and Charges</b>	<p>Annual Rent: \$1.00</p> <p>Outgoings:</p> <ul style="list-style-type: none"> <li>• Emergency Services Levy</li> <li>• All utility costs related to the tenants use of the premises</li> <li>• Waste charges</li> <li>• Annual routine maintenance charges applicable to the facility (e.g. servicing of air conditioning systems, cool rooms, alarm systems and fire safety systems)</li> </ul> <p>*Local Government Rates will not be charged by the City*</p>
<b>Tenant Obligations</b>	<ul style="list-style-type: none"> <li>• Contents, public liability insurance and any other insurances associated with the tenants use of the facility</li> <li>• Internal and external cleaning (including annual carpet cleaning)</li> <li>• Consumables associated with the facility and the tenants use.</li> <li>• Pest control (excluding termite inspections and treatment)</li> <li>• Minor general maintenance of the premises such as the repair and replacement of fittings and fixtures including light globes, taps, toilets, paper towel/roll dispensers and clearing of plumbing blockages caused by the tenants use.</li> </ul>
<b>City Obligations</b>	<ul style="list-style-type: none"> <li>• Building insurance</li> <li>• Building structural repairs and maintenance.</li> <li>• Gutter cleaning</li> <li>• External Drainage</li> <li>• Servicing of all inbuilt mechanical systems, security systems and fire safety systems (routine maintenance) with the cost being born by the tenant</li> <li>• Repair and replacement of inbuilt mechanical systems due to failure/end of useful life (not attributed to tenant's misuse or neglect)</li> <li>• Annual termite inspections and treatments as required.</li> </ul>

### Category 3 – Community Child Care Centres

<b>Criteria</b> Locally based Not-for-Profit Community Child Care Centres with a voluntary management committee and run by either volunteers or paid workers and are incorporated under the <i>Associations Incorporation Act 1987</i> . Established to provide community services and has the capacity to generate revenue through its use of the property.	
<b>Tenancy Term</b>	Lease/Licence Agreement: Minimum term of 2 years – Maximum term of 5 years
<b>Lease Fees and Charges</b>	Annual Rent: \$1,360 plus GST and indexed annually to CPI  Outgoings: <ul style="list-style-type: none"> <li>• Emergency Services Levy</li> <li>• All utility costs related to the tenants use of the premises</li> <li>• Waste charges</li> <li>• Annual routine maintenance charges applicable to the facility (e.g. servicing of air conditioning systems, cool rooms, alarm systems and fire safety systems)</li> </ul> *Local Government Rates will not be charged by the City*
<b>Tenant Obligations</b>	<ul style="list-style-type: none"> <li>• Contents, public liability insurance and any other insurances associated with the tenants use of the facility</li> <li>• Internal and external cleaning (including annual carpet cleaning)</li> <li>• Consumables associated with the facility and the tenants use</li> <li>• Pest control (excluding termite inspections and treatment)</li> <li>• Minor general maintenance of the premises such as the repair and replacement of fittings and fixtures including light globes, taps, toilets, paper towel/roll dispensers and clearing of plumbing blockages caused by the tenants use.</li> </ul>
<b>City Obligations</b>	<ul style="list-style-type: none"> <li>• Building insurance</li> <li>• Building structural repairs and maintenance.</li> <li>• Gutter cleaning</li> <li>• External Drainage</li> <li>• Servicing of all inbuilt mechanical systems, security systems and fire safety systems (routine maintenance) with the cost being born by the tenant</li> <li>• Repair and replacement of inbuilt mechanical systems due to failure/end of useful life (not attributed to tenant's misuse or neglect)</li> <li>• Annual termite inspections and treatments as required</li> </ul>



## Category 4 – Large Not-for-Profit Organisations, State and National Clubs/Associations and Places of Worship

<b>Criteria</b> Large Not-for-Profit groups that are professional organisations with paid staff and are generally Government funded, externally funded, or generates its own revenue through membership fees, events, venue hire, services, or other means consistent with the organisations purpose.	
<b>Tenancy Term</b>	Lease/Licence Agreement: Minimum term of 2 years – Maximum term of 10 years
<b>Lease Fees and Charges</b>	Annual Rent: 40% of market valuation plus GST, or as otherwise determined by the City following an Expression of Interest Process.  Outgoings: <ul style="list-style-type: none"> <li>• Emergency Services Levy</li> <li>• All utility costs related to the tenants use of the premises</li> <li>• Waste charges</li> <li>• Annual routine maintenance charges applicable to the facility (e.g. servicing of air conditioning systems, cool rooms, alarm systems and fire safety systems)</li> </ul> *Local Government Rates will not be charged by the City*
<b>Tenant Obligations</b>	<ul style="list-style-type: none"> <li>• Contents, public liability insurance and any other insurances associated with the tenants use of the facility</li> <li>• Internal and external cleaning (including annual carpet cleaning)</li> <li>• Consumables associated with the facility and the tenants use</li> <li>• Pest control (excluding termite inspections and treatment)</li> <li>• Minor general maintenance of the premises such as the repair and replacement of fittings and fixtures including light globes, taps, toilets, paper towel/roll dispensers and clearing of plumbing blockages caused by the tenants use.</li> </ul>
<b>City Obligations</b>	<ul style="list-style-type: none"> <li>• Building insurance</li> <li>• Building structural repairs and maintenance.</li> <li>• Gutter cleaning</li> <li>• External Drainage</li> <li>• Servicing of all inbuilt mechanical systems, security systems and fire safety systems (routine maintenance) with the cost being born by the tenant</li> <li>• Repair and replacement of inbuilt mechanical systems due to failure/end of useful life (unless attributed to tenant's misuse or neglect)</li> <li>• Annual termite inspections and treatments as required</li> </ul>

## Category 5 – Child Health Clinics

<b>Criteria</b> Services provided by Community Child Health Nurses which are employed by the Department of Health. Considered 'Exempt Dispositions' from section 3.58 of the <i>Local Government Act 1995</i> .	
<b>Tenancy Term</b>	Informal User Agreement with a maximum term of 2 years
<b>Lease Fees and Charges</b>	Annual Rent: \$1.00  Outgoings: <ul style="list-style-type: none"> <li>• Emergency Services Levy</li> <li>• All utility costs related to the tenants use of the premises</li> <li>• Waste charges</li> <li>• Annual routine maintenance charges applicable to the facility (e.g. servicing of air conditioning systems, cool rooms, alarm systems and fire safety systems)</li> </ul> *Local Government Rates will not be charged by the City*
<b>Tenant Obligations</b>	<ul style="list-style-type: none"> <li>• Contents, public liability insurance and any other insurances associated with the tenants use of the facility</li> <li>• Internal and external cleaning (including annual carpet cleaning)</li> <li>• Consumables associated with the facility and the tenants use</li> <li>• Pest control (excluding termite inspections and treatment)</li> <li>• Minor general maintenance of the premises such as the repair and replacement of fittings and fixtures including light globes, taps, toilets, paper towel/roll dispensers and clearing of plumbing blockages caused by the tenants use.</li> </ul>
<b>City Obligations</b>	<ul style="list-style-type: none"> <li>• Building insurance</li> <li>• Building structural repairs and maintenance.</li> <li>• Gutter cleaning</li> <li>• External Drainage</li> <li>• Servicing of all inbuilt mechanical systems, security systems and fire safety systems (routine maintenance) with the cost being born by the tenant</li> <li>• Repair and replacement of inbuilt mechanical systems due to failure/end of useful life (unless attributed to tenant's misuse or neglect)</li> <li>• Annual termite inspections and treatments as required</li> </ul>

City of  
**Bayswater**

Policy [ID no.]

## Community Facility Lease and Licence/User Agreement Policy



<b>Responsible Division</b>	Works and Infrastructure
<b>Responsible Business Unit</b>	Building Works
<b>Responsible Officer</b>	Community Lease Officer
<b>Affected Business Units</b>	Building Works
<b>ECM Document Set ID</b>	[ECM document set ID]

### Purpose

To provide a structured framework and basic principles to ensure a consistent and equitable approach to the management of community lease and licence/user agreements, for the use and tenancy of City owned and managed properties, including land. This policy will provide guidance to City officers to assess and negotiate tenancy agreements.

**Commented [JW1]:** Reworded policy statement from current policy.

### Scope

This policy applies to all Community Lease and Licence/User Agreements for the use of City owned and managed properties. The policy defines clear tenant categories and associated roles and responsibilities of each party under a tenancy agreement, and provides basic principles for the consistent, equitable and effective management of the City's community leases, licences and user agreements.

**Commented [JW2]:** Current policy does not contain a specific 'scope' Have included to clearly define the intent of the policy.

### Definitions

For the purpose of this policy —

**Agreement:** a legally binding arrangement between parties, i.e. a Lease, License or User Agreement.

**Authorised Contact/s:** individuals of a group, organisation or club who have been nominated as the primary contacts for all lease, licence or user agreement correspondence.

**City:** City of Bayswater.

**Council:** a body of individuals elected by City ratepayers to manage the affairs of the City

**Facility:** land or building owned or managed by the City

**Lease:** a contract by which one party conveys land, property or service to another for a specified time usually in return of periodic payment.

**Licence:** a contract for the non-exclusive use of a facility.

**Licensee:** a person, group, club or organisation that holds a licence for the use of a facility.

**Lessee:** a person, group, club or organisation that holds the lease for the exclusive use of a facility.

**Lessor:** the owner of an asset that is leased to another party.

**Not for Profit:** an organisation that does not operate for the financial gain of a group or individual

**Public Liability Insurance:** a type of insurance that covers an organisation or group against losses or damage to a third party as a result of that group's or organisation's activities.

**Sub-tenant:** someone who occupies all or part of a premises under a lease agreement with the original/primary tenant of the premises.

**Tenant/s:** a person or persons who occupy a facility leased from the City, also known as lessee

**User Agreement:** contractual arrangement outlining the terms and conditions associated with usage, as negotiated.

**Commented [JW3]:** Definitions have been included to be consistent with newer policies.

## Policy Statement

1. The City will provide a range of well-maintained and well managed community facilities and enter into agreements with community based not-for-profit organisations and sporting and recreational groups to support community needs and engagement.
2. The City will ensure consistent and fair access to its community facilities for locally based groups/clubs and larger not-for-profit organisations which provide benefit to the community.
3. The City will aim to increase community access to activities and services by ensuring optimal utilisation of City facilities by encouraging multiuse, integration and co-location.
4. Any new tenancy agreements should be negotiated on the terms set out in this policy.
5. For the purposes of tenancy negotiation, all community lease and licences shall be classified into one of the categories as outlined in **Annexure 1**.
6. Council's adopted standard community lease agreement will be applied to all new community leases, including renewals of existing tenants. The standard community lease agreement will not be varied, unless it is required to meet the operational needs of the tenant, and only then will minor variations be made under delegated authority.
7. The City reserves the right in all cases to inspect the premises and ensure lease conditions and Key Performance Indicators are being met.

**Commented [JW4]:** Policy details copied from current lease policy with slight rewording where required.

**Commented [JW5]:** Policy details copied from current lease policy with slight rewording where required.

## Types of Agreements

8. The City will enter into one of the following agreements for the use of City owned and managed facilities:
  - a. Lease – provides exclusive use of a facility or a portion of a facility for an agreed term.
  - b. Licence – contractual agreement for the non-exclusive use of a premises under particular conditions, such as permitted access between agreed times only. Generally, will include regular payment as a consideration.

- c. User Agreement – contractual tenancy agreement which outlines the terms and conditions associated with the usage of the facility. The terms of a user agreement are not usually standard and are negotiated between the two parties.

**Commented [JW6]:** Types of agreements were not specified in current policy. Have included to be clear on agreements used by the City.

### Advertising a Facility for Lease/Licence and Lease/Licence Applications

9. The City will advertise and seek expressions of interest (EOI's) for consideration, to lease or licence a facility or portion of a facility when:
- An existing building or space becomes vacant;
  - An existing agreement expires and is not renewed;
  - For reasons, an agreement is terminated by either party; and
  - A new building is constructed on land owned or managed by the City.
10. EOI submissions will be assessed by a panel against the City's Lease Assessment Criteria and presented to Council for consideration.
11. All EOI submissions must demonstrate how they satisfy each of the City's Lease Assessment Criteria and provide a formal proposal including the following:
- A comprehensive business/organisation plan detailing the applicant's vision for the proposed lease space; and
  - Evidence that the proposed service/activities provides community benefit and/or an identified need of the community.

**Commented [JW7]:** Have included details on how the City will advertise facilities for lease/licence

### Lease Administration and Management

12. Lease/licence tenure, fees and charges and all tenant obligations shall be as applicable to the respective tenant category outlined in **Annexure 1**.
13. Where practicable, utility charges will be individually metered for each tenant, otherwise an equitable percentage of the overall site utility charges will be applied.
14. The City will undertake annual property inspections to ensure lease conditions and will provide the tenant with a copy of the inspection report and appropriate feedback. Prior notice of the inspection will be given to the tenants.
15. The tenant is expected to maintain and keep the premises clean and in good repair. Tenants are to report any maintenance, damage, or repair requirements to the City in writing and in a timely manner.
16. All maintenance and repair requests will be considered by the relevant City officer/s and only undertaken if deemed necessary.
17. Approved maintenance or repairs will be undertaken by the City within a reasonable timeframe determined by the level of urgency.

**Commented [JW8]:** Policy details copied from current lease policy with slight rewording where required.

18. Tenants are not permitted to sub-let any part of the leased premises without the written consent from the City and then must use the City's standard sub-lease agreement.

**Commented [JW9]:** These points are consistent with the key Tenant/City obligations under the City's community Lease/Licence agreements. Have included to clearly demonstrate expectations of both parties and how this will be managed.

### Annual Audit

19. On the anniversary of the tenancy agreement, the City will assess the tenant's annual performance against the City's Lease Key Performance indicators (KPI's) and provide appropriate feedback on their performance. Tenants are required to complete the City's annual audit information request and provide copies of:

- Public Liability insurance with a minimum \$10 million coverage, preference being given to minimum coverage of \$20 million;
- Pest control certificate;
- Up to date authorised contacts list;
- An up to date key register
- Organisation financials/accounts;
- AGM Minutes;
- Playground inspection certificate (if applicable);
- Any required maintenance records where maintenance is required as part of the lease; and
- Copies of any required certifications or accreditations associated with the organisation;

**Commented [JW10]:** Annual audit and tenants requirements to provide information and documentation is not addressed under the current policy.

### Related Legislation

Local Government Act 1995 (WA)  
Local Government (Functions and General) Regulations 1996  
Residential Tenancies Act 1987 (WA)  
Residential Park (Long-Stay Tenants) Act 2006 (WA) & Regulations

### Related Documentation

City of Bayswater Community Lease Agreement  
City of Bayswater Community and Commercial Lease KPI's and Assessment Criteria  
City of Bayswater Breach of Lease Policy

### Document details

**Relevant delegations** EF – D11 Leasing Agreements[ist]

**Risk evaluation** [low/moderate/high/extreme]

<b>Strategic link</b>	[link to Strategic Community Plan]		
<b>Council adoption</b>	19 April 2011	<b>Resolution</b>	<u>11.2.7</u> <del>[item no.]</del>
<b>Next review due</b>	[date]		
<b>Reviewed/modified</b>	1 March 2016	<b>Resolution</b>	[item no.]
	9 April 2019		<u>10.1.1</u>
<b>Revision details</b>	[revision no] [description]		

## COUNCIL POLICY: COMMUNITY FACILITY LEASE AND LICENCE/USER AGREEMENT POLICY

**POLICY OWNER:** Manager Strategic Planning and Place

**POLICY STATEMENT:** To provide a structured and consistent approach to the management of Council's lease and licence/user agreements with not-for-profit organisations and sporting and recreational groups for the use of community facilities.



### POLICY DETAILS

1. Council will provide a range of well-maintained and well managed community facilities and enter into agreement with community based not-for-profit organisations and sporting groups for their use in order to ensure the city owned buildings and infrastructure are of a high quality appropriate to community needs.
2. Council will ensure consistent, fair, equitable access for locally based organisations to its community facilities.
3. Council will ensure that its community facilities are managed to an appropriate and sustainable standard. The City will undertake periodical inspections as required with appropriate feedback given to the Tenant.
4. Council will aim to increase community access to activities and services by optimum use of Council facilities achieved by encouraging integration and co-location.
5. For the purposes of tenancy negotiation, all community leases shall be classified into one of the categories as outlined in Annexure 1.
6. Lease tenure, lease fees and annual charges, and tenant/city obligations shall be as outlined in Annexure 1.
7. Where practicable utility charges will be individually metered for each Tenant otherwise an equitable percentage of the overall site utility charges will be applied.
8. The tenant shall have responsibility for all obligations as outlined in Annexure 1.
9. Council reserves the right in all cases to inspect premises and ensure Lease conditions and Key Performance Indicators are being met.

### RELATED LEGISLATION AND OTHER REFERENCES

*Local Government Act 1995 (WA).*

*Residential Tenancies Act 1987 (WA)*

*Residential Park (Long-Stay Tenants) Act 2006 (WA) & Regulations*

<b>Adopted by Council:</b>	19 April 2011
<b>Reviewed</b>	1 March 2016 9 April 2019
<b>Modified</b>	20 August 2019
<b>Strategic Link</b>	C1.1 - A strong sense of community through the provision of quality services and facilities
<b>Document Ref</b>	3249778



**Annexure 1 - Categories of Tenants**

<b>Categ ory No.</b>	<b>Lessee Description</b>	<b>Reference</b>	<b>Lease Fee and Charges</b>	<b>City and Lessee Obligations</b>	<b>Lease Tenure</b>
1.	Not-for-profit community groups:  a) Local service groups – the lessee operates exclusively in, and its membership is predominately drawn from, the City of Bayswater district. b) Community child care centres. c) Other community groups – those with locations outside, and/or servicing a wider catchment than the City of Bayswater district.	Member based not for profit groups made up of mostly community representatives and volunteers, (whether incorporated or not) established to provide community, services and/or raise money for those in need and deemed exempt dispositions under the <i>Local Government Act 1995</i> (WA).	a) Local service groups - \$1/pa b) Community child care centres - \$1,360/pa (plus GST) c) Other community groups - \$1,390/pa (plus GST)  Plus outgoings (excluding rates and utility costs) identified as Lessee Obligations under the immediately preceding lease or licence/user agreement.  The Lease fee will be indexed annually to CPI where applicable.  Rates and utility costs will not be charged by the City.  Emergency Services Levy will be charged by the City.	<b>Lessee</b> Cleaning, pest control, consumables, and contents and public liability insurance associated with the facility.  Repairs and maintenance on items installed by the Lessee or where the damage is attributable to Tenant use/activity.  Waste charges will be payable by the City as determined by the Coordinator Environmental Health on a case-by- case basis based on individual club needs.  <b>City</b> Building insurance and all maintenance and repairs excluding damage attributable to Tenant use/activity.  The City will undertake the servicing of all inbuilt mechanical services (eg air conditioning and cool rooms) and alarm systems, with the cost being borne by the tenant.	Lease/Licence Agreement (2-5 years)
2.	Sporting and recreational groups	Being sporting and recreational groups (whether incorporated or not) that would be deemed exempt dispositions under the <i>Local Government Act 1995</i> (WA).  Excludes state sporting/recreational bodies.	\$1/pa  Plus outgoings (excluding rates and utility costs) identified as Lessee Obligations under the immediately preceding lease or licence/user agreement.  Rates and utility costs will not be charged by the City.  Emergency Services Levy will be charged by the City.	<b>Lessee</b> Cleaning, pest control, consumables, and contents and public liability insurance associated with the facility.  Repairs and maintenance on items installed by the Lessee or where the damage is attributable to Tenant use/activity.  Waste charges will be payable by the City as determined by the Coordinator Environmental Health on a case-by- case basis based on individual club needs.  <b>City</b> Building insurance and all maintenance and repairs excluding damage attributable to Tenant use/activity.  The City will undertake the servicing of all inbuilt mechanical services (eg air conditioning and cool rooms) and alarm systems, with the cost being borne by the tenant.	Lease/Licence Agreement (2-5 years)
3.	Not for profit – funded	Not for profit groups, that are professional organisations with paid staff and are generally Government funded or have significant membership bases. Includes places of worship and state sporting/recreational bodies.	40% of market valuation or as otherwise determined by the City following an Expression of Interest process  Plus the Emergency Services Levy, GST and all utility costs and other outgoings identified as Lessee Obligations.  The Lease fee will be indexed annually to CPI.  Rates will not be charged by the City.	<b>Lessee</b> Cleaning, pest control, consumables, and contents and public liability insurance associated with the facility.  Repairs and maintenance on items installed by the Lessee or where the damage is attributable to Tenant use/activity.  Waste charges will be payable by the City as determined by the Coordinator Environmental Health on a case-by- case basis based on individual club needs.  <b>City</b> Building insurance and all maintenance and repairs excluding damage attributable to Tenant use/activity.  The City will undertake the servicing of all inbuilt mechanical services (eg air conditioning and cool rooms) and alarm systems, with the cost being borne by the tenant.	Lease Agreement (2-10 years)

4.	Child Health Clinics	Services provided by community child health nurses, employed by WA Health, deemed exempt dispositions under <i>the Local Government Act 1995</i> (WA).	<p>\$1/pa</p> <p>Plus outgoings (excluding rates and utility costs) identified as Lessee Obligations under the immediately preceding lease or licence/user agreement.</p> <p>Rates and utility costs will not be charged by the City.</p> <p>Emergency Services Levy will be charged by the City.</p>	<p><b><u>Lessee</u></b> Consumables, insurances and all outgoings associated with the facility.</p> <p>Repairs and maintenance on items installed by the Lessee or where the damage is attributable to Tenant use/activity.</p> <p>Waste charges will be payable by the City as determined by the Coordinator Environmental Health on a case-by- case basis based on individual club needs.</p> <p><b><u>City</u></b> Building insurance and all maintenance and repairs excluding damage attributable to Tenant use/activity.</p> <p>The City will undertake the servicing of all inbuilt mechanical services (eg air conditioning and cool rooms) and alarm systems, with the cost being borne by the tenant.</p>	Informal User Agreement (up to two years)
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## Category 1a – Small Volunteer Community Groups

<b>Criteria</b>	Locally based organisations with a voluntary management committee and are a stand-alone Not-for-Profit organisation/community group (whether incorporated or not). Run solely by volunteers and facilitates programs/activities specifically targeted at local residents. Demonstrates a limited or no capacity to generate revenue through facility use and/or activities. Income is generally limited to low membership fees. Considered 'Exempt Dispositions' from section 3.58 of the <i>Local Government Act 1995</i> .
<b>Tenancy Term</b>	Lease/Licence Agreement: Minimum term of 2 years – Maximum term of 5 years
<b>Lease Fees and Charges</b>	<p>Annual Rent: \$1.00</p> <p>Outgoings:</p> <ul style="list-style-type: none"> <li>• Emergency Services Levy (<a href="#">exemptions for historical societies</a>)</li> <li>• All utility costs related to the tenants use of the premises (exemptions for historical societies)</li> <li>• Waste charges (exceptions for historical societies)</li> <li>• Annual routine maintenance charges applicable to the facility discounted by 50% (e.g. servicing of air conditioning systems, cool rooms, alarm systems and fire safety systems)</li> </ul> <p>*Local Government Rates will not be charged by the City*</p>
<b>Tenant Obligations</b>	<ul style="list-style-type: none"> <li>• Contents, public liability insurance and any other insurances associated with the tenants use of the facility</li> <li>• Internal and external cleaning (including annual carpet cleaning)</li> <li>• Consumables associated with the facility and the tenants use.</li> <li>• Pest control (excluding termite inspections and treatment)</li> <li>• Minor general maintenance of the premises such as the repair and replacement of fittings and fixtures including light globes, taps, toilets, paper towel/roll dispensers and clearing of plumbing blockages caused by the tenants use.</li> </ul>
<b>City Obligations</b>	<ul style="list-style-type: none"> <li>• Building insurance</li> <li>• Building structural repairs and maintenance.</li> <li>• Gutter cleaning</li> <li>• External Drainage</li> <li>• Servicing of all inbuilt mechanical systems, security systems and fire safety systems (routine maintenance) with the cost being born by the tenant</li> <li>• Repair and replacement of inbuilt mechanical systems due to failure/end of useful life (not attributed to tenant's misuse or neglect)</li> <li>• Annual termite inspections and treatments as required.</li> </ul>

## Category 1b – Not-for-Profit Community Groups and Organisations

<b>Criteria</b> Locally based Not-for-Profit organisation, club, or community group run by volunteers or paid workers and are incorporated under the <i>Associations Incorporation Act 1987</i> . Servicing a wider catchment than the City of Bayswater District with their primary base of operations located within the City of Bayswater. Demonstrates an affordable membership regime and facilitates programs and activities that add value to the social and community fabric of the City. Has the capacity to generate revenue through membership, use of the premises, or activities consistent with the organisations purpose.	
<b>Tenancy Term</b>	Lease/Licence Agreement: Minimum term of 2 years – Maximum term of 5 years
<b>Lease Fees and Charges</b>	Annual Rent: \$1,390 plus GST and indexed annually to CPI Outgoings: <ul style="list-style-type: none"> <li>• Emergency Services Levy</li> <li>• All utility costs related to the tenants use of the premises</li> <li>• Waste charges</li> <li>• Annual routine maintenance charges applicable to the facility (e.g. servicing of air conditioning systems, cool rooms, alarm systems and fire safety systems)</li> </ul> *Local Government Rates will not be charged by the City*
<b>Tenant Obligations</b>	<ul style="list-style-type: none"> <li>• Contents, public liability insurance and any other insurances associated with the tenants use of the facility</li> <li>• Internal and external cleaning (including annual carpet cleaning)</li> <li>• Consumables associated with the facility and the tenants use.</li> <li>• Pest control (excluding termite inspections and treatment)</li> <li>• Minor general maintenance of the premises such as the repair and replacement of fittings and fixtures including light globes, taps, toilets, paper towel/roll dispensers and clearing of plumbing blockages caused by the tenants use.</li> </ul>
<b>City Obligations</b>	<ul style="list-style-type: none"> <li>• Building insurance</li> <li>• Building structural repairs and maintenance.</li> <li>• Gutter cleaning</li> <li>• External Drainage</li> <li>• Servicing of all inbuilt mechanical systems, security systems and fire safety systems (routine maintenance) with the cost being born by the tenant</li> <li>• Repair and replacement of inbuilt mechanical systems due to failure/end of useful life (not attributed to tenant's misuse or neglect)</li> <li>• Annual termite inspections and treatments as required.</li> </ul>

## Category 2 – Sporting Clubs and Recreational Groups

<b>Criteria</b>	Locally based sporting clubs and recreational groups (whether incorporated or not) with a voluntary management committee. Demonstrates an affordable membership regime and facilitates sporting or recreational activities and programs that add value to the social and community fabric of the City. Has the capacity to generate revenue through its use of the property by way of membership, bar/kitchen facilities, or activities consistent with the club/groups purpose. Considered 'Exempt Dispositions' from section 3.58 of the <i>Local Government Act 1995</i> . *Excludes state and national sporting/recreational bodies*
<b>Tenancy Term</b>	Lease/Licence Agreement: Minimum term of 2 years – Maximum term of 5 years
<b>Lease Fees and Charges</b>	<p>Annual Rent: \$1.00</p> <p>Outgoings:</p> <ul style="list-style-type: none"> <li>• Emergency Services Levy</li> <li>• All utility costs related to the tenants use of the premises</li> <li>• Waste charges</li> <li>• Annual routine maintenance charges applicable to the facility (e.g. servicing of air conditioning systems, cool rooms, alarm systems and fire safety systems)</li> </ul> <p>*Local Government Rates will not be charged by the City*</p>
<b>Tenant Obligations</b>	<ul style="list-style-type: none"> <li>• Contents, public liability insurance and any other insurances associated with the tenants use of the facility</li> <li>• Internal and external cleaning (including annual carpet cleaning)</li> <li>• Consumables associated with the facility and the tenants use.</li> <li>• Pest control (excluding termite inspections and treatment)</li> <li>• Minor general maintenance of the premises such as the repair and replacement of fittings and fixtures including light globes, taps, toilets, paper towel/roll dispensers and clearing of plumbing blockages caused by the tenants use.</li> </ul>
<b>City Obligations</b>	<ul style="list-style-type: none"> <li>• Building insurance</li> <li>• Building structural repairs and maintenance.</li> <li>• Gutter cleaning</li> <li>• External Drainage</li> <li>• Servicing of all inbuilt mechanical systems, security systems and fire safety systems (routine maintenance) with the cost being born by the tenant</li> <li>• Repair and replacement of inbuilt mechanical systems due to failure/end of useful life (not attributed to tenant's misuse or neglect)</li> <li>• Annual termite inspections and treatments as required.</li> </ul>

### Category 3 – Community Child Care Centres

<b>Criteria</b> Locally based Not-for-Profit Community Child Care Centres with a voluntary management committee and run by either volunteers or paid workers and are incorporated under the <i>Associations Incorporation Act 1987</i> . Established to provide community services and has the capacity to generate revenue through its use of the property.	
<b>Tenancy Term</b>	Lease/Licence Agreement: Minimum term of 2 years – Maximum term of 5 years
<b>Lease Fees and Charges</b>	Annual Rent: \$1,360 plus GST and indexed annually to CPI  Outgoings: <ul style="list-style-type: none"> <li>• Emergency Services Levy</li> <li>• All utility costs related to the tenants use of the premises</li> <li>• Waste charges</li> <li>• Annual routine maintenance charges applicable to the facility (e.g. servicing of air conditioning systems, cool rooms, alarm systems and fire safety systems)</li> </ul> *Local Government Rates will not be charged by the City*
<b>Tenant Obligations</b>	<ul style="list-style-type: none"> <li>• Contents, public liability insurance and any other insurances associated with the tenants use of the facility</li> <li>• Internal and external cleaning (including annual carpet cleaning)</li> <li>• Consumables associated with the facility and the tenants use</li> <li>• Pest control (excluding termite inspections and treatment)</li> <li>• Minor general maintenance of the premises such as the repair and replacement of fittings and fixtures including light globes, taps, toilets, paper towel/roll dispensers and clearing of plumbing blockages caused by the tenants use.</li> </ul>
<b>City Obligations</b>	<ul style="list-style-type: none"> <li>• Building insurance</li> <li>• Building structural repairs and maintenance.</li> <li>• Gutter cleaning</li> <li>• External Drainage</li> <li>• Servicing of all inbuilt mechanical systems, security systems and fire safety systems (routine maintenance) with the cost being born by the tenant</li> <li>• Repair and replacement of inbuilt mechanical systems due to failure/end of useful life (not attributed to tenant's misuse or neglect)</li> <li>• Annual termite inspections and treatments as required</li> </ul>

## Category 4 – Large Not-for-Profit Organisations, State and National Clubs/Associations and Places of Worship

<b>Criteria</b> Large Not-for-Profit groups that are professional organisations with paid staff and are generally Government funded, externally funded, or generates its own revenue through membership fees, events, venue hire, services, or other means consistent with the organisations purpose.	
<b>Tenancy Term</b>	Lease/Licence Agreement: Minimum term of 2 years – Maximum term of 10 years
<b>Lease Fees and Charges</b>	Annual Rent: 40% of market valuation plus GST, or as otherwise determined by the City following an Expression of Interest Process.  Outgoings: <ul style="list-style-type: none"> <li>• Emergency Services Levy</li> <li>• All utility costs related to the tenants use of the premises</li> <li>• Waste charges</li> <li>• Annual routine maintenance charges applicable to the facility (e.g. servicing of air conditioning systems, cool rooms, alarm systems and fire safety systems)</li> </ul> *Local Government Rates will not be charged by the City*
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## Category 5 – Child Health Clinics

<b>Criteria</b> Services provided by Community Child Health Nurses which are employed by the Department of Health. Considered 'Exempt Dispositions' from section 3.58 of the <i>Local Government Act 1995</i> .	
<b>Tenancy Term</b>	Informal User Agreement with a maximum term of 2 years
<b>Lease Fees and Charges</b>	Annual Rent: \$1.00  Outgoings: <ul style="list-style-type: none"> <li>• Emergency Services Levy</li> <li>• All utility costs related to the tenants use of the premises</li> <li>• Waste charges</li> <li>• Annual routine maintenance charges applicable to the facility (e.g. servicing of air conditioning systems, cool rooms, alarm systems and fire safety systems)</li> </ul> *Local Government Rates will not be charged by the City*
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**10.6.1.2 Strategic Budget Policy**

<b>Responsible Directorate:</b>	Office of the Chief Executive Officer
<b>Authority/Discretion:</b>	Executive/Strategic/Legislative
<b>Voting Requirement:</b>	Simple majority required
<b>Attachments:</b>	1. Strategic Budget Policy Proposed Changes [8.2.1 - 5 pages] 2. Strategic Budget Policy - Final Version [8.2.2 - 5 pages]
<b>Refer:</b>	CTFCS 16.08.2017 Item 9.3.6 OCM 12.09.2017 Item 5.3 OCM 28.01.2020 Item 10.5.2.1

**SUMMARY**

For Council to consider amending the Strategic Budget Policy to remove Principle 4, which relates to the adopted Reserve Funding Strategy.

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

That Council amends the Strategic Budget Policy as contained in Attachment 2, in which Principle 4 (Reserve Funding Strategy) has been amended to read:

***"1% of Rates Revenue to be transferred to the Major Capital Works Reserve annually."***

**Cr Catherine Ehrhardt, Deputy Mayor Moved, Cr Josh Eveson Seconded**

**CARRIED UNANIMOUSLY: 7/0**

**For:** Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik and Cr Giorgia Johnson.

**Against:** Nil.

**BACKGROUND**

At the Community, Technical, Finance and Corporate Services Committee on 16 August 2017, the Committee resolved as follows:

*"That Council:*

- Amends the Long-Term Financial Plan 2018-2019 - 2028-2029 to reference the following:*

*That an allocation to the Reserve Funds be made using the following calculation:*

*2018-2019 Year 1 = 1% of the rates;*

*2019-2020 Year 2 = 1% of the rates plus 2018-2019 increase;*

*2020-2021 Year 3 = 1% of the rates plus 2018-2019 and 2019-2020 increases;*

*2021-2022 Year 4 = 1% of the rates plus 2018-2019, 2019-2020 and 2020-2021 increases;*

*2022-2023 Year 5 = 1% of the rates plus 2018-2019, 2019-2020, 2020-2021 and 2021-2022 increases; and*

*2023-2029 Year 6 and on 1% of the rates including increases from 2018-2019, 2019-2020, 2020-2021 and 2021-2022 increases."*

Council endorsed the Committee resolution at the Ordinary Council Meeting on 12 September 2017, resolving as follows:

*“That Council accepts the minutes of the Community, Technical, Finance and Corporate Services Committee Meeting held on Wednesday, Wednesday, 16 August 2017 which have been distributed and acknowledges the decisions made at the Committee Meeting in accordance with section 5.17 of the Local Government Act 1995, and the Committees delegation of powers and duties.”*

At the Ordinary Council Meeting on 28 January 2020, Council adopted the Strategic Budget Policy. The Policy outlines a number of principles to be followed, including the following:

*“Principle 4: Reserves are to be accumulated and allocated in accordance with Council resolution (OCM August 2017).”*

It is noted that whilst the principle contained in the policy makes reference to the adopted Reserve Funding Strategy, it has not been adhered to by Council since its adoption in 2017.

## EXTERNAL CONSULTATION

Nil.

## OFFICER'S COMMENTS

There are a number of different interpretations of this Committee decision and its subsequent Council adoption. In any event, Council has not been following the intent of the resolution during the Budget adoption process since its adoption.

When recent reviews of the Long Term Financial Plan (LTFP) have taken place, officers have interpreted this decision as 1% of the total rates income for 2018/19 should be transferred to Reserve and this amount increases by 1% each year. In 2019/20, therefore the amount to be transferred to Reserve should be 2% of total rates income and so on.

It follows that in year 10, 10% of rates would be budgeted to be transferred to Reserve which would clearly be unsustainable.

In addition to the interpretation described above, there are at least two other interpretations of the Council decision and these are:

- (1) 1% of rates in 18/19 plus difference raised between years, and*
- (2) 1% of rates raised in 18/19, + 1% raised in 19/20 and so on*

In any event, since the adoption of the original decision, the intent of the original policy has not been followed when adopting annual budgets since 2018/19. For these reasons it is considered that Principle 4 of the Strategic Budget Policy is inconsistent with the original intent and should be amended.

It is therefore proposed that the Policy simply be amended.. A tracked changes copy of the proposed changes has been included at **Attachment 1**, with the proposed clean version included at **Attachment 2**.

## LEGISLATIVE COMPLIANCE

Nil.

## RISK ASSESSMENT

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.

<b>Officer's Recommendation</b>	That Council amends the Strategic Budget Policy as contained in <b>Attachment 2</b> , in which Principle 4 (Reserve Funding Strategy) has been amended to read:  <i>"1% of Rates Revenue to be transferred to the Major Capital Works Reserve annually."</i>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
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
<b>Conclusion</b>	The amendment of the reference to the Reserve Funding Strategy in the Strategic Budget Policy is considered an overall low risk, as it will ensure Council is not committed to an unsustainable reserve funding strategy.	

<b>Option 2</b>	That Council does not amend the Strategic Budget Policy.	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Low
Reputation	Low	High
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	High
Environmental Responsibility	Low	Low
Service Delivery	Low	High
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	Should Council not amend the Strategic Budget Policy and retain the reference to the Reserve Funding Strategy as is, it is anticipated that this will pose constraints during the annual budget process as the amounts to be transferred to reserves is considered unsustainable. This will have a high risk in the areas of reputation, financial management and service delivery.	

## FINANCIAL IMPLICATIONS

The removal of Principle 4 from the Strategic Budget Policy will allow Council more flexibility to transfer funds to Reserve when setting its annual budget as it will not be constrained by transferring increasingly an unsustainable amount of funds to Reserve.

## STRATEGIC IMPLICATIONS

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

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

**CONCLUSION**

Reference to the decision of Council in 2017 (however it is interpreted) the Strategic Budget Policy constrains the Council budgeting process as, if followed and rates are not increased accordingly, there is less funding available for new and capital works. This does not prevent Council from transferring to Reserve an amount for future works as it deems necessary – it is simply not tied to a transferring a specific amount determined by a 5 year old decision.

The amendment of principle 4 of the Policy allows more flexibility to manage transfers to Reserves.

# Strategic Budget Policy



<b>Responsible Division</b>	Corporate & Strategy
<b>Responsible Business Unit/s</b>	Finance
<b>Responsible Officer</b>	Director Corporate and Strategy
<b>Affected Business Unit/s</b>	All Branches
<b>Document Ref</b>	

## Purpose

To establish clear principles and guidelines for the City of Bayswater (the City) that will deliver:

- Elected Members strategic financial management directives;
- Community engagement;
- Robust and transparent long-term financial planning;
- Intergenerational equity;
- Good stewardship of the City's assets;
- Sustainable, fully costed fees, charges for services and goods sold;
- Asset sustainability (maintenance, renewal, replacement and new);
- Prudent rates setting that reflects the community's needs and aspirations;
- Sustainability in non-rates and non-fees & charges income.

## Policy Statement

The City acknowledges that it must plan for the current and future needs of the community in a socially, culturally, environmentally and financially sustainable manner. This will be achieved through Council's Strategic Community Plan (SCP), Corporate Business Plan (CBP) and operationally via Branch Plans. The City also acknowledges that the budget must be embraced by all stakeholders and with this in mind must be developed in a collaborative fashion.

The Policy is founded on the following Principles:

- Principle 1:** Recurring income must exceed recurring expenditure.
- Principle 2:** Each of the City's service delivery activities is to be cost and quality competitive whilst controlling City operating costs.
- Principle 3:** Asset renewal must have higher priority than the creation of new assets.
- Principle 4:** ~~Reserves are to be accumulated and allocated in accordance with Council resolution (OCM August 2017)~~  
1% of Rates Revenue to be transferred to the Major Capital Works Reserve annually.
- Principle 5:** New income-producing opportunities are to be identified and returns on Council commercial property holdings are to be optimized.

**Principle 6:** The uses of debt, internal borrowing and private financing are to be considered where appropriate.

**Principle 7:** The Department of Local Government, Sport and Cultural Industries' key performance indicators are to be met (refer [mycouncil.wa.gov.au](http://mycouncil.wa.gov.au)).

Management will use its best endeavours to present the budget to Council for adoption by the end of June each year.

## Scope

This Policy applies in the development of the City's budgets and to assist Council in adopting the budget.

The City acknowledges the importance of financial integrity and community engagement. Where appropriate this Policy is supported by relevant Management Procedures.

### 1. Annual Budgeting Strategy

In order to achieve long-term financial sustainability the City will deliver a balanced or surplus budget and achieve the key performance indicators documented on [mycouncil \(mycouncil.wa.gov.au\)](http://mycouncil.wa.gov.au). The budget will be produced using the principles of zero-based budgeting.

### 2. Participatory Budgeting

The budget will be prepared in a two-yearly participatory cycle where year one will involve full community engagement and consultation, and year two will be informed from the data collected during the year one engagement and consultation process.

### 3. Long-Term Financial Planning (LTFP)

The LTFP will be formulated to address the strategies and deployment objectives outlined in the City's SCP, CBP, Asset Management Strategic Plan (AMSP), Workforce Management Plan and relevant informing strategies and resourcing plans.

### 4. Management of City's Reserves

Cash-backed specific purpose reserve accounts will be established to help mitigate financial risk and, where appropriate, spread the financial burden. The purpose for each reserve will be documented to ensure the use of funds is transparent.

### 5. Capacity to Pay

Council will consider ratepayers' capacity to pay as part of budget development with influencing factors such as the prevailing economic climate being taken into account.

### 6. Intergenerational Equity

- (a) The City will engage with the community, State and Federal governments to ensure the full cost of infrastructure and service delivery are equitably met by all generations of ratepayers.
- (b) Intergenerational equity will be achieved through the City's LTFP and Annual Budgeting processes.

## 7. New Initiatives

- (a) All operational or capital projects will be evaluated against Council's SCP and AMSP, supported by the funding priority (Section 9 of this Policy).
- (b) Project proposals must be supported by a business case, including a cost-benefit analysis, risk analysis and whole-of-life costing to clearly demonstrate the fulfilment of financial policy objectives.
- (c) The City will advocate for grants and partnership opportunities and, where possible, collaborate with neighbouring councils.

## 8. Funding Strategy

- (a) Borrowings
  - (i) Borrowings may be considered in accordance with Council's adopted Borrowing Policy as a valid funding source for projects that contribute towards or achieve strategic goals identified in the City's SCP and have an identified source of revenue or utility.
- (b)
  - (i) The criteria for borrowing will be driven by the economic climate and the City's balance sheet capacity; and
  - (ii) Cost/benefit analysis of borrowings will be required to be undertaken alongside assessment and alignment to the City's strategic asset management plans and strategies.
- (c) Sale of Assets

Proceeds from the sale of assets (Capital Revenue) will be applied to:

  - (i) Reduce any debt associated with the asset acquisition or upgrade since the original purchase or construction;
  - (ii) Offset the cost of replacement of similar classes of assets required for the City's operations arising from identified asset sale; and/or
  - (iii) Municipal Funds or specific Cash-Backed Reserves.

Reflecting responsible financial management and stewardship, the proceeds from the sale of assets are not to be used to offset operating costs.
- (d) Levels of Service

Services levels will be assessed and reviewed to achieve the best value for money and appropriate quality.
- (e) Fees & Charges
  - (i) The City acknowledges the requirements of the National Competition Policy and ensures compliance by regularly reviewing its fees, charges and services to ensure that they do not create or have the potential to create unfair competition with the private sector.
  - (ii) The City adopts a "user-contributes" approach considering community expectation of the level of services and capacity to pay.

- (iii) Additional factors that are considered when reviewing fees and charges include:
  - I. Regulatory provisions – Sections 6.17 and 6.38 of the *Local Government Act 1995*;
  - II. Full cost of the provision of the goods and services;
  - III. Benchmarking against other Local Governments' pricing;
  - IV. Market rates;
  - V. Optimisation of return on Council commercial property;
  - VI. Perth CPI; and
  - VII. Level of the City's subsidy.
- (f) Rate Setting
  - (i) The City's rating strategy will be developed on a general rate (rate in the dollar) increase of Perth CPI and an additional amount based on meeting community service levels and expectations as identified and approved through the LTFP process;
  - (ii) Where applicable differential rates and specified area rates will be exercised by Council to meet specific community needs and to ensure fairness, consistency, transparency, efficiency and equity for the community.
- (g) Cash-in-Lieu Funding
 

Cash received in-lieu for public open space and car parking is to be used to fund capital projects relevant to the defined catchment.
- (h) Rates Waiver – Mertome Village
 

Council to consider during its annual budget deliberations the application of a rates waiver equal to the amount payable following the application of pensioner/senior discounts for all Existing Residents of Mertome, noting that Existing Residents are those residents that were in occupancy at the time of Fresh Fields Management (Mertome Village) Pty Ltd's acquisition of Mertome Village on 1 April 2019.

## 9. Funding Priority

- (a) The City recognises the competing demands for limited financial resources and will endeavour to allocate resources in compliance with the objectives of this Policy;
- (b) Prioritisation of funding allocation will be based on the following:
  - (i) Activities requiring compliance with new statutory obligations or standards;
  - (ii) Risk mitigation activities or projects that are required to reduce extreme or high-level risks to as far as practicable, an acceptable level;
  - (iii) Renewal, upgrade or maintenance of existing infrastructure assets as supported by the Strategic Asset Management Plans and related projects prioritisation processes;
  - (iv) Current operational funding for programs, unless the operational need for any of those programs has been superseded;
  - (v) New programs or assets as supported by the Strategic Asset Management Plans and related projects prioritisation processes; and
  - (vi) Council decisions for programs and projects based on the current service levels required by the community or advised by City staff.



## Definitions

*DEFINITIONS: Any definitions listed in the following table apply to this document only.*

### **Intergenerational Equity**

The equitable allocation of responsibility for funding the provision and maintenance of assets and facilities throughout their useful life (more evenly spreading the financial burden against current and future ratepayers who will enjoy the benefits).

### **Financial Sustainability**

The financial capacity to deliver the current and forecasted level of services demanded by the community.

### **Whole of Life Cost**

Refers to the total net cost incurred when acquiring goods or services and is made up of all initial procurement costs, operating and maintenance costs, disposal costs and termination

## Related Legislation

- The Local Government Act 1995;
- The Local Government (Financial Management) Regulations 1996;
- Australian Accounting Standards Board (AASB) Standards;
- Western Australian Local Government Accounting Manual;
- Department of Local Government and Communities Rating Policy Differential Rates (s.6.33) August 2013; and
- National Competition Policy.

## Related Documentation:

This Policy is supported by the following policies, procedures, documents and delegations:

1. Loan Borrowing Policy
2. Investment Policy
3. Asset Management Strategic Plan 2019-2029
4. Workforce Plan 2017-27
5. Strategic Community Plan
6. Corporate Business Plan
7. Long-Term Financial Plan

### **Relevant Delegations**

#### **Risk Evaluation**

<b>Council Adoption</b>	28 January 2020
<b>Review/Modified</b>	26 May 2022
<b>Review/Modified</b>	31 May 2022
<b>Review/Modified</b>	Insert Date

# Strategic Budget Policy



<b>Responsible Division</b>	Corporate & Strategy
<b>Responsible Business Unit/s</b>	Finance
<b>Responsible Officer</b>	Director Corporate and Strategy
<b>Affected Business Unit/s</b>	All Branches
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The City acknowledges the importance of financial integrity and community engagement. Where appropriate this Policy is supported by relevant Management Procedures.

### 1. Annual Budgeting Strategy

In order to achieve long-term financial sustainability the City will deliver a balanced or surplus budget and achieve the key performance indicators documented on [mycouncil \(mycouncil.wa.gov.au\)](http://mycouncil.wa.gov.au). The budget will be produced using the principles of zero-based budgeting.

### 2. Participatory Budgeting

The budget will be prepared in a two-yearly participatory cycle where year one will involve full community engagement and consultation, and year two will be informed from the data collected during the year one engagement and consultation process.

### 3. Long-Term Financial Planning (LTFP)

The LTFP will be formulated to address the strategies and deployment objectives outlined in the City's SCP, CBP, Asset Management Strategic Plan (AMSP), Workforce Management Plan and relevant informing strategies and resourcing plans.

### 4. Management of City's Reserves

Cash-backed specific purpose reserve accounts will be established to help mitigate financial risk and, where appropriate, spread the financial burden. The purpose for each reserve will be documented to ensure the use of funds is transparent.

### 5. Capacity to Pay

Council will consider ratepayers' capacity to pay as part of budget development with influencing factors such as the prevailing economic climate being taken into account.

### 6. Intergenerational Equity

- (a) The City will engage with the community, State and Federal governments to ensure the full cost of infrastructure and service delivery are equitably met by all generations of ratepayers.
- (b) Intergenerational equity will be achieved through the City's LTFP and Annual Budgeting processes.

## 7. New Initiatives

- (a) All operational or capital projects will be evaluated against Council's SCP and AMSP, supported by the funding priority (Section 9 of this Policy).
- (b) Project proposals must be supported by a business case, including a cost-benefit analysis, risk analysis and whole-of-life costing to clearly demonstrate the fulfilment of financial policy objectives.
- (c) The City will advocate for grants and partnership opportunities and, where possible, collaborate with neighbouring councils.

## 8. Funding Strategy

- (a) Borrowings
  - (i) Borrowings may be considered in accordance with Council's adopted Borrowing Policy as a valid funding source for projects that contribute towards or achieve strategic goals identified in the City's SCP and have an identified source of revenue or utility.
- (b)
  - (i) The criteria for borrowing will be driven by the economic climate and the City's balance sheet capacity; and
  - (ii) Cost/benefit analysis of borrowings will be required to be undertaken alongside assessment and alignment to the City's strategic asset management plans and strategies.
- (c) Sale of Assets

Proceeds from the sale of assets (Capital Revenue) will be applied to:

  - (i) Reduce any debt associated with the asset acquisition or upgrade since the original purchase or construction;
  - (ii) Offset the cost of replacement of similar classes of assets required for the City's operations arising from identified asset sale; and/or
  - (iii) Municipal Funds or specific Cash-Backed Reserves.

Reflecting responsible financial management and stewardship, the proceeds from the sale of assets are not to be used to offset operating costs.
- (d) Levels of Service

Services levels will be assessed and reviewed to achieve the best value for money and appropriate quality.
- (e) Fees & Charges
  - (i) The City acknowledges the requirements of the National Competition Policy and ensures compliance by regularly reviewing its fees, charges and services to ensure that they do not create or have the potential to create unfair competition with the private sector.
  - (ii) The City adopts a "user-contributes" approach considering community expectation of the level of services and capacity to pay.

- (iii) Additional factors that are considered when reviewing fees and charges include:
  - I. Regulatory provisions – Sections 6.17 and 6.38 of the *Local Government Act 1995*;
  - II. Full cost of the provision of the goods and services;
  - III. Benchmarking against other Local Governments' pricing;
  - IV. Market rates;
  - V. Optimisation of return on Council commercial property;
  - VI. Perth CPI; and
  - VII. Level of the City's subsidy.
- (f) Rate Setting
  - (i) The City's rating strategy will be developed on a general rate (rate in the dollar) increase of Perth CPI and an additional amount based on meeting community service levels and expectations as identified and approved through the LTFP process;
  - (ii) Where applicable differential rates and specified area rates will be exercised by Council to meet specific community needs and to ensure fairness, consistency, transparency, efficiency and equity for the community.
- (g) Cash-in-Lieu Funding
 

Cash received in-lieu for public open space and car parking is to be used to fund capital projects relevant to the defined catchment.
- (h) Rates Waiver – Mertome Village
 

Council to consider during its annual budget deliberations the application of a rates waiver equal to the amount payable following the application of pensioner/senior discounts for all Existing Residents of Mertome, noting that Existing Residents are those residents that were in occupancy at the time of Fresh Fields Management (Mertome Village) Pty Ltd's acquisition of Mertome Village on 1 April 2019.

## 9. Funding Priority

- (a) The City recognises the competing demands for limited financial resources and will endeavour to allocate resources in compliance with the objectives of this Policy;
- (b) Prioritisation of funding allocation will be based on the following:
  - (i) Activities requiring compliance with new statutory obligations or standards;
  - (ii) Risk mitigation activities or projects that are required to reduce extreme or high-level risks to as far as practicable, an acceptable level;
  - (iii) Renewal, upgrade or maintenance of existing infrastructure assets as supported by the Strategic Asset Management Plans and related projects prioritisation processes;
  - (iv) Current operational funding for programs, unless the operational need for any of those programs has been superseded;
  - (v) New programs or assets as supported by the Strategic Asset Management Plans and related projects prioritisation processes; and
  - (vi) Council decisions for programs and projects based on the current service levels required by the community or advised by City staff.

## Definitions

*DEFINITIONS: Any definitions listed in the following table apply to this document only.*

### **Intergenerational Equity**

The equitable allocation of responsibility for funding the provision and maintenance of assets and facilities throughout their useful life (more evenly spreading the financial burden against current and future ratepayers who will enjoy the benefits).

### **Financial Sustainability**

The financial capacity to deliver the current and forecasted level of services demanded by the community.

### **Whole of Life Cost**

Refers to the total net cost incurred when acquiring goods or services and is made up of all initial procurement costs, operating and maintenance costs, disposal costs and termination

## Related Legislation

- The Local Government Act 1995;
- The Local Government (Financial Management) Regulations 1996;
- Australian Accounting Standards Board (AASB) Standards;
- Western Australian Local Government Accounting Manual;
- Department of Local Government and Communities Rating Policy Differential Rates (s.6.33) August 2013; and
- National Competition Policy.

## Related Documentation:

This Policy is supported by the following policies, procedures, documents and delegations:

1. Loan Borrowing Policy
2. Investment Policy
3. Asset Management Strategic Plan 2019-2029
4. Workforce Plan 2017-27
5. Strategic Community Plan
6. Corporate Business Plan
7. Long-Term Financial Plan

### **Relevant Delegations**

#### **Risk Evaluation**

<b>Council Adoption</b>	28 January 2020
<b>Review/Modified</b>	26 May 2022
<b>Review/Modified</b>	31 May 2022
<b>Review/Modified</b>	Insert Date

**10.6.1.5 Trees On Private Land And Street Verges Policy**

<b>Responsible Branch:</b>	Development and Place
<b>Responsible Directorate:</b>	Community and Development
<b>Authority/Discretion:</b>	Legislative
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>Existing Trees on Private Land and Street Verges Policy [8.5.1 - 5 pages]</li> <li>Track Changes for Trees on Private Land Street Verges Policy [8.5.2 - 6 pages]</li> <li>Proposed Trees on Private Land and Street Verges Policy [8.5.3 - 5 pages]</li> <li>Committee Amendments to Proposed Trees on Private Land and Str [8.5.4 - 5 pages]</li> </ol>
<b>Refer:</b>	Item 13.1.1: OMC 22.03.2022 Item 10.6.2.9: OCM 07.12.2021 Item 13.1.1: OCM 22.09.2020 Item 9.5: PDSC 12.06.2018 Item 9.2.2: CTFCSC 15.05.2018 Item 9.1.7: PDSC 23.01.2018 Item 9.1.16: PDSC 15.08.2017 Item 9.2.5: CTFCSC 19.07.2017 Item 9.1.7: PDSC 18.07.2017 Item 12.2.10: OCM 23.02.2016

**SUMMARY**

Council consideration is sought in relation to the proposed modifications to the City's existing local planning policy relating to trees on private land and street verges.

The existing policy provides guidance on trees which are to be planted or proposed to be removed and replaced on private land and within the street verges of the City, as part of a development application and/or subdivision application. The purpose of the policy is to outline the requirements for providing, maintaining, protecting and removing trees on private land and within the street verge. The policy emphasises that the removal of trees is to be avoided unless absolutely necessary.

It has been determined that the policy is still necessary, due to the need to provide guidance on providing, removing and replacing trees within the City. The policy also aids in reducing red tape, as the policy has been amended to align with the changes to the Urban Trees Policy.1.

The proposed modified policy will improve readability and futureproof it insofar as possible.

**OFFICER'S RECOMMENDATION**

That Council adopts for public advertising the modified trees on Private Land and Street Verges Policy as contained in Attachment 3 to this report.

**COMMITTEE RECOMMENDATION TO COUNCIL**

That Council adopts for public advertising the proposed modified Trees on Private Land and Street Verges Policy as contained in Attachment 3 to this report with the following amendment, as shown in new Attachment 4:

Part 2 of the "*Requirement for Trees on Street Verges*" section be changed to:

"A tree may be removed for development and/or for works undertaken for a utility provider or other authority which requires development approval, excluding State Government major projects. When this occurs the City of Bayswater will seek compensation from the utility provider or other authority for the amenity (Helliwell) valuation of the tree, plus the cost of removing the existing tree, and the cost of arranging provision of a replacement tree(s) and three years' maintenance."

### **COUNCIL RESOLUTION**

That Council adopts for public advertising the proposed modified Trees on Private Land and Street Verges Policy as contained in Attachment 3 to this report with the following further amendments:

1. Clause 2 under the 'Requirement for Trees on Street Verges' section be changed to read as follows:

*"A tree may be removed in accordance with Clause 1 for development and/or for works undertaken for a utility provider or other authority which requires development approval, excluding State Government major projects. When this occurs the City of Bayswater will seek compensation from the utility provider or other authority for the amenity (Helliwell) valuation of the tree, plus the cost of removing the existing tree."*

2. The following new clause be added to the 'Requirement for Trees on Street Verges' section:

*"A tree may be removed in accordance with Clause 1 for development and/or for works undertaken by a landowner or developer which requires development approval, excluding State Government major projects. When this occurs, the City of Bayswater will seek compensation from the landowner for the amenity (Helliwell) valuation of the tree, plus the cost of removing the existing tree."*

3. The remaining clauses under the 'Requirement for Trees on Street Verges' section be reordered and renumbered to reflect the new clause.

4. The first paragraph under the 'Introduction' section be changed to read as follows:

*"The City of Bayswater's tree canopy coverage is approximately 14.5% based on the light detection and ranging calculation undertaken in 2021. The City has made a commitment to increase canopy coverage to 20% by the year coverage by 2030, with middle-term specific targets of 16% by 2025 and 18% by 2027 in order to increase the level of benefits derived from having trees within the urban environment."*

Cr Catherine Ehrhardt, Deputy Mayor Moved, Cr Josh Eveson Seconded

CARRIED: 4/3

**For:** Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Josh Eveson and Cr Catherine Ehrhardt, Deputy Mayor.

**Against:** Cr Sally Palmer, Cr Elli Petersen-Pik and Cr Giorgia Johnson.

### **REASON FOR CHANGE**

*The amendments to the 'Requirements for Trees on Street Verges' were to provide greater - clarity on the intent of these requirements for development/works undertaken by a utility provider / other authority and by a landowner/developer, and alignment to the updated Urban Trees Policy. The amendment to the 'Introduction' are to reflect the decision on item 10.3.2 in relation to the canopy coverage target.*



## BACKGROUND

The City has a large number of local planning policies, to guide better development within the City. City officers are undertaking an ongoing review of the existing local planning policies, in order to improve the City's policy framework and reduce the red tape associated with development applications.

The Trees on Private Land and Street Verges Policy was modified on 22 September 2020, however this only related to a minor amendment and to update the format and branding of the document. Prior to this, the last detailed review of the Trees on Private Land and Street Verges Policy occurred in 2017, and the updated policy was adopted by Council on 12 June 2018.

Council at its Ordinary Meeting held on 7 December 2021, considered amendments to the City's Urban Tree Policy. Council resolved as follows:

*"That Council:*

- 1. Amends the Urban Trees Policy as outlined in Attachment 3 to this report and as further amended in new Attachment 4;*
- 2. Notes that a review of the City's Crossover Policy and Trees on Private Land and Street Verges Policy is required to align those policies with the amended Urban Trees Policy;*
- 3. Requests the Chief Executive Officer to bring a report to the next meeting of the Policy Review and Development Committee for further consideration of amendments to the remaining policies; and*
- 4. Requests the Chief Executive Officer to prepare a report investigating residents' ability to undertake minor maintenance on trees on the verges abutting their property."*

In accordance with the above, the need for a policy to provide guidance on providing, removing and replacing trees within the City remains current. However, it requires some changes to align with the modifications to the Urban Trees Policy.

Council at its Ordinary Meeting held 22 March 2022, considered the proposed modified policy for advertising. Council resolved as follows:

*"That this item be referred to a Councillor workshop together with the Urban Tree Policy to allow more information to be provided about the two policies so they may be considered in detail."*

The Trees on Private Land and Street Verges Policy was considered by Council at a Councillor workshop and Councillors were provided with an opportunity to comment on the policies discussed. As no specific comments were provided in relation to the Trees on Private Land and Street Verges Policy, and none of the changes to the Urban Tree Policy necessitated an update to the policy, there have been no further modifications made.

Typically, the policy would be presented to the Planning and Heritage Policy Review and Development Committee (PHPRDC) for consideration however in view of a previous Council resolution stipulating that the policy is to be considered by the Policy Review and Development Committee (PRDC), and the policy to be considered together with the Urban Tree Policy, it has been progressed to the PRDC rather than the PHRDC at this time.

## EXTERNAL CONSULTATION

In the event that Council adopts the proposed modified Trees on Private Land and Street Verges 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

The City's current Trees on Private Land and Street Verges Policy outlines the number of trees required and the provisions for planting, removing and replacing trees on private land and within street verges within the City, as part of a development application. It is considered that the proposed modified Trees on Private Land and Street Verges Policy will provide greater clarity on what the City will consider through the amended provisions as it aligns with the updated Urban Tree Policy. The purpose of the policy has been updated to stipulate that it is in place to ensure landowners are aware of their obligations, to increase the tree canopy within the City, and improve the neighbourhood amenity, character and sense of place.

The proposed modified Trees on Private Land and Street Verges Policy, as contained in **Attachment 3** to this report, updates the existing policy in accordance with the current City of Bayswater policy format. The policy has also been updated to remove and replace specific provisions to align with the updated Urban Tree Policy.

The modified purpose and requirements are aligned with the intent of the existing policy, with adjustments to the wording to improve readability, update the document and futureproof it insofar as possible. A summary of the key changes made to each section of the policy are summarised below.

#### Requirements for Trees on Private Property

The existing policy includes requirements for trees on private property. The draft modified policy updates this section to include a requirement relating to the protection of trees, in accordance with AS4970.2009 'Protection of Trees on Development Sites'.

Other provisions in this section have been updated through minor adjustments to the wording to improve the readability of the provisions.

#### Requirements for Trees for State Government Major Projects and Subdivision Application

A new section has been included in the policy which outlines the requirements for trees for developments which are State Government major projects. The provisions formalise the City's requirement for State Government major projects which propose the removal of a tree worthy of retention to be subject to a tree replacement ratio of five replacement trees per tree removed. Additionally, a provision has been included in relation to subdivision applications which outlines that the City in its referral response will request a condition(s) for any trees to be retained on any decision issued by the determining authority (Western Australian Planning Commission).

#### Requirements for Trees on Street Verges

The existing policy includes requirements for trees located within the street verge. The draft modified policy updates this section to expand the reasons for when a street tree can be removed, to align with the provisions of the updated Urban Tree Policy. The additional provisions allow for a tree to be removed if there is an imminent safety risk or a crossover approval has been granted.

Additionally, a provision has been included which outlines that where a tree is removed for a development and/or for works undertaken for a utility provider or other authority which requires development approval, then the City will seek compensation for the amenity (Helliwell) valuation of the tree, plus the cost of removing the existing tree, and the cost of arranging provision of a replacement tree(s) and three years maintenance.

Other provisions in this section have been updated through minor adjustments to the wording to improve the readability of the provisions.

### Tree Maintenance and Replacement

The existing policy includes requirements for tree maintenance and replacement. The draft modified policy updates this section to include a requirement for all retained and new trees on the site and on the street verge to be adequately maintained and kept in good health in accordance with AS4970.2009 'Protection of Trees on Development Sites'.

## LEGISLATIVE COMPLIANCE

Schedule 2, Part 2 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.

## RISK ASSESSMENT

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

Officer's Recommendation	That Council adopts for public advertising the proposed modified Trees on Private Land and Street Verges Policy as contained in <u>Attachment 3</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
<b>Conclusion</b>	It is considered that this option has a low risk as it is consistent with the existing policy and aligns with the updated Urban Tree Policy. The draft modified policy also aids in reducing red tape, as there will be consistent provisions relating to trees being planted and/or removed.		

Option 2	That Council adopts for public advertising the proposed modified Trees on Private Land and Street Verges Policy as contained in <u>Attachment 3</u> to this report, with the following modification(s):		
	(a) _____		
	(b) _____		
	(c) _____		
Risk Category		Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction		Moderate	Dependent on the other modification(s) determined by Council.
Reputation		Low	
Governance		Low	
Community and Stakeholder		Moderate	
Financial Management		Low	
Environmental Responsibility		Low	
Service Delivery		Low	
Organisational Health and Safety		Low	
Conclusion	It is considered that the risks of this option are dependent on the other modification(s) determined by Council.		

<b>Option 3</b>	<b>That Council does not adopt for public advertising the proposed modified Trees on Private Land and Street Verges Policy as contained in <u>Attachment 3</u> to this report.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Moderate
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Moderate
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	It is considered that this option has a moderate risk to the City's strategic direction as the policy requires updating to be in line with the City's Urban Tree Policy. There is a moderate service delivery risk as the existing policy would result in there being different provisions applicable for the removal and replacement of trees across the City's business units and consequently increasing red tape. It is also considered that there is moderate community and stakeholder risk due to there being uncertainties in relation to the applicable provisions that the City would consistently apply to a development.	

## 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 (\$)		INCOME (\$)	ASSET LIFE (YEARS)	WHOLE OF LIFE COSTS (\$)	CURRENT BUDGET (\$)
		MATERIALS & CONTRACT	STAFFING				
1	\$600	-	-	-	-	-	\$14,000

## STRATEGIC IMPLICATIONS

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

**Theme:** Environment and Liveability

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

It is considered that the proposed draft modified Trees on Private Land and Street Verges Policy will ensure that local character and/or amenity of an area is maintained, whilst communicating the provisions in a clear and simple manner.

## CONCLUSION

The proposed draft modified policy is considered to be consistent with the City's updated policy format, incorporates various improvements and clarifies provisions to enhance its ease of use and effectiveness. In light of this, it is recommended that the proposed modified Trees on Private Land and Street Verges local planning policy is adopted by Council for public advertising.

# Trees on Private Land and Street Verges Policy



Responsible Division	Planning and Development Services
Responsible Business Unit/s	Planning Services
Responsible Officer	
Affected Business Unit/s	

## Purpose

To outline the requirements for providing, maintaining, protecting and removing trees on private land and the street verge during the development of land or residential subdivision in the City of Bayswater.

To emphasize that the removal of trees is to be avoided unless absolutely necessary.

## Objectives

To:

1. Assist with achieving the City of Bayswater's objective to increase tree canopy coverage to 20% by the year 2025 by increasing tree canopy coverage on private and public land.
2. Mitigate the urban heat island effect, reduce air pollution, improve groundwater quality and contribute to wildlife habitats, biodiversity and ecological corridors.
3. Assist with community comfort through shade and the reduction of glare, provide neighbourhood amenity, character and sense of place, and provide visual screening and privacy.
4. Provide a diverse range of tree sizes and species to enhance visual interest and to assist with providing a more resilient urban forest.
5. Prevent tree diseases and excessive shade through the adequate separation of trees, facilitate diversity in the age, size and species of trees throughout the City of Bayswater, and to encourage the retention of 'trees worthy of retention' and the planting of 'large trees'.

## Introduction

The City of Bayswater's Urban Forestry Strategy indicates that canopy tree coverage is approximately 13.2%. The City has made an aspirational commitment to increase canopy coverage to 20% by the year 2025 in order to increase the level of benefits derived from having trees within the urban environment.

A significant proportion of trees in the urban area are being lost due to infill development, which if no intervention is undertaken, will have significant impacts on the community and urban areas

## Definitions

**Tree growth zone** - An exclusion zone around a tree, which assists in the protection, growth and ongoing health of a tree.

At and below ground level, the tree growth zone is to comprise soil and other water permeable materials that aid in the health and growth of the tree.

A trafficable water permeable surface can encroach within the tree growth zone of new trees; provided that suitable provision is made to prevent ground compaction and tree root damage. If trafficable water permeable surfaces are proposed within the tree growth zone a report by a 'suitably qualified landscape architect' or suitably qualified currently practising arborist, at the expense of the applicant, is required detailing requirements to ensure tree roots will not be compacted or damaged.

**Tree worthy of retention** - Existing trees on private property that:

- (a) are considered by the City of Bayswater to be healthy specimens with ongoing viability; and
- (b) are considered by the City of Bayswater to be species that are not included on an applicable weed register or are an unsuitable tree species; and
- (c) are at least 3m in height; and/or
- (d) have a trunk with a diameter of at least 100mm at 1m from the ground; and/or
- (e) have two or more trunks and the aggregate of their individual diameter at 1m above ground is at least 200mm; and/or
- (f) have a canopy with a diameter of at least 3m.

The City of Bayswater may require an arborist report to be prepared by a suitably qualified currently practising arborist, at the expense of the applicant, to verify if a tree is considered worthy of retention.

**Standard tree** - A species of tree that has the potential to grow to at least 4m in height and has a minimum size of at least 35 litres when planted.

**Large tree** - A species of tree that has the potential to grow to at least 12m in height and has a minimum size of at least 35 litres when planted.

**Hard surface** - Any surface that does not readily allow for drainage and the penetration and attaching of anchoring tree roots.

**Suitably qualified landscape architect** - A landscape architect currently registered with the Australian Institute of Landscape Architects or a similar association.

## Scope

1. The requirements in this policy apply to all development where the approximate cost of the proposed development is:
  - (a) \$100,000 or more for residential developments; and
  - (b) \$200,000 or more for non-residential and mixed use developments, excluding those involving only a change of use or internal works.

2. Any development that does not meet the thresholds specified in Clause 1 is to still have consideration for the objectives and some provisions contained in this policy, at the discretion of the City of Bayswater.
3. In relation to all residential subdivisions, the requirements for trees on private property in this policy apply where additional lots are proposed and an existing dwelling is proposed to be retained.

## Requirements

### Requirements for Trees on Private Property

1. 'Standard trees' are to be provided at a rate of one tree for every 350m<sup>2</sup> of site area (rounded to the nearest whole number). At least one 'standard tree' is to be provided on each site.
2. The total number of trees required in Clause 1 may be reduced by one, for each 'tree worthy of retention' that is retained or relocated elsewhere on the site, or 'large tree' that is provided. Where a 'tree worthy of retention' is proposed to be retained or relocated on the site and it is a 'large tree', the total number of trees required in Clause 1 may be reduced by two.
3. A 'tree growth zone' is required around the entire base of all new trees or existing trees that are to be retained on the site, measured at:
  - (a) a minimum radius of 2m for a 'standard tree'; and
  - (b) a minimum radius of 3.5m for a 'large tree'.
4. No structure is to encroach within the 'tree growth zone', above or below ground level. The 'tree growth zone' is to be contained completely on the site, except for 'trees worthy of retention'.
5. If the 'tree growth zone' is situated on top of a 'hard surface', a report by a suitably qualified currently practicing consulting arborist is required, at the expense of the applicant, confirming that the design of the 'tree growth zone' is appropriate to allow the tree to grow to maturity, to the satisfaction of the City of Bayswater.
6. The trunks of all proposed new trees are to be adequately separated from the trunks other trees, to the satisfaction of the City of Bayswater.
7. The trunks of all trees are to be located outside of any required minimum outdoor living area dimensions required in the Residential Design Codes, except for the trunks of 'trees worthy of retention' when they are retained.
8. In relation to open air car parking areas in non-residential developments, 'standard trees' that provide shade cover are to be provided at a minimum rate of 1 tree per 4 bays. The number of trees required in Clause 1 can be used to provide the shade trees.
9. A 'tree worthy of retention' may only be relocated elsewhere on the site or on the adjacent street verge, where a report by a suitably qualified currently practicing consulting arborist is provided detailing the new location of the tree and how the tree will be kept in good health prior to, during and after the relocation, to the satisfaction of the City of Bayswater..

## Requirements for Trees on Street Verges

1. Trees on the street verge are to be retained, unless in the opinion of the City of Bayswater:
  - (a) The tree is dead;
  - (b) Where an unacceptable level of risk exists within the tree's structure and remedial techniques cannot rectify;
  - (c) The tree is suffering from a disease where remedial techniques will not prevent further spread of the disease, and the removal will be of benefit to other trees around it;
  - (d) The tree is causing significant damage to infrastructure and suitable documented evidence is provided by a suitably qualified currently practising arborist, at the expense of the applicant; and/or
  - (e) To facilitate the placement of a permanent vehicle access crossing as a last resort, where there is no other viable option.
2. In the event that the removal of a tree on the street verge is warranted and has been approved by the City of Bayswater in accordance with Clause 1, the land owner or developer may be responsible for:
  - a) The removal of the tree, including engaging a qualified contractor and any costs or claims that may arise from the removal of the tree; and
  - b) The payment of a fee in accordance with the City of Bayswater's fees and charges for the loss of the tree's visual, physical, environmental and ecological amenity value. The Helliwell System is to be used to determine the tree's visual, physical, environmental and ecological amenity value, to the satisfaction of the City of Bayswater. The fee will be used by the City of Bayswater to plant additional trees in the same suburb as the subject development site.
3. If no street trees exist or a street tree is to be removed with regard to Clause 1, at least one new 'standard tree' is to be provided, by the land owner or developer, on the verge adjacent to the site, where space is available, to the satisfaction of the City of Bayswater.
4. In addition to Clause 3, the City of Bayswater may require additional trees to be provided, where space is available, to the satisfaction of the City of Bayswater.
5. A minimum 2m setback is to be provided from the edge of any street tree trunk, and any crossover/driveway and the trunks of all proposed new trees are to be adequately separated from the trunks of other trees, to the satisfaction of the City of Bayswater.

## Alternative Design Solution

An alternative design solution that varies any of the requirements contained in this policy will only be considered in exceptional circumstances, where the alternative is consistent with the objectives of the policy and is justified in a report prepared by a 'suitably qualified landscape architect', to the satisfaction of the City of Bayswater.



## Tree Maintenance and Replacement

1. All new trees on the site and on the street verge are to be planted and watered (via reticulation or other similar method) for the first two summers by the land owner or developer, to the satisfaction of the City of Bayswater.
2. All retained and new trees on the site and on the street verge are to be adequately maintained and kept in good health. In the event that a tree is in poor health and needs to be removed, it is to be replaced with an adequate replacement tree by the owner or developer, to the satisfaction of the City of Bayswater.

## Information to be Submitted with a Development and Subdivision Applications

Plans for all development and subdivision applications that are subject to this policy are to indicate:

1. The location and species of all trees proposed to be retained that are 'trees worthy of retention' on the site and all existing trees within the street verge that may be impacted by the proposed development or subdivision;
2. The location of all proposed new trees on the site and on the street verge;
3. The location of all proposed 'tree growth zones'; and
4. Additional elevations may be required, to the satisfaction of the City of Bayswater, indicating the potential size and canopy spread of all retained or proposed trees on the site and on the street verge at maturity in relation to any existing or proposed structures or any retained or proposed trees.

## Related Legislation

Policy is adopted under the City of Bayswater's town planning schemes, in accordance with Schedule 2, Clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

## Related Documentation

Nil

Relevant Delegations	
Council Adoption	12 June 2018
Reviewed / Modified	22 September 2020
Reviewed / Modified	
Reviewed / Modified	

# Trees on Private Land and Street Verges Policy



Responsible Division	<del>Planning and Development Services</del> <b>Community and Development</b>
Responsible Business Unit/s	<del>Planning Services</del> <b>Development and Place</b>
Responsible Officer	<b>Manager Development and Place</b>
Affected Business Unit/s	<b>Development and Place</b>

## Purpose

To outline the requirements for providing, maintaining, protecting and removing trees on private land and **within** the street verge. **These requirements outline obligations applicable to the landowner associated with** during the development of land ~~or residential subdivision~~ in the City of Bayswater.

~~To emphasize that the removal of trees is to be avoided unless absolutely necessary.~~

**To increase the tree canopy and improve the neighbourhood amenity, character and sense of place.**

## Objectives

To:

1. Assist with achieving the City of Bayswater's objective to increase **the** tree canopy coverage to 20% ~~by the year 2025 by implementing controls that will promote the protection of trees~~ increasing tree canopy coverage on private and public land.
2. Mitigate the urban heat island effect, reduce air pollution, improve groundwater quality and contribute to wildlife habitats, biodiversity and ecological corridors.
3. Assist with community comfort through **the provision of shade**, ~~and the reduction of glare, provide improved~~ neighbourhood amenity, character and sense of place, and provide visual screening and privacy.
4. Provide a diverse range of tree sizes and species to enhance visual interest and to assist with providing a more resilient urban forest.
5. **Mitigate** ~~Prevent~~ tree diseases and excessive shade through the adequate separation of trees, facilitate diversity in the age, size and species of trees throughout the City of Bayswater, and to encourage the retention of 'trees worthy of retention' and the planting of 'large trees'.

## Introduction

The City of Bayswater's ~~Urban Forestry Strategy indicates that~~ **tree** canopy ~~tree~~ coverage is approximately ~~13.2%~~ **14.5% based on the light detection and ranging calculation undertaken in 2021**. The City has made an aspirational commitment to increase canopy coverage to 20% by the year 2025 in order to increase the ~~level of~~ benefits derived from having trees within the urban environment.

~~A significant proportion of Trees in the urban areas~~ **s** are being lost due to infill development **and this can have**, which if no intervention is undertaken, will have significant impacts on the community and **the respective** urban areas.

## Definitions

**Tree growth zone** - An exclusion zone around a tree, which assists in the protection, growth and ongoing health of a tree.

At and below ground level, the tree growth zone is to comprise soil and other water permeable materials that aid in the health and growth of the tree.

A trafficable water permeable surface can encroach within the tree growth zone of new trees; provided that suitable provision is made to prevent ground compaction and tree root damage. If trafficable water permeable surfaces are proposed within the tree growth zone a report by a 'suitably qualified landscape architect' or a suitably qualified and currently practising arborist, at the expense of the applicant, is required detailing requirements to ensure tree roots will not be compacted or damaged.

**Tree worthy of retention** - Existing trees on private property that:

- (a) are considered by the City of Bayswater to be healthy specimens with ongoing viability; and
- (b) are considered by the City of Bayswater to be species that are not included on an applicable weed register or are an unsuitable tree species; and
- (c) are at least 3m in height; and/or
- (d) have a trunk with a diameter of at least 100mm at 1m from the ground; and/or
- (e) have two or more trunks and the aggregate of their individual diameter at 1m above ground is at least 200mm; and/or
- (f) have a canopy with a diameter of at least 3m.

The City of Bayswater may require an arborist report to be prepared by a suitably qualified and currently practising arborist, at the expense of the applicant, to verify if a tree is considered worthy of retention.

**Standard tree** - A species of tree that has the potential to grow to at least 4m in height and has a minimum size of at least 35 litres when planted.

**Large tree** - A species of tree that has the potential to grow to at least 12m in height and has a minimum size of at least 35 litres when planted.

**Hard surface** - Any surface that does not readily allow for drainage, and the penetration and attaching of anchoring tree roots.

**Suitably qualified landscape architect** - A landscape architect currently registered with the Australian Institute of Landscape Architects or a similar association.

## Scope

1. The requirements in this policy apply to all development applications, where the approximate cost of the proposed development is:
  - (a) \$100,000 or more for residential developments; and

- (b) \$200,000 or more for non-residential and mixed use developments, excluding those involving only a change of use or internal works.
- 2. Any development that does not meet the thresholds specified in Clause 1, **including State Government major projects and subdivision applications**, is to ~~still~~ have consideration ~~for~~ of the objectives and ~~some~~ provisions contained in this policy, at the discretion of the City of Bayswater.

## Requirements

### Requirements for Trees on Private Property

1. 'Standard trees' are to be provided at a rate of one tree for every 350m<sup>2</sup> of site area (rounded to the nearest whole number). ~~At least~~ **with a minimum of** one 'standard tree' is to be provided on each site **which is less than 350m<sup>2</sup> in area**.
2. The total number of **'standard trees'** required in Clause 1 may be reduced by one, for each 'tree worthy of retention' that is retained or relocated elsewhere on the site, or **for each** 'large tree' that is provided. Where a 'tree worthy of retention' is proposed to be retained or relocated on the site and it is a 'large tree', the total number of trees required in Clause 1 may be reduced by two.
3. **A tree which is being retained is to be protected while development occurs in accordance with AS4970:2009 'Protection of Trees on Development Sites'.**
4. A 'tree growth zone' is required around the entire base of all new trees or existing trees that are to be retained on the site, ~~measured at~~ **as follows**:
  - (a) a minimum radius of 2m for a 'standard tree'; and
  - (b) a minimum radius of 3.5m for a 'large tree'.
5. No structure is to encroach within the 'tree growth zone', above or below ground level. The 'tree growth zone' is to be contained completely on the site, except for 'trees worthy of retention'.
6. If the 'tree growth zone' is situated on top of a 'hard surface', a report by a suitably qualified **and** currently practising consulting arborist is required, at the expense of the applicant. **The arborist report is to demonstrate** ~~confirming~~ that the design of the 'tree growth zone' ~~is appropriate to allow~~ **will provide sufficient space for** the tree to grow to maturity, to the satisfaction of the City of Bayswater.
7. The trunks of all proposed new trees are to be adequately separated from the trunks **of** other trees, to the satisfaction of the City of Bayswater.
8. The trunks of all trees are to be located outside of any required minimum outdoor living area dimensions required in **under** the Residential Design Codes, except for the trunks of 'trees worthy of retention' when they are retained.
9. In relation to open air car parking areas in non-residential **and mixed use** developments, 'standard trees' that provide shade cover are to be provided at a minimum rate of 1 tree per 4 bays. The number of trees required in Clause 1 can be used to provide the shade trees.
10. A 'tree worthy of retention' may only be relocated elsewhere on the site or on the adjacent street verge, where a report by a suitably qualified **and** currently practising consulting arborist is provided, **at the expense of the applicant. The arborist report is to** detailing the new location of the tree and **demonstrate** how the tree will be kept in good health prior to, during and after the relocation, to the satisfaction of the City of Bayswater.

If a 'tree worthy of retention' dies as a direct consequence of development works, within one year of the development being completed, or the tree being relocated, the landowner will be liable to replace the tree, to the satisfaction of the City of Bayswater.

### Requirements for Trees for State Government Major Projects and Subdivision Applications

1. State Government major projects involving the removal of a tree worthy of retention on City controlled land will be subject to a tree replacement ratio of five replacement trees per tree removed.
2. In relation to all residential subdivisions, the City of Bayswater in its referral response will request condition(s) for trees worthy of retention to be retained on any decision made by the determining authority.
3. Clauses 3 to 10 under 'Requirement for Trees on Private Property' are applicable to all State Government major projects and subdivision applications.

### Requirements for Trees on Street Verges

1. Trees on the street verge are to be retained, unless in the opinion of the City of Bayswater:
  - (a) The tree is dead;
  - (b) Where **There is** an unacceptable level of risk **that** exists within the tree's structure and remedial techniques cannot rectify;
  - (c) The tree is suffering from a disease where remedial techniques will not prevent further spread of the disease, and the removal will be of benefit to other trees around it;
  - (d) The tree is causing significant damage to infrastructure, **and modification to the infrastructure or tree is impractical**, and suitable documented evidence **to support this** is provided by a suitably qualified **and** currently practising arborist; **and/or**
  - (e) **To facilitate the placement of a permanent vehicle access crossing as a last resort, where there is no other viable option.**
  - (f) **There is an imminent safety risk to people, property and/or infrastructure; and/or**
  - (g) **The removal is approved under a crossover approval granted by the City of Bayswater. Such removal may be subject to conditions of the crossover approval granted in accordance with the City of Bayswater crossovers policy.**
2. ~~In the event that the removal of a tree on the street verge is warranted and has been approved by the City of Bayswater in accordance with Clause 1, the land owner or developer may be responsible for:~~
  - (a) ~~The removal of the tree, including engaging a qualified contractor and any costs or claims that may arise from the removal of the tree; and~~
  - (b) ~~The payment of a fee in accordance with the City of Bayswater's fees and charges for the loss of the tree's visual, physical, environmental and ecological amenity value. The Helliwell System is to be used to determine the tree's visual, physical, environmental and ecological amenity value, to the satisfaction of the City of Bayswater. The fee will be used by the City of Bayswater to plant additional trees in the same suburb as the subject development site.~~

3. ~~If no street trees exist or a street tree is to be removed with regard to Clause 1, at least one new 'standard tree' is to be provided, by the land owner or developer, on the verge adjacent to the site, where space is available, to the satisfaction of the City of Bayswater.~~
4. Where a tree is removed for development and/or for works undertaken for a utility provider or other authority which requires development approval, excluding State Government major projects, then the City of Bayswater will seek compensation for the amenity (Helliwell) valuation of the tree, plus the cost of removing the existing tree, and the cost of arranging provision of a replacement tree(s) and three years' maintenance.
5. ~~In addition to Clause 3, the City of Bayswater may require~~ Additional trees **may be required** to be provided, where space is available, to the satisfaction of the City of Bayswater.
6. A minimum 2m setback is to be provided from the edge of any street tree trunk, and any crossover/driveway. ~~and The trunks of all proposed new trees are to be adequately separated from the trunks of other trees, to the satisfaction of the City of Bayswater.~~

### Alternative Design Solution

An alternative design solution that varies any of the requirements contained in this policy will only be considered in exceptional circumstances, ~~where~~ **Written justification is to be provided by a 'suitably qualified landscape architect' or 'consulting arborist', demonstrating that** the alternative design is consistent with the objectives of the policy ~~and is justified in a report prepared by a 'suitably qualified landscape architect', to the satisfaction of the City of Bayswater.~~

### Tree Maintenance and Replacement

1. All new trees on a site and on the street verge are to be planted and watered (via reticulation or other similar method) for the first two summers by the land owner ~~or developer~~, to the satisfaction of the City of Bayswater.
2. In the event that a tree is in poor health and needs to be removed, it is to be replaced with an adequate replacement tree by the owner or developer, to the satisfaction of the City of Bayswater.
3. **All retained and new trees on the site and on the street verge are to be adequately maintained and kept in good health in accordance with AS4970.2009 'Protection of Trees on Development Sites'.**

### Information to be Submitted with a Development and Subdivision Applications

Plans for all development and subdivision applications that are subject to this policy are to indicate:

1. The location and species of all trees proposed to be retained that are 'trees worthy of retention' on the site and all existing trees within the street verge that may be impacted by the proposed development or subdivision;
2. The location of all proposed new trees on the site and on the street verge;
3. The location of all proposed 'tree growth zones'; and
4. Additional elevations may be required, to the satisfaction of the City of Bayswater, indicating the potential size and canopy spread of all retained or proposed trees on the site and on the street

verge, at maturity in relation to any existing or proposed structures or any retained or proposed trees.

## Related Legislation

This policy is adopted under **all Local Planning Schemes in force within** the City of Bayswater, ~~its town planning schemes,~~ in accordance with Schedule 2, **Part 2, Clause 4** of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

## Related Documentation

Nil

Relevant Delegations	
Council Adoption	12 June 2018
Reviewed / Modified	22 September 2020
Reviewed / Modified	
Reviewed / Modified	



# Trees on Private Land and Street Verges Policy

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

## Purpose

To outline the requirements for providing, maintaining, protecting and removing trees on private land and within the street verge. These requirements outline obligations applicable to the landowner associated with the development of land in the City of Bayswater.

To increase the tree canopy and improve the neighbourhood amenity, character and sense of place.

## Objectives

To:

1. Assist with achieving the City of Bayswater's objective to increase the tree canopy coverage by implementing controls that will promote the protection of trees on private and public land.
2. Mitigate the urban heat island effect, reduce air pollution, improve groundwater quality and contribute to wildlife habitats, biodiversity and ecological corridors.
3. Assist with community comfort through the provision of shade, reduction of glare, improved neighbourhood amenity, character and sense of place, and provide visual screening and privacy.
4. Provide a diverse range of tree sizes and species to enhance visual interest and to assist with providing a more resilient urban forest.
5. Mitigate tree diseases and excessive shade through the adequate separation of trees, facilitate diversity in the age, size and species of trees throughout the City of Bayswater, and to encourage the retention of 'trees worthy of retention' and the planting of 'large trees'.

## Introduction

The City of Bayswater's tree canopy coverage is approximately 14.5% based on the light detection and ranging calculation undertaken in 2021. The City has made an aspirational commitment to increase canopy coverage to 20% by the year 2025 in order to increase the benefits derived from having trees within the urban environment.

Trees in urban areas are being lost due to infill development and this can have significant impacts on the community and the respective urban areas.

## Definitions

**Tree growth zone** - An exclusion zone around a tree, which assists in the protection, growth and ongoing health of a tree.



At and below ground level, the tree growth zone is to comprise soil and other water permeable materials that aid in the health and growth of the tree.

A trafficable water permeable surface can encroach within the tree growth zone of new trees; provided that suitable provision is made to prevent ground compaction and tree root damage. If trafficable water permeable surfaces are proposed within the tree growth zone a report by a 'suitably qualified landscape architect' or a suitably qualified and currently practising arborist, at the expense of the applicant, is required detailing requirements to ensure tree roots will not be compacted or damaged.

**Tree worthy of retention** - Existing trees that:

- (a) are considered by the City of Bayswater to be healthy specimens with ongoing viability; and
- (b) are considered by the City of Bayswater to be species that are not included on an applicable weed register or are an unsuitable tree species; and
- (c) are at least 3m in height; and/or
- (d) have a trunk with a diameter of at least 100mm at 1m from the ground; and/or
- (e) have two or more trunks and the aggregate of their individual diameter at 1m above ground is at least 200mm; and/or
- (f) have a canopy with a diameter of at least 3m.

The City of Bayswater may require an arborist report to be prepared by a suitably qualified and currently practising arborist, at the expense of the applicant, to verify if a tree is considered worthy of retention.

**Standard tree** - A species of tree that has the potential to grow to at least 4m in height and has a minimum size of at least 35 litres when planted.

**Large tree** - A species of tree that has the potential to grow to at least 12m in height and has a minimum size of at least 35 litres when planted.

**Hard surface** - Any surface that does not readily allow for drainage, and the penetration and attaching of anchoring tree roots.

**Suitably qualified landscape architect** - A landscape architect currently registered with the Australian Institute of Landscape Architects or a similar association.

## Scope

1. The requirements in this policy apply to all development applications where the approximate cost of the development is:
  - (a) \$100,000 or more for residential development; and
  - (b) \$200,000 or more for non-residential and mixed use development, excluding those involving only a change of use or internal works.
2. Any development that does not meet the thresholds specified in Clause 1, including State Government major projects and subdivision applications, is to have consideration of the objectives and provisions contained in this policy, at the discretion of the City of Bayswater.

## Requirements

### Requirements for Trees on Private Property

1. 'Standard trees' are to be provided at a rate of one tree for every 350m<sup>2</sup> of site area (rounded to the nearest whole number), with a minimum of one 'standard tree' to be provided on each site which is less than 350m<sup>2</sup> in area.
2. The total number of 'standard trees' required in Clause 1 may be reduced by one, for each 'tree worthy of retention' that is retained or relocated elsewhere on the site, or for each 'large tree' that is provided. Where a 'tree worthy of retention' is proposed to be retained or relocated on the site and it is a 'large tree', the total number of trees required in Clause 1 may be reduced by two.
3. A tree which is being retained is to be protected while development occurs in accordance with AS4970.2009 'Protection of Trees on Development Sites'.
4. A 'tree growth zone' is required around the entire base of all new trees or existing trees that are to be retained on the site, as follows:
  - (a) a minimum radius of 2m for a 'standard tree'; and
  - (b) a minimum radius of 3.5m for a 'large tree'.
5. No structure is to encroach within the 'tree growth zone', above or below ground level. The 'tree growth zone' is to be contained completely on the site, except for 'trees worthy of retention'.
6. If the 'tree growth zone' is situated on top of a 'hard surface', a report by a suitably qualified and currently practising consulting arborist is required, at the expense of the applicant. The arborist report is to demonstrate that the design of the 'tree growth zone' will provide sufficient space for the tree to grow to maturity, to the satisfaction of the City of Bayswater.
7. The trunks of all proposed new trees are to be adequately separated from the trunks of other trees, to the satisfaction of the City of Bayswater.
8. The trunks of all trees are to be located outside of any required minimum outdoor living area dimensions required under the Residential Design Codes, except for the trunks of 'trees worthy of retention' when they are retained.
9. In relation to open air car parking areas in non-residential and mixed use developments, 'standard trees' that provide shade cover are to be provided at a minimum rate of 1 tree per 4 bays. The number of trees required in Clause 1 can be used to provide the shade trees.
10. A 'tree worthy of retention' may only be relocated elsewhere on the site or on the adjacent street verge, where a report by a suitably qualified and currently practising consulting arborist is provided, at the expense of the applicant. The arborist report is to detail the new location of the tree and demonstrate how the tree will be kept in good health prior to, during and after the relocation, to the satisfaction of the City of Bayswater.

If a 'tree worthy of retention' dies as a direct consequence of development works, within one year of the development being completed, or the tree being relocated, the landowner will be liable to replace the tree, to the satisfaction of the City.

### Requirements for Trees for State Government Major Projects and Subdivision Applications

1. State Government major projects involving the removal of a tree worthy of retention on City controlled land will be subject to a tree replacement ratio of 5 replacement trees per tree removed.

2. In relation to all residential subdivisions, the City of Bayswater in its referral response will request condition(s) for trees worthy of retention to be retained on any decision.
3. Clauses 3 to 10 under 'Requirement for Trees on Private Property' are applicable to all State Government major projects and subdivision applications.

### Requirements for Trees on Street Verges

1. Trees on the street verge are to be retained, unless in the opinion of the City of Bayswater:
  - (a) The tree is dead;
  - (b) There is an unacceptable level of risk that exists within the tree's structure and remedial techniques cannot rectify;
  - (c) The tree is suffering from a disease where remedial techniques will not prevent further spread of the disease, and the removal will be of benefit to other trees around it;
  - (d) The tree is causing significant damage to infrastructure, and modification to the infrastructure or tree is impractical, and suitable documented evidence to support this is provided by a suitably qualified and currently practising arborist;
  - (e) There is an imminent safety risk to people, property and/or infrastructure; and/or
  - (f) The removal is approved under a crossover approval granted by the City of Bayswater. Such removal may be subject to conditions of the crossover approval granted in accordance with the City of Bayswater crossovers policy.
2. Where a tree is removed for development and/or for works undertaken for a utility provider or other authority which requires development approval, excluding State Government major projects, then the City of Bayswater will seek compensation for the amenity (Helliwell) valuation of the tree, plus the cost of removing the existing tree, and the cost of arranging provision of a replacement tree(s) and three years' maintenance.
3. Additional trees may be required to be provided, where space is available, to the satisfaction of the City of Bayswater.
4. A minimum 2m setback is to be provided from the edge of any street tree trunk, and any crossover/driveway. The trunks of all proposed new trees are to be adequately separated from the trunks of other trees, to the satisfaction of the City of Bayswater.

### Alternative Design Solution

An alternative design solution that varies any of the requirements contained in this policy will only be considered in exceptional circumstances. Written justification is to be provided by a 'suitably qualified landscape architect' or 'consulting arborist', demonstrating that the alternative design is consistent with the objectives of the policy, to the satisfaction of the City of Bayswater.

### Tree Maintenance and Replacement

1. All new trees on a site and on the street verge are to be planted and watered (via reticulation or other similar method) for the first two summers by the land owner, to the satisfaction of the City of Bayswater.
2. In the event that a tree is in poor health and needs to be removed, it is to be replaced with an adequate replacement tree by the owner or developer, to the satisfaction of the City of Bayswater.

3. All retained and new trees on the site and on the street verge are to be adequately maintained and kept in good health in accordance with AS4970.2009 'Protection of Trees on Development Sites'.

### Information to be Submitted with Development and Subdivision Applications

Plans for all development and subdivision applications that are subject to this policy are to indicate:

1. The location and species of all trees proposed to be retained that are 'trees worthy of retention' on the site and all existing trees within the street verge that may be impacted by the proposed development or subdivision;
2. The location of all proposed new trees on the site and on the street verge;
3. The location of all proposed 'tree growth zones'; and
4. Additional elevations may be required, to the satisfaction of the City of Bayswater, indicating the potential size and canopy spread of all retained or proposed trees on the site and on the street verge, at maturity in relation to any existing or proposed structures or any retained or proposed trees.

### 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*.

### Related Documentation

Nil.

Relevant Delegations	
Council Adoption	12 June 2018
Reviewed / Modified	22 September 2020
Reviewed / Modified	
Reviewed / Modified	



# Trees on Private Land and Street Verges Policy

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

## Purpose

To outline the requirements for providing, maintaining, protecting and removing trees on private land and within the street verge. These requirements outline obligations applicable to the landowner associated with the development of land in the City of Bayswater.

To increase the tree canopy and improve the neighbourhood amenity, character and sense of place.

## Objectives

To:

1. Assist with achieving the City of Bayswater's objective to increase the tree canopy coverage by implementing controls that will promote the protection of trees on private and public land.
2. Mitigate the urban heat island effect, reduce air pollution, improve groundwater quality and contribute to wildlife habitats, biodiversity and ecological corridors.
3. Assist with community comfort through the provision of shade, reduction of glare, improved neighbourhood amenity, character and sense of place, and provide visual screening and privacy.
4. Provide a diverse range of tree sizes and species to enhance visual interest and to assist with providing a more resilient urban forest.
5. Mitigate tree diseases and excessive shade through the adequate separation of trees, facilitate diversity in the age, size and species of trees throughout the City of Bayswater, and to encourage the retention of 'trees worthy of retention' and the planting of 'large trees'.

## Introduction

The City of Bayswater's tree canopy coverage is approximately 14.5% based on the light detection and ranging calculation undertaken in 2021. The City has made an aspirational commitment to increase canopy coverage to 20% by the year 2025 in order to increase the benefits derived from having trees within the urban environment.

Trees in urban areas are being lost due to infill development and this can have significant impacts on the community and the respective urban areas.

## Definitions

**Tree growth zone** - An exclusion zone around a tree, which assists in the protection, growth and ongoing health of a tree.

At and below ground level, the tree growth zone is to comprise soil and other water permeable materials that aid in the health and growth of the tree.

A trafficable water permeable surface can encroach within the tree growth zone of new trees; provided that suitable provision is made to prevent ground compaction and tree root damage. If trafficable water permeable surfaces are proposed within the tree growth zone a report by a 'suitably qualified landscape architect' or a suitably qualified and currently practising arborist, at the expense of the applicant, is required detailing requirements to ensure tree roots will not be compacted or damaged.

**Tree worthy of retention** - Existing trees that:

- (a) are considered by the City of Bayswater to be healthy specimens with ongoing viability; and
- (b) are considered by the City of Bayswater to be species that are not included on an applicable weed register or are an unsuitable tree species; and
- (c) are at least 3m in height; and/or
- (d) have a trunk with a diameter of at least 100mm at 1m from the ground; and/or
- (e) have two or more trunks and the aggregate of their individual diameter at 1m above ground is at least 200mm; and/or
- (f) have a canopy with a diameter of at least 3m.

The City of Bayswater may require an arborist report to be prepared by a suitably qualified and currently practising arborist, at the expense of the applicant, to verify if a tree is considered worthy of retention.

**Standard tree** - A species of tree that has the potential to grow to at least 4m in height and has a minimum size of at least 35 litres when planted.

**Large tree** - A species of tree that has the potential to grow to at least 12m in height and has a minimum size of at least 35 litres when planted.

**Hard surface** - Any surface that does not readily allow for drainage, and the penetration and attaching of anchoring tree roots.

**Suitably qualified landscape architect** - A landscape architect currently registered with the Australian Institute of Landscape Architects or a similar association.

## Scope

1. The requirements in this policy apply to all development applications where the approximate cost of the development is:
  - (a) \$100,000 or more for residential development; and
  - (b) \$200,000 or more for non-residential and mixed use development, excluding those involving only a change of use or internal works.
2. Any development that does not meet the thresholds specified in Clause 1, including State Government major projects and subdivision applications, is to have consideration of the objectives and provisions contained in this policy, at the discretion of the City of Bayswater.

## Requirements

### Requirements for Trees on Private Property

1. 'Standard trees' are to be provided at a rate of one tree for every 350m<sup>2</sup> of site area (rounded to the nearest whole number), with a minimum of one 'standard tree' to be provided on each site which is less than 350m<sup>2</sup> in area.
2. The total number of 'standard trees' required in Clause 1 may be reduced by one, for each 'tree worthy of retention' that is retained or relocated elsewhere on the site, or for each 'large tree' that is provided. Where a 'tree worthy of retention' is proposed to be retained or relocated on the site and it is a 'large tree', the total number of trees required in Clause 1 may be reduced by two.
3. A tree which is being retained is to be protected while development occurs in accordance with AS4970.2009 'Protection of Trees on Development Sites'.
4. A 'tree growth zone' is required around the entire base of all new trees or existing trees that are to be retained on the site, as follows:
  - (a) a minimum radius of 2m for a 'standard tree'; and
  - (b) a minimum radius of 3.5m for a 'large tree'.
5. No structure is to encroach within the 'tree growth zone', above or below ground level. The 'tree growth zone' is to be contained completely on the site, except for 'trees worthy of retention'.
6. If the 'tree growth zone' is situated on top of a 'hard surface', a report by a suitably qualified and currently practising consulting arborist is required, at the expense of the applicant. The arborist report is to demonstrate that the design of the 'tree growth zone' will provide sufficient space for the tree to grow to maturity, to the satisfaction of the City of Bayswater.
7. The trunks of all proposed new trees are to be adequately separated from the trunks of other trees, to the satisfaction of the City of Bayswater.
8. The trunks of all trees are to be located outside of any required minimum outdoor living area dimensions required under the Residential Design Codes, except for the trunks of 'trees worthy of retention' when they are retained.
9. In relation to open air car parking areas in non-residential and mixed use developments, 'standard trees' that provide shade cover are to be provided at a minimum rate of 1 tree per 4 bays. The number of trees required in Clause 1 can be used to provide the shade trees.
10. A 'tree worthy of retention' may only be relocated elsewhere on the site or on the adjacent street verge, where a report by a suitably qualified and currently practising consulting arborist is provided, at the expense of the applicant. The arborist report is to detail the new location of the tree and demonstrate how the tree will be kept in good health prior to, during and after the relocation, to the satisfaction of the City of Bayswater.

If a 'tree worthy of retention' dies as a direct consequence of development works, within one year of the development being completed, or the tree being relocated, the landowner will be liable to replace the tree, to the satisfaction of the City.

### Requirements for Trees for State Government Major Projects and Subdivision Applications

1. State Government major projects involving the removal of a tree worthy of retention on City controlled land will be subject to a tree replacement ratio of 5 replacement trees per tree removed.

2. In relation to all residential subdivisions, the City of Bayswater in its referral response will request condition(s) for trees worthy of retention to be retained on any decision.
3. Clauses 3 to 10 under 'Requirement for Trees on Private Property' are applicable to all State Government major projects and subdivision applications.

### Requirements for Trees on Street Verges

1. Trees on the street verge are to be retained, unless in the opinion of the City of Bayswater:
  - (a) The tree is dead;
  - (b) There is an unacceptable level of risk that exists within the tree's structure and remedial techniques cannot rectify;
  - (c) The tree is suffering from a disease where remedial techniques will not prevent further spread of the disease, and the removal will be of benefit to other trees around it;
  - (d) The tree is causing significant damage to infrastructure, and modification to the infrastructure or tree is impractical, and suitable documented evidence to support this is provided by a suitably qualified and currently practising arborist;
  - (e) There is an imminent safety risk to people, property and/or infrastructure; and/or
  - (f) The removal is approved under a crossover approval granted by the City of Bayswater. Such removal may be subject to conditions of the crossover approval granted in accordance with the City of Bayswater crossovers policy.
2. ~~Where a~~A tree ~~is~~may be removed for development and/or for works undertaken for a utility provider or other authority which requires development approval, excluding State Government major projects. ~~When this occurs, then~~the City of Bayswater will seek compensation ~~from the utility provider or other authority~~ for the amenity (Helliwell) valuation of the tree, plus the cost of removing the existing tree, and the cost of arranging provision of a replacement tree(s) and three years' maintenance.
3. Additional trees may be required to be provided, where space is available, to the satisfaction of the City of Bayswater.
4. A minimum 2m setback is to be provided from the edge of any street tree trunk, and any crossover/driveway. The trunks of all proposed new trees are to be adequately separated from the trunks of other trees, to the satisfaction of the City of Bayswater.

### Alternative Design Solution

An alternative design solution that varies any of the requirements contained in this policy will only be considered in exceptional circumstances. Written justification is to be provided by a 'suitably qualified landscape architect' or 'consulting arborist', demonstrating that the alternative design is consistent with the objectives of the policy, to the satisfaction of the City of Bayswater.

### Tree Maintenance and Replacement

1. All new trees on a site and on the street verge are to be planted and watered (via reticulation or other similar method) for the first two summers by the land owner, to the satisfaction of the City of Bayswater.
2. In the event that a tree is in poor health and needs to be removed, it is to be replaced with an adequate replacement tree by the owner or developer, to the satisfaction of the City of Bayswater.



3. All retained and new trees on the site and on the street verge are to be adequately maintained and kept in good health in accordance with AS4970.2009 'Protection of Trees on Development Sites'.

## Information to be Submitted with Development and Subdivision Applications

Plans for all development and subdivision applications that are subject to this policy are to indicate:

1. The location and species of all trees proposed to be retained that are 'trees worthy of retention' on the site and all existing trees within the street verge that may be impacted by the proposed development or subdivision;
2. The location of all proposed new trees on the site and on the street verge;
3. The location of all proposed 'tree growth zones'; and
4. Additional elevations may be required, to the satisfaction of the City of Bayswater, indicating the potential size and canopy spread of all retained or proposed trees on the site and on the street verge, at maturity in relation to any existing or proposed structures or any retained or proposed trees.

## 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*.

## Related Documentation

Nil.

Relevant Delegations	
Council Adoption	12 June 2018
Reviewed / Modified	22 September 2020
Reviewed / Modified	
Reviewed / Modified	

**COUNCIL RESOLUTION - ADOPTION BY EXCEPTION**

That the recommendations relating to items: 10.2.2, 10.2.3, 10.2.4, 10.3.3, 10.5.3, 10.6.1.3, 10.6.2.1 contained in the agenda be adopted by exception as per section 5.5 of the *City of Bayswater Standing Orders Local Law 2021*.

Cr Assunta Meleca Moved, Cr Catherine Ehrhardt, Deputy Mayor Seconded

**CARRIED UNANIMOUSLY: 7/0**

**For:** Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik and Cr Giorgia Johnson.

**Against:** Nil.

## **10.2 Corporate And Strategy Directorate Reports**

### **10.2.2 Investment Report for the Period Ended 31 May 2022**

<b>Responsible Branch:</b>	Financial Services
<b>Responsible Directorate:</b>	Corporate and Strategy
<b>Authority/Discretion:</b>	Legislative
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Investment Register [10.2.2.1 - 1 page]</li> <li>2. Investment Summary [10.2.2.2 - 1 page]</li> <li>3. Investment Portfolio [10.2.2.3 - 1 page]</li> </ol>

### **SUMMARY**

This report presents the City's Investment Portfolio for the period ended 31 May 2022.

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

That Council receives the Investment Portfolio Report for the period ended 31 May 2022 with investments totalling \$84,045,489.97.

Cr Assunta Meleca Moved, Cr Catherine Ehrhardt, Deputy Mayor Seconded

**CARRIED UNANIMOUSLY BY EXCEPTION (EN-BLOC): 7/0**

**For:** Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik and Cr Giorgia Johnson.

**Against:** Nil.

### **BACKGROUND**

The purpose of this report is for Council to note the Investment Portfolio detailed in **Attachments 1, 2 and 3**.

In accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, a monthly report on the City's Investment Portfolio is to be presented to Council.

The City's Investment Policy details the manner in which the City is to manage the investment portfolio ensuring:

- a high level of security;
- an adequate level of diversification to spread risk; and

- sufficient liquidity to meet all reasonably-anticipated cash flow requirements (ready access to funds for daily requirements).

The City's investment portfolio (**Attachments 1, 2 and 3**) is spread across several financial institutions in accordance with the risk management guidelines as contained in the policy.

- Maximum Risk Exposure - The City policy sets a portfolio credit framework which limits the credit exposure of the City's investment to the following Standard & Poor's (S&P) rated banking institutions.

S&P Long-Term Rating	S&P Short-Term Rating	Maximum Risk Limit % Credit Rating
AAA	A-1+	100%
AA	A-1	100%
A	A-2	80%

This report is intended to not only meet the City's regulatory and policy obligations, but also to summarise how the City's funds have been invested and with which financial institution.

## EXTERNAL CONSULTATION

Not applicable.

## OFFICER'S COMMENTS

Total investments for the period ended 31 May 2022 were \$84,045,489.97.

Of the total investment portfolio, \$49,247,974.27 is internally restricted and \$3,627,124.50 externally restricted, to satisfy the City's legislative responsibilities and to set aside funds for future projects. The balance of the investment funds represents working capital and funding required for the City's 2021/22 operating and capital expenditure requirements.

## LEGISLATIVE COMPLIANCE

Investment Policy applies. It is noted that the City currently has 30% in fossil fuel free investments.

## RISK ASSESSMENT

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

<b>Officer's Recommendation</b>	<b>That Council receives the Investment Portfolio Report for the period ended 31 May 2022 with investments totalling \$84,045,489.97.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
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
<b>Conclusion</b>	Funds have been invested in accordance with the City's Investment Policy.	

## FINANCIAL IMPLICATIONS

Income earned from investments is recognised in the City's financial statements.

### **STRATEGIC IMPLICATIONS**

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

Theme: Leadership and Governance

Goal L4: Communicate in a clear and transparent way.

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

### **CONCLUSION**

That Council receives the Investment Portfolio Report for the period ended 31 May 2022 with investments totalling \$84,045,489.97.

**City of Bayswater  
Investment Register  
Balance as at 31 May 2022**

Investment Number	Bank	Lodgement Date	Maturity Date	Rate %	Principal \$	Accrued Interest \$	Maturity Interest \$	Maturity Amount \$
200664	National Australia Bank	21/12/21	07/06/22	0.50	1,000,000.00	2,205.48	2,301.37	1,002,301.37
200666	National Australia Bank	04/01/22	07/06/22	0.49	1,600,000.00	3,157.48	3,307.84	1,603,307.84
200668	Bendigo Bank	11/01/22	14/06/22	0.50	2,412,975.82	4,627.62	5,090.39	2,418,066.21
200669	Bendigo Bank	11/01/22	14/06/22	0.50	527,655.03	1,011.94	1,113.14	528,768.17
200702	Commonwealth Bank	20/04/22	14/06/22	0.45	1,200,000.00	606.58	813.70	1,200,813.70
200671	National Australia Bank	18/01/22	21/06/22	0.49	1,000,000.00	1,785.48	2,067.40	1,002,067.40
200676	National Australia Bank	01/02/22	21/06/22	0.44	1,200,000.00	1,721.42	2,025.21	1,202,025.21
200686	National Australia Bank	01/03/22	21/06/22	0.40	1,000,000.00	997.26	1,227.40	1,001,227.40
200710	Commonwealth Bank	18/05/22	21/06/22	0.69	1,017,267.70	250.00	653.84	1,017,921.54
200665	Bank of Queensland	04/01/22	28/06/22	0.52	3,003,254.79	6,289.56	7,487.57	3,010,742.36
200677	ING Bank	08/02/22	05/07/22	0.41	1,850,000.00	2,327.45	3,054.78	1,853,054.78
200680	National Australia Bank	15/02/22	12/07/22	0.48	780,000.00	1,077.04	1,507.86	781,507.86
200684	National Australia Bank	22/02/22	12/07/22	0.47	1,150,000.00	1,451.21	2,073.15	1,152,073.15
200694	Bendigo Bank	23/03/22	12/07/22	0.60	1,150,000.00	1,304.38	2,098.36	1,152,098.36
200685	Commonwealth Bank	02/03/22	19/07/22	0.47	2,503,219.18	2,900.99	4,480.42	2,507,699.60
200709	Commonwealth Bank	11/05/22	19/07/22	1.12	1,021,915.45	627.15	2,163.66	1,024,079.11
200687	Bendigo Bank	08/03/22	26/07/22	0.50	1,000,345.21	1,151.08	1,918.47	1,002,263.68
200700	Bank of Queensland	12/04/22	02/08/22	0.75	1,548,300.87	1,558.91	3,563.21	1,551,864.08
200707	Commonwealth Bank	04/05/22	09/08/22	1.45	800,000.00	858.08	3,082.74	803,082.74
200708	Commonwealth Bank	11/05/22	09/08/22	1.47	1,705,457.15	1,373.71	6,181.70	1,711,638.85
200711	National Australia Bank	31/05/22	16/08/22	1.38	1,500,000.00	-	4,366.85	1,504,366.85
200691	ING Bank	15/03/22	13/09/22	0.80	2,200,000.00	3,712.88	8,775.89	2,208,775.89
<b>Muni General Funds Total</b>					<b>31,170,391.20</b>	<b>40,995.70</b>	<b>69,354.92</b>	<b>31,239,746.12</b>
200641	National Australia Bank	05/10/21	07/06/22	0.33	476,045.84	1,024.35	1,054.47	477,100.31
200649	Suncorp Bank	26/10/21	14/06/22	0.38	1,001,841.10	2,263.34	2,409.36	1,004,250.46
200703	Commonwealth Bank	20/04/22	14/06/22	0.45	5,362,407.93	2,710.59	3,636.15	5,366,044.08
200704	Commonwealth Bank	20/04/22	21/06/22	0.50	641,114.05	360.08	544.51	641,658.56
200688	Bendigo Bank	08/03/22	05/07/22	0.50	2,534,910.71	2,916.88	4,132.25	2,539,042.96
200658	Bendigo Bank	23/11/21	26/07/22	0.47	1,611,303.10	3,921.43	5,083.33	1,616,386.43
200667	National Australia Bank	04/01/22	16/08/22	0.56	5,144,375.79	11,602.33	17,679.74	5,162,055.53
200696	Bank of Queensland	29/03/22	30/08/22	0.80	1,856,084.16	2,562.92	6,264.92	1,862,349.08
<b>Muni Reserve Total</b>					<b>18,628,082.68</b>	<b>27,361.91</b>	<b>40,804.74</b>	<b>18,668,887.42</b>
200640	National Australia Bank	05/10/21	07/06/22	0.33	491,828.28	1,058.31	1,089.43	492,917.71
200643	National Australia Bank	19/10/21	21/06/22	0.32	810,886.41	1,592.45	1,741.74	812,628.15
200644	National Australia Bank	19/10/21	21/06/22	0.32	439,666.98	863.43	944.38	440,611.36
200679	ING Bank	08/02/22	28/06/22	0.41	503,998.99	634.07	792.59	504,791.58
200689	Bendigo Bank	08/03/22	12/07/22	0.50	780,000.00	897.53	1,346.30	781,346.30
200662	Bendigo Bank	14/12/21	16/08/22	0.48	600,743.84	1,327.23	1,935.55	602,679.39
<b>Trust Specific Total</b>					<b>3,627,124.50</b>	<b>6,373.03</b>	<b>7,849.99</b>	<b>3,634,974.49</b>
200655	Bank of Queensland	09/11/21	07/06/22	0.45	811,601.30	2,031.23	2,101.27	813,702.57
200645	Suncorp Bank	19/10/21	21/06/22	0.34	624,047.84	1,302.12	1,424.20	625,472.04
200651	Bank of Queensland	02/11/21	21/06/22	0.45	603,854.74	1,563.40	1,719.75	605,574.49
200652	Westpac Bank	02/11/21	05/07/22	0.44	1,530,044.56	3,873.32	4,518.87	1,534,563.43
200670	Bank of Queensland	11/01/22	12/07/22	0.60	1,140,000.00	2,623.56	3,410.63	1,143,410.63
200682	ING Bank	17/02/22	02/08/22	0.47	1,677,478.49	2,224.84	3,585.67	1,681,064.16
200690	Suncorp Bank	08/03/22	16/08/22	0.57	1,431,339.95	1,877.60	3,598.74	1,434,938.69
200695	Bank of Queensland	22/03/22	23/08/22	0.70	1,279,464.24	1,717.64	3,778.80	1,283,243.04
200698	National Australia Bank	05/04/22	13/09/22	1.01	531,797.99	824.07	2,369.20	534,167.19
200705	Suncorp Bank	03/05/22	04/10/22	1.68	2,251,423.85	2,901.56	15,958.59	2,267,382.44
<b>Aged General Funds Total</b>					<b>11,881,052.96</b>	<b>20,939.35</b>	<b>42,465.71</b>	<b>11,923,518.67</b>
200697	National Australia Bank	29/03/22	05/07/22	0.55	43,698.98	41.48	64.53	43,763.51
<b>Aged Mertome Gardens Total</b>					<b>43,698.98</b>	<b>41.48</b>	<b>64.53</b>	<b>43,763.51</b>
200660	National Australia Bank	09/12/21	21/06/22	0.51	1,240,873.36	2,999.51	3,363.62	1,244,236.98
200683	Commonwealth Bank	22/02/22	28/06/22	0.46	1,071,689.89	1,323.61	1,701.78	1,073,391.67
<b>Aged Prudential Requirements Reserve Total</b>					<b>2,312,563.25</b>	<b>4,323.12</b>	<b>5,065.40</b>	<b>2,317,628.65</b>
200639	National Australia Bank	05/10/21	07/06/22	0.33	2,045,419.42	4,401.29	4,530.74	2,049,950.16
200656	Bank of Queensland	09/11/21	21/06/22	0.45	4,414,782.04	11,049.05	12,192.06	4,426,974.10
200699	National Australia Bank	05/04/22	05/07/22	0.70	3,871,797.37	4,158.20	6,757.08	3,878,554.45
200661	National Australia Bank	09/12/21	09/08/22	0.56	1,090,976.71	2,895.72	4,067.40	1,095,044.11
200692	ING Bank	15/03/22	06/09/22	0.63	952,026.07	1,265.28	2,875.64	954,901.71
200706	Suncorp Bank	03/05/22	04/10/22	1.68	4,007,574.79	5,164.83	28,406.57	4,035,981.36
<b>Aged General Reserve Total</b>					<b>16,382,576.40</b>	<b>28,934.38</b>	<b>58,829.49</b>	<b>16,441,405.89</b>
<b>Total</b>					<b>84,045,489.97</b>	<b>128,968.97</b>	<b>224,434.77</b>	<b>84,269,924.74</b>

**City of Bayswater  
Investment Summary  
Balance as at 31 May 2022**

**Investments By Maturity Date**

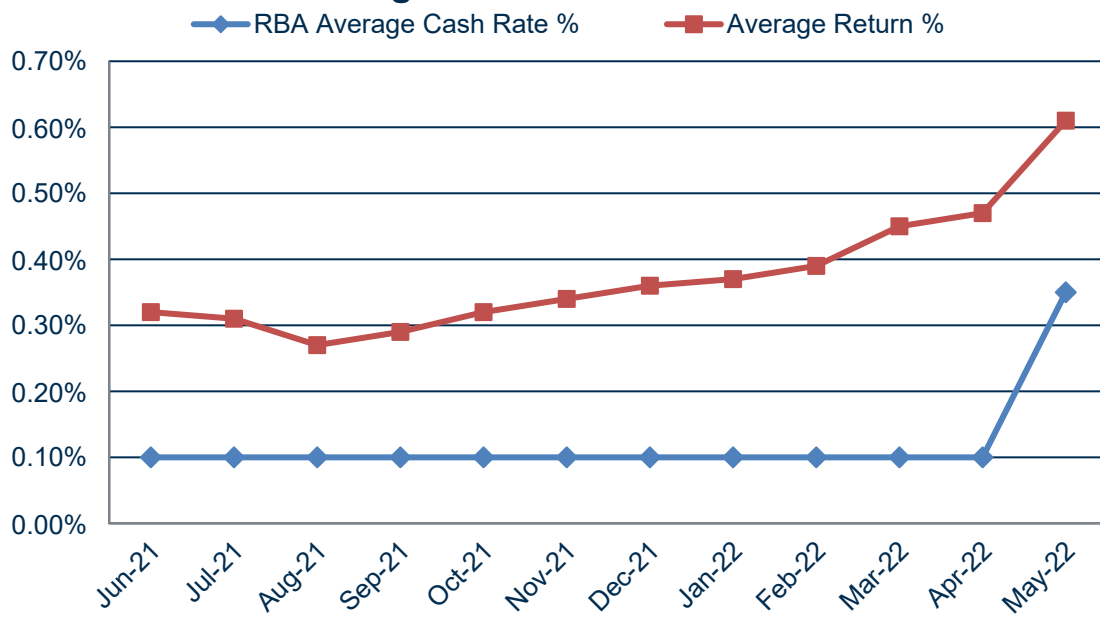
Maturity Dates	Principal	Portfolio %	Number of Investments
Less than 30 days	\$34,501,211.51	41%	25
Between 30 days and 60 days	\$20,967,234.56	25%	14
Between 61 days and 90 days	\$16,778,137.04	20%	10
Between 91 days and 180 days	\$11,798,906.86	14%	6
Between 181 days and 1 year	\$0.00	0%	0
<b>Total</b>	<b>\$84,045,489.97</b>	<b>100%</b>	<b>55</b>

**Allocation of Investments**

S&P Rating (Short-term)	Bank	Amount Invested	Amount Invested %	Threshold %
A-1+	National Australia Bank	\$25,417,367.13	30%	45%
A-1+	Westpac	\$1,530,044.56	2%	45%
A-1+	Commonwealth Bank	\$15,323,071.35	18%	45%
A-1	Suncorp	\$9,316,227.53	11%	35%
A-2	Bank of Queensland **	\$14,657,342.14	17%	30%
A-2	Bendigo Bank **	\$10,617,933.71	13%	30%
A-2	ING	\$7,183,503.55	9%	30%
<b>Total</b>		<b>\$84,045,489.97</b>	<b>100%</b>	

\*\* Fossil fuel free investment

**Average Return on Investment**



**City of Bayswater  
Investment Portfolio  
Balance as at 31 May 2022**

Source	Description	Total \$	Internally restricted \$	Externally restricted \$
Municipal	Investment - CoB General Funds	31,170,391.20	-	-
	Investment - CoB Reserve	18,628,082.68	18,628,082.68	-
	Investment - Trust	3,627,124.50	-	3,627,124.50
<b>Sub Total</b>		<b>53,425,598.38</b>	<b>18,628,082.68</b>	<b>3,627,124.50</b>
Aged	Investment - Aged General Funds	11,924,751.94	11,924,751.94	-
	Investment - Prudential Requirements Reserve	2,312,563.25	2,312,563.25	-
	Investment - Aged General Reserve	16,382,576.40	16,382,576.40	-
<b>Sub Total</b>		<b>30,619,891.59</b>	<b>30,619,891.59</b>	<b>-</b>
<b>Grand Total</b>		<b>84,045,489.97</b>	<b>49,247,974.27</b>	<b>3,627,124.50</b>

**10.2.3 List of Payments for the Month of May 2022**

<b>Responsible Branch:</b>	Financial Services
<b>Responsible Directorate:</b>	Corporate and Strategy
<b>Authority/Discretion:</b>	Legislative
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Schedule of Accounts Municipal Fund [<b>10.2.3.1</b> - 9 pages]</li> <li>2. Schedule of Accounts Trust Fund [<b>10.2.3.2</b> - 1 page]</li> <li>3. Schedule of Accounts Aged Persons Home Account [<b>10.2.3.3</b> - 1 page]</li> <li>4. Summary of Corporate Credit Card Expenses [<b>10.2.3.4</b> - 2 pages]</li> <li>5. Electronic Fund Transfers [<b>10.2.3.5</b> - 1 page]</li> </ol>

**SUMMARY**

This report presents the list of payments, comprising **Attachments 1, 2, 3 4 and 5** made under delegated authority for the month of May 2022 in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*.

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

That Council receives the list of payments for the month of May 2022 made under delegated authority in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* comprising:

1. Schedule of Accounts – Municipal Fund (**Attachment 1**);
2. Schedule of Accounts – Trust Fund (**Attachment 2**);
3. Schedule of Accounts – Aged Persons Homes Account (**Attachment 3**);
4. Summary of Corporate Credit Card Expenses (**Attachment 4**); and
5. Electronic Fund Transfers (**Attachment 5**).

Cr Assunta Meleca Moved, Cr Catherine Ehrhardt, Deputy Mayor Seconded

**CARRIED UNANIMOUSLY BY EXCEPTION (EN-BLOC): 7/0**

**For:** Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik and Cr Georgia Johnson.

**Against:** Nil.

**BACKGROUND**

Council has delegated to the Chief Executive Officer the exercise of its power to make payments from the City's Municipal and Trust Funds in addition to Aged Care accounts in accordance with Regulation 13 of the *Local Government (Financial Management) Regulations 1996*.

A list of accounts paid is to be provided to Council where such delegation is made.

**EXTERNAL CONSULTATION**

Not applicable.

**OFFICER'S COMMENTS**

A list of payments is presented to Council each month for noting in accordance with the *Local Government (Financial Management) Regulations 1996*.



Payments drawn from the Municipal Account for the month of May 2022 are included in **Attachment 1**.

Payments drawn from the Trust Account for the month of May 2022 are included in **Attachment 2**.

Payments drawn from the Aged Persons Homes Account for the month of May 2022 are included in **Attachment 3**.

Payments made via credit cards are included in **Attachment 4**.

All other payments of a direct debit nature made from the Municipal and Aged Persons Homes Accounts including: bank fees; payroll payments; and other direct payment arrangements, are represented in **Attachment 5**.

All payments are summarised in **Table 1**.

**Table 1**

<b><i>Payment Type</i></b>	<b><i>Reference</i></b>	<b><i>Amount \$</i></b>
<b><i>Municipal Account</i></b>  BPay Direct Credits Electronic Fund Transfers (EFTs)	BP000150-152, DC000268-270, DC000272-276 EF067580-067707, EF067709-067845, EF067848-067985, EF067987-068182	<b>\$5,420,139.23</b>
<b><i>Trust Account</i></b>  Electronic Fund Transfers (EFTs)	EF067846-067847, EF067986	<b>\$62,607.23</b>
<b><i>Aged Persons Homes</i></b>  Electronic Fund Transfers (EFTs)	EF067708	<b>\$59.40</b>
<b><i>Credit Card Transactions</i></b>	29 April 2022 to 27 May 2022	<b>\$17,762.10</b>
<b><i>Electronic Fund Transfers</i></b>	01 May 2022 to 31 May 2022	<b>\$6,851,677.82</b>
	<b>Total</b>	<b>\$12,352,245.78</b>

## **LEGISLATIVE COMPLIANCE**

Council Policy – Procurement.

Council has delegated to the CEO the exercise of its authority to make payments from the Municipal and Trust Funds and the Aged Care Homes accounts. Therefore, in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, a list of

accounts paid by the CEO is prepared each month showing each account paid since the list was prepared.

## RISK ASSESSMENT

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

<b>Officer's Recommendation</b>	<p>That Council receives the list of payments for the month of May 2022 made under delegated authority in accordance with Regulation 13(1) of the <i>Local Government (Financial Management) Regulations 1996</i> comprising:</p> <ol style="list-style-type: none"> <li>1. Schedule of Accounts – Municipal Fund (<u>Attachment 1</u>);</li> <li>2. Schedule of Accounts – Trust Fund (<u>Attachment 2</u>);</li> <li>3. Schedule of Accounts – Aged Persons Homes Account (<u>Attachment 3</u>);</li> <li>4. Summary of Corporate Credit Card Expenses (<u>Attachment 4</u>); and</li> <li>5. Electronic Fund Transfers (<u>Attachment 5</u>).</li> </ol>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
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
<b>Conclusion</b>	The schedule of accounts outlines all the payment made by the City in accordance with legislation.	

## FINANCIAL IMPLICATIONS

All accounts are for goods and services that have been duly incurred and authorised for payment in accordance with the budget allocation and statutory obligations. This provides for the effective and timely payment of the City's contractors and other creditors.

## STRATEGIC IMPLICATIONS

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

Theme: Leadership and Governance

Goal L4: Communicate in a clear and transparent way.

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

## CONCLUSION

That Council notes the List of Payments for the month of May 2022 comprising Attachments 1, 2, 3, 4 and 5.

## City of Bayswater

### List of Payment - Municipal for the period 1 May 2022 to 31 May 2022

<i>Reference</i>	<i>Date</i>	<i>Creditor Name</i>	<i>Invoice details</i>	<i>Amount Paid</i>
<b>Payments</b>				<b>\$</b>
BP000150	04/05/22	Water Corporation	Water usage charges	13,911.43
BP000151	12/05/22	Water Corporation	Water usage charges	24,933.13
BP000152	18/05/22	Water Corporation	Water usage charges	40,831.74
DC000268	10/05/22	Superchoice	Payroll payment	177,516.27
DC000269	19/05/22	Superchoice	Payroll payment	178,285.12
DC000270	04/05/22	Easisalary Pty Ltd	Payroll payment	10,340.41
DC000272	18/05/22	Easisalary Pty Ltd	Payroll payment	11,655.44
DC000273	19/05/22	Department of Justice/Fines Enforcement Registry	Legal expenses and court costs	2,385.00
DC000274	20/05/22	Department of Justice/Fines Enforcement Registry	Legal expenses and court costs	6,327.20
DC000275	02/05/22	Department of Justice/Fines Enforcement Registry	Legal expenses and court costs	7,968.80
DC000276	27/05/22	Department of Justice/Fines Enforcement Registry	Legal expenses and court costs	3,341.40
EF067580	02/05/22	Assunta Meleca	Councillor allowances and reimbursements	2,883.30
EF067581	02/05/22	Catherine Ehrhardt	Councillor allowances and reimbursements	4,727.40
EF067582	02/05/22	Daniel Bull	Councillor allowances and reimbursements	2,883.30
EF067583	02/05/22	Elli Petersen-Pik	Councillor allowances and reimbursements	2,883.30
EF067584	02/05/22	Filomena Piffaretti	Councillor allowances and reimbursements	11,562.00
EF067585	02/05/22	Georgia Johnson	Councillor allowances and reimbursements	2,883.30
EF067586	02/05/22	Joshua Eveson	Councillor allowances and reimbursements	2,883.30
EF067587	02/05/22	Lorna J Clarke	Councillor allowances and reimbursements	2,883.30
EF067588	02/05/22	Michelle Louise Sutherland	Councillor allowances and reimbursements	2,883.30
EF067589	02/05/22	Sally Palmer	Councillor allowances and reimbursements	2,883.30
EF067590	02/05/22	Steven George Ostaszewskyj	Councillor allowances and reimbursements	2,883.30
EF067591	03/05/22	Brady Australia Pty Ltd t/a Seton Australia	Minor Equipment Purchase	909.11
EF067592	03/05/22	Child & Adolescent Health Service	Refund bond	495.00
EF067593	03/05/22	David Eluchie	Refund bond	1,000.00
EF067594	03/05/22	David Szabo	Refund health centre memberships	60.00
EF067595	03/05/22	Franca Ruggiero	Refund infringement	24.80
EF067596	03/05/22	Galvins Plumbing Supplies	Building supplies and hardware	1,305.06
EF067597	03/05/22	Housing Authority	Refund rates overpayment	606.01
EF067598	03/05/22	Lisa McRae	Refund health centre memberships	262.69
EF067599	03/05/22	Marie Sell	Refund rates overpayment	1,200.00
EF067600	03/05/22	Navraj Singh and Kausalia Apparao	Refund rates overpayment	1,031.56
EF067601	03/05/22	Online Compliance Training Australia Pty Ltd	Staff training, development and support	6,600.00
EF067602	03/05/22	PU Fam Pty Ltd	Refund bond	1,185.00
EF067603	03/05/22	Raffaele Mugavero and Paola Pizzo	Refund Birthday Party	23.60
EF067604	03/05/22	Ruth Kilpatrick	Youth and seniors community activities	204.00
EF067605	03/05/22	Synergy	Electricity charges (other than street lighting)	48,229.48
EF067606	03/05/22	Tangent Nominees Pty Ltd T/A Summit Homes	Refund residential verge deposit	1,400.00
EF067607	03/05/22	Team Mamba Perth	Refund bond	100.00
EF067608	03/05/22	Telstra	Office telephone and communication expenses	218.19
EF067609	03/05/22	Urbanista Town Planning	Refund bond	550.00
EF067610	03/05/22	Western Australia Police	Volunteer reimbursements and expenses	217.10
EF067611	03/05/22	Western Australian Hurling Club	Refund bond	70.00
EF067612	03/05/22	WPC Group Ltd	Labour hire and temporary replacement	1,216.79
EF067613	04/05/22	A D'Onofrio	Citizenship expenses	200.00
EF067614	04/05/22	AAAC Towing Pty Ltd	Vehicle towing	132.00
EF067615	04/05/22	Aarco Environmental Solutions Pty Ltd	Environmental Health Services & Supplies	803.00
EF067616	04/05/22	Access Icon Pty Ltd T/A Cascada Group	Parks & gardens materials	1,788.05
EF067617	04/05/22	Acclaimed Catering Pty Ltd	Functions and events catering expenses	1,795.75
EF067618	04/05/22	Allpipe Technologies	Construction and civil works payments	5,610.00
EF067619	04/05/22	ALS Library Services Pty Ltd	Book purchases	127.62
EF067620	04/05/22	AMS Technology Group Pty Ltd	Building maintenance and services	13,332.99
EF067621	04/05/22	Andrew Jesse Teo	Youth and seniors community activities	140.00
EF067622	04/05/22	Bayswater Tennis Club	Parks & gardens contract payments	4,684.35
EF067623	04/05/22	Blackwoods Atkins	Minor Equipment Purchase	243.19
EF067624	04/05/22	Boya Equipment Pty Ltd	Plant and vehicle parts and materials	579.50
EF067625	04/05/22	Boyan Electrical Services	Electrical Installation & Repair	14,120.49
EF067626	04/05/22	Brownes Foods Operations Pty Ltd	Kiosk stock	102.28
EF067627	04/05/22	Bunnings Group Ltd	Minor Equipment Purchase	1,967.08
EF067628	04/05/22	Charter Plumbing and Gas	Building maintenance and services	4,812.16
EF067629	04/05/22	CNW Pty Ltd	Building supplies and hardware	958.57
EF067630	04/05/22	Contra-flow Pty Ltd	Traffic management	24,280.30
EF067631	04/05/22	Cornerstone Legal	Legal expenses and court costs	686.40
EF067632	04/05/22	C-Wise	Parks & gardens materials	2,818.20
EF067633	04/05/22	Danish Patisserie	Functions and events catering expenses	56.83

<i>Reference Payments</i>	<i>Date</i>	<i>Creditor Name</i>	<i>Invoice details</i>	<i>Amount Paid \$</i>
EF067634	04/05/22	Department of Transport - Vehicle Search	Vehicle searches	1,204.20
EF067635	04/05/22	DS Workwear & Safety	Staff uniforms and protective equipment	149.80
EF067636	04/05/22	E Fire & Safety	Fire suppression and alarm monitoring	8,473.30
EF067637	04/05/22	Eastern Metropolitan Regional Council	Waste collection and hygiene services	189,943.49
EF067638	04/05/22	Eco Action Pty Ltd	Youth and seniors community activities	350.00
EF067639	04/05/22	Educated by Nature Pty Ltd	Youth and seniors community activities	462.00
EF067640	04/05/22	Educational Art Supplies Company	Library book stock and materials	209.99
EF067641	04/05/22	Elite Pool & SPA Covers	Aquatic maintenance and services	902.00
EF067642	04/05/22	Ellenby Tree Farm	Parks & gardens plants and trees	616.55
EF067643	04/05/22	Es2 Pty Ltd	IT network maintenance	2,640.00
EF067644	04/05/22	Europcar WA	Equipment hire	4,514.07
EF067645	04/05/22	Fulton Hogan	Parks & gardens materials	1,795.20
EF067646	04/05/22	Future Institute of Australia Pty Ltd	Staff training, development and support	11,761.20
EF067647	04/05/22	Galleria Toyota	Plant and vehicle parts and materials	199.53
EF067648	04/05/22	Garrards Pty Ltd	Environmental Health Services & Supplies	2,719.20
EF067649	04/05/22	GFG Temporary Assist	Labour hire and temporary replacement	23,404.17
EF067650	04/05/22	GHD Pty Ltd	Construction and civil works payments	7,144.34
EF067651	04/05/22	Growise Pty Ltd	Parks & gardens materials	4,735.50
EF067652	04/05/22	Hardingham Family Trust T/A Centrecourt Renovators	Construction and civil works payments	30,580.00
EF067653	04/05/22	Hays Specialist Recruitment (Aust) Pty Ltd	Labour hire and temporary replacement	6,168.56
EF067654	04/05/22	Instant Fence Hire	Fencing	2,893.00
EF067655	04/05/22	Intelife Group Limited	Building maintenance and services	3,846.48
EF067656	04/05/22	International Solutions Group (ISG) Pty Ltd	Functions and events catering expenses	216.82
EF067657	04/05/22	IPEC Pty Ltd	Postage and courier charges	211.68
EF067658	04/05/22	Julie Wiscombe	Youth and seniors community activities	840.00
EF067659	04/05/22	KLMedia Pty Ltd T/A All Access Australasia	Library book stock and materials	479.62
EF067660	04/05/22	Landgate	Gross rental valuation charges	1,634.73
EF067661	04/05/22	Life Active Podiatry	Podiatry services and materials	930.00
EF067662	04/05/22	Major Motors Pty Ltd	Plant and vehicle parts and materials	619.86
EF067663	04/05/22	Manheim Pty Ltd	Transport and storage charges	110.00
EF067664	04/05/22	Martins Trailer Parts	Plant and vehicle parts and materials	130.87
EF067665	04/05/22	McInerney Ford	Plant and vehicle parts and materials	265.28
EF067666	04/05/22	McLeods	Legal expenses and court costs	1,540.23
EF067667	04/05/22	Menchetti Consolidated Pty Ltd	Construction and civil works payments	626,126.76
EF067668	04/05/22	Morley Mower Centre	Plant and vehicle parts and materials	322.48
EF067669	04/05/22	Natural Area Holdings Pty Ltd	Parks & gardens contract payments	6,446.00
EF067670	04/05/22	Nutrien Ag Solutions	Parks & gardens materials	831.60
EF067671	04/05/22	Oars Across the Waters Pty Ltd	Staff training, development and support	445.50
EF067672	04/05/22	Paragon Corporate Training	Staff training, development and support	1,200.00
EF067673	04/05/22	Pinnacle Height Safety Pty Ltd	Staff training, development and support	1,780.00
EF067674	04/05/22	Pool & Pump Service & Repairs Pty Ltd	Aquatic maintenance and services	2,755.39
EF067675	04/05/22	Powervac Pty Ltd	Aquatic maintenance and services	946.35
EF067676	04/05/22	Prestige Property Maintenance Pty Ltd	Parks & gardens contract payments	14,422.00
EF067677	04/05/22	Programmed Skilled Workforce Ltd	Labour hire and temporary replacement	3,112.03
EF067678	04/05/22	Quality Press	Printing and graphic design expenses	918.50
EF067679	04/05/22	Repco	Plant and vehicle parts and materials	1,458.08
EF067680	04/05/22	Rubek Automatic Doors	Building maintenance and services	3,482.60
EF067681	04/05/22	Savills Project Management Pty Ltd	Professional consultancy services	550.00
EF067682	04/05/22	Signman	Printing and graphic design expenses	18,174.20
EF067683	04/05/22	Sonic Health Plus Pty Ltd	Medical services and materials	71.50
EF067684	04/05/22	Southern Wire Industrial Pty Ltd	Fencing	5,202.51
EF067685	04/05/22	Sportsworld of WA	Kiosk stock	1,065.90
EF067686	04/05/22	Sprayline Spraying Equipment	Plant and vehicle parts and materials	885.70
EF067687	04/05/22	St John Ambulance Western Australia Ltd	Medical services and materials	596.49
EF067688	04/05/22	Statewide Cleaning Supplies Pty Ltd	Building supplies and hardware	331.01
EF067689	04/05/22	Syme Marmion & Co	Professional consultancy services	20,178.40
EF067690	04/05/22	The Morley Veterinary Hospital	Animal supplies & services	139.00
EF067691	04/05/22	The O'Grady Family Trust T/A Efficient Site Services	Parks & gardens contract payments	11,711.15
EF067692	04/05/22	TheTrustee for Abacus Educational Suppliers Unit Trust	Marketing and promotional material	1,153.35
EF067693	04/05/22	The Trustee for the Dzodzoz Family Trust	Parks & gardens contract payments	22,965.25
EF067694	04/05/22	T-Quip	Plant and vehicle repairs	657.55
EF067695	04/05/22	Turf Care WA Pty Ltd	Parks & gardens contract payments	7,040.00
EF067696	04/05/22	Twins (WA) Pty Ltd	Functions and events catering expenses	22.00
EF067697	04/05/22	Urbaqua Ltd	Environmental testing and sampling	3,564.00
EF067698	04/05/22	Vaughn J McGuire	Citizenship expenses	1,100.00
EF067699	04/05/22	Vorgee Pty Ltd	Kiosk stock	578.93
EF067700	04/05/22	VTP Engineering	Building maintenance and services	825.00
EF067701	04/05/22	Wattleup Tractors	Plant and vehicle parts and materials	280.50
EF067702	04/05/22	WC Convenience Management Pty Ltd T/A WC Innovations	Building maintenance and services	1,212.62
EF067703	04/05/22	Westbooks	Book purchases	25.14

<i>Reference Payments</i>	<i>Date</i>	<i>Creditor Name</i>	<i>Invoice details</i>	<i>Amount Paid \$</i>
EF067704	04/05/22	Western Power	Electricity charges - Street lighting	11,618.00
EF067705	04/05/22	Wonderful Worm Waste	Youth and seniors community activities	400.00
EF067706	04/05/22	Woolworths Ltd (WA)	Kiosk stock	274.06
EF067707	04/05/22	Work Clobber	Staff uniforms and protective equipment	135.20
EF067709	12/05/22	Advanced Patios	Refund development application fee	73.50
EF067710	12/05/22	Alinta Gas	Gas usage charges	430.85
EF067711	12/05/22	Australia Post	Postage and courier charges	32,020.44
EF067712	12/05/22	B A Arun Kumar	Refund bond	350.00
EF067713	12/05/22	Bayswater State Emergency Services	Grants & funding	4,400.00
EF067714	12/05/22	Coleman Rail Pty Ltd	Refund bond	2,210.00
EF067715	12/05/22	ConnectGroups Support Groups Assoc WA In	Refund bond	261.00
EF067716	12/05/22	Draftwest	Civil works design and technical support	1,250.00
EF067717	12/05/22	FS Bedford Trust	Refund bond	350.00
EF067718	12/05/22	Helen Sims	Refund development application fee	5,000.00
EF067719	12/05/22	J-Corp Pty Ltd	Refund development application fee	1,860.14
EF067720	12/05/22	K Warren	Refund dog registration	42.50
EF067721	12/05/22	Listech Pty Ltd	Licence and permit renewal	3,120.18
EF067722	12/05/22	Perth Material Blowing Pty Ltd	Parks & gardens contract payments	11,054.89
EF067723	12/05/22	Sarit Shah	Refund Birthday Party	118.00
EF067724	12/05/22	Southern Cross Protection Pty Ltd-Petty Cash	Petty cash reimbursement	1,193.85
EF067725	12/05/22	Synergy	Electricity charges - Street lighting	105,219.22
EF067726	12/05/22	Telstra	Office telephone and communication expenses	4,497.21
EF067727	12/05/22	The Greens (WA) Inc	Refund bond	250.00
EF067728	12/05/22	The Owners of Morley Commercial Centre	Refund bond	550.00
EF067729	12/05/22	Western Australian Planning Commission	Refund rates overpayment	799.24
EF067730	12/05/22	Yvette Coyne	Refund swimming lessons	103.20
EF067731	12/05/22	A1 Locksmiths	Key / Lock Services	279.00
EF067732	12/05/22	AAAC Towing Pty Ltd	Vehicle towing	396.00
EF067733	12/05/22	Acclaimed Catering Pty Ltd	Functions and events catering expenses	1,386.00
EF067734	12/05/22	Acurix Networks Pty Ltd	Software Maintenance	1,788.75
EF067735	12/05/22	Advance Vacuumed Gutters	Building maintenance and services	332.80
EF067736	12/05/22	ALS Library Services Pty Ltd	Book purchases	305.17
EF067737	12/05/22	Alyka Pty Ltd	Professional consultancy services	7,669.75
EF067738	12/05/22	Amgrow Australia Pty Ltd	Parks & gardens materials	1,501.50
EF067739	12/05/22	AMS Technology Group Pty Ltd	Building maintenance and services	1,668.83
EF067740	12/05/22	Anthony Mckenna T/A Tonys Auto Electrics	Plant and vehicle parts and materials	825.00
EF067741	12/05/22	Apace Aid Incorporated	Parks & gardens contract payments	2,048.75
EF067742	12/05/22	Arbor West Pty Ltd T/A Classic Tree Services	Parks & gardens contract payments	15,327.40
EF067743	12/05/22	Asphaltech Pty Ltd	Construction and civil works payments	220,603.44
EF067744	12/05/22	Australia Post / Commission	Fees and charges	250.28
EF067745	12/05/22	Australian Services Union	Payroll payment	308.80
EF067746	12/05/22	Australian Taxation Office	Payroll payment	303,948.00
EF067747	12/05/22	Battery King Australia Pty Ltd	Plant and vehicle parts and materials	281.60
EF067748	12/05/22	Blackwoods Atkins	Depot stores and consumables	1,258.97
EF067749	12/05/22	BP Australia Pty Ltd	Fuel and oil	459.71
EF067750	12/05/22	Bridgestone Aust Ltd	Plant and vehicle repairs	3,621.22
EF067751	12/05/22	Brownes Foods Operations Pty Ltd	Kiosk stock	150.12
EF067752	12/05/22	Bunnings Group Ltd	Minor Equipment Purchase	896.77
EF067753	12/05/22	Cat Haven	Animal supplies & services	668.25
EF067754	12/05/22	Charter Plumbing and Gas	Building maintenance and services	638.00
EF067755	12/05/22	Child Support Agency	Payroll payment	1,384.17
EF067756	12/05/22	Cleanaway Pty Ltd	Waste collection and hygiene services	9,515.26
EF067757	12/05/22	CNW Pty Ltd	Building supplies and hardware	1,861.72
EF067758	12/05/22	COB - Sundowner Club	Payroll payment	80.00
EF067759	12/05/22	Cohesis Pty Ltd	Professional consultancy services	13,413.84
EF067760	12/05/22	Combat Clothing Australia Pty Ltd	Printing and graphic design expenses	2,910.00
EF067761	12/05/22	Contra-flow Pty Ltd	Traffic management	1,711.71
EF067762	12/05/22	Cornerstone Legal	Legal expenses and court costs	12,835.30
EF067763	12/05/22	Couplers Pty Ltd	Aquatic maintenance and services	28.89
EF067764	12/05/22	Dart Wars	Functions and events entertainment expenses	1,280.00
EF067765	12/05/22	DS Workwear & Safety	Staff uniforms and protective equipment	69.95
EF067766	12/05/22	E Fire & Safety	Fire suppression and alarm monitoring	4,714.05
EF067767	12/05/22	Maylands Park Lottery Centre & Newsagency	Memberships and subscriptions	645.82
EF067768	12/05/22	Eastern Metropolitan Regional Council	Waste collection and hygiene services	73,703.67
EF067769	12/05/22	Es2 Pty Ltd	IT network maintenance	2,117.50
EF067770	12/05/22	Exetel	IT network maintenance	775.00
EF067771	12/05/22	Fallshaw Holdings Pty Ltd	Minor Equipment Purchase	2,657.60
EF067772	12/05/22	Finespun Pty Ltd	Sitting Fee	467.50
EF067773	12/05/22	Flexi Staff	Labour hire and temporary replacement	3,261.87
EF067774	12/05/22	Freestyle Now	Youth and seniors community activities	726.00

<i>Reference</i>	<i>Date</i>	<i>Creditor Name</i>	<i>Invoice details</i>	<i>Amount Paid</i>
<i>Payments</i>				<i>\$</i>
EF067775	12/05/22	GFG Temporary Assist	Labour hire and temporary replacement	22,682.00
EF067776	12/05/22	Hays Specialist Recruitment (Aust) Pty Ltd	Labour hire and temporary replacement	16,650.92
EF067777	12/05/22	Health Insurance Fund of WA	Payroll payment	329.45
EF067778	12/05/22	Hip Pocket Workwear	Office stationery and consumables	191.40
EF067779	12/05/22	Hospital Benefit Fund of WA	Payroll payment	1,224.86
EF067780	12/05/22	ibookingsystems	Memberships and subscriptions	99.00
EF067781	12/05/22	IPEC Pty Ltd	Postage and courier charges	423.36
EF067782	12/05/22	IRP Pty Ltd	Labour hire and temporary replacement	1,228.59
EF067783	12/05/22	Ixom Operations Pty Ltd	Aquatic chemicals and consumables	3,490.78
EF067784	12/05/22	Josh Byrne and Associates	Civil works design and technical support	8,960.91
EF067785	12/05/22	Judroc Pty Ltd T/A The Watershed Water Systems	Parks & gardens materials	1,268.99
EF067786	12/05/22	Kate Elizabeth Durey	Functions and events entertainment expenses	42.50
EF067787	12/05/22	Kevrek (Australia) Pty Ltd	Plant and vehicle repairs	396.65
EF067788	12/05/22	Les Mills Australia	Memberships and subscriptions	753.68
EF067789	12/05/22	Lester Blades	Advertising recruitment	13,750.00
EF067790	12/05/22	Lets All Party	Functions and events entertainment expenses	660.00
EF067791	12/05/22	Linemarking WA Pty Ltd	Construction and civil works payments	5,991.15
EF067792	12/05/22	Mader Contracting Pty Ltd	Labour hire and temporary replacement	4,207.50
EF067793	12/05/22	Madken Holdings Pty Ltd T/A Washroom Accessories	Minor Equipment Purchase	2,958.80
EF067794	12/05/22	Manheim Pty Ltd	Transport and storage charges	165.00
EF067795	12/05/22	Martins Trailer Parts	Plant and vehicle parts and materials	77.94
EF067796	12/05/22	McIntosh Holdings Pty Ltd	Plant and vehicle parts and materials	220.54
EF067797	12/05/22	McLeods	Legal expenses and court costs	524.73
EF067798	12/05/22	Message Media	Memberships and subscriptions	33.00
EF067799	12/05/22	Millreef Holdings Pty Ltd T/A Classic Hire	Equipment hire	302.50
EF067800	12/05/22	Morley Mower Centre	Plant and vehicle repairs	65.97
EF067801	12/05/22	Move & Nourish with Kasse	Youth and seniors community activities	585.00
EF067802	12/05/22	Nature Based Play Pty Ltd	Parks & gardens contract payments	11,187.00
EF067803	12/05/22	NOMA Pty Ltd	Sitting Fee	990.00
EF067804	12/05/22	Noranda Veterinary Clinic	Animal supplies & services	55.00
EF067805	12/05/22	Octagon Lifts Pty Ltd	Building maintenance and services	460.90
EF067806	12/05/22	Office Line	Equipment purchases	935.00
EF067807	12/05/22	Officeworks	Office stationery and consumables	1,495.32
EF067808	12/05/22	Pave-Art	Building maintenance and services	1,338.00
EF067809	12/05/22	Philip Gresley	Sitting Fee	2,100.00
EF067810	12/05/22	Plantrite	Parks & gardens plants and trees	795.30
EF067811	12/05/22	Play Check	Parks & gardens contract payments	247.50
EF067812	12/05/22	Prestige Property Maintenance Pty Ltd	Parks & gardens contract payments	16,454.50
EF067813	12/05/22	Pump Control Systems	Parks & gardens materials	525.80
EF067814	12/05/22	Quality Press	Printing and graphic design expenses	1,138.50
EF067815	12/05/22	Refresh Waters Pty Ltd	Kiosk stock	80.00
EF067816	12/05/22	Repco	Plant and vehicle parts and materials	1,624.93
EF067817	12/05/22	Richgro Garden Products	Parks & gardens materials	507.00
EF067818	12/05/22	Roof Safety Solutions Pty Ltd	Building maintenance and services	2,516.80
EF067819	12/05/22	Rubek Automatic Doors	Building maintenance and services	580.80
EF067820	12/05/22	Screenlink Pty Ltd T/A Aussie I.T.	Office stationery and consumables	3,659.70
EF067821	12/05/22	Shane McCarthy	Youth and seniors community activities	360.00
EF067822	12/05/22	Shred-X Pty Ltd	Document management and archiving	10.12
EF067823	12/05/22	Sonic Health Plus Pty Ltd	Medical services and materials	143.00
EF067824	12/05/22	Steve's Sand Sifting for Playground Services	Parks & gardens contract payments	3,963.24
EF067825	12/05/22	Technology One Limited	Software Maintenance	4,462.19
EF067826	12/05/22	The Eilbeck Unit Trust T/A Eilbeck Cranes	Tools and minor plant	737.00
EF067827	12/05/22	The Goods Australia	Rise Materials & Consumables	1,128.76
EF067828	12/05/22	The Trustee for Blackwood Services Unit Trust	Equipment Maintenance	1,986.53
EF067829	12/05/22	Tomato & Basil Pizzeria	Functions and events catering expenses	52.00
EF067830	12/05/22	TPG Telecom	IT network maintenance	8,627.30
EF067831	12/05/22	T-Quip	Plant and vehicle parts and materials	686.65
EF067832	12/05/22	Twins (WA) Pty Ltd	Functions and events catering expenses	130.00
EF067833	12/05/22	Urbaqua Ltd	Environmental testing and sampling	6,987.20
EF067834	12/05/22	LGRCEU	Payroll payment	946.00
EF067835	12/05/22	Walcott Industries Pty Ltd	Building maintenance and services	731.50
EF067836	12/05/22	Walkers Pest Management Lawn & Garden Services	Environmental Health Services & Supplies	440.00
EF067837	12/05/22	Wanneroo Agricultural Machinery	Plant and vehicle parts and materials	550.50
EF067838	12/05/22	Wattleup Tractors	Plant and vehicle parts and materials	724.87
EF067839	12/05/22	WC Convenience Management Pty Ltd T/A WC Innovations	Building supplies and hardware	4,062.34
EF067840	12/05/22	West Coast Turf	Parks & gardens materials	2,030.60
EF067841	12/05/22	Westbooks	Book purchases	453.73
EF067842	12/05/22	Western Australia Police	Volunteer reimbursements and expenses	183.70
EF067843	12/05/22	Winc Australia Pty Ltd	Office stationery and consumables	1,114.58
EF067844	12/05/22	Yellow Citrine Pty Ltd	Functions and events entertainment expenses	715.00

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EF067845	12/05/22	Zenien	Equipment Maintenance	5,170.95
EF067848	18/05/22	Advance Vacuumed Gutters	Building maintenance and services	1,300.48
EF067849	18/05/22	Agora Rental Trust	Refund rates overpayment	880.26
EF067850	18/05/22	Alinta Gas	Gas usage charges	635.35
EF067851	18/05/22	AMS Technology Group Pty Ltd	Building maintenance and services	1,006.51
EF067852	18/05/22	Charlotte Francis	Refund Birthday Party	31.36
EF067853	18/05/22	Daymen Qiu and Mary Fang	Refund development application fee	147.00
EF067854	18/05/22	Ehsan Noori	Refund bond	1,000.00
EF067855	18/05/22	Element Construction	Refund residential verge deposit	1,400.00
EF067856	18/05/22	Environment House Inc	Electricity charges (other than street lighting)	323.21
EF067857	18/05/22	Felicity Martinz	Cloth Nappy Rebate	100.00
EF067858	18/05/22	JE Nevols	Refund residential verge deposit	1,400.00
EF067859	18/05/22	John Forrest Secondary College	Refund bond	270.00
EF067860	18/05/22	Kate Elizabeth Durey	Functions and events entertainment expenses	25.50
EF067861	18/05/22	Kathryn Thompson	Refund Birthday Party	60.00
EF067862	18/05/22	M A & J Butler	Refund rates overpayment	1,965.52
EF067863	18/05/22	Maggie Goitia	Grants & funding	120.70
EF067864	18/05/22	Markus Pitter	Refund residential verge deposit	1,400.00
EF067865	18/05/22	Matthew McVeigh	Refund bond	550.00
EF067866	18/05/22	Muhammad Zakarya	Refund bond	250.00
EF067867	18/05/22	Oxworx Business Advantage	Refund residential verge deposit	1,400.00
EF067868	18/05/22	Patrick Kato	Refund bond	1,000.00
EF067869	18/05/22	Prime West Constructions	Refund residential verge deposit	1,400.00
EF067870	18/05/22	Sarah Turner	Refund Birthday Party	60.00
EF067871	18/05/22	Sheree A. George	Refund development application fee	295.00
EF067872	18/05/22	Southern Cross Protection Pty Ltd-Petty Cash	Petty cash reimbursement	483.20
EF067873	18/05/22	Synergy	Electricity charges - Street lighting	126,799.22
EF067874	18/05/22	Telstra	Office telephone and communication expenses	25,278.12
EF067875	18/05/22	Wesfarmers Kleenheat Gas Pty Ltd	Gas usage charges	12,382.58
EF067876	18/05/22	AAAC Towing Pty Ltd	Vehicle towing	132.00
EF067877	18/05/22	Acclaimed Catering Pty Ltd	Functions and events catering expenses	1,364.00
EF067878	18/05/22	Adelphi Tailoring Co	Staff uniforms and protective equipment	237.60
EF067879	18/05/22	ADT Security	Buildings and events security expenses	3,292.60
EF067880	18/05/22	Ahern Australia Pty Ltd	Plant and vehicle parts and materials	1,149.78
EF067881	18/05/22	Alyka Pty Ltd	Software Maintenance	6,325.00
EF067882	18/05/22	Amgrow Australia Pty Ltd	Parks & gardens materials	643.50
EF067883	18/05/22	Andrew Jesse Teo	Youth and seniors community activities	140.00
EF067884	18/05/22	Aquion Pty Ltd	IT network maintenance	1,143.51
EF067885	18/05/22	Arventa Pty Ltd	Memberships and subscriptions	5,418.01
EF067886	18/05/22	Australian Institute of Managment WA HRD Ltd	Staff training, development and support	2,172.00
EF067887	18/05/22	Australian Library & Information Association Ltd	Staff training, development and support	2,262.00
EF067888	18/05/22	Avantgarde Technologies Pty Ltd	Professional consultancy services	31,350.00
EF067889	18/05/22	Axiis Contracting Pty Ltd	Construction and civil works payments	11,174.96
EF067890	18/05/22	Battery King Australia Pty Ltd	Plant and vehicle parts and materials	152.90
EF067891	18/05/22	Birds Eye Media	Photography / Video Production	2,655.40
EF067892	18/05/22	Blackwoods Atkins	Aquatic maintenance and services	403.72
EF067893	18/05/22	BOC Ltd	Medical services and materials	209.05
EF067894	18/05/22	Boyan Electrical Services	Electrical Installation & Repair	13,299.11
EF067895	18/05/22	Brownes Foods Operations Pty Ltd	Kiosk stock	173.15
EF067896	18/05/22	Bruce L Russell	Youth and seniors community activities	200.00
EF067897	18/05/22	Bunnings Group Ltd	Plant and vehicle parts and materials	1,248.07
EF067898	18/05/22	Cai Fences	Fencing	5,318.50
EF067899	18/05/22	Capital Recycling	Tipping Fee	217.80
EF067900	18/05/22	Central Regional Tafe	Staff training, development and support	230.22
EF067901	18/05/22	City of Stirling	Tipping Fee	31.50
EF067902	18/05/22	Cleanaway Pty Ltd	Waste collection and hygiene services	6,430.46
EF067903	18/05/22	Cleantex Pty Ltd	Staff uniforms and protective equipment	473.02
EF067904	18/05/22	CNW Pty Ltd	Construction and civil works tools and materials	811.35
EF067905	18/05/22	Code Research Pty Ltd T/A PWD (Australia)	IT software/hardware upgrades & replacement	19,459.00
EF067906	18/05/22	Commercial Air Solutions	Equipment purchases	14,273.60
EF067907	18/05/22	Contra-flow Pty Ltd	Traffic management	5,843.59
EF067908	18/05/22	Cornerstone Legal	Legal expenses and court costs	880.00
EF067909	18/05/22	Couplers Pty Ltd	Equipment Maintenance	43.33
EF067910	18/05/22	Department of Transport - Vehicle Search	Vehicle searches	444.20
EF067911	18/05/22	Direct Communications	Plant and vehicle parts and materials	815.10
EF067912	18/05/22	Discus Print and Signage	Signage and banners	187.00
EF067913	18/05/22	Drone Industries Pty Ltd T/A Omnidrone	Environmental services & supplies	4,400.00
EF067914	18/05/22	E Fire & Safety	Fire suppression and alarm monitoring	1,610.40
EF067915	18/05/22	Easisalary Pty Ltd	Staff superannuation & other deductions	1,594.44
EF067916	18/05/22	Eastern Metropolitan Regional Council	Waste collection and hygiene services	23,518.10

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EF067917	18/05/22	Echo Newspaper	Marketing and promotional material	1,200.00
EF067918	18/05/22	Ergolink	Equipment purchases	656.22
EF067919	18/05/22	Es2 Pty Ltd	IT network maintenance	2,310.00
EF067920	18/05/22	Eureka Automation & Controls	Equipment Maintenance	495.00
EF067921	18/05/22	Fasta Courier Unit Trust	Postage and courier charges	103.18
EF067922	18/05/22	Fleet Fitness	Equipment repairs	374.00
EF067923	18/05/22	Flexi Staff	Labour hire and temporary replacement	2,112.99
EF067924	18/05/22	Fuel Distributors of WA Pty Ltd	Fuel and oil	24,077.04
EF067925	18/05/22	Future Engineering & Communication	Equipment Maintenance	2,585.00
EF067926	18/05/22	GFG Temporary Assist	Labour hire and temporary replacement	2,310.00
EF067927	18/05/22	Hays Specialist Recruitment (Aust) Pty Ltd	Labour hire and temporary replacement	3,348.69
EF067928	18/05/22	International Food & Multiculture Incorporated	Functions and events entertainment expenses	300.00
EF067929	18/05/22	International Solutions Group (ISG) Pty Ltd	Functions and events catering expenses	325.22
EF067930	18/05/22	IPEC Pty Ltd	Postage and courier charges	264.61
EF067931	18/05/22	IRP Pty Ltd	Labour hire and temporary replacement	819.06
EF067932	18/05/22	Jacqueline Oh	Staff allowances and reimbursements	224.00
EF067933	18/05/22	Kee Surfacing Pty Ltd	Construction and civil works payments	8,033.28
EF067934	18/05/22	LD Total	Parks & gardens contract payments	1,645.60
EF067935	18/05/22	Les Mills Australia	Memberships and subscriptions	975.99
EF067936	18/05/22	Lifeworks.Com Pty Ltd	Staff training, development and support	792.00
EF067937	18/05/22	Maylands Yacht Club (Inc)	Building maintenance and services	480.00
EF067938	18/05/22	McLeods	Legal expenses and court costs	22,599.90
EF067939	18/05/22	Meta Maya Group Pty Ltd	Environmental testing and sampling	154.00
EF067940	18/05/22	Minterellison	Legal expenses and court costs	5,669.84
EF067941	18/05/22	Modern Teaching Aids Pty Ltd	Library book stock and materials	8.75
EF067942	18/05/22	Mollydag Faces	Functions and events entertainment expenses	720.00
EF067943	18/05/22	Move & Nourish with Kasse	Youth and seniors community activities	130.00
EF067944	18/05/22	MPK Tree Management Pty Ltd T/A MPK Tree Services	Parks & gardens contract payments	1,414.60
EF067945	18/05/22	Officeworks	Office stationery and consumables	96.96
EF067946	18/05/22	Paragon Constructions Solutions Pty Ltd	Construction and civil works payments	22,852.23
EF067947	18/05/22	PAV Sales & Installation	Minor Equipment Purchase	330.00
EF067948	18/05/22	Pavement Analysis Pty Ltd	Professional consultancy services	6,380.00
EF067949	18/05/22	Paxon Group	Professional consultancy services	2,750.00
EF067950	18/05/22	Pet City Morley	Animal supplies & services	92.97
EF067951	18/05/22	Pool & Pump Service & Repairs Pty Ltd	Aquatic maintenance and services	7,109.14
EF067952	18/05/22	Porter Consulting Engineers	Civil works design and technical support	4,400.00
EF067953	18/05/22	Prestige Property Maintenance Pty Ltd	Construction and civil works payments	31,791.98
EF067954	18/05/22	Promolab	Staff uniforms and protective equipment	1,363.45
EF067955	18/05/22	Proteus Enterprises Pty Ltd	Staff training, development and support	240.90
EF067956	18/05/22	Pulse Locating	Parks & gardens contract payments	1,485.00
EF067957	18/05/22	Quality Press	Signage and banners	4,021.60
EF067958	18/05/22	Reece Plumbing	Building supplies and hardware	13.46
EF067959	18/05/22	Relationships Australia Western Australia	Staff training, development and support	880.00
EF067960	18/05/22	Repco	Plant and vehicle parts and materials	96.25
EF067961	18/05/22	Rubek Automatic Doors	Building maintenance and services	320.65
EF067962	18/05/22	Signbiz WA	Parks & gardens contract payments	5,577.00
EF067963	18/05/22	SirsiDynix Pty Ltd	Memberships and subscriptions	1,430.00
EF067964	18/05/22	Sonic Health Plus Pty Ltd	Medical services and materials	589.60
EF067965	18/05/22	Sprayline Spraying Equipment	Plant and vehicle parts and materials	501.15
EF067966	18/05/22	St John Ambulance Western Australia Ltd	Staff training, development and support	258.16
EF067967	18/05/22	Stratagreen	Parks & gardens plants and trees	7,564.70
EF067968	18/05/22	Sunny Industrial Brushware Pty Ltd	Plant and vehicle parts and materials	516.12
EF067969	18/05/22	T J Depiazzi & Sons	Parks & gardens materials	3,597.00
EF067970	18/05/22	The Forever Project	Grants & funding	11,357.50
EF067971	18/05/22	The O'Grady Family Trust T/A Efficient Site Services	Parks & gardens contract payments	1,430.00
EF067972	18/05/22	The Trustee for the Dzodzoz Family Trust	Parks & gardens contract payments	10,692.00
EF067973	18/05/22	The trustee for Titiwe Medical Trust	Medical services and materials	149.00
EF067974	18/05/22	Tomato & Basil Pizzeria	Functions and events catering expenses	51.00
EF067975	18/05/22	T-Quip	Equipment hire	220.00
EF067976	18/05/22	Turf Care WA Pty Ltd	Parks & gardens contract payments	990.00
EF067977	18/05/22	Twins (WA) Pty Ltd	Functions and events catering expenses	320.00
EF067978	18/05/22	Urban Resources Pty Ltd	Parks & gardens materials	5,197.22
EF067979	18/05/22	Veridian Trust T/A Magoo IT	Youth and seniors community activities	300.00
EF067980	18/05/22	Viridian Consulting Pty Ltd	Professional consultancy services	15,950.00
EF067981	18/05/22	WA Multicultural Association Inc	Functions and events entertainment expenses	2,640.00
EF067982	18/05/22	West Coast Turf	Parks & gardens contract payments	10,488.50
EF067983	18/05/22	Winc Australia Pty Ltd	Office stationery and consumables	208.40
EF067984	18/05/22	Work Clobber	Staff uniforms and protective equipment	205.50
EF067985	18/05/22	WPC Group Ltd	Labour hire and temporary replacement	6,941.80
EF067987	25/05/22	3 Monkeys Audiovisual	Minor Equipment Purchase	523.60



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EF067988	25/05/22	A1 Locksmiths	Key / Lock Services	1,393.00
EF067989	25/05/22	AAAC Towing Pty Ltd	Vehicle towing	1,716.00
EF067990	25/05/22	Abstract Investments T/A Smoke & Mirrors Audio Visual	Equipment hire	1,020.00
EF067991	25/05/22	Acclaimed Catering Pty Ltd	Functions and events catering expenses	1,540.00
EF067992	25/05/22	Action Glass & Aluminium	Building maintenance and services	1,793.55
EF067993	25/05/22	ADT Security	Buildings and events security expenses	146.45
EF067994	25/05/22	Advance Vacuumed Gutters	Building maintenance and services	252.40
EF067995	25/05/22	AFL Sports Ready Ltd	Labour hire and temporary replacement	3,597.47
EF067996	25/05/22	Air Liquide Australia Ltd	Lease and rental payments	102.80
EF067997	25/05/22	Allpipe Technologies	Construction and civil works payments	3,198.25
EF067998	25/05/22	Alyka Pty Ltd	Software Maintenance	8,508.50
EF067999	25/05/22	Amgrow Australia Pty Ltd	Parks & gardens materials	2,054.36
EF068000	25/05/22	AMS Technology Group Pty Ltd	Building maintenance and services	46,301.05
EF068001	25/05/22	Anthony Mckenna T/A Tonys Auto Electrics	Plant and vehicle repairs	841.50
EF068002	25/05/22	Anton & Jo Pty Ltd T/A Bayswater News & Lotteries	Memberships and subscriptions	637.02
EF068003	25/05/22	Apex Eco Management International Pty Ltd	Parks & gardens contract payments	129,294.00
EF068004	25/05/22	Aquamonix Pty Ltd	Parks & gardens contract payments	3,349.67
EF068005	25/05/22	Arbor West Pty Ltd T/A Classic Tree Services	Parks & gardens tree pruning & assoc. services	9,471.00
EF068006	25/05/22	Artref Pty Ltd	Office stationery and consumables	983.51
EF068007	25/05/22	Asphaltech Pty Ltd	Construction and civil works tools and materials	63,811.32
EF068008	25/05/22	Australian Services Union	Payroll payment	282.90
EF068009	25/05/22	Australian Taxation Office	Payroll payment	264,680.00
EF068010	25/05/22	Baileys Fertilisers	Parks & gardens materials	3,864.30
EF068011	25/05/22	Bars & More Pty Ltd	Equipment purchases	10,289.40
EF068012	25/05/22	Battery King Australia Pty Ltd	Plant and vehicle parts and materials	350.90
EF068013	25/05/22	Blackwoods Atkins	Building maintenance and services	56.43
EF068014	25/05/22	Blakers Taxation & Business Services Pty Ltd	Professional consultancy services	1,705.00
EF068015	25/05/22	Boya Equipment Pty Ltd	Plant and vehicle parts and materials	95.38
EF068016	25/05/22	Boyan Electrical Services	Electrical Installation & Repair	2,148.85
EF068017	25/05/22	Bridgestone Aust Ltd	Plant and vehicle parts and materials	401.71
EF068018	25/05/22	Brightside Live Pty Ltd	Photography / Video Production	1,649.45
EF068019	25/05/22	Brownes Foods Operations Pty Ltd	Kiosk stock	169.90
EF068020	25/05/22	Bucher Municipal Pty Ltd	Plant and vehicle parts and materials	54.48
EF068021	25/05/22	Bunnings Group Ltd	Environmental Health Services & Supplies	2,219.72
EF068022	25/05/22	Cai Fences	Fencing	14,850.00
EF068023	25/05/22	Capital Recycling	Tipping Fee	7,053.42
EF068024	25/05/22	Ceiling Manufacturers of Australia	Building supplies and hardware	676.99
EF068025	25/05/22	Chamber of Commerce and Industry WA	Staff training, development and support	1,309.00
EF068026	25/05/22	Charter Plumbing and Gas	Construction and civil works payments	1,023.74
EF068027	25/05/22	Child Support Agency	Payroll payment	1,384.17
EF068028	25/05/22	CNW Pty Ltd	Building supplies and hardware	409.62
EF068029	25/05/22	COB - Sundowner Club	Payroll payment	80.00
EF068030	25/05/22	Contra-flow Pty Ltd	Traffic management	642.40
EF068031	25/05/22	Cornerstone Legal	Legal expenses and court costs	832.10
EF068032	25/05/22	Corsign WA Pty Ltd	Signage and banners	882.20
EF068033	25/05/22	Danish Patisserie	Functions and events catering expenses	44.56
EF068034	25/05/22	Decipha Pty Ltd	Postage and courier charges	1,232.76
EF068035	25/05/22	Department of Finance	Staff training, development and support	660.00
EF068036	25/05/22	Detail West	Plant and vehicle parts and materials	120.00
EF068037	25/05/22	Di Candilo Steel City	Plant and vehicle parts and materials	291.25
EF068038	25/05/22	Diana Kudsee	Youth and seniors community activities	250.00
EF068039	25/05/22	Direct Communications	Information technology minor purchases	2,989.80
EF068040	25/05/22	Downer Edi Engineering Power Pty Ltd	Building maintenance and services	813.42
EF068041	25/05/22	E Fire & Safety	Fire suppression and alarm monitoring	7,179.15
EF068042	25/05/22	EAE Holdings Pty Ltd T/A Stanlee Hospitality Supplies	Functions and events supplies	523.34
EF068043	25/05/22	Eastern Metropolitan Regional Council	Waste collection and hygiene services	225,284.49
EF068044	25/05/22	Elders Rural Services Australia Limited	Parks & gardens materials	908.49
EF068045	25/05/22	Environmental Industries Pty Ltd	Parks & gardens contract payments	5,175.66
EF068046	25/05/22	Es2 Pty Ltd	IT network maintenance	192.50
EF068047	25/05/22	Europcar WA	Equipment hire	1,418.34
EF068048	25/05/22	Evenflow Irrigation	Equipment hire	1,287.00
EF068049	25/05/22	Fencing Supply Centre	Fencing	902.00
EF068050	25/05/22	Flexi Staff	Labour hire and temporary replacement	1,125.37
EF068051	25/05/22	Freedom Fairies Pty Ltd	Functions and events entertainment expenses	220.00
EF068052	25/05/22	FUJIFILM Business Innovation Australia Pty Ltd	Printing and graphic design expenses	166.64
EF068053	25/05/22	Galleria Toyota	Plant and vehicle parts and materials	187.67
EF068054	25/05/22	Galvins Plumbing Supplies	Building supplies and hardware	1,335.49
EF068055	25/05/22	GCS Services Pty Ltd	Building maintenance and services	1,538.86
EF068056	25/05/22	GFG Consulting	Professional consultancy services	1,455.30
EF068057	25/05/22	GFG Temporary Assist	Labour hire and temporary replacement	15,298.00

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EF068058	25/05/22	GHD Pty Ltd	Parks & gardens contract payments	12,312.70
EF068059	25/05/22	Graffiti Force Pty Ltd	Graffiti Removal	2,145.00
EF068060	25/05/22	Grainne Wray	Youth and seniors community activities	80.00
EF068061	25/05/22	Hays Specialist Recruitment (Aust) Pty Ltd	Labour hire and temporary replacement	13,458.84
EF068062	25/05/22	Health Insurance Fund of WA	Payroll payment	330.60
EF068063	25/05/22	Hospital Benefit Fund of WA	Payroll payment	1,224.86
EF068064	25/05/22	IDOM Morley Pty Ltd T/A Morley Nissan/Kia/Hyundai	Plant and vehicle repairs	160.01
EF068065	25/05/22	Insight Electrical Technology	Construction and civil works payments	82,086.18
EF068066	25/05/22	Intelife Group Limited	Parks & gardens contract payments	9,771.36
EF068067	25/05/22	IRP Pty Ltd	Labour hire and temporary replacement	2,047.65
EF068068	25/05/22	Ixom Operations Pty Ltd	Aquatic chemicals and consumables	163.01
EF068069	25/05/22	Jane Frances Wetherall	Sitting Fee	425.00
EF068070	25/05/22	Jaram Products Pty Ltd T/A Jaram Australia	Plant and vehicle parts and materials	295.49
EF068071	25/05/22	Jaycar	Minor Equipment Purchase	579.75
EF068072	25/05/22	JB Hi-Fi Group Pty Ltd	Information technology minor purchases	8,953.95
EF068073	25/05/22	Judroc Pty Ltd T/A The Watershed Water Systems	Parks & gardens materials	25.41
EF068074	25/05/22	K-Line Fencing Group	Fencing	4,862.00
EF068075	25/05/22	KLMedia Pty Ltd T/A All Access Australasia	Library book stock and materials	931.34
EF068076	25/05/22	Kresta Blinds Ltd	Building maintenance and services	404.00
EF068077	25/05/22	Landgate	Title Search	674.62
EF068078	25/05/22	Landmark Engineering & Design Pty Ltd T/A Exteria	Parks & gardens contract payments	67,168.20
EF068079	25/05/22	Lion Rock Evo Pty Ltd	Functions and events catering expenses	61.00
EF068080	25/05/22	Living Turf	Parks & gardens materials	75,400.44
EF068081	25/05/22	Mader Contracting Pty Ltd	Labour hire and temporary replacement	12,201.75
EF068082	25/05/22	Madken Holdings Pty Ltd T/A Washroom Accessories	Minor Equipment Purchase	689.00
EF068083	25/05/22	Magpies Magazine	Memberships and subscriptions	56.00
EF068084	25/05/22	Major Motors Pty Ltd	Plant and vehicle parts and materials	352.00
EF068085	25/05/22	Marketforce Pty Ltd	Marketing and promotional material	1,855.63
EF068086	25/05/22	Masonry Management Services Pty Ltd	Environmental services & supplies	2,013.00
EF068087	25/05/22	McInerney Ford	Plant and vehicle parts and materials	1,860.99
EF068088	25/05/22	McIntosh Holdings Pty Ltd	Plant and vehicle parts and materials	165.00
EF068089	25/05/22	McLeods	Legal expenses and court costs	43,994.88
EF068090	25/05/22	Menchetti Consolidated Pty Ltd	Construction and civil works payments	436,476.76
EF068091	25/05/22	Millreef Holdings Pty Ltd T/A Classic Hire	Equipment hire	3,384.33
EF068092	25/05/22	Minterellison	Legal expenses and court costs	1,407.89
EF068093	25/05/22	Morley Mower Centre	Plant and vehicle parts and materials	191.40
EF068094	25/05/22	MPK Tree Management Pty Ltd T/A MPK Tree Services	Parks & gardens tree pruning & assoc. services	42,208.10
EF068095	25/05/22	Natsync Environmental	Parks & gardens contract payments	450.00
EF068096	25/05/22	Natural Area Holdings Pty Ltd	Environmental services & supplies	7,643.42
EF068097	25/05/22	Nature Based Play Pty Ltd	Parks & gardens contract payments	22,374.00
EF068098	25/05/22	Nestle Australia Ltd	Kiosk stock	1,337.54
EF068099	25/05/22	Octagon Lifts Pty Ltd	Building maintenance and services	3,034.48
EF068100	25/05/22	Officeworks	Office stationery and consumables	15.45
EF068101	25/05/22	Paragon Constructions Solutions Pty Ltd	Construction and civil works payments	438.73
EF068102	25/05/22	Peacock Bros. Proprietary Limited	Youth and seniors community activities	2,777.50
EF068103	25/05/22	Pirtek Malaga	Plant and vehicle parts and materials	457.72
EF068104	25/05/22	Poolshop Online Pty Ltd	Aquatic chemicals and consumables	1,925.00
EF068105	25/05/22	Product Recovery Industries Pty Ltd	Tipping Fee	990.00
EF068106	25/05/22	Quality Press	Signage and banners	2,354.00
EF068107	25/05/22	Rentokil Initial Pty Ltd	Building maintenance and services	682.64
EF068108	25/05/22	Repco	Plant and vehicle parts and materials	2,311.86
EF068109	25/05/22	Rosmech Sales & Service Pty Ltd	Plant and vehicle parts and materials	1,191.64
EF068110	25/05/22	Royal Life Saving Society	Marketing and promotional material	500.00
EF068111	25/05/22	Safemaster Safety Products Pty Ltd	Minor Equipment Purchase	567.35
EF068112	25/05/22	Sage Consulting Engineers Pty Ltd	Professional consultancy services	10,618.85
EF068113	25/05/22	Screenlink Pty Ltd T/A Aussie I.T.	Office stationery and consumables	366.30
EF068114	25/05/22	Services Australia	Fees and charges	69.30
EF068115	25/05/22	Sigma Chemicals	Aquatic maintenance and services	3,279.20
EF068116	25/05/22	Soils Aint Soils Pty Ltd	Parks & gardens materials	72.00
EF068117	25/05/22	Sonic Health Plus Pty Ltd	Medical services and materials	732.60
EF068118	25/05/22	Southern Cross Protection Pty Ltd	Fees and charges	1,165.29
EF068119	25/05/22	Speedo Australia Pty Ltd	Minor Equipment Purchase	1,177.00
EF068120	25/05/22	Sportsworld of WA	Kiosk stock	74.25
EF068121	25/05/22	St John Ambulance Western Australia Ltd	Staff training, development and support	360.00
EF068122	25/05/22	State Wide Turf Services	Parks & gardens materials	21,855.48
EF068123	25/05/22	Statewide Cleaning Supplies Pty Ltd	Building supplies and hardware	129.62
EF068124	25/05/22	Stratagreen	Parks & gardens materials	7,102.36
EF068125	25/05/22	Stratco (WA) Pty Ltd	Building supplies and hardware	215.84
EF068126	25/05/22	Swan Towing Services	Vehicle towing	297.00
EF068127	25/05/22	Tanks For Hire	Equipment hire	630.30

<b>Reference</b>	<b>Date</b>	<b>Creditor Name</b>	<b>Invoice details</b>	<b>Amount Paid</b>
<b>Payments</b>				<b>\$</b>
EF068128	25/05/22	The Nappy Guru	Marketing and promotional material	330.00
EF068129	25/05/22	The Trustee for Boost Promo Products	Marketing and promotional material	623.43
EF068130	25/05/22	The Trustee for Matt Perroni Family Trust T/A Sherbet Cafe	Functions and events catering expenses	220.00
EF068131	25/05/22	The Trustee for The Butcher Family Trust	Pest control	10,972.50
EF068132	25/05/22	Thomson Reuters ( Professional )	Licence and permit renewal	8,735.41
EF068133	25/05/22	Total Tools Malaga	Minor Equipment Purchase	95.00
EF068134	25/05/22	T-Quip	Plant and vehicle parts and materials	903.55
EF068135	25/05/22	Twins (WA) Pty Ltd	Functions and events catering expenses	425.00
EF068136	25/05/22	Urban Resources Pty Ltd	Parks & gardens materials	13,680.11
EF068137	25/05/22	Vaughn J McGuire	Citizenship expenses	550.00
EF068138	25/05/22	VendorPanel	Memberships and subscriptions	14,663.28
EF068139	25/05/22	Viking Rentals	Cleaning services	627.00
EF068140	25/05/22	Volunteer Centre of Western Australia (Inc.)	Memberships and subscriptions	330.00
EF068141	25/05/22	WA Premix	Construction and civil works tools and materials	2,432.10
EF068142	25/05/22	LGRCEU	Payroll payment	946.00
EF068143	25/05/22	Walcott Industries Pty Ltd	Building maintenance and services	61,552.12
EF068144	25/05/22	WC Convenience Management Pty Ltd T/A WC Innovations	Building maintenance and services	1,121.70
EF068145	25/05/22	West Australian Newspapers Ltd	Memberships and subscriptions	144.00
EF068146	25/05/22	Westcare Industries	Advertising public notices	97.90
EF068147	25/05/22	Winc Australia Pty Ltd	Office stationery and consumables	4,758.75
EF068148	25/05/22	Work Clobber	Staff uniforms and protective equipment	148.00
EF068149	25/05/22	Workpower Inc	Parks & gardens contract payments	37,819.98
EF068150	25/05/22	Zettanet Pty Ltd	IT network maintenance	506.00
EF068151	25/05/22	Zircodata Pty Ltd	Document management and archiving	297.95
EF068152	25/05/22	Alinta Gas	Gas usage charges	320.20
EF068153	25/05/22	Australian Security Industry Association Limited	Memberships and subscriptions	917.00
EF068154	25/05/22	Aveling Homes Pty Ltd	Refund residential verge deposit	1,400.00
EF068155	25/05/22	Cohesion Co Pty Ltd	Photography / Video Production	1,237.50
EF068156	25/05/22	Couplers Pty Ltd	Parks & gardens materials	28.23
EF068157	25/05/22	Essential First Choice Homes Pty Ltd	Refund residential verge deposit	1,400.00
EF068158	25/05/22	Forrestfield Building Services	Refund residential verge deposit	1,400.00
EF068159	25/05/22	Gary Anthony Peters & Cynthia June Coomb	Refund residential verge deposit	1,400.00
EF068160	25/05/22	Grand Century Construction Pty Ltd	Refund residential verge deposit	1,400.00
EF068161	25/05/22	Kendal Cross	Refund health centre memberships	298.60
EF068162	25/05/22	Kirk Moore and Julie Le	Refund Birthday Party	318.00
EF068163	25/05/22	Lynne K Perry	Refund rates overpayment	500.00
EF068164	25/05/22	M & CA Pirone Pty Ltd	Refund residential verge deposit	870.60
EF068165	25/05/22	M & CA Pirone Pty Ltd	Refund residential verge deposit	341.20
EF068166	25/05/22	Marion Davison	Refund health centre memberships	287.24
EF068167	25/05/22	Now Gen Building	Refund residential verge deposit	1,400.00
EF068168	25/05/22	Owners of Morley Court SP00677	Grants & funding	3,000.00
EF068169	25/05/22	Philip Chun BC QLD Pty Ltd	Refund residential verge deposit	1,400.00
EF068170	25/05/22	Phillip & Valerie Sneddon	Refund rates overpayment	775.04
EF068171	25/05/22	PR LM Satie	Refund health centre memberships	75.00
EF068172	25/05/22	Prime West Constructions	Refund residential verge deposit	1,400.00
EF068173	25/05/22	Richard Burlinson	Refund residential verge deposit	1,400.00
EF068174	25/05/22	Ricoh Australia Pty Ltd	Photocopying contract charges	5,520.96
EF068175	25/05/22	Shachar Marom	Refund residential verge deposit	1,400.00
EF068176	25/05/22	Southern Cross Protection Pty Ltd-Petty Cash	Petty cash reimbursement	587.20
EF068177	25/05/22	Specialty Timber Flooring WA	Building maintenance and services	6,710.00
EF068178	25/05/22	Synergy	Electricity charges (other than street lighting)	4,370.23
EF068179	25/05/22	Trio Home Builders WA Pty Ltd	Refund residential verge deposit	1,400.00
EF068180	25/05/22	Trio Home Builders WA Pty Ltd	Refund residential verge deposit	1,400.00
EF068181	25/05/22	Wesfarmers Kleenheat Gas Pty Ltd	Gas usage charges	1,137.98
EF068182	25/05/22	Winnie Wing Yi	Cloth Nappy Rebate	100.00
				5,420,139.23
<b>Cancelled Payments</b>				
EF067852	31/05/22	Payment - EF067852		-31.36
				-31.36

## City of Bayswater

### List of Payment - Trust

for the period 1 May 2022 to 31 May 2022

<i>Reference</i>	<i>Date</i>	<i>Creditor Name</i>	<i>Invoice details</i>	<i>Amount Paid</i>
<b>Payments</b>				\$
EF067846	12/05/22	Department of Mines, Industry Regulation and Safety	Building Services Levy	22,717.34
EF067847	12/05/22	Department of Planning, Lands and Heritage	Refund DAP fee	5,701.00
EF067986	18/05/22	Construction Training Fund	Building Services Levy	34,188.89
				<hr/> 62,607.23
<b>Cancelled Payments</b>				
				0.00
				<hr/> 0.00

**City of Bayswater****List of Payment - Aged****for the period 1 May 2022 to 31 May 2022**

<i>Reference</i>	<i>Date</i>	<i>Creditor Name</i>	<i>Invoice details</i>	<i>Amount Paid</i>
<i>Payments</i>				\$
EF067708	12/05/22	Services Australia	Fees and charges	59.40
				<hr/> 59.40
<i>Cancelled Payments</i>				0.00
				<hr/> 0.00

**City of Bayswater**  
**Corporate Credit Card Transactions**  
**For the period: 29 April 2022 to 27 May 2022**

Date	Supplier	Description	Amount
<b>Chief Executive Officer</b>			
2/05/22	Local Government Professionals Aust WA	Conference expenses	989.00
2/05/22	Local Government Professionals Aust WA	Conference expenses	989.00
3/05/22	Qantas	Conference expenses	953.65
3/05/22	Qantas	Conference expenses	453.37
4/05/22	Cabfare	Conference expenses	33.96
4/05/22	Swan Taxis Pty Ltd	Conference expenses	28.76
4/05/22	Createsend.com	Memberships and subscriptions	273.90
5/05/22	Local Government Professionals Aust WA	Conference expenses	325.00
9/05/22	CPP Convention Centre	Parking	18.17
9/05/22	Facebook	Marketing and promotional material	1,250.00
9/05/22	Trello.com	Memberships and subscriptions	125.23
13/05/22	Facebook	Marketing and promotional material	122.66
20/05/22	Qantas	Conference expenses	997.77
20/05/22	Qantas	Conference expenses	450.34
20/05/22	Hootsuite Inc	Marketing and promotional material	273.90
23/05/22	Local Government Professionals Aust WA	Conference expenses	989.00
23/05/22	Canva Pty Ltd	Memberships and subscriptions	164.99
26/05/22	Creative market	Memberships and subscriptions	25.22
27/05/22	iStock.com	Memberships and subscriptions	1,052.98
<b>Card total</b>			<b>9,516.90</b>
<b>Director Community and Development</b>			
29/04/22	iStock.com	Memberships and subscriptions	207.90
2/05/22	PPSR AFSA	Search fees	2.00
2/05/22	PPSR AFSA	Search fees	2.00
2/05/22	PPSR AFSA	Search fees	2.00
2/05/22	PPSR AFSA	Search fees	2.00
2/05/22	PPSR AFSA	Search fees	2.00
2/05/22	PPSR AFSA	Search fees	2.00
2/05/22	PPSR AFSA	Search fees	2.00
2/05/22	PPSR AFSA	Search fees	2.00
2/05/22	PPSR AFSA	Search fees	2.00
2/05/22	PPSR AFSA	Search fees	2.00
2/05/22	PPSR AFSA	Search fees	2.00
2/05/22	PPSR AFSA	Search fees	2.00
2/05/22	PPSR AFSA	Search fees	2.00
2/05/22	PPSR AFSA	Search fees	2.00
2/05/22	PPSR AFSA	Search fees	2.00
2/05/22	PPSR AFSA	Search fees	2.00
2/05/22	PPSR AFSA	Search fees	2.00
2/05/22	Property council	Councillor training	396.00
5/05/22	Humanitix	Refund credit	(63.39)
<b>Card total</b>			<b>578.51</b>
<b>Director Major Projects</b>			
2/05/22	City of Perth Parking	Parking	5.25
2/05/22	Institute of Public Works	Licence renewal	323.78
12/05/22	Sendgrid	Memberships and subscriptions	131.17
16/05/22	Department of Health	Licence renewal	127.00
26/05/22	Associate of Professional Engineers Australia	Memberships and subscriptions	815.00
<b>Card total</b>			<b>1,402.20</b>
<b>Director Corporate and Strategy</b>			
2/05/22	Amazon	Memberships and subscriptions	156.35
2/05/22	Amazon	Memberships and subscriptions	155.71
2/05/22	Amazon	Memberships and subscriptions	152.97
2/05/22	Amazon	Memberships and subscriptions	152.24
2/05/22	Amazon	Memberships and subscriptions	148.11
4/05/22	Amazon	Memberships and subscriptions	163.03
4/05/22	Amazon	Memberships and subscriptions	157.34
5/05/22	Zoom	Memberships and subscriptions	23.49
9/05/22	Dropbox	Memberships and subscriptions	544.50
17/05/22	No-IP	Memberships and subscriptions	58.93
17/05/22	Screenconnect Software	Memberships and subscriptions	1,463.90

Date	Supplier	Description	Amount
24/05/22	CPA Australia	Staff training, development and support	590.00
<b>Card total</b>			<b>3,766.57</b>
<b>Director Works and Infrastructure</b>			
2/05/22	Western Power	Fee and charges	497.92
11/05/22	Department of Water & Environmental Regulation	Licence and permit renewal	2,000.00
<b>Card total</b>			<b>2,497.92</b>
<b>Grand Total</b>			<b>17,762.10</b>

**City of Bayswater**  
**Electronic Fund Transfers**  
**for the period 1 May 2022 to 30 May 2022**

<b>Date</b>	<b>Description</b>	<b>Amount</b>
		<b>\$</b>
<b>Municipal Account</b>		
02/05/22	NAB Merchant Fee	21.60
02/05/22	NAB Merchant Fee	117.46
02/05/22	NAB Merchant Fee	735.44
02/05/22	NAB Merchant Fee	832.61
02/05/22	NAB Merchant Fee	1,057.06
04/05/22	New Term Deposit	800,000.00
04/05/22	NAB Transact Fee	7.40
04/05/22	NAB Transact Fee	27.10
04/05/22	NAB Transact Fee	48.90
05/05/22	Wages	954,131.75
05/05/22	NAB Batch Fee	0.21
05/05/22	Wages	703.44
11/05/22	New Term Deposit	1,021,915.45
13/05/22	NAB Batch Fee	0.42
18/05/22	NAB Batch Fee	5.04
18/05/22	New Term Deposit	1,017,267.70
18/05/22	Wages	865,244.00
20/05/22	NAB Account Fees	30.78
31/05/22	New Term Deposit	1,500,000.00
31/05/22	NAB Connect Fee	288.38
		<u>6,162,434.74</u>
<b>Aged Persons Homes Account</b>		
04/05/22	Juniper	656,071.16
20/05/22	NAB Account Fees	0.30
23/05/22	Juniper	33,171.62
		<u>689,243.08</u>
<b>Total</b>		<u><u>6,851,677.82</u></u>



**10.2.4 Donations Under Delegated Authority for the Month of May 2022**

<b>Responsible Branch:</b>	Corporate & Strategy
<b>Responsible Directorate:</b>	Corporate and Strategy
<b>Authority/Discretion:</b>	Information Purposes
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	1. Donation Requests May 2022 [ <b>10.2.4.1</b> - 1 page]

**SUMMARY**

This report presents the list of donations made under delegated authority for the month of May 2022.

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

That Council receives this status report on the donations granted under delegated authority for the month of May 2022, as contained in Attachment 1.

Cr Assunta Meleca Moved, Cr Catherine Ehrhardt, Deputy Mayor Seconded

**CARRIED UNANIMOUSLY BY EXCEPTION (EN-BLOC): 7/0**

**For:** Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik and Cr Giorgia Johnson.

**Against:** Nil.

**BACKGROUND**

At its meeting of 22 May 2018, Council resolved:

*"That Council:..*

3. *Notes that Directors and Managers may make community funding contribution decisions under existing delegations, capped at \$5,000 in line with the new Community Grants Policy.*
4. *Notes that a monthly information report on community funding will be provided to Council for noting..."*

**EXTERNAL CONSULTATION**

Not applicable.

**OFFICER'S COMMENTS**

A list of donations granted under delegated authority for the month of May 2022 is attached for Councillors' information (Attachment 1).

**LEGISLATIVE COMPLIANCE**

Community Grants Policy applies.

**RISK ASSESSMENT**

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

<b>Officer's Recommendation</b>	<b>That Council receives this status report on the donations granted under delegated authority for the month of May 2022, as contained in Attachment 1.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
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
<b>Conclusion</b>	This option relates to receiving the report on donations in accordance with Council's Community Grants Policy.	

## FINANCIAL IMPLICATIONS

The Donations allocation in the 2020/21 Budget is \$30,000.00. To date, \$13,719.65 has been expended during the 2020/21 financial year.

## STRATEGIC IMPLICATIONS

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

Theme: Leadership and Governance

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

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

Goal L4: Communicate in a clear and transparent way.

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

This report will assist Council in meeting its responsibilities in relation to governance of the City of Bayswater's finances.

## CONCLUSION

That Council receives this status report on the donations granted under delegated authority for the month of May 2022, as contained in **Attachment 1**.

**REQUESTS FOR DONATIONS GRANTED UNDER DELEGATED AUTHORITY**

**INDIVIDUALS**

*The following eligibility criteria have been met for each application:*

- *Supporting documentation provided*
- *All are residents of the City of Bayswater*
- *All applications were received at least 2 weeks prior to event*

<i>Name and Address</i>	<i>Age</i>	<i>Event</i>	<i>Cost to Applicant</i>	<i>Previous financial assistance granted (date and amount)</i>	<i>Amount of Donation</i>
Brady Manning 70 Napier Road MORLEY WA 6062	14 Year Old	Donation for Brady Manning (14 year old) requested by mother (Tarryn) to attend Little League National Baseball Tournament held in Adelaide during 31/5 - 4/6	\$2000	May 2019 - \$150	\$200
Veronica Keen 97 Kelvin Street MAYLANDS WA 6051	15 Year Old	Lisa (Mother) is requesting a donation for her daughter (Veronica) towards competing in the u18 State Lacrosse Team in Adelaide during July.	\$1601.80	Nil	\$200
					<b>\$400</b>

**ORGANISATIONS**

<i>Name and Address</i>	<i>Purpose of Organisation</i>	<i>Reason for Request</i>	<i>Previous financial assistance granted (date and amount)</i>	<i>Amount of Donation</i>
Noranda Combined Probus Club Inc.  30 Holden Drive, NORANDA WA 6062	Probus Clubs bring together retired and semi-retired people in fellowship and friendship for monthly meetings with stimulating guest speakers and a wide variety of outings and events and interest groups.	Noranda Combined Probus Club Inc. Birthday Party. Funding will go towards entertainment.	March 2021 - \$200 April 2019 - \$200	\$200
Personal Advocacy Service  28 Holdhurst Way, MORLEY WA 6062	Personal Advocacy Service was established in 1989 in response to parents who were seeking ways to enrich the lives of their children with intellectual disabilities. They wanted opportunities for their children to be included in community life and valued for the contribution they could make to the local community.	Annual Community Celebration – will be held 3 July at Aquinas College for friends with an intellectual disability and volunteers free of charge. Non-profit organisation. Donations will cover DJ (Activity resources/hire of equipment)	April 2021 - \$400 June 2019 - \$400 June 2017 - \$400 May 2016 - \$200 March 2015 - \$200 April 2014 - \$400 May 2013 - \$400 April 2012 - \$400 June 2011 - \$400 September 2009 - \$150 September 2007 - \$500 January 2008 - \$1000 October 2006 - \$400 October 2005 - \$400 October 2004 - \$400 June 2002 - \$400 June 2001 - \$250 May 2000 - \$250	\$500
				<b>\$700</b>

**Total for May 2022 \$1,100**

**10.3 Works And Infrastructure Directorate Reports****10.3.3 EMRC Council Meeting Minutes - 26 May 2022**

<b>Responsible Branch</b>	Sustainability, Environment and Waste
<b>Responsible Directorate:</b>	Works & Infrastructure
<b>Authority/Discretion:</b>	Information Purposes
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. EMRC Council Meeting 26 May 2022 - Abridged Minutes [<b>10.3.3.1</b> - 9 pages]</li> <li>2. EMRC Council Meeting 26 May 2022 - Delegates Report [<b>10.3.3.2</b> - 5 pages]</li> </ol>

**SUMMARY**

For Council to receive the Abridged Meeting Minutes, and Delegates Report from the Eastern Metropolitan Regional Council (EMRC) meeting held on 26 May 2022.

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

**That Council receives the Eastern Metropolitan Regional Council's (EMRC's) Abridged Minutes of the Council Meeting held on 26 May 2022.**

**Cr Assunta Meleca Moved, Cr Catherine Ehrhardt, Deputy Mayor Seconded**

**CARRIED UNANIMOUSLY BY EXCEPTION (EN-BLOC): 7/0**

**For:** *Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik and Cr Giorgia Johnson.*

**Against:** *Nil.*

**BACKGROUND**

The EMRC held a Council Meeting on 26 May 2022, Cr Steven Ostaszewskyj, Cr Michelle Sutherland and Cr Giorgia Johnson in attendance.

**EXTERNAL CONSULTATION**

Not applicable.

**OFFICER'S COMMENTS**

The purpose of the report is to provide Council with information detailing the items with implications for the City of Bayswater from the EMRC Council Meeting of 26 May 2022.

A full copy of the abridged meeting Minutes is shown in **Attachment 1**.

Issues considered at the meeting which may impact, or be of interest to, the City of Bayswater are:

- FOGO update
- Bin tagging
- 'Recycle Right' membership
- Waste plans
- Public recycling updates
- Schools and community engagement events

Further information on the above issues is detailed in the Delegates Report in **Attachment 2**.

**LEGISLATIVE COMPLIANCE**

Not applicable.

**RISK ASSESSMENT**

In accordance with the City's Risk Management Framework, the officer's recommendation has been assessed against the city's adopted risk tolerance. comments are provided against each of the risk categories.

<b>Option 1</b>	<b>That Council receives the Eastern Metropolitan Regional Council's (EMRC's) Abridged Minutes of the Council Meeting held on 26 May 2022.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Low	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Low	Low
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	This report is provided for information purposes only.	

**FINANCIAL IMPLICATIONS**

As detailed in the attached Minutes.

**STRATEGIC IMPLICATIONS**

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

Theme: Environment and Liveability

Goal E4: Lessen the City's Impact on the environment through its buildings, infrastructure, services and targets, such as zero emissions by 2040, and empower the community to live sustainably.

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

**CONCLUSION**

For Council to receive the Eastern Metropolitan Regional Council's Abridged Minutes and Delegates Report of the Council Meeting on 26 May 2022.



# ABRIDGED MINUTES

D2022/09421

**Ordinary Meeting of Council**

**26 May 2022**

The Full minutes of this meeting are available on the EMRC's website:

<http://emrc.org/council/council-and-committees/council-minutes.aspx>



#### EMRC Council Members

Cr Mel Congerton	Chairman	City of Swan
Cr Dylan O'Connor	Deputy Chairman	City of Kalamunda
Cr Kathryn Hamilton	EMRC Member	Town of Bassendean
Cr Hilary MacWilliam	EMRC Member	Town of Bassendean
Cr Steven Ostaszewskyj	EMRC Member	City of Bayswater
Cr Michelle Sutherland	EMRC Member	City of Bayswater
Cr Margaret Thomas	EMRC Member	City of Kalamunda
Cr John Daw	EMRC Member	Shire of Mundaring
Cr Doug Jeans	EMRC Member	Shire of Mundaring
Cr Charlie Zannino	EMRC Member	City of Swan

#### EMRC Council Deputies

Cr Emily Wilding	EMRC Deputy Member	Town of Bassendean
Cr Giorgia Johnson	EMRC Deputy Member	City of Bayswater
Cr Janelle Sewell	EMRC Deputy Member	City of Kalamunda
Cr Jo Cicchini	EMRC Deputy Member	Shire of Mundaring
Cr Andrew Kiely	EMRC Deputy Member	City of Swan



## Ordinary Meeting of Council Abridged Minutes

An ordinary Meeting of Council was held at the EMRC Administration Office, 1<sup>st</sup> Floor, 226 Great Eastern Highway, Ascot WA 6104 on **Thursday 26 May 2022**. The meeting commenced at **6:02pm**.

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## 1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Chairman opened the meeting at 6.02pm.

### 1.1 ACKNOWLEDGEMENT OF COUNTRY

The Chairman acknowledged the traditional custodians of the land on which we meet today and paid respects to elders past, present and future.

## 2 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

### Councillor Attendance Members

Cr Mel Congerton	Chairman	City of Swan
Cr Dylan O'Connor	Deputy Chairman	City of Kalamunda
Cr Kathryn Hamilton	EMRC Member	Town of Bassendean
Cr Hilary MacWilliam	EMRC Member	Town of Bassendean
Cr Steven Ostaszewskyj	EMRC Member	City of Bayswater
Cr Michelle Sutherland	EMRC Member	City of Bayswater
Cr Margaret Thomas	EMRC Member	City of Kalamunda
Cr John Daw	EMRC Member	Shire of Mundaring
Cr Doug Jeans	EMRC Member	Shire of Mundaring
Cr Charlie Zannino	EMRC Member	City of Swan

### EMRC Council Deputies

Cr Giorgia Johnson	EMRC Deputy Member	City of Bayswater
Cr Jo Cicchini	EMRC Deputy Member	Shire of Mundaring

### EMRC Officers

Mr Marcus Geisler	Chief Executive Officer
Mr Hua Jer Liew	Chief Financial Officer
Mr Brad Lacey	Chief Operating Officer
Mr Douglas Bruce	Chief Project Officer
Mrs Wendy Harris	Chief Sustainability Officer
Mrs Lee Loughnan	Personal Assistant to Chief Financial Officer (Minutes)

### EMRC Observers

Ms Izabella Krzysko	Manager Procurement & Governance
Ms Theresa Eckstein	Executive Assistant to Chief Executive Officer
Mr Chris Snook	Information Services Support Officer



**7 APPLICATIONS FOR LEAVE OF ABSENCE**

**7.1 CR SUTHERLAND – LEAVE OF ABSENCE**

**COUNCIL RESOLUTION**

MOVED CR OSTASZEWSKYJ      SECONDED CR THOMAS

THAT COUNCIL APPROVE THE APPLICATION FOR LEAVE OF ABSENCE FOR CR SUTHERLAND FROM 24 JUNE 2022 TO 19 JULY 2022 INCLUSIVE.

**CARRIED UNANIMOUSLY**

**9 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**9.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 24 MARCH 2022**

That the minutes of the Ordinary Meeting of Council held on 24 March 2022 which have been distributed, be confirmed.

**COUNCIL RESOLUTION**

MOVED CR THOMAS      SECONDED CR JEANS

THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 24 MARCH 2022 WHICH HAVE BEEN DISTRIBUTED, BE CONFIRMED.

**CARRIED UNANIMOUSLY**

**12 ANNOUNCEMENT OF CONFIDENTIAL MATTERS FOR WHICH MEETINGS MAY BE CLOSED TO THE PUBLIC**

NOTE: Section 5.23(2) of the *Local Government Act 1995*, details a number of matters upon which Council may discuss and make decisions without members of the public being present. These matters include: matters affecting employees; personal affairs of any person; contractual matters; legal advice; commercial-in-confidence matters; security matters; among others.

The following report items are covered in Section 19 of this agenda.

- HAZELMERE WOOD WASTE TO ENERGY PLANT UPDATE
- PROGRESS REPORT ON EMRC REQUEST FOR TENDER 2021-002, PERMANENT FOGO PROCESSING FACILITY



**14 REPORTS OF EMPLOYEES**

- 14.1 LIST OF ACCOUNTS PAID DURING THE MONTHS OF MARCH AND APRIL 2022 (D2022/05968)
- 14.2 FINANCIAL REPORT FOR PERIOD ENDED 31 MARCH 2022 (D2022/07010)
- 14.3 FINANCIAL REPORT FOR PERIOD ENDED 30 APRIL 2022 (D2022/07020)
- 14.4 THE EMRC FINAL DRAFT SUSTAINABILITY STRATEGY 2022/2023 – 2026/2027 (D2022/08110)
- 14.5 CHIEF EXECUTIVE OFFICER ATTENDANCE AT AUSTRALIAN ORGANICS RECYCLING ASSOCIATION (AORA) ANNUAL CONFERENCE – 27-29 JUNE 2022 (D2022/08557)
- 14.6 ITEMS CONTAINED IN THE INFORMATION BULLETIN (D2022/07425)

**QUESTIONS**

The Chairman invites questions from members on the reports of employees.

**RECOMMENDATION(S)**

That with the exception of items ....., which are to be withdrawn and dealt with separately, Council adopts the recommendations in the Reports of Employees (Section 14).

**COUNCIL RESOLUTION(S)**

MOVED CR HAMILTON                      SECONDED CR O'CONNOR

THAT COUNCIL ADOPTS THE RECOMMENDATIONS IN THE REPORTS OF EMPLOYEES (SECTION 14).

**CARRIED UNANIMOUSLY**



## 19 CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

### RECOMMENDATION (Closing Meeting to the Public)

That with the exception of ....., the meeting be closed to members of the public in accordance with Section 5.23 (2) of the *Local Government Act 1995* for the purpose of dealing with matters of a confidential nature.

### COUNCIL RESOLUTION

MOVED CR THOMAS

SECONDED CR JEANS

THAT WITH THE EXCEPTION OF THE CHIEF EXECUTIVE OFFICER, CHIEF FINANCIAL OFFICER, CHIEF OPERATING OFFICER, CHIEF PROJECT OFFICER, CHIEF SUSTAINABILITY OFFICER, MANAGER PROCUREMENT AND GOVERNANCE, EXECUTIVE ASSISTANT TO THE CHIEF EXECUTIVE OFFICER, INFORMATION SERVICES SUPPORT OFFICER AND PERSONAL ASSISTANT TO THE CHIEF FINANCIAL OFFICER THE MEETING BE CLOSED TO MEMBERS OF THE PUBLIC IN ACCORDANCE WITH SECTION 5.23 (2) OF THE *LOCAL GOVERNMENT ACT 1995* FOR THE PURPOSE OF DEALING WITH MATTERS OF A CONFIDENTIAL NATURE.

### MOTION CARRIED 9/1

For: Crs Congerton, O'Connor, Hamilton,  
MacWilliam, Sutherland, Thomas, Daw,  
Jeans, Zannino  
Against: Cr Ostaszewskyj

The doors of the meeting were closed at 6.07pm.

The Chief Executive Officer, Chief Financial Officer, Chief Operating Officer, Chief Project Officer, Chief Sustainability Officer, Manager Procurement and Governance, Executive Assistant to the Chief Executive Officer, Information Services Support Officer and Personal Assistant to the Chief Financial Officer remained in Council Chambers.

#### 19.1 HAZELMERE WOOD WASTE TO ENERGY PLANT UPDATE (D2022/08116)

This item is recommended to be confidential because it contains matters of legal advice.

See Confidential Item circulated with the Agenda under Separate Cover.

#### 19.2 PROGRESS REPORT ON EMRC REQUEST FOR TENDER 2021-002, PERMANENT FOGO PROCESSING FACILITY (D2022/09009)

This item is recommended to be confidential because it contains matters of a commercial-in-confidence nature.

See Confidential Item circulated with the Agenda under Separate Cover.



**RECOMMENDATION [Meeting re-opened to the Public]**

That the meeting be re-opened, the members of the public be invited to return to the meeting and the recommendations passed behind closed doors be recorded.

**COUNCIL RESOLUTION(S)**

MOVED CR OSTASZEWSKYJ      SECONDED CR JEANS

THAT THE MEETING BE RE-OPENED, THE MEMBERS OF THE PUBLIC BE INVITED TO RETURN TO THE MEETING AND THE RECOMMENDATIONS PASSED BEHIND CLOSED DOORS BE RECORDED.

**CARRIED UNANIMOUSLY**

The doors of the meeting were re-opened at 6.35pm.

Recording of the resolutions passed behind closed doors, namely:

19.1 HAZELMERE WOOD WASTE TO ENERGY PLANT UPDATE (D2022/08116)

**COUNCIL RESOLUTION(S)**

MOVED CR THOMAS      SECONDED CR JEANS

THAT:

1. THE REPORT BE RECEIVED.
2. COUNCIL BY ABSOLUTE MAJORITY IN ACCORDANCE WITH S6.8 OF THE *LOCAL GOVERNMENT ACT 1995* APPROVES ADDITIONAL UNBUDGETED EXPENDITURE UP TO THE VALUE OUTLINED BY PARAGRAPH 24 WITHIN THE CONFIDENTIAL REPORT.
3. COUNCIL BY ABSOLUTE MAJORITY IN ACCORDANCE WITH S6.8 OF THE *LOCAL GOVERNMENT ACT 1995* APPROVES THE COMPLETION OF THE ELECTRICAL WORKS AND ROOF STRUCTURE UP TO THE VALUE OUTLINED BY PARAGRAPH 25 WITHIN THE CONFIDENTIAL REPORT.
4. THE REPORT REMAINS CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CEO.

**CARRIED UNANIMOUSLY**

19.2 PROGRESS REPORT ON EMRC REQUEST FOR TENDER 2021-002, PERMANENT FOGO PROCESSING FACILITY (D2022/09009)

**COUNCIL RESOLUTION(S)**

MOVED CR O'CONNOR      SECONDED CR HAMILTON

THAT:

1. COUNCIL CONFIRMS SACYR ENVIRONMENT AUSTRALIA PTY LTD (SACYR) AS THE PREFERRED TENDERER FOR REQUEST FOR TENDER 2021-002 PERMANENT FOGO PROCESSING FACILITY.
2. THE REPORT REMAINS CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CEO.

**CARRIED UNANIMOUSLY**

**20 FUTURE MEETINGS OF COUNCIL**

The next meeting of Council will be held on Thursday 23 June 2022 at the EMRC Administration Office, 1st Floor, 226 Great Eastern Highway, Ascot WA 6104 commencing at 6.00pm.

**Future Meetings 2022**

Thursday	23	June		at	EMRC Administration Office
Thursday	28	July	(If Required)	at	EMRC Administration Office
Thursday	25	August	(If Required)	at	EMRC Administration Office
Thursday	22	September	(If Required)	at	EMRC Administration Office
Thursday	27	October	(If Required)	at	EMRC Administration Office
Thursday	24	November	(If Required)	at	EMRC Administration Office

**21 DECLARATION OF CLOSURE OF MEETING**

The Chairman declared the meeting closed at 6.35pm.



Eastern Metropolitan Regional Council  
226 Great Eastern Highway, Ascot WA 6104  
PO Box 234, Belmont WA 6984  
T (08) 9424 2222  
E [mail@emrc.org.au](mailto:mail@emrc.org.au)  
[www.emrc.org.au](http://www.emrc.org.au)

# CITY OF BAYSWATER

## Delegates Report

### 1 UPCOMING EMRC PROJECTS, ACTIVITIES AND INITIATIVES

#### 1.1 SUSTAINABILITY STRATEGY (ITEM 14.4)

##### Overview

The EMRC undertook a Strategic Review of the organisation in 2020/2021 including workshops, presentations and reports that considered the EMRC's markets and capabilities, vision and implementation, complete with recommended activities. As a result of the review, and to complete the final step in the process, a draft EMRC Sustainability Strategy was prepared and presented to Council for noting.

In previous years the EMRC developed individual strategies for various areas of the EMRC including, Environment, Economic Development, Transport, Advocacy but not a holistic strategy for the entire operations of the EMRC. With the Strategic Review now completed it was considered timely to embark on a whole of organisation Sustainability Strategy.

##### Impact on Name of Member Council

The EMRC's approach to sustainability practices and circular economy-based initiatives were motivating factors for the Strategic Review and it is the Strategic Review which has precipitated the development of a Sustainability Strategy for the EMRC. The EMRC is also utilising the Sustainability Strategy to help inform the mid-term review of its 10 year '2017-2027 Strategic Plan which was initially developed in accordance with section 5.56(1) and (2) of the *Local Government Act 1995* (the Act). The new Sustainability Strategy will greater align with the direction of the EMRC in accordance with the Strategic Review.

##### EMRC Contact

Wendy Harris, Chief Sustainability Officer



The following report is based on the 26 May 2022 EMRC Council meeting.

## 2 INFORMATION BULLETIN

### 2.1 SUSTAINABILITY TEAM UPDATE – JANUARY TO MARCH 2022 (ITEM 4)

#### Overview

The Urban Environment Team partners with member Councils and other local governments and key stakeholders to facilitate projects and activities and provide services (where appropriate) for the benefit and sustainability of Perth's Eastern Region.

The Waste Education Team partners with member Councils and other local governments and key stakeholders to deliver waste education and other waste services for the benefit and sustainability of Perth's Eastern Region.

Advocacy also occurs at a regional, state and federal level to ensure key agencies are fully apprised of matters of significance to the Region.

#### Report

The progress report comprises of two parts; Urban Environment and Waste Education. The 2021/2022 focus of the Sustainability Team is to drive all projects, activities and services in accordance with the United Nations Sustainable Development Goals, Circular Economy and transitioning towards Net Zero by 2040.

#### Urban Environment - Key Regional Actions

- Launched Circular Economy Webinars Roadmap 2022 – educational program for the Region.
- Developed and held the first two online webinars of the CE Webinars Roadmap series – “What is a Circular Economy? Case Study - Oranje Tractor” and ‘How to Accelerate Circularity in Local Governments’. Approximately 50 attendees.
- Development of the Tree Quest for the WA Tree Festival, with a focus on significant, heritage and cultural trees in our Region.
- Researching Sustainable Development Goals (SDGs) international reporting frameworks.
- Review of Home Energy Assessment Toolkits.
- Investigation into carbon accounting and offsets.
- Social Media promotion of storm water projects for all Member councils.
- Promotion of World Water Day with educational social media posts.
- Attended Water Sensitive Urban Design training.
- Completed the Business Case for electric vehicle charging station at the EMRC.
- Participated in the Kep Track forum for Perth Adelaide National Highway with representation from various stakeholders.
- Received the outcome for the EOI for Hydrogen Fuelled Transport grant in partnership with WATCH2 and TAFE Northern Metropolitan – which was unsuccessful.
- Held combined Regional Integrated Transport and Economic Development meeting including presentations with EMRC's role in WA's sustainable transport infrastructure by Marcus Geisler and Fisherman's Bend – Project Case Study by Joan Ko.





- Attended first ever WALGA LG Transport and Roads Research and Innovation Program.
- Investigation and collation of available transport emission data for the region.

#### **Urban Environment - City of Bayswater**

- Creation of Utility Submetering factsheet.
- Grant acquittal submitted to SEMC NDRP for 'Flood Aware Be Prepared' campaign.
- Planning for Avon Descent 2022 (budgets, marketing plan, stakeholder management) in anticipation of Lotterywest grant.

#### **FOGO Update - FOGO in Schools**

- Managed changes to Covid restrictions in schools and completed weight waste audits for all 14 schools onsite at EMRC administration.
- Completed visual volume audits for all 14 schools. A minimum of 4 audits per school.

#### **Aerosol Recycling**

- Aerosol bin deployed at Ascot place.
- Bassendean Residents utilising Baywaste to drop off aerosols.

#### **Bin Tagging**

- The bin tagging program ran between February and March 2022 in the Town of Bassendean, with tagging conducted over six weeks with 1,601 households participating in the program.
- The EMRC is assisting The City of Bayswater and Talis by tagging a MUD unit for a pilot study.

#### **Earth Carers**

- The next Earth Carers Course will be later in the year in October.

#### **Recycle Right Membership**

- An issue is currently being experienced on the Recycle Right website for FOGO and the 2-bin A-Z listing. Information is being drawn from the GO database and the developers are working on the discrepancy. There is a note on the Recycle Right web pages advising of the error. The A-Z listing on the app is not affected, only the web page.
- Recycle Right has a new member – the Southern Consortium, which consists of Busselton, Capel and Augusta-Margaret River.
- New social media tiles and videos have been created for promotion and forwarded to all member councils.
- A new social media tile for City of Swan was created combining information on how to dispose of masks and RATs correctly.
- Member Councils advised that their council pages on Recycle Right can be customised to suit their specific requirements.
- City of Bayswater are still working on forwarding their KML files to enable Bayswater residents to view their bin days on the Recycle Right website.
- EMRC Waste Education Officer, Trish Kursar, is now the EMRC's representative for the Recycle Right Reference Group meetings.

#### **Waste Sorted Grant - Circular Economy in the Community**



- COVID required in person workshops scheduled in March to be transitioned to webinars, this rescheduling meant that the first workshops as part of the grant are to be delivered as a webinar.
- Two successful clothes swaps run in partnership with the City of Swan have been held, using equipment purchased from the grant money.

#### Waste Plans

- Received and actioned feedback from DWER on EMRC's Waste Plan actions and targets.
- Relevant EMRC officers have been assigned to Waste Plan actions in the implementation plan tracker, and have commenced collating updates on actions and milestones.

#### Public Recycling Updates (Public place collection data for the period January to March 2021)

##### a. Public Place Battery Collection Program

Battery Recycling - Public Places	March 2022	March 2021	Year to Date 2021/2022	Year to Date 2020/2021
Bassendean	70.5	58.9	693.9	1084.5
Bayswater	170.5	284.1	2861.8	3335.8
Kalamunda	354.2	368.5	3194.5	3567.6
Mundaring	144.4	122	1246.6	1418.0
Swan	264.5	442.5	2399.3	3197.8
<b>TOTAL (kg)</b>	<b>1004.1</b>	<b>1276</b>	<b>10396.1</b>	<b>12603.7</b>

##### b. Schools Battery Collection Program

Battery Recycling - Schools	March 2021/2022	March 2020/2021	Year to Date 2021/2022	Year to Date 2020/2021
Bassendean	0.0	0.0	252.7	328.5
Bayswater	100.6	0.0	632.8	693.3
Kalamunda	109.0	125.2	845.1	1474.0
Mundaring	154.2	354.2	1085.2	1623.6
Swan	153.4	238.9	1079.8	1772.5
<b>TOTAL (kg)</b>	<b>517.2</b>	<b>718.3</b>	<b>3895.6</b>	<b>5891.9</b>

**CFL COLLECTION AND RECYCLING PROGRAM**

CFL Recycling - Public Places	March 2021/2022	March 2020/2021	Year to Date 2021/2022	Year to Date 2020/2021
Bassendean	0.0	10.3	55.6	46.8
Bayswater	36.0	77.7	396.3	369.9
Kalamunda	31.7	20.3	193.2	108.1
Mundaring	73.0	37.4	363.9	292.3
Swan	155.6	94.6	453.7	175.2
<b>TOTAL (kg)</b>	<b>296.3</b>	<b>240.3</b>	<b>1462.7</b>	<b>992.3</b>

**Tours of Red Hill Waste Management Facility and Education Centre**

Name of Group	Council Region	Number of Participants	Program
<b>Jan – March 2022</b>			
March 19	All	76	Red Hill Virtual tour

**School and Community Engagement/Events****School Events**

- No School events during this period due to COVID

**Community Events**

- City of Bayswater Summer Market – 15 January 2022.
- City of Bayswater Australia Day Community BBQ - 26 January 2022.
- City of Bayswater Music in the Park – 19 February 2022.
- City of Swan Sustainable Style Workshop and Clothes Swap – 12 February 2022.
- City of Swan Sustainable Style Workshop and Clothes Swap – 19 February 2022.

**Waste Education Networking/Promotion/Collaboration Activities**

- Presentation to WasteSorted Schools – 1 March 2022.

**Waste Education Loan Resources Utilisation**

- Book Box – Mercycare Early Learning Centre (Bayswater) – 28 March to 18 April 2022.
- Early Years Resource Box – Mercycare Early Learning Centre (Bayswater) – 28 March to 18 April 2022.
- Mini Bin Waste Sort – Mercycare Early Learning Centre (Bayswater) – 28 March to 18 April 2022.

**EMRC Contact** - Wendy Harris, Chief Sustainability Officer

**10.5 Major Projects And Commercial Activities Directorate Reports****10.5.3 Proposed Temporary Road Closure - Cherry Court/Doyle Street, Morley**

<b>Applicant/Proponent:</b>	Tonkin Gap Alliance
<b>Responsible Branch:</b>	Major Projects
<b>Responsible Directorate:</b>	Major Projects and Commercial Activities
<b>Authority/Discretion:</b>	Executive/Strategic
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	Nil

**CR DAN BULL DECLARED A PROXIMITY INTEREST**

*In accordance with section 5.60b of the Local Government Act 1995, Cr Dan Bull declared a proximity interest in this item as his home abuts the Tonkin Gap Project. Cr Bull was on leave of absence when this item resolved.*

**SUMMARY**

For Council to endorse the undertaking of consultation in accordance with the requirements of the *Local Government Act 1995*, in relation to the proposed temporary closure of Cherry Court and Doyle Street (from Broun Avenue to Cherry Court), Morley, as part of the construction works associated with the Tonkin Gap Project and preliminary works for the METRONET Morley Train Station.

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

That Council endorses the undertaking of consultation in accordance with Section 3.50 of the *Local Government Act 1995*, regarding the full temporary closure of portions of Broun Avenue, Doyle Street and Cherry Court, Morley, to all vehicles, as follows:

1. Full closure of the Broun Avenue and Doyle Street intersection for five months from 1 June 2022 to 31 October 2022. One-way traffic access will be maintained from Cherry Court to Broun Avenue from 1 July to 31 August 2022, and will be two-way from 1 September to 31 October.
2. Partial closures/realignment of traffic on Cherry Court for four months from 1 July 2022 to 31 October 2022.
3. Partial closures/realignment of traffic on Doyle Street for two months from 1 September 2022 to 31 October 2022.

Cr Assunta Meleca Moved, Cr Catherine Ehrhardt, Deputy Mayor Seconded

**CARRIED UNANIMOUSLY BY EXCEPTION (EN-BLOC): 7/0**

**For:** *Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik and Cr Giorgia Johnson.*

**Against:** *Nil.*

**BACKGROUND**

Main Roads WA (MRWA) is upgrading the section of Tonkin Highway from Collier Road to Dunreath Drive to resolve a 'gap' in service levels and infrastructure between the Gateway WA and NorthLink WA projects.

The Tonkin Gap Project (TGP) is one of the major road infrastructure projects for Western Australia, jointly funded by the Federal (\$232M) and State (\$58M) Governments. It will eliminate

the bottleneck on Tonkin Highway that stretches across the Swan River and provides connection between the upgraded sections of Tonkin Highway to the north and south. The works will improve traffic flow and efficiency, as well as facilitate improvements for cyclists and pedestrians. Construction commenced in 2020 and the project will also provide preliminary works for the METRONET Morley-Ellenbrook Line along Tonkin Highway.

The project also enables works to support delivery of the METRONET, Morley to Ellenbrook line, which will reduce impacts on Tonkin Highway when the main railway construction commences.

As part of these works, the old Broun Avenue Bridge was removed to make way for a new, longer and wider structure to accommodate traffic lanes and a bus interchange for the new Morley Train Station. Accordingly, Broun Avenue was closed to traffic between Embleton Avenue and Beechboro Road North during the month of April to facilitate these works. The figure below shows the alignment of the new Broun Avenue roadway and the bus interchange that forms part of this new bridge.



Due to the new Broun Avenue bridge alignment spanning across and beyond the old bridge alignment, the new bridge is being constructed in stages. This enabled traffic interruption on Broun Avenue to be kept to a minimum by allowing traffic to be diverted to the new bridge prior to demolition of the old bridge. The photo below shows the constructed section of the bus interchange part of the bridge, noting that the former bridge was to the right of the new bridge.





The bus interchange is currently being used for general Broun Avenue traffic purposes whilst the remaining new bridge spans are being built.

Although the new bus interchange section of the bridge has been installed, and general Broun Avenue traffic is now permitted in both directions, road formation and tie-in works at each end of the bridge approaches are still ongoing. The Doyle Street road connection to Broun Avenue in particular is also required to be reinstated. The intersections of Doyle Street and Broun Avenue as well as the intersection of Cherry Court and Doyle Street are therefore, required to be reconstructed to connect to the new Broun Avenue and bus interchange geometry alignment.

In accordance with Section 3.50 of the *Local Government Act 1995*, an application has been received from The Tonkin Gap Alliance (TGA) to temporarily close the following portions of Broun Avenue, Doyle Street and Cherry Court:

1. Full closure of the Broun Avenue and Doyle Street intersection for five months from 1 June 2022 to 31 October 2022. One-way traffic access will be maintained from Cherry Court to Broun Avenue from 1 July to 31 August 2022, and this will become two-way from 1 September to 31 October 2022.
2. Partial closures/realignment of traffic on Cherry Court for four months from 1 July to 31 October 2022.
3. Partial closures/realignment of traffic on Doyle Street for two months from 1 September to 31 October 2022.

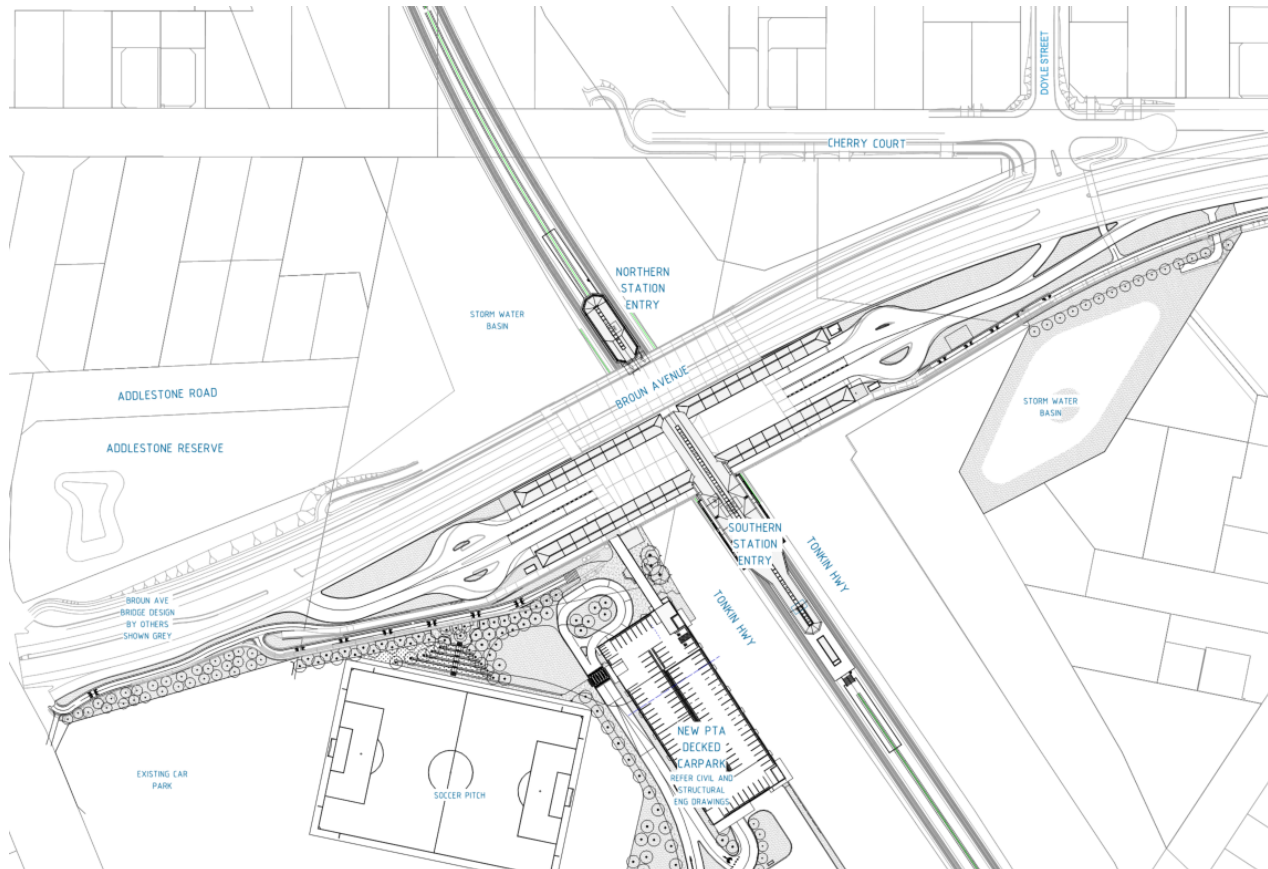
### EXTERNAL CONSULTATION

The City will undertake consultation as required under Section 3.50 of the *Local Government Act 1995* which will include the following:

1. A letter will be sent to Main Roads Western Australia (MRWA), service agencies, and all land owners and occupiers along Cherry Court and Doyle Street, Morley.
2. A notice will be placed on the City's website and in the local newspaper inviting comments for a 14-day period.

## OFFICER'S COMMENTS

Traffic along Broun Avenue is currently opened to one lane in each direction, however, access to Doyle Street remains closed. The horizontal and vertical alignment of the new Broun Avenue bridge has changed compared to the old bridge geometry. This is mainly due to the considerable wider span of the new bridge deck and the vertical clearance requirements of the ultimate configuration of Tonkin Highway and the Morley-Ellenbrook rail corridor including the Morley Train Station underneath. The image below shows an indicative configuration of the Broun Avenue and bus interchange layout over the Morley Train Station underneath.



The design levels at the Doyle Street intersection are approximately 1.2m higher than the existing intersection. The new intersection is also approximately 15m closer to the Cherry Court intersection due to the geometric requirements for the bus interchange. The Doyle Street and Cherry Court intersections are therefore required to be reconstructed to accommodate the new road levels.

The following provides an overview of the construction activities required of the new intersections:

### Service Relocations

The proposed closure would enable a number of service providers and public utility works to be undertaken. These include:

- Realignment of the NBN line on the boundary of the property at 10 Cherry Court (Child Care Centre); and
- Removal of the existing drainage lines and reconstruction of new drainage lines on both Doyle Street and Cherry Court.

### Retaining Wall Construction

Retaining walls are to be constructed on the western side of the Doyle Street and Cherry Court intersection to retain the embankment fill as a result of the level differences between the existing property levels and the new road and verge levels. These include:

- Construction of a limestone wall on the boundary of the property at 10 Cherry Court;
- Construction of a limestone wall for the new principal shared path around the property at 10 Cherry Court; and
- Construction of a precast concrete wall on the boundary of the property at 17 Cherry Court.

#### Earthworks / Bulk Fill Operation

Placement of up to 800mm of general fill to the underside of new road pavement to facilitate tie-in works with the new Broun Avenue Road alignment. This is then followed by regrading of Broun Avenue/Doyle Street/Cherry Court intersection subgrade.

#### Pavement Construction

Construction of new road pavement layers and asphaltting. This also includes kerbing and reconstruction of property driveways that have been affected.

#### Path Works

Construction of principal shared paths and footpaths along new road alignments and reshaping of road verges.

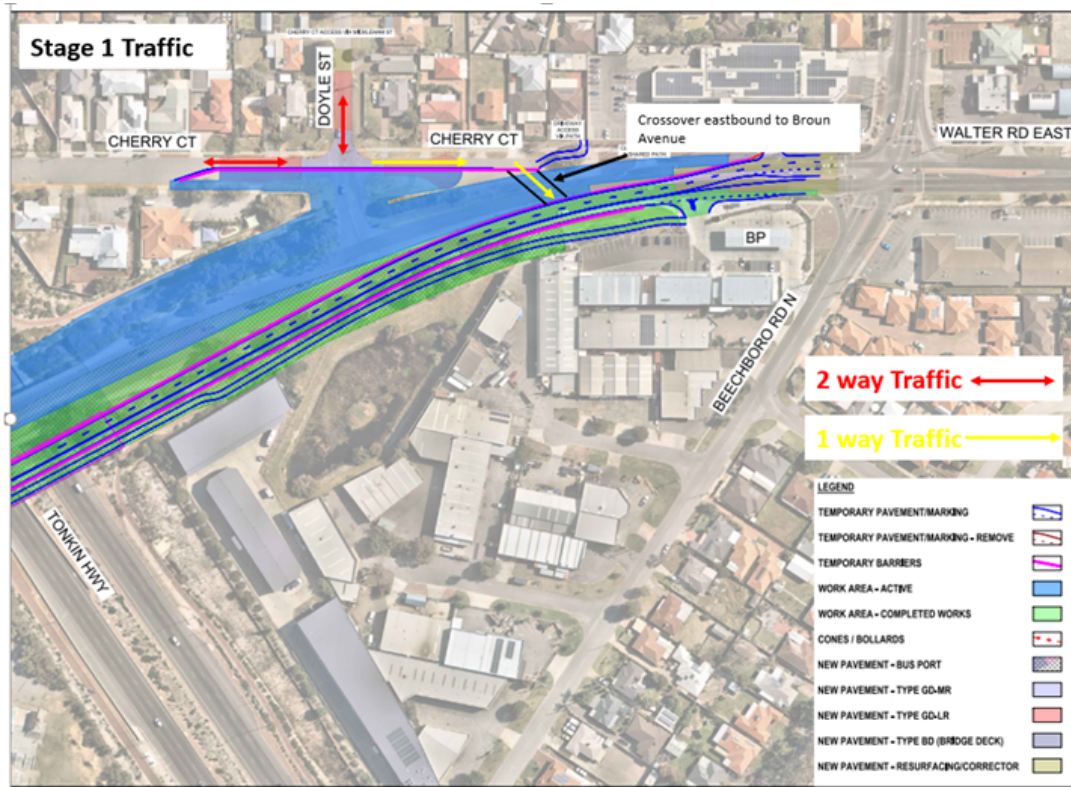
In order to maintain traffic flow and access to properties during the reconstruction of Cherry Court, TGA has proposed to stage the works under partial closure traffic management. This entails closing half of the Cherry Court road carriageway to facilitate construction of the new road whilst maintaining traffic flow on the other half of the carriageway. This sequence is then changed over to facilitate construction of the remaining side of the carriageway and directing traffic onto the opposite side. The sequencing of these two construction stages is as follows:

#### Sequencing of Works

##### **Stage 1: Works on south side of Cherry Court (1 July to 31 August 2022)**

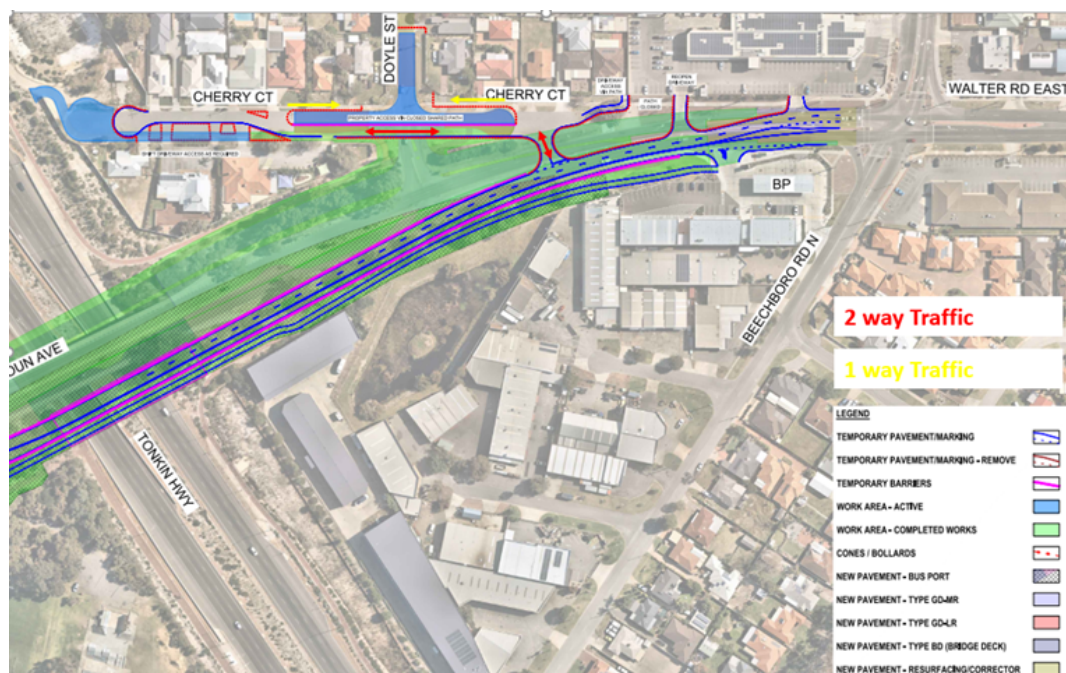
- Traffic is realigned to a single lane (eastbound only) on the east side of Doyle on Cherry Court and exiting onto Broun Ave;
- 2-way traffic is maintained on Cherry Court to the west of Doyle Street; and
- 2-way traffic is maintained along Broun Avenue during this closure period.





**Stage 2: Works on north side of Cherry Court and Doyle Street Closure (1 September to 31 October 2022)**

- Doyle Street access will be closed and all access to Cherry Court will be via Broun Avenue only;
- 2-way traffic will be maintained along Cherry Court; and
- Temporary driveways will be constructed in concrete to provide access to local properties via the Cherry Court road verge.



Intermediate stages

Pedestrian management and stop go control as required to facilitate works

**LEGISLATIVE COMPLIANCE**

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

“(4)..

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

The consultation outlined in the External Consultation section of this report will comply with the requirements of the Act.

**RISK ASSESSMENT**

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

<b>Officer's Recommendation</b>	<p>That Council endorses the undertaking of consultation in accordance with Section 3.50 of the <i>Local Government Act 1995</i>, regarding the full temporary closure of portions of Broun Avenue, Doyle Street and Cherry Court, Morley, to all vehicles, as follows:</p> <ol style="list-style-type: none"> <li>1. Full closure of the Broun Avenue and Doyle Street intersection for five months from 1 June 2022 to 31 October 2022. One-way traffic access will be maintained from Cherry Court to Broun Avenue from 1 July to 31 August 2022, and will be two-way from 1 September to 31 October.</li> <li>2. Partial closures/realignment of traffic on Cherry Court for four months from 1 July 2022 to 31 October 2022.</li> <li>3. Partial closures/realignment of traffic on Doyle Street for two months from 1 September 2022 to 31 October 2022.</li> </ol>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
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
<b>Conclusion</b>	<p>Seeking comments on the proposal is considered to carry moderate risk in terms of community and stakeholders as well as reputation given there may be some who may be opposed to the closure.</p>	

<b>Option 2</b>	<b>That Council does not support the proposed temporary closure of Cherry Court and Doyle Street (from Broun Avenue to Cherry Court), Morley</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	High
Reputation	Low	High
Governance	Low	Low
Community and Stakeholder	Moderate	High
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	Opposing the temporary closure is considered high risk in terms of strategic direction, reputation and community and stakeholders as this may delay the construction of a State Government project or result in other mechanisms being used to facilitate the closure with a less favourable outcome for the community and the City.	

### FINANCIAL IMPLICATIONS

Costs of seeking public comment on the proposed temporary closure of Cherry Court and Doyle Street would be in the order of \$1850 which is recoverable from the applicant.

### STRATEGIC IMPLICATIONS

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

Theme: Environment and Liveability

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

Goal E3: Improve the City's walking and cycling network and create safer streets.

Theme: Vibrancy

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

Theme: Leadership and Governance

Goal L1: Engage the community in a meaningful way

Goal E3: Provide opportunities for the community to have their say and consider their views when making decisions

### CONCLUSION

The Tonkin Gap project also enables works to support delivery of the METRONET, Morley to Ellenbrook line, which will reduce impacts on Tonkin Highway when the main railway construction commences. To enable the continuation of the Tonkin Gap construction works, the TGA has requested Council approval to temporarily close Cherry Court and Doyle Street from Broun Avenue to Cherry Court, Morley, to traffic. Council approval is therefore sought to seek public comment on the temporary road closure.

**10.6 Sub Committee Reports****10.6.1 Policy Review and Development Committee - 31 May 2022****10.6.1.3 Bayswater Grants Program Policy**

<b>Responsible Branch:</b>	Community Development
<b>Responsible Directorate:</b>	Community and Development
<b>Authority/Discretion:</b>	Executive/ Strategic
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Community Grants Policy [8.3.1 - 2 pages]</li> <li>2. City of Bayswater Grants Program Policy Revised showing track [8.3.2 - 6 pages]</li> <li>3. City of Bayswater Grants Program Policy Revised - FINAL [8.3.3 - 5 pages]</li> </ol>
<b>Refer:</b>	Item 8.1: PRDC 22.02.2022 Item 10.4.7: OCM 24.08.2021 Item 10.6.1.2: OCM 24.08.2021 Item 9.1.1: CTFCS Committee 19.04.2017

**SUMMARY**

For Council to adopt the revised Bayswater Grants Program Policy as revised for grant funding streams, as contained in **Attachment 3**, and rescind the City's existing Community Grants Policy.

The revised Policy will be supported by a management practice that will provide the relevant details for the grant funding streams.

The revised Bayswater Grants Program Policy has returned to the Policy Review and Development Committee with changes that are based on committee, workshop and staff feedback. The existing Policy to be replaced is **Attachment 1**. The revisions to the Policy are highlighted in **Attachment 2** showing track changes, and the final Policy recommended is in **Attachment 3** finalised for a return to the committee.

The final Policy recommended is the end result of the feedback from Councillors through the Policy Review and Development Committee on 22 February 2022, with the outcome of a procedural motion to refer the Policy to the next meeting so that further information could be provided prior to reconsidering the item. Additional feedback was provided by Councillors at a Council Workshop on 5 April 2022.

The key points of the revisions were; text amendments, queries on the grants listed in the table, co-contributions; and the wording of the resolution to identify what other policies were to be rescinded as a result of the revised policy. The Policy document has been amended accordingly.

The officer's comments and attachments refer in more detail to the revisions as recommended. Councillors have been provided with the 5 April 2022 Workshop notes as reference to the discussions.

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

**That Council:**

1. **Adopts the proposed City of Bayswater Grants Program Policy as contained in Attachment 3 to this report.**

## 2. Rescinds the Community Grants Policy.

Cr Assunta Meleca Moved, Cr Catherine Ehrhardt, Deputy Mayor Seconded

**CARRIED UNANIMOUSLY BY EXCEPTION (EN-BLOC): 7/0**

**For:** Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik and Cr Giorgia Johnson.

**Against:** Nil.

### BACKGROUND

At the Ordinary Council Meeting held on 24 August 2021, Council resolved as follows:

*“That Council:*

1. *Notes the review currently being undertaken by Officers in relation to the Community Grants Policy;*
2. *Notes that the Policy will be presented to the next Policy Review and Development Committee meeting with recommended changes following completion of the review;*
3. *As part of the review, requests the City to consider the following aspects:*
  - (a) *Eligibility criteria; and*
  - (b) *Community Group Grants.”*

In addition, at the Ordinary Council Meeting (OCM) held on 24 August 2021, Council resolved as follows:

*“That Council:*

1. *Notes the information contained in Attachment 1 to this report relating to the recent review of the City’s Community Grants Program.*
2. *Endorses the following actions relating to the City’s Community’s Grants Program to be undertaken by 30 June 2022, as detailed in Attachment 1:*
  - (a) *Council to consider a budget allocation of \$10,000 for a centralised grants management register/system as part of the mid-year 2021/22 budget review, so that it could be operational by 1 July 2022.*
  - (b) *The City to further streamline the existing grant funding documentation with an aim to simplify grant application processes by 30 June 2022.*
  - (c) *Council to consider ceasing KidSport top-up funding as part of the draft 2022/23 budget process, given the Department of Local Government, Sport and Cultural Industries’ increase in funding for this program.*
  - (d) *Council to consider additional funding of \$2,000 (to \$5,500) as part of the draft 2022/23 budget process, to expand the City’s Neighbourhood Open Street Events for the provision of a \$100 food voucher per street event application, until funds are exhausted.*
  - (e) *The ‘Major Town Centre Events’ funding be rebranded and renamed as ‘Town Centre Events’ funding, so to be all encompassing of large and small-scale events in the City’s town centres.*
  - (f) *The criteria for the Community Events Grant to exclude town centre event funding.*
  - (g) *The Community Grants Program to be reviewed every four years in alignment with the minor review of the Strategic Community Plan to ensure that the program remains responsive and appropriate to Council and community expectations.*

- (h) *The 'Community Grants Program' be rebranded and renamed as 'Bayswater Grants Program', so to promote the program to be inclusive of all community members, including businesses, local clubs, groups, individuals and local schools.*
- (i) *The City to create a single website page for the promotion of its Community Grants Program so that it is encompassing of all 10 funding streams and provide a summary of successful funding applicants on this webpage, to increase transparency in the community.*
- (j) *Council to consider an annual budget allocation for the promotion of its Community Grants Program, and consider a budget allocation of \$10,000 as part of the draft 2022/23 budget process."*

At the Policy Review and Development Committee meeting on 22 February 2022, it was recommended:

"That Council:

1. *Adopts the Bayswater Grants Program Policy as contained in Attachment 1 to this report.*
2. *Rescinds the Community Grants, Major Town Centre Events and Heritage Fund Policy.*
3. *Publishes a public notice to rescind the Heritage Fund Policy, as required under the Planning and Development (Local Planning Schemes) Regulations 2015."*

The Committee resolved that *"this item be referred to the next meeting of the Policy Review and Development Committee so that further information can be provided about the grants program prior to consideration of the item"*.

At a Councillor Workshop held on 5 April 2022, further information was provided to Councillors relevant to the text and enactment of the Bayswater Grants Program Policy, incorporating recommendations and feedback from Councillors to return to the Committee.

Feedback and recommendations included; a title text amendment to the policy document, removing reference to rescind the Heritage Fund Policy; to rescind the Major Town Centre Events Policy; and to amend text in reference to the definition of incorporated Association on page two of the Policy.

Other key points of discussion were detailed in the table where the funding eligibility requirement including co-contribution, inclusive of other relevant strategic themes, and comments from individual Councillors on suitability of funding streams to consider through the 2022/23 budget process.

Furthermore, the Major Town Centre Events Policy had been adopted as a planning policy under the City's Town Planning Scheme No.24 and its proposed rescission is being referred to the Planning and Heritage Policy Review and Development Committee and then Council in May 2022. As a result, the reference to the Major Town Centre Events Policy has been removed.

## **EXTERNAL CONSULTATION**

The City undertook both internal and external consultation to inform the Community Grants Program Review from March until August 2021.

In June 2021, the City sent an online survey to all those who applied for Community Grants funding between 2018 and 2021. There were 190 local sporting and community groups, businesses and individuals who were invited to take part in the survey to help determine how well the Community Grants Program has met its objectives.

Applicants were asked how easy or difficult it was to apply for funding, and what would make it easier or better to apply. The external consultation process explored the following questions with regards to the Community Grants Program:

- How easy or difficult is it to apply to the City for funding within its current model?
- What would make it easier or better to apply?
- What is the community's feedback on the current funding programs offered by the City?
- What do other local governments do?

A total of 27 responded to the survey to help inform the Community Grants Program review.

### OFFICER'S COMMENTS

The City currently provides grant funding to help build a vibrant, inclusive and healthy community. Funding is available to support local businesses, clubs, community groups, individuals and schools that meet specific eligibility criteria through the following 10 funding streams as listed below:

1. Better Bayswater Grant;
2. Community Events Grant;
3. Donations - Individual and Community;
4. Community Capital Requests;
5. Heritage Fund;
6. Major Town Centre Event Funding (to be renamed, 'Town Centre Events');
7. City of Bayswater Kidsport Top-up;
8. Neighbourhood Open Street Events;
9. Placemaking Seed Funding; and
10. Waterwise Verge Program.

Feedback from community consultation arising from the Community Grants Program Review 2021, indicated that the current structure of the Community Grants Program is confusing as not all funding streams are under one overarching City Policy. Currently the City has three separate funding policies listed below:

1. Major Town Centre Events Policy (2012, within City's Town Planning Scheme No. 24).
2. Community Grants Policy (2018, *inclusive of the Better Bayswater Grant, Community Events Grant, Donations and Community Capital Requests*).
3. Heritage Fund Policy (2008, within City's Town Planning Scheme No. 24).

The funding streams listed below do not sit under any City Policy:

- Neighbourhood Open Street Events.
- Placemaking Seed Funding.
- Waterwise Verge Program.
- City of Bayswater Kidsport Top-up (*funding to cease to be considered as part of the draft 2022/23 budget*).

The proposed introduction of the 'Cloth Nappy Rebate' is pending the City's Waste Authority grant funding outcome and subsequent funding allocation as part of the 2022/23 budget process.

In relation to items 2(a), (b), (f) and (i) of the 24 August 2021 OCM:



- A centralised grants management system is requested within the budget mid-year review;
- The grant application processes have been reviewed and streamlined with a quicker turnaround time;
- A new webpage has been developed with all grant information contained on the same landing page, with a full list of previous successful event grants; and
- The town centre event funding has been excluded from the Community grants program.

Additionally, in reference to the Community Grants Program Review 2021, Council endorsed that:

“... ”

- (g) *The Community Grants Program to be reviewed every four years in alignment with the minor review of the Strategic Community Plan to ensure that the program remains responsive and appropriate to Council and community expectations.*
- (h) *The ‘Community Grants Program’ be rebranded and renamed as ‘Bayswater Grants Program’, so to promote the program to be inclusive of all community members, including businesses, local clubs, groups, individuals and local schools.”*

The proposed City of Bayswater Grants Program Policy have been revised having regard to Councillors’ recommendations and feedback which includes the following key revisions, and is contained in **Attachment 3**:

- A title text amendment to the policy document;
- Removal of a reference to rescind the Heritage Fund Policy;
- Removal of a reference to rescind the Major Town Centre Events Policy;
- Amended text in reference to the definition of Incorporated Association on page two of the Policy;
- Inclusion of an asterisk detail in the table where the funding eligibility requirement included co-contribution; and
- Inclusive of other relevant strategic themes.

The proposed revised policy does not include any changes to funding streams as this may be considered as part of the 2022/23 budget process or through amendments to the revised policy table at the discretion of Council. The proposed revised policy intends to replace the existing Community Grant Policy (**Attachment 1**).

The Policy is intended to be a strategic and overarching document that interacts with a management practice that guides the operational matters and procedures relating to the grant funding streams, including such items as; the alignment to the policy, statement of commitment, purpose, eligibility criteria, assessments, conditions of grant, staff responsibilities and delegations.

To support the Policy and ensure that all the information required is available to residents and businesses it is proposed that the City’s website be updated to include the relevant documents and provide additional information and clearer direction surrounding the application process.

The Policy is to be revised every four years in alignment with the minor review of the Strategic Community Plan.

## LEGISLATIVE COMPLIANCE

*Local Government Act 1995.*



**RISK ASSESSMENT**

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

<b>Officer's Recommendation</b>	<b>That Council:</b> <b>1. Adopts the proposed City of Bayswater Grants Program Policy as contained in <u>Attachment 3</u> to this report.</b> <b>2. Rescinds the Community Grants Policy.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
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
<b>Conclusion</b>	It is considered that this option will bring significant improvements to the City grant funding program, and overall assessed as a low risk to the City. This option would provide the City with; one overarching policy for all grant funding streams, respond to principles of good governance, informed and consistent decision making, consultation, and compliance of all relevant legislative and reporting requirements.	

Option 2	That Council:	
	1. Adopts the proposed City of Bayswater Grants Program Policy as contained in <u>Attachment 3</u> to this report, with the following modification(s):	
	(a) _____	
	(b) _____	
	(c) _____	
	2. Rescinds the Community Grants Policy	

Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Dependent on the modification(s) determined by Council.
Reputation	Low	
Governance	Low	
Community and Stakeholder	Moderate	
Financial Management	Low	
Environmental Responsibility	Low	
Service Delivery	Low	
Organisational Health and Safety	Low	
Conclusion	The risks are dependent on the modification(s) /action(s) determined by Council.	

<b>Option 3</b>	<b>Council endorses the continuation of the Community Grants Policy as outlined <u>Attachment 1</u> to this report.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Moderate
Reputation	Low	Low
Governance	Low	High
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low

Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	This option would be inconsistent with the recommendations made in the Community Grants Review 2021. It is considered that this option would not support the principles of good governance, informed and consistent decision making, consultation and compliance.	

## FINANCIAL IMPLICATIONS

Nil.

## STRATEGIC IMPLICATIONS

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

- Theme: Community
- Goal C1: Create safe and inviting places for people to come together
- Goal C2: Celebrate multiculturalism, arts and culture by supporting local events and initiatives
- Goal C3: Maximise the use of the City's facilities and parks by all sections of the community
- Goal C4: Empower the community by helping them develop social connections.
- Theme: Environment and Liveability
- Goal E5: Protect and enhance the City's natural environment and biodiversity, and encourage the community to participate in its protection.

The revised City of Bayswater Grants Program Policy provides an overarching guidance to the City, and an opportunity to build capacity, develop skills and receive support from the City in response to the purpose of the community grants program.

## CONCLUSION

The revised City of Bayswater Grants Program Policy is proposed to be the centralised overarching policy for the Grants Program funding streams offered by the City. The Policy is inclusive of all community members including; local businesses, clubs, groups, individuals and schools. The creation of one grant funding policy would better inform and guide Council in its consideration for future funding stream inclusions or exclusions as well as budget allocations.

## COUNCIL POLICY: COMMUNITY GRANTS

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

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

### POLICY DETAILS

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

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

### DEFINITIONS

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

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

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



## LEGISLATION AND OTHER REFERENCES

*Local Government Act 1995*

Management Practices will be developed as required.

<b>Adopted by Council:</b>	22 May 2018
<b>Reviewed</b>	Nil
<b>Strategic Link</b>	Governance and Leadership

City of

**Bayswater**

DRAFT 2 Policy Revision

# Bayswater Grants Program Policy



<b>Responsible Division</b>	Community and Development
<b>Responsible Business Unit</b>	Community Development
<b>Responsible Officer</b>	Manager Community Development
<b>Affected Business Units</b>	Community Development Planning and Place Corporate and Strategy Project Services Sustainability, Environment and Waste
<b>ECM Document Set ID</b>	[ECM document set ID] - Pending draft endorsement

## Purpose

The City of Bayswater Grants Program Policy aims to provide financial funding to:

1. An incorporated not-for-profit organisations/association or an auspice organisation or individual for a specific project which results in a defined community benefit. For example, inclusive of a social, sporting, cultural, environmental and/or charitable group context; and/or
2. An individual (resident) to support a specified activity must be based in City of Bayswater or primarily benefit residents and/or community of the City.

This Policy aims to establish best-practice grant-making that aligns with Council's vision and goals. The following principles provide a framework for the design of the City of Bayswater Grants Program:

- **Capacity building** - To provide an opportunity to build the skills, networks and competency amongst individuals and organisations within the City of Bayswater. This includes the development of partnerships and collaborations which will ultimately provide sustainable projects and activities within the City of Bayswater.
- **Access and equity** - To support projects and programs representing a broad range of interests and needs within the community which align to; the Access and Inclusion Plan, Reconciliation Action Plan, Local Homelessness Plan, Youth Action Plan and Age Friendly Strategy; and any other relevant City plans.
- **Governance and accountability** - To have effective and efficient grant making processes proportional to the amount of funding being applied for, and the type of project being funded. Application and acquittal requirements are relative to the size of the grant provided.
- **Probity and transparency** - To follow a clearly outlined process to assess applications according to set funding criteria. Conflicts of interest are declared and addressed throughout an assessment process.
- **Value for money** - To seek to support grants that demonstrate good value for the amount of money or level of funding that has been requested. Projects and activities should not duplicate already existing services. Funding is subject to an annual budget approval process.

## Scope

This Policy intends to strategically guide the implementation of the Bayswater Grant Program which will be underpinned by a management practice for each grant funding stream that will address; purpose, scope, eligibility, assessment, funding conditions, grant conditions, marketing and promotion and review.

## Definitions

For the purpose of this Policy —

**Acquittal** means accurately reporting on the funded activities, including all expenditure of the grant.

**Auspice organisation** means an incorporated organisation that applies for a grant on behalf of an unincorporated organisation, group or individual. The auspice organisation is responsible for the financial management of the grant. An auspice agreement is a legally binding contract which sets out the legal obligations of both organisations toward each other and in relation to any specific funding of other agreements.

**Donation** means an arrangement where a financial contribution is provided to support a specified activity to an eligible party.

**Incorporated Association** means an incorporated association or club is able to pursue its objects and purposes by applying for grants, opening bank accounts and holding property in its own name, while limiting the exposure of its members to personal legal liability. For example, but not limited to, a social, sporting, cultural, environmental or charitable group.

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An incorporated association can:

- (a) Open bank accounts
- (b) Apply for grants
- (c) Employ staff

**Public Liability Insurance** means insurance that protects a community organisation against its legal liability to pay:

- Compensation to third parties;
- Property damage that may occur as a result of the community organisations activities; and
- The legal costs that a community organisation may have if it needs to defend bodily injury and property damage claims made against it.

**Not-for-profit organisation** means an organisation registered with the Australian Charities and Not-For-Profits Commission.

## Policy Statement

The City of Bayswater Grants Program is responsive to contributing towards building a strong and inclusive community, support vibrant town centres and make the City a connected, accessible and welcoming destination.

The City of Bayswater Grants Program funding streams are summarised below:

No.	Funding Stream	Summary	No. of Rounds per Financial Year
1	<b>Better Bayswater Grant</b>	Projects or programs that increase the capacity of organisations to improve community wellbeing. This considers the alignment to; the City's Access and Inclusion Plan, Reconciliation Action Plan, Local Homelessness Strategy, Youth Action Plan, Age Friendly Strategy; and any other relevant plans.	2
2	<b>Community Events Grant</b>	Events that are not located within a town/activity centre, and are open to the public and encourage increased activation and connection within the City of Bayswater area.	2
3	<b>Donations – individual and community</b>	<u>Individuals:</u> To support local residents who reside in the City aged between 12 and 25 years selected from their State sporting association or national body with travel or accommodation costs to participate at the local, national or international level. <u>Community groups:</u> To support groups, local schools, clubs or not-for-profit organisations to deliver new services and resources that increase community participation or wellbeing.	Open all year round
4	<b>Community Capital Requests</b>	To support established community not-for-profit organisations based and operating within the City of Bayswater to improve facilities and infrastructure.	1
5	<b>Town Centre Events*</b>	Events and activities which attract people to the City of Bayswater town/activity centres.	2
6	<b>Neighbourhood Open Street Events</b>	Small scale events held on street verges with less than 50 people with support through public liability insurance, traffic management control diagram provisions, signage and food voucher.	Open all year round
7	<b>Place-Making Seed Funding</b>	Community-led place activation initiatives that align with priorities within the relevant Place Activation Plans.	1
8	<b>Waterwise Verge Program</b>	A rebate for residents to create their own native verge plantings to support the Water Corporation's 'Waterwise Greening Scheme.'	Open all year round
9	<b>Cloth Nappy Rebate</b>	The City offers a Cloth Nappy Rebate, with a 50 per cent rebate of up to \$100 for the purchase of modern cloth nappies for a maximum of 150 households.	Open all year round
No.	Funding Stream	Summary	No. of Rounds per Financial Year
1	<u>Better Bayswater Grant**</u>	<u>Projects or programs that increase the capacity of organisations to improve community wellbeing (alignment with the City's Access and Inclusion Plan, Reconciliation Action Plan, Local Homelessness Strategy, Youth Action Plan, Age Friendly Strategy and any other relevant plans).</u>	<u>2</u>

No.	Funding Stream	Summary	No. of Rounds per Financial Year
<u>2</u>	<u>Community Events Grant</u>	<u>Events that are not located within a town/activity centre, and are open to the public and encourage increased activation and connection within the City of Bayswater area.</u>	<u>2</u>
<u>3</u>	<u>Donations</u>	<u>Individuals: To support local residents who reside in the City aged between 12 and 25 years selected from their State sporting association or national body with travel or accommodation costs to participate at the local, national or international level. Community groups: To support groups, local schools, clubs or not-for-profit organisations to deliver new services and resources that increase community participation or wellbeing.</u>	<u>Open all year round</u>
<u>4</u>	<u>Community Capital Requests**</u>	<u>To support established community not-for-profit organisations based and operating within the City of Bayswater to improve facilities and infrastructure.</u>	<u>1</u>
<u>5</u>	<u>Heritage Fund**</u>	<u>To assist with the maintenance, conservation and improvement of heritage buildings contained within the City's Heritage List for residential or non-residential properties.</u>	<u>Open all year round</u>
<u>6</u>	<u>Town Centre Events*</u>	<u>Events and activities which attract people to the City of Bayswater town/activity centres.</u>	<u>2</u>
<u>7</u>	<u>Neighbourhood Open Street Events</u>	<u>Small scale events held on street verges with less than 50 people with support through public liability insurance, traffic management control diagram provisions, signage and food voucher.</u>	<u>Open all year round</u>
<u>8</u>	<u>Place Making Seed Funding</u>	<u>Community-led place activation initiatives that align with priorities within the relevant Place Activation Plans.</u>	<u>1</u>
<u>9</u>	<u>Waterwise Verge Garden</u>	<u>A rebate for residents to create their own native verge plantings to support the Water Corporation's 'Waterwise Greening Scheme.'</u>	<u>Open all year round</u>
<u>10</u>	<u>Cloth Nappy Rebate**</u>	<u>The City offers a Cloth Nappy Rebate, with a 50 per cent rebate of up to \$100 for the purchase of modern cloth nappies for a maximum of 150 households.</u>	<u>Open all year round</u>

Note: \* The Major Town Centre Event Funding is renamed the Town Centre Events.

Note: \*\* The funding eligibility requirement is matched funding.

## Related Legislation

- *Local Government Act 1995 (WA);*
- *State Records Act 2000; and*
- *Freedom of Information Act 1992.*

## Related Documentation

- *City of Bayswater Policy Framework;*



- *City of Bayswater Strategic Community Plan;*
- *Delegations Register;*
- *Access and Inclusion Plan;*
- *Reconciliation Action Plan;*
- *Local Homelessness Strategy;*
- *Youth Action Plan;*
- *Age Friendly Strategy;*
- *Community Recreation Plan;*
- *Play Space Strategy;*
- *Heritage Fund Policy (2008)*
- *Major Town Centre Events Policy (2012)*
- *Community Facility Lease and License Policy; and*
- *Sponsorship of Assets, Services and Activities Policy.*

## Document details

**Relevant delegations** Simple Majority required.

**Risk evaluation** Low

<b>Strategic link</b>	<p><u>In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:</u></p> <p><u>Theme:</u>      <u>Community</u></p> <p><u>Goal C1:</u>    <u>Create safe and inviting places for people to come together.</u></p> <p><u>Goal C2:</u>    <u>Celebrate multiculturalism, arts and culture by supporting local events and initiatives</u></p> <p><u>Goal C3:</u>    <u>Maximise the use of the City's facilities and parks by all sections of the community</u></p> <p><u>Goal C4:</u>    <u>Empower the community by helping them develop social connections.</u></p> <p><u>Theme:</u>      <u>Environment and Liveability</u></p> <p><u>Goal E5:</u>    <u>Protect and enhance the City's natural environment and biodiversity, and encourage the community to participate in its protection.</u></p> <p><u>In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:</u></p> <p><u>Theme:</u>      <u>Community</u></p> <p><u>Goal C2:</u>    <u>Celebrate multiculturalism, arts and culture by supporting local events and initiatives.</u></p>
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~~Goal C4: Empower the community by helping them develop social connections.~~

<b>Council adoption</b>	[date]	<b>Resolution</b>	[Item no.]
<b>Next review due</b>	(four years as per OCM 24/082021)		
<b>Reviewed/modified</b>	[date]	<b>Resolution</b>	[Item no.]
<b>Revision details</b>	[revision no] [description]		



# City of Bayswater Grants Program Policy

<b>Responsible Division</b>	Community and Development
<b>Responsible Business Unit</b>	Community Development
<b>Responsible Officer</b>	Manager Community Development
<b>Affected Business Units</b>	Community Development Planning and Place Corporate and Strategy Project Services Sustainability, Environment and Waste
<b>ECM Document Set ID</b>	[ECM document set ID] - Pending draft endorsement

## Purpose

The City of Bayswater Grants Program Policy aims to provide financial funding to:

1. An incorporated not-for-profit organisations/association or an auspice organisation or individual for a specific project which results in a defined community benefit. For example, inclusive of a social, sporting, cultural, environmental and/or charitable group context; and/or
2. An individual (resident) to support a specified activity must be based in City of Bayswater or primarily benefit residents and/or community of the City.

This Policy aims to establish best-practice grant-making that aligns with Council's vision and goals.

The following principles provide a framework for the design of the City of Bayswater Grants Program:

- **Capacity building** - To provide an opportunity to build the skills, networks and competency amongst individuals and organisations within the City of Bayswater. This includes the development of partnerships and collaborations which will ultimately provide sustainable projects and activities within the City of Bayswater.
- **Access and equity** - To support projects and programs representing a broad range of interests and needs within the community which align to; the Access and Inclusion Plan, Reconciliation Action Plan. Local Homelessness Plan, Youth Action Plan and Age Friendly Strategy; and any other relevant City plans.
- **Governance and accountability** - To have effective and efficient grant making processes proportional to the amount of funding being applied for, and the type of project being funded. Application and acquittal requirements are relative to the size of the grant provided.
- **Probity and transparency** - To follow a clearly outlined process to assess applications according to set funding criteria. Conflicts of interest are declared and addressed throughout an assessment process.
- **Value for money** - To seek to support grants that demonstrate good value for the amount of money or level of funding that has been requested. Projects and activities should not duplicate already existing services. Funding is subject to an annual budget approval process.

## Scope

This Policy intends to strategically guide the implementation of the Bayswater Grant Program which will be underpinned by a management practice for each grant funding stream that will address; purpose, scope, eligibility, assessment, funding conditions, grant conditions, marketing and promotion and review.

## Definitions

For the purpose of this Policy —

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An incorporated association can:

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**Public Liability Insurance** means insurance that protects a community organisation against its legal liability to pay:

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## Policy Statement

The City of Bayswater Grants Program is responsive to contributing towards building a strong and inclusive community, support vibrant town centres and make the City a connected, accessible and welcoming destination.

The City of Bayswater Grants Program funding streams are summarised below:

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4	Community Capital Requests**	To support established community not-for-profit organisations based and operating within the City of Bayswater to improve facilities and infrastructure.	1
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Note: \* The Major Town Centre Event Funding is renamed the Town Centre Events.

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## Related Legislation

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- *Age Friendly Strategy;*
- *Community Recreation Plan;*
- *Play Space Strategy;*
- *Heritage Fund Policy (2008)*
- *Major Town Centre Events Policy (2012)*
- *Community Facility Lease and License Policy; and*
- *Sponsorship of Assets, Services and Activities Policy.*

## Document details

**Relevant delegations** Simple Majority required.

**Risk evaluation** Low

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

Theme: Community

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

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

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

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

Theme: Environment and Liveability

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

<b>Council adoption</b>	[date]	<b>Resolution</b>	[Item no.]
<b>Next review due</b>	(four years as per OCM 24/082021)		
<b>Reviewed/modified</b>	[date]	<b>Resolution</b>	[Item no.]
<b>Revision details</b>	[revision no] [description]		

**10.6.2 Inclusion and Diversity Advisory Committee - 8 June 2022****10.6.2.1 Progress Report - Access And Inclusion Plan 2020 - 2024**

<b>Responsible Branch:</b>	Community Development
<b>Responsible Directorate:</b>	Community and Development
<b>Authority/Discretion:</b>	Information Purposes
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	1. Attachment 1 Information Reports [10.6.2.1.1 - 43 pages]
<b>Refer:</b>	Item 10.6.5.1: OCM 24.08.2021 Item 10.6.2: OCM 23.03.2021

**SUMMARY**

For Committee/Council to note the City of Bayswater Access and Inclusion Plan 2020-2024 progress to date, as contained within **Attachment 1**.

**OFFICER'S RECOMMENDATION**

That Council notes the information as detailed in Attachment 1 to this report on the City's Access and Inclusion Plan 2020–2024 progress from September 2021 to May 2022.

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

That Council:

1. Notes the information as detailed in Attachment 1 to this report on the City's Access and Inclusion Plan 2020–2024 progress from September 2021 to May 2022.
2. Requests the City to provide a report in relation to improving access for people with disability at the pedestrian crossings at all town centres to the next Committee meeting.

**Cr Assunta Meleca Moved, Cr Catherine Ehrhardt, Deputy Mayor Seconded**

**CARRIED UNANIMOUSLY BY EXCEPTION (EN-BLOC): 7/0**

**For:** *Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik and Cr Georgia Johnson.*

**Against:** *Nil.*

**BACKGROUND**

At the Ordinary Council Meeting held on 24 March 2020, Council adopted the City of Bayswater Access and Inclusion Plan (AIP) 2020 – 2024. The City's Access and Inclusion Plan outlines seven desired Outcome Areas and associated actions, which are progressed each financial year over the four-year term of the Plan. The Outcome areas are:

- Outcome area 1 – Services and Events;
- Outcome area 2 – Buildings and Facilities;
- Outcome area 3 – Information;
- Outcome area 4 – Customer Service;
- Outcome area 5 – Complaint Mechanisms;



- Outcome area 6 – Consultation Processes; and
- Outcome area 7 – Employment.

During the 2021/22 financial year, the City developed reports relating to 31 actions associated with the seven outcome areas within the AIP. This report provides a progress update for the City's Inclusion and Diversity Advisory Committee (IADAC) on the AIP 2020-2024 strategies progressed from September 2021 to May 2022.

## EXTERNAL CONSULTATION

As this is a progress report only, community consultation is not required.

## OFFICER'S COMMENT

The City progressed 21 deliverables within the Access and Inclusion Plan 2020 – 2024 Outcome Areas between September 2021 and May 2022, as detailed in **Attachment 1**.

Outcome	Action	Information Report
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.	1-6
Outcome 2	People with disability have the same opportunities as other people to access buildings and other facilities of the City of Bayswater.	7-18
Outcome 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.	19-23
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.	24-26
Outcome 5	People with disability have the same opportunities as other people to make complaints to the City of Bayswater.	27
Outcome 6	People with disability have the same opportunities as other people to participate in any public consultation by the City of Bayswater.	28-30
Outcome 7	People with disability have the same opportunities as other people to obtain and maintain employment with the City of Bayswater	31

## LEGISLATIVE COMPLIANCE

- *Disability Services Act 1993 (amended 2004).*

## RISK ASSESSMENT

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

<b>Officer's Recommendation</b>	<b>That Council notes the information as detailed in <u>Attachment 1</u> to this report on the City's Access and Inclusion Plan 2020–2024 progress from September 2021 to May 2022.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
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
<b>Conclusion</b>	It is considered that there are low risks associated with the information provided in this report, as it is for noting and meets the outcomes and objectives of the City's AIP 2020-2024. The information will be used to inform the City's Annual Progress Report to the Department of Communities for 2021/22.	

## FINANCIAL IMPLICATIONS

The following financial implications are applicable:

**Item 1:** Implementation of the City's AIP 2020-2024, second financial year (2021/22)

**Asset Category:** Not applicable **Source of Funds:** Municipal

**LTFP Impacts:** This item is not itemised in the City's Long Term Financial Plan  
The budget amount listed in the table below was adopted by Council at the Ordinary Council Meeting held 24 March 2020. The budget listed is reflective of the 2021/22 adopted annual operational budget to implement the City's AIP strategies in 2021/22.

ITEM NO.	CAPITAL / UPFRONT COSTS (\$)	ONGOING COSTS (\$) ANNUAL		INCOME (\$)	ASSET LIFE (YEARS)	WHOLE OF LIFE COSTS (\$)	CURRENT BUDGET (\$)
		MATERIALS & CONTRACT	STAFFING				
1	\$130,800 (year 2021/22)	N/A	N/A	N/A	N/A	N/A	\$130,800 (year 2021/22)

## STRATEGIC IMPLICATIONS

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

Theme: Community

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

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

## CONCLUSION

It is recommended that Committee/Council notes the information provided in **Attachment 1**, as the City's Access and Inclusion Plan 2020–2024 progress update from September 2021 to June 2022.

<b>City of Bayswater</b> <b>Access and Inclusion Plan 2020 - 2024</b> <b>INFORMATION UPDATE REPORT</b> <b>September 2021 to May 2022</b>	
<b>AUTHOR</b>	<b>Manager Community Development</b>
<b>BRANCH</b>	Community Development
<b>STRATEGY</b>	<b>1.1 Increase access and inclusion awareness with City engaged agents, contractors, local businesses and service providers.</b>
<b>ACTION</b>	(a) Develop and share an information package for agents and contractors including information on how to make services and events more accessible.
<b>DELIVERABLE</b>	<input type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> <b>2021/22</b> <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	The City has developed a “Guide to Accessible Events” which is an information package for agents and contractors and includes information on how to make services and events more accessible and inclusive.
<b>OUTCOME</b>	The City of Bayswater Guide to Accessible Events is available on the City's website, under “Planning an event” and includes the following content: <ul style="list-style-type: none"> <li>• Understanding why planning for accessible and inclusive events are important;</li> <li>• Inclusive communication;</li> <li>• Use of disability access symbols;</li> <li>• Information about the WA Companion Card;</li> <li>• Planning an accessible and inclusive event checklist;</li> <li>• Links to external information resources; and</li> <li>• A link to the City of Bayswater Access and Inclusion Plan 2020 – 2024.</li> </ul>

<b>City of Bayswater</b> <b>Access and Inclusion Plan 2020-2024</b> <b>INFORMATION UPDATE REPORT</b>	
<b>AUTHOR</b>	<b>Manager Community Development</b>
<b>BRANCH</b>	Community Development
<b>STRATEGY</b>	<b>1.2 Build partnerships to support people with disability to participate in their community.</b>
<b>ACTION</b>	(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.
<b>DELIVERABLE</b>	<input checked="" type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> <b>2021/22</b> <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	<p>The City is committed to ensuring people with disability are provided with information about City services, programs and events to support participation.</p> <p>The City uses a wide range of communication methods (hard copy and electronic formats) to promote services, and an alternate and preferred format upon request is provided, such as large print.</p> <p>The City of Bayswater Community Grant Program, streams require grant funding applicants to describe how they will ensure that their project, program or event will be accessible and inclusive to people with disability.</p>
<b>OUTCOMES</b>	<p>The following initiatives are examples of how program documentation and event promotional material are provided:</p> <p><u>City of Bayswater - What's On Calendar</u></p> <p>The City's What's On Calendar web pages acknowledge community programs and events that are "free" and "accessible" by embedding these words in the promotional images. <b>Refer to Image 1.</b> In addition, an advanced search function has been added to enable community to search for events that are "free" and/or "accessible". <b>Refer to Image 2.</b></p> <p><u>City of Bayswater Community Grants Program</u></p> <p>The Better Bayswater Grant application form has embedded the below information to ensure applicants are aware of the importance of access and inclusion, and also are informed about the City's Access and Inclusion Plan 2020 – 2024.</p> <ul style="list-style-type: none"> <li>• <i>"Please describe what steps you will take to ensure that the program/project will be accessible and inclusive.</i></li> <li>• <i>Please refer to the City of Bayswater Access and Inclusion Plan 2020 - 2024 which is available on the City's website".</i></li> </ul>



Image 1: - City of Bayswater What's on Calendar example of a free and accessible Community Event.

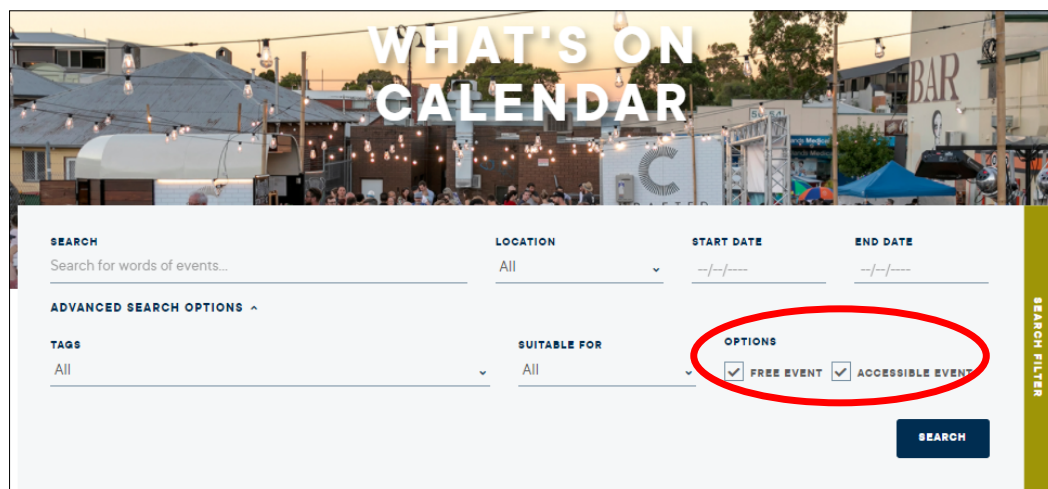


Image 2: - City of Bayswater What's On Calendar advanced search function to search for a free and/or accessible event.

<p style="text-align: center;"><b>City of Bayswater</b>  <b>Access and Inclusion Plan 2020 - 2024</b>  <b>INFORMATION UPDATE REPORT</b></p>	
<b>AUTHOR</b>	<b>Manager Community Development</b>
<b>BRANCH</b>	Community Development
<b>STRATEGY</b>	<b>Strategy 1.2 - Build partnerships to support people with disability to participate in their community.</b>
<b>ACTION</b>	<p>(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.</p> <p>(e) Raise public awareness and understanding of people with disability by celebrating local achievements on 'International Day of People with Disability'.</p>
<b>DELIVERABLE</b>	<input type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> <b>2021/22</b> <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	The City is committed to raising awareness and understanding of people with disability by celebrating local achievements on 'International Day of People with Disability'
<b>OUTCOME</b>	<p><u>International Day of People with Disability</u></p> <p>On 3 December 2021, Bayswater Library hosted a special storytime celebrating people with disability. A guest storyteller, a team member with physical disability, hosted the storytime, sharing their story and experience of living with disability. <b>Refer to Image 1.</b></p> <p>This special session raised awareness of disability, celebrated diversity in the community and gave participants the opportunity to gain a different perspective on people living with disability. For the team member who presented the storytime it gave them the opportunity to share their story in a safe and welcoming environment, which gave them greater confidence to share their lived experience with people they do not know well.</p> <p><u>Online Storytime</u></p> <p>Since April 2021, the City's three libraries have been recording storytime videos and these are shared via social media and on the City's website once a month. The videos then remain available for six months for people to view in their own time. By providing this program in an online format, families that are unable to attend regular in-person sessions can still participate in early literacy activities. This may include children with physical disabilities and children on the autism spectrum who have sensory processing issues.</p> <ul style="list-style-type: none"> <li>• All videos are captioned to improve accessibility.</li> <li>• Each video is receiving an average of 800 views over the six-month period that they are available.</li> </ul> <p><u>Alternative Print</u></p> <p>The City provides access to City information in a variety of formats and ensures that documentation prepared for the City's three libraries is also available in alternative formats e.g. video content created by for Library Lovers' Week was captioned.</p>



**Image 1:** - Bayswater Library Storytime, International Day of People with Disability - Friday 3 December 2021.

<b>City of Bayswater</b> <b>Access and Inclusion Plan 2020 - 2024</b> <b>INFORMATION UPDATE REPORT</b>	
<b>AUTHOR</b>	<b>Manager Community Development</b>
<b>BRANCH</b>	Community Development
<b>STRATEGY</b>	<b>1.2 Build partnerships to support people with disability to participate in their community.</b>
<b>ACTION</b>	(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.
<b>DELIVERABLE</b>	<input checked="" type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> <b>2021/22</b> <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	<p>The City is committed to ensuring people with disability have the same opportunities as other people to access the services provided by local business within the community.</p> <p>The City welcomes opportunities to partner with a disability service providers and small businesses to implement a business awareness program.</p>
<b>OUTCOME</b>	<p>In November 2021, the City invited small businesses in the Morley Town Centre, as part of the RAC Reconnect Program, to the City's People Friendly Streets Upskiller session. The session occurred on the International Day of People with Disability.</p> <p>The City partnered with service provider Spinal Life Australia to present information on the Accessible Australia App which is freely available. The App is used to rate the accessibility of businesses and informs the user about the level of accessibility as it relates to elements such as; accessible parking, the main entrance, circulation, space and toilets.</p> <p>Spinal Life Australia provides a 'Good Access is Good Business' checklist to support local business owners and operators with assessing their current level of accessibility. The checklist also provided practical tips on implementing small changes to make businesses as welcoming and accessible as possible.</p> <p><i>Good Access is Good Business checklist available online at:</i>  <a href="#">20451-Good-Access-Checklist-from-Spinal-Life-Australia-2021.pdf (mbrit.com.au)</a> </p>



<p style="text-align: center;"><b>City of Bayswater</b>  <b>Access and Inclusion Plan 2020-2024</b>  <b>INFORMATION UPDATE REPORT</b></p>	
<b>AUTHOR</b>	<b>Manager Project Services</b>
<b>BRANCH</b>	Project Services
<b>STRATEGY</b>	<b>1.2 Build partnerships to support people with disability to participate in their community.</b>
<b>ACTION</b>	(a) Provide and promote information to sporting clubs and community groups to assist with the inclusion of people with disability.
<b>DELIVERABLE</b>	<input checked="" type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> <b>2021/22</b> <input checked="" type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	<p>The City supports local community groups and sporting clubs through the provision of information and the delivery of programs that help to build community capacity.</p> <p>The monthly Club Connection e-newsletter provides up-to-date information to promote clubs, raise community awareness and participation. This includes; showcasing upcoming events, community training, available grants plus important sport and community news.</p> <p>The City delivers a diverse and inclusive community training program referred to as Community Upskillers aimed to increase community awareness and build knowledge, skills and confidence. <b>Refer to Image 1.</b></p>
<b>OUTCOMES</b>	<p>For this reporting period, the City has assisted local sporting clubs and community groups with access and inclusion information.</p> <p><u>Inclusion Solutions - Building Inclusive Communities WA 2021 Project</u></p> <p>The City was one of 11 Local Government Authorities (LGA) awarded the Inclusion Solutions - Building Inclusive Communities WA (BICWA) project valued at \$26,000.</p> <p>BICWA is a supportive partnership project with LGA's that is designed to build the capacity of clubs and community groups, provide mentoring and a range of practical supports to ensure all people, regardless of ability, race, ethnicity, gender or sexual orientation, to feel a sense of belonging and can actively participate in community life.</p> <p>The BICWA partnership project with Inclusion Solutions achieved the following outcomes:</p> <ul style="list-style-type: none"> <li>• Build a stronger, more connected community;</li> <li>• Support and strengthen the delivery of the City's Access and Inclusion Plan 2020-2024;</li> <li>• Support the City inclusive and accessible planning and promotion of City events and services;</li> <li>• Discover skills and talents within our community; and</li> <li>• Increase the membership and volunteering at clubs and community groups.</li> </ul> <p>During this reporting period, together with Inclusion Solutions, the City delivered the BICWA educational program between August to December 2021. The inclusive project was delivered via a series of social inclusion and engagement projects, community webinars and community workshops.</p>

	<p>In September 2021, a webinar was delivered on “Intersectionality, Diversity and Valuing the Individual”. This informative and engaging webinar addressed Intersectionality as a way of looking at the overlap of various social identities such as race, gender, sexual orientation and disability, which enables people to recognise the specific types of systemic oppression and discrimination experienced by people who fall into more than one oppressed group. <b>Refer to Image 1.</b></p>
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**Image 1:** - Inclusion Solutions - Intersectionality webinars, September 2021.

<b>City of Bayswater</b> <b>Access and Inclusion Plan 2020 - 2024</b> <b>INFORMATION UPDATE REPORT</b>	
<b>AUTHOR</b>	Manager Community Development
<b>BRANCH</b>	Community Development
<b>STRATEGY</b>	<p><b>1.2 People with disability have the same opportunity as other people to access the services of, and any event organised by, the City of Bayswater.</b></p> <p><b>4.2 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.</b></p>
<b>ACTION</b>	<p>(e) Raise public awareness and understanding of people with disability by celebrating local achievements of 'International Day of People with Disability' (1.2).</p> <p>(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 (4.2).</p>
<b>DELIVERABLE</b>	<input type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> <b>2021/22</b> <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	<p><u>International Day of People with Disability</u></p> <p>To celebrate International Day of People with Disability, the City was successful in obtaining a grant for \$1,000 from Developmental Disability WA to contribute towards the 'City of Bayswater People Friendly Streets Project'.</p> <p>The People Friendly Streets Project was a co-design approach where the City partnered with Spinal Life WA and local disability service providers; Interchange and Mission Australia to:</p> <p>(a) Invite people with lived experience of disability who live, work or visit the Morley Activity Centre and their support workers; and</p> <p>(b) Participate in the experiential tour and streetscape appraisal of the City's RAC Reconnect initiative to inform public space improvements in the Morley Activity Centre on 18 November 2021.</p> <p>The City of Bayswater People Friendly Streets Project aimed to build the capability and capacity of people with disability (referred to as 'People Friendly Street Ambassadors') and their support workers to use the:</p> <ul style="list-style-type: none"> <li>• City of Bayswater People Friendly Streets streetscape checklist (available in alternative formats); and</li> <li>• The Spinal Life Accessible Australia App to assess business accessibility to local businesses; King Hot Pot, Boba Boba and Bite my Banh Mi, who had been engaged in the project.</li> </ul> <p>The People Friendly Street Ambassadors identified opportunities where the City could improve the footpaths, public spaces and access to businesses to be more inclusive, user friendly and inviting for all visitors and customers.  <b>Refer to Images 1 and 2.</b></p>
<b>OUTCOME</b>	The City's People Friendly Streets Project was showcased on the International Day of People with Disability at the City of Bayswater Civic Centre on 3 December 2021. The People Friendly Streets Ambassadors were celebrated for

their contributions on the International Day of People with Disability. Their experiences and insights of the barriers to access and inclusivity to community footpaths, public spaces and businesses were shared along with opportunities to improve streetscape access and business inclusion in the Morley Town Centre as part of the RAC Reconnect Project. **Refer to Images 2 and 3.**

The valuable insights shared during the presentation served to;

- Increase awareness of the needs of people with disability;
- Inform a diverse array of stakeholders of the importance of a welcoming, accessible and inclusive community space; and
- Help equip people with disability, and their support workers, with skills to build their capacity to support advocacy efforts to improve access in the built environment.

The event was widely promoted through City of Bayswater online and print communication channels to inform the broader community.

The People Friendly Streets ambassadors will be invited to contribute to future streetscape and public space access appraisals to support the ongoing co-design of the City's Activity Centre upgrades.



**Image 1:** - People Friendly Streets Ambassadors and City staff, 18 November 2021.



**Image 2 and 3:** - People Friendly Streets Upskiller, 3 December 2021 and Spinal Life Australia presenting the Accessible Australia App.

<b>City of Bayswater</b> <b>Access and Inclusion Plan 2020 - 2024</b> <b>INFORMATION UPDATE REPORT</b>	
<b>AUTHOR</b>	<b>Manager Building Works, Planning and Development Services</b>
<b>BRANCH</b>	Building Works
<b>STRATEGY</b>	<b>2.1 Improve building accessibility in the planning, design and construction phases.</b>
<b>ACTION</b>	(d) Allocate funds into the draft annual budget to address access barriers from audits to improve City owned buildings and facilities.
<b>DELIVERABLE</b>	<input checked="" type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> <b>2021/22</b> <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	As part of the 2021/22 Capital Works Program funding was allocated to the refurbishment of the existing male and female toilets at the Morley Community Centre.
<b>OUTCOME</b>	<p>The existing accessible toilet was modified to current Australian Standard requirements. The floor space was increased with the removal of an existing wall. A complete replacement of fittings and fixtures was undertaken in the male and female toilets, and in the upgraded accessible toilet. The works included provision of ambulant toilets, sensor lighting, non-slip tiling and grab rails. <b>Refer to Image 2.</b></p> <p>Additional works included the removal of an existing stage to maximise available space and installation of a new swipe access system. <b>Refer to Image 1.</b></p>

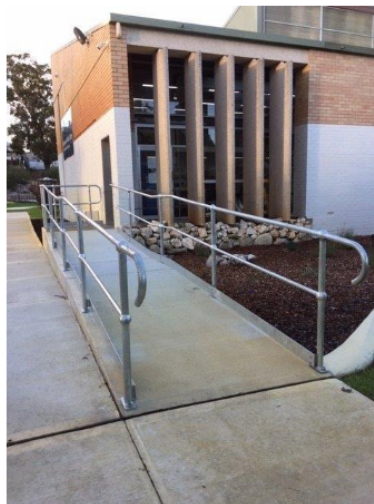


**Image 1: - Morley Community Centre.**



**Image 2: - Morley Community Centre upgrades to sanitary facilities including ambulant cubicles and unisex accessible toilet.**

<p style="text-align: center;"><b>City of Bayswater</b>  <b>Access and Inclusion Plan 2020 - 2024</b>  <b>INFORMATION UPDATE REPORT</b></p>	
<b>AUTHOR</b>	<b>Manager Community Development</b>
<b>BRANCH</b>	Community Development
<b>STRATEGY</b>	<b>2.1 Improve building accessibility in the planning, design and construction phases.</b>
<b>ACTIONS</b>	(d) Allocate funds into the draft annual budget to address access barriers from audits to improve City owned buildings and facilities.
<b>DELIVERABLE</b>	<input type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> <b>2021/22</b> <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	It was identified that the rear emergency egress route at the Bayswater Library comprising a set of stairs presented a significant risk to visitors and staff with disability.
<b>OUTCOME</b>	<p>Remedial works to address this was undertaken at the Bayswater Library to remove the steps at the rear emergency egress point. The steps were replaced with a compliant pedestrian ramp, constructed to Australian Standard requirement for the purpose of providing an accessible emergency egress route for people with disability who are unable to negotiate steps. <b><i>Refer to Image 1.</i></b></p> <p>The rear emergency egress ramp provides immediate and prompt evacuation to the designated muster point at Bert Wright Park.</p> <p>The provision of an emergency egress ramp has significantly reduced the risk to people with disability in the event of an emergency.</p> <p>This capital work improvement to the rear emergency egress ramp at the Bayswater Library is in accordance with Australian Standard requirements.</p>



**Image 1:** - Egress ramp at Bayswater Library.



<p style="text-align: center;"><b>City of Bayswater</b>  <b>Access and Inclusion Plan 2020 - 2024</b>  <b>INFORMATION UPDATE REPORT</b></p>	
<b>AUTHOR</b>	Manager Community Development
<b>BRANCH</b>	Community Development
<b>STRATEGY</b>	<b>2.1 Improve building accessibility in the planning, design and construction phases.</b>
<b>ACTION</b>	(e) Advocate for sheltered parking over accessible bay facilities, in close proximity to Bayswater and Morley Community Centres.
<b>DELIVERABLE</b>	<input type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> <b>2021/22</b> <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	<p>The Morley and Bayswater Community Centres deliver programs for older adults and members of the community hire space. The centres are open for activities Monday to Friday from 8.30am to 3.00pm, and after hours for hire. Approximately 670 older people are registered as members of the centres.</p> <p>Depending on activities scheduled at either Morley Community Centre and the Bayswater Community Centres, attendance can range anywhere from 20 to 120 members per day at each centre.</p>
<b>OUTCOME</b>	<p>Access appraisals were undertaken for both Morley and Bayswater Community Centres. The Access appraisals included a review of:</p> <ul style="list-style-type: none"> <li>• Accessible parking;</li> <li>• Temporary drop off and pick up zones;</li> <li>• Accessible pathways and kerb ramps;</li> <li>• Transport shelter; and</li> <li>• Entrance.</li> </ul> <p>Given the older cohort use of the centres, the reports identify risks particularly during inclement weather where risks increase with people moving from vehicles to the raised island and/or footpaths. <b>Refer to Images 1 and 2.</b></p> <p>Report summary of findings and recommendations for both the Morley and Bayswater Community Centres were forwarded to Engineering Services and Building Works for future capital works programming to improve access and safety for patrons attending the centres.</p>



**Image 1 and 2: - Accessible parking at Morley Community Centre and Bayswater Community Centre**

<b>City of Bayswater</b> <b>Access and Inclusion Plan 2020 - 2024</b> <b>INFORMATION UPDATE REPORT</b>	
<b>AUTHOR</b>	<b>Manager Community Development</b>
<b>BRANCH</b>	Community Development
<b>STRATEGY</b>	<b>2.1 Improve the range of accessible restroom facilities.</b>
<b>ACTION</b>	(a) Consult people with disability and relevant service providers to identify community need and location for a Changing Place facility, and funding opportunities.
<b>DELIVERABLE</b>	<input type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> <b>2021/22</b> <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	The City advocated the need for a Changing Places facility, and has been advised that a facility will be constructed by the Public Transport Authority at the new Bayswater Train Station.
<b>OUTCOME</b>	<p>The Public Transport Authority will construct a new Changing Places at the Bayswater Train Station. This facility will be located within the Bayswater Town Centre in a high demand precinct area which is within a five to ten kilometre radius of many of the City's community and public facilities.</p> <p>The City will build awareness and promotion of the Bayswater Train Station Changing Places facility to residents and disability service provider when the facility opens.</p>



<b>City of Bayswater</b> <b>Access and Inclusion Plan 2020 - 2024</b> <b>INFORMATION UPDATE REPORT</b>	
<b>AUTHOR</b>	<b>Manager Recreation and Commercial Activities</b>
<b>BRANCH</b>	Recreation and Commercial Activities
<b>STRATEGY</b>	<b>2.2 Improve the range of accessible restroom facilities.</b>
<b>ACTIONS</b>	(b) Investigate the feasibility of purchasing, hiring or building a Changing Place facility: and funding opportunities.
<b>DELIVERABLE</b>	<input type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> <b>2021/22</b> <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	<p>The feasibility of improving the range of accessible facilities was investigated during the detailed design stage of the Waves refurbishment project.</p> <p>Facilities include a supine automated Ropox shower and changing bed, Guldmann GH3 ceiling mounted hoist, toilet facilities, and modified accessible fittings throughout. Access is provided through the use of a master locksmith association key (MLAK).</p> <p>A statement of compliance was issued. There was a request to have the facility registered on the official Changing Places website, and it is now complete.</p>
<b>OUTCOME</b>	There is now a range of restrooms available at Bayswater Waves, as a result of including this strategy in the feasibility study.



**Image 1:- Changing Place Bayswater Waves**

<b>City of Bayswater</b> <b>Access and Inclusion Plan 2020 - 2024</b> <b>INFORMATION UPDATE REPORT</b>	
<b>AUTHOR</b>	<b>Manager Recreation and Commercial Activities</b>
<b>BRANCH</b>	Recreation and Commercial Activities
<b>STRATEGY</b>	<b>2.2 Improve the range of accessible restroom facilities.</b>
<b>ACTION</b>	(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.
<b>DELIVERABLE</b>	<input type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> <b>2021/22</b> <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	<p>In 2022, the City opened a Changing Place facility at Bayswater Waves. The facility is located near the hydrotherapy pool area.</p> <p>A Changing Place facility provides suitable amenity for people who use the hydrotherapy pool, and who cannot use a standard accessible toilet /shower. Changing Places facilities include an adjustable height, adult sized change table ceiling hoist, peninsular toilet and additional circulation space to meet the needs of people with complex disabilities and their carers.</p> <p>Generally, people requiring the use of a Changing Places facility are accompanied by a carer who can assist with tasks such as opening a pool gate that is fitted with a high latch. <b>Refer to Image 1.</b></p> <p>Further to the amenity, the City received feedback from a community member with disability who raised concerns regarding the hydrotherapy pool entry gate, in particular the height of the child safety locking mechanism situated at 1400mm from ground level, and the force required to open the gate.</p> <p>Options to resolve this issue are currently under investigation, including:</p> <ul style="list-style-type: none"> <li>Automation of the gate using swipe card operation whilst ensuring child safety is not compromised;</li> <li>Provide a Master Locksmiths Access Key (MLAK) access to the hydrotherapy pool entry gate or alternatively automate the gate and implement managed swipe card access; and/or</li> </ul> <p>Arrange a disability access audit of the existing standard User Acceptance Test (UAT/showers to identify whether modifications or upgrades are required to meet current codes and Australian Standards (i.e. AS1428.1 2009).</p>
<b>OUTCOME</b>	The installation of a Changing Place facility at Bayswater Waves has been completed and is registered on the Changing Places website.



**Image 1:** - Entry gate to hydrotherapy pool at Bayswater Waves.

<b>City of Bayswater</b> <b>Access and Inclusion Plan 2020 - 2024</b> <b>INFORMATION UPDATE REPORT</b>	
<b>AUTHOR</b>	<b>Manager Rangers and Security</b>
<b>BRANCH</b>	Community Development
<b>STRATEGY</b>	<b>2.3 Improve and promote accessible parking infrastructure.</b>
<b>ACTION</b>	(a) City owned and managed accessible parking bays are promoted and identified on City Spatial.
<b>DELIVERABLE</b>	<input type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> <b>2021/22</b> <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	<p>The City continues to monitor parking and other obstructions on footpaths and access ways and takes appropriate enforcement and education action.</p> <p>The City proactively monitors accessible parking to ensure accessibility is maintained for people with a valid ACROD permits.</p>
<b>OUTCOME</b>	Maintenance issues such as damaged footpaths, broken lighting, overgrown shrubbery etc. is reported for actioning by the appropriate areas.

<p style="text-align: center;"><b>City of Bayswater</b>  <b>Access and Inclusion Plan 2020 - 2024</b>  <b>INFORMATION UPDATE REPORT</b></p>	
<b>AUTHOR</b>	Manager Project Services
<b>BRANCH</b>	Project Services
<b>STRATEGY</b>	<b>2.6 Develop accessible design and inclusive play spaces to support social development for people with a range of disability.</b>
<b>ACTION</b>	(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.
<b>DELIVERABLE</b>	<input type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> <b>2021/22</b> <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	The City identified a range of access barriers at Charles Reserve and scheduled in capital works improvement which were completed in December 2021.
<b>OUTCOME</b>	<p>Access improvements at Charles Reserve include:</p> <ul style="list-style-type: none"> <li>• A connecting pathway to allow passage between Belgrave and Charles Streets to provide better access for people with disability and park users to utilise the play space area;</li> <li>• Modified picnic bench to accommodate persons in a wheelchair or pram; and</li> <li>• Play space area modification so the accessible pathway is flush with the play space entry and there is room on the existing picnic bench for a wheelchair or pram. <b>Refer to Images 1 – 4.</b></li> </ul>



**Image 1 and 2:** - Accessible picnic bench at Charles Reserve, modified play space and connecting pathway Belgrave Street.

<p style="text-align: center;"><b>City of Bayswater</b>  <b>Access and Inclusion Plan 2020 - 2024</b>  <b>INFORMATION UPDATE REPORT</b></p>	
<b>AUTHOR</b>	<b>Manager Project Services</b>
<b>BRANCH</b>	Project Services
<b>STRATEGY</b>	<b>2.6 Develop accessible design and inclusive play spaces to support social development for people with a range of disability.</b>
<b>ACTION</b>	(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.
<b>DELIVERABLE</b>	<input type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> <b>2021/22</b> <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	The City identified access barriers at Kirkpatrick Reserve and scheduled capital works improvement which were completed in November 2021.
<b>OUTCOME</b>	<p>Access improvements at Kirkpatrick Reserve include:</p> <ul style="list-style-type: none"> <li>• A connecting pathway now enables people with disability and park users to utilise the entirety of Kirkpatrick Reserve; and</li> <li>• Modifications were made to the existing picnic bench area to accommodate wheelchair users and parents with prams. <b>Refer to Image 1 and 2.</b></li> </ul>



**Image 1 and 2 - Accessible picnic bench and accessible pathway.**



<p>City of Bayswater</p> <p>Access and Inclusion Plan 2020 - 2024</p> <p>INFORMATION UPDATE REPORT</p>	
<b>AUTHOR</b>	Manager Project Services
<b>BRANCH</b>	Project Services
<b>STRATEGY</b>	<b>2.6 Develop accessible design and inclusive play spaces to support social development for people with a range of disability.</b>
<b>ACTION</b>	(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.
<b>DELIVERABLE</b>	<input type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> <b>2021/22</b> <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	The City identified the need for an accessible pathway at Riverside Gardens Dog Park.
<b>OUTCOME</b>	A connecting pathway was installed in December 2021 to enable people with disability and park users to utilise the pathway to the dog exercise area. <b>Images 1 and 2.</b>



**Images 1 and 2:** - Accessible pathway at Riverside Gardens, Memorial Drive.

<b>City of Bayswater</b> <b>Access and Inclusion Plan 2020 - 2024</b> <b>INFORMATION UPDATE REPORT</b>	
<b>AUTHOR</b>	<b>Manager Project Services</b>
<b>BRANCH</b>	Project Services
<b>STRATEGY</b>	<b>2.6 Develop accessible design and inclusive play spaces to support social development for people with a range of disability.</b>
<b>DELIVERABLE</b>	<input checked="" type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> <b>2021/22</b> <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	A second node of exercise equipment was installed in December 2021 at Robert Thompson Reserve.
<b>OUTCOME</b>	Exercise equipment was supplied and installed on rubber soft fall and is located off the existing pathway on the reserve. Equipment includes: leg press, chin up bar, shoulder press, and quad extension. <b>Refer to Images 1 and 2.</b>



**Image 1 and 2:** - Second exercise node at Robert Thompson Reserve.



<b>City of Bayswater</b> <b>Access and Inclusion Plan 2020 - 2024</b> <b>INFORMATION UPDATE REPORT</b>	
<b>AUTHOR</b>	<b>Manager Community Development</b>
<b>BRANCH</b>	Community Development
<b>STRATEGY</b>	<b>2.7 Support people with hearing impairment to enhance engagement and participation.</b>
<b>ACTION</b>	(b) Consult with people with disability on the best location for inbuilt hearing loops – civic centre, council chamber, recreation facilities or libraries.  (c) Investigate the feasibility of installing hearing audio loops at frontline customer service desks.
<b>DELIVERABLE</b>	<input type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> <b>2021/22</b> <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	<p>The City has undertaken a review of hearing facilities across library and recreation services. The review identified the need to purchase reception counter hearing loops for Morley, Bayswater and Maylands libraries and for the customer services desks at The RISE and Bayswater Waves to ensure people with disability have the same opportunities as other people to access customer services.</p> <p>A counter hearing loop uses a gooseneck microphone to pick up the staff voice and transmits it through an amplifier. An induction loop coil is connected to the amplifier which allows customers to hear staff clearly if they have a telecoil or T switch on their hearing aid or speech processor (Cochlear Implant).</p>
<b>OUTCOME</b>	<p>Counter hearing loops have been purchased this financial year to be installed at the City libraries by September 2022.</p> <p>Pending budget allocation in 2022/23, the provision of counter hearing loops for the customer services desks at The RISE and Bayswater Waves will be installed.</p>



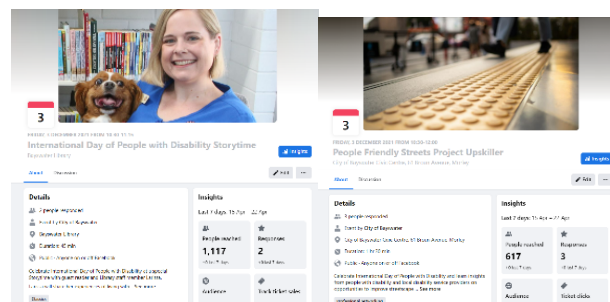
**Image 1 and 2: - Morley and Bayswater Library customer service counters.**

<b>City of Bayswater</b> <b>Access and Inclusion Plan 2020-2024</b> <b>INFORMATION UPDATE REPORT</b>	
<b>AUTHOR</b>	<b>Principal Marketing and Communications</b>
<b>BRANCH</b>	Communications and Marketing
<b>STRATEGY</b>	<b>3.1 Diversify accessible information and communication methods.</b>
<b>ACTION</b>	(b) Provide information in accessible formats on request for people with disability.
<b>DELIVERABLE</b>	<input type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> <b>2021/22</b> <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	<p>The City provides support to staff in preparing and delivering numerous publications in accessible formats, upon request, including the Bayswater Beat and Strategic Community Plan. Examples are listed below:</p> <p><b>Social Media Posts:</b></p> <ul style="list-style-type: none"> <li>• Transperth Network Tours for Seniors Week</li> <li>• People Friendly Streets Project Upskiller</li> <li>• International Day of People with Disability event – feedback from People Friendly Streets Project Upskiller</li> <li>• International Day of People with Disability Storytime</li> <li>• English Conversation Groups</li> <li>• Step-by-step instructions to set up proof of vaccination in ServiceWA app</li> <li>• ServiceWA assistance sessions and Proof of Vaccination Information Session and Workshops</li> <li>• Launch of second Age Friendly Strategy in time for Seniors Week</li> <li>• Inclusion and Diversity Advisory Committee (LinkedIn)</li> <li>• Age Friendly Ambassador Program volunteer callout</li> <li>• LG Professionals National Federation Awards High Commendation for Age Friendly Ambassador Program</li> </ul> <p><b>Videos with captions:</b></p> <ul style="list-style-type: none"> <li>• Library Lovers' Week  <a href="https://www.facebook.com/watch/?v=3073061613010121">https://www.facebook.com/watch/?v=3073061613010121</a> </li> <li>• Online Storytime  <a href="https://www.facebook.com/watch/?v=370826311343198">https://www.facebook.com/watch/?v=370826311343198</a> and  <a href="https://www.facebook.com/watch/?v=923751214918629">https://www.facebook.com/watch/?v=923751214918629</a> </li> <li>• Two Art Awards  <a href="https://www.facebook.com/watch/?v=266233345523682">https://www.facebook.com/watch/?v=266233345523682</a> and  <a href="https://www.youtube.com/watch?v=JPD4DC9tUnE&amp;feature=youtu.be">https://www.youtube.com/watch?v=JPD4DC9tUnE&amp;feature=youtu.be</a> </li> </ul>

	<p><b>Events:</b></p> <ul style="list-style-type: none"> <li>Multiple LETS <a href="https://fb.me/e/2s24cneIF">https://fb.me/e/2s24cneIF</a> Refer to Image 1.</li> <li>Multiple How to set up the ServiceWA app for proof of vaccination <a href="https://fb.me/e/4QtvxkXCW">https://fb.me/e/4QtvxkXCW</a></li> <li>Multiple Be Connected - Computers for Beginners (50+) <a href="https://fb.me/e/1DHxoecYQ">https://fb.me/e/1DHxoecYQ</a> Refer to Image 2.</li> <li>Multiple Proof of Vaccination Information Session and Workshop <a href="https://fb.me/e/1xAXpifpM">https://fb.me/e/1xAXpifpM</a></li> <li>Multiple English Conversation Group <a href="https://fb.me/e/3qWXn43BJ">https://fb.me/e/3qWXn43BJ</a> Refer to Image 3.</li> <li>People Friendly Streets Project Upskiller <a href="https://fb.me/e/2Sljzj3EY">https://fb.me/e/2Sljzj3EY</a> Refer to Image 4.</li> <li>International Day of People with Disability Storytime <a href="https://fb.me/e/1jEkJSWE4">https://fb.me/e/1jEkJSWE4</a> Refer to Image 5.</li> <li>Multiple Get on Board with Transperth - Network Tour Bayswater <a href="https://fb.me/e/41Jl2QqkH">https://fb.me/e/41Jl2QqkH</a></li> </ul>
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**Image 1, 2 and 3: - Learning English through Story time (LETS) and Computers for Beginners (50+) English Conversation Group.**



**Image 4 and 5: -People Friendly Streets Upskiller and Storytime, International Day of People with Disability.**

<b>City of Bayswater</b> <b>Access and Inclusion Plan 2020-2024</b> <b>INFORMATION UPDATE REPORT</b>	
<b>AUTHOR</b>	<b>Principal Communications and Marketing</b>
<b>BRANCH</b>	Community Development
<b>STRATEGY</b>	<b>3.1 Diversify accessible information and communication methods.</b>
<b>ACTION</b>	(a) Provide information in accessible formats on request for people with disability.
<b>DELIVERABLE</b>	<input checked="" type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> 2021/22 <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	<p>The City provides numerous publications in accessible formats, upon request including the Bayswater Beat and Strategic Community Plan.</p> <p><b><u>Videos:</u></b></p> <p><b>City celebrates PrideFEST</b>  <a href="https://www.youtube.com/watch?v=wceFhEc54k&amp;t=1s">https://www.youtube.com/watch?v=wceFhEc54k&amp;t=1s</a></p> <p><b>Noranda Nook opening</b>  <a href="https://www.youtube.com/watch?v=YLOzNTVqQZI">https://www.youtube.com/watch?v=YLOzNTVqQZI</a></p> <p><b>Morley Library public space improvements</b>  <a href="https://www.youtube.com/watch?v=fC9WI3Z29Oc&amp;t=1s">https://www.youtube.com/watch?v=fC9WI3Z29Oc&amp;t=1s</a></p> <p>Below are screenshots from the City's social media channels showing some of the projects where accessibility has been a key feature. This includes infrastructure projects such as a new accessible ramp at Maylands Tennis Club, Bayswater Waves outdoor changeroom refurbishment, Enviro House accessibility upgrades, Bayswater Bowling Club accessibility improvements and accessible play space additions to park redevelopments in Morley and the new Noranda Nook.</p> <p>The City's participation in PrideFEST was also a major inclusive milestone for the City, where the community had a chance to share their thoughts on what would make Bayswater a more inclusive City, and participate in a range of fun, inclusive events throughout the City.</p> <p>The City also continues to support the promotion of activities and initiatives for older adults, including the launch of its Gym Skills for Older Adults program and upgrades to the Morley Community Centre. When communicating COVID-19 updates for the community via Facebook, the City also uses infographics to convey information that is easy to understand for the CaLD community and older adults.</p> <p><b>Refer to Images 1-6.</b></p>

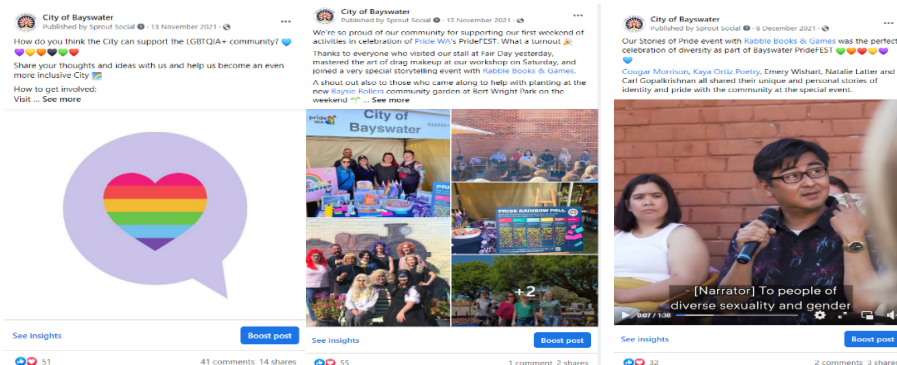


Image 1, 2 and 3: - Share your ideas to support the LGBTQIA+ community, Bayswater PrideFEST and Stories of Pride



Image 4: - Noranda Nook, nature play with accessible and inclusive play elements.

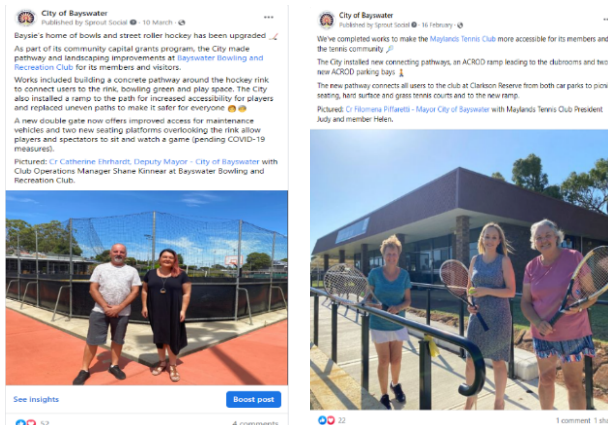


Image 6: - Bayswater Bowling and Recreation Club and Maylands Tennis Club.

<b>City of Bayswater</b> <b>Access and Inclusion Plan 2020-2024</b> <b>INFORMATION UPDATE REPORT</b>	
<b>AUTHOR</b>	<b>Principal Communications and Marketing</b>
<b>BRANCH</b>	Communications and Marketing
<b>STRATEGY</b>	<b>3.1 Diversify accessible information and communication methods.</b>
<b>ACTION</b>	(a) Provide information in accessible formats on request for people with disability.
<b>DELIVERABLE</b>	<input checked="" type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> 2021/22 <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	<p>The City provides numerous publications in accessible formats, upon request including the Bayswater Beat and Strategic Community Plan. Examples include:</p> <ul style="list-style-type: none"> <li>• Community Upskillers program 2021 – contained accessibility icons</li> <li>• Rates Brochure 2021 – available in alternative formats</li> <li>• Strategic Community plan – available in alternative formats</li> <li>• Homelessness Strategy – available in alternative formats and languages</li> <li>• Bayswater Beat Spring, Summer, Autumn and Winter editions - available in alternative formats</li> <li>• Seniors week collateral – large font size for demographic</li> <li>• Community Engagement Strategy 2021 – available in alternative formats</li> <li>• Innovate RAP document - available in alternative formats</li> <li>• Age Friendly Strategy 2021-2025 – Nation Relay service contact info, available in alternative formats and languages</li> <li>• Pridefest collateral</li> <li>• City of Bayswater Annual Report 20/21 - available in alternative formats</li> <li>• Seniors have-a-go-week advertising collateral</li> <li>• Seniors Gym Wellness Program collateral</li> <li>• Community Upskillers program 2022 - contained accessibility icons and online webinars</li> <li>• New Youth Action Plan 2022 collateral</li> <li>• Age Friendly Ambassador program collateral</li> <li>• Hub Connectors collateral</li> <li>• Morley Investment Prospectus – available in alternative formats and languages</li> <li>• Inclusion and Diversity Advisory Committee Poster</li> <li>• Harmony Week collateral</li> <li>• Library Homebound delivery service collateral</li> <li>• COVID-19 Pandemic Communications</li> </ul>

	<ul style="list-style-type: none"><li>• Adult English Language Classes</li><li>• Destination Marketing Strategy multicultural photoshoot</li><li>• Public Service Announcement Instagram story</li><li>• Basic Tech Help for Seniors Poster</li></ul>
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<b>City of Bayswater</b> <b>Access and Inclusion Plan 2020-2024</b> <b>INFORMATION UPDATE REPORT</b>	
<b>AUTHOR</b>	<b>Principal Communications and Marketing</b>
<b>BRANCH</b>	Communications and Marketing
<b>STRATEGY</b>	<b>3.1 Diversify accessible information and communication methods.</b>
<b>ACTION</b>	(b) Provide information in accessible formats on request for people with disability.
<b>DELIVERABLE</b>	<input checked="" type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> 2021/22 <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	<p>The City provided numerous publications in accessible formats, upon request. Publications produced in this quarter include the:</p> <ul style="list-style-type: none"> <li>• Bayswater Beat Spring edition</li> <li>• Homelessness Strategy 2021-2025</li> <li>• Community Engagement Strategy 2021-25</li> <li>• Age Friendly Strategy 2021-2025</li> </ul> <p>The team create infographics to ensure information is clear and easily understood. Infographics produced this quarter include:</p> <ul style="list-style-type: none"> <li>• COVID19 infographic Instagram stories</li> <li>• Sustainable environment infographics</li> </ul> <p>The following marketing material was produced for seniors and were designed using larger font and clearer contrast for easy of reading:</p> <ul style="list-style-type: none"> <li>• Seniors week calendar of activities flyer</li> <li>• Dementia Action Week A4 flyer</li> <li>• Get Online Week Digital Carnival A4 flyer</li> <li>• Age Friendly Ambassador Conversation café and infographics</li> <li>• Seniors Week Have-A-Go ad</li> </ul> <p>The following videos were produced with captions:</p> <p>English conversation group video:  <a href="https://www.facebook.com/bayswatercity/videos/294254002490567">https://www.facebook.com/bayswatercity/videos/294254002490567</a></p> <p>Maylands Laneway video:  <a href="https://www.facebook.com/bayswatercity/videos/306603661206158">https://www.facebook.com/bayswatercity/videos/306603661206158</a></p> <p>NAIDOC Week:  <a href="https://www.facebook.com/bayswatercity/videos/945845486148227">https://www.facebook.com/bayswatercity/videos/945845486148227</a></p> <p>Online storytime:  <a href="https://www.facebook.com/bayswatercity/videos/155896377773573">https://www.facebook.com/bayswatercity/videos/155896377773573</a></p>



<b>City of Bayswater</b> <b>Access and Inclusion Plan 2020-2024</b> <b>INFORMATION UPDATE REPORT</b>	
<b>AUTHOR</b>	<b>Principal Communications and Marketing</b>
<b>BRANCH</b>	Communications and Marketing
<b>STRATEGY</b>	<b>3.1 Diversify accessible information and communication methods.</b>
<b>ACTION</b>	(b) Showcase the City's Access and Inclusion Plan achievements using a range of communication methods, including video, graphics, large print and hard copy formats.
<b>DELIVERABLE</b>	<input checked="" type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> 2021/22 <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	The City regularly promotes the achievements of the City's AIP through a range of communication channels including media releases, photo opportunities, the advertorial, Bayswater Beat, E-newsletter, Facebook and LinkedIn. The City has increased its use of video with captions on its social media channels, and uses infographics, in publications and on signage, so that information is accessible and easy to understand.
<b>OUTCOMES</b>	<p>The following AIP achievements were promoted by the team during the reporting period. Below are screenshots from the City's social media channels but the content below is included in the Bayswater Beat, e-newsletter and advertorial to ensure it is accessible by all demographics. <b>Refer to Images 1-5.</b></p> <p>This FOGO video contains visually explains the content of the post for those who have difficulty understanding English.</p> <p>Videos with captions include:</p> <p>English conversation group video:  <a href="https://www.facebook.com/bayswatercity/videos/294254002490567">https://www.facebook.com/bayswatercity/videos/294254002490567</a></p> <p>Maylands Laneway video:  <a href="https://www.facebook.com/bayswatercity/videos/306603661206158">https://www.facebook.com/bayswatercity/videos/306603661206158</a></p> <p>NAIDOC Week:  <a href="https://www.facebook.com/bayswatercity/videos/945845486148227">https://www.facebook.com/bayswatercity/videos/945845486148227</a></p> <p>Online storytime:  <a href="https://www.facebook.com/bayswatercity/videos/155896377773573">https://www.facebook.com/bayswatercity/videos/155896377773573</a></p>



**Image 1: - Inclusive events**

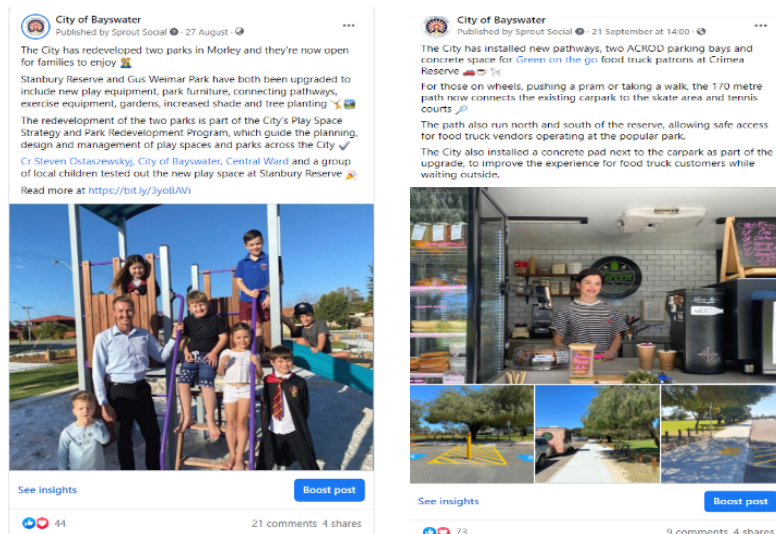


Image 2 and 3: - Upgraded play spaces and Crimea Reserve, access upgrades.



Image 4: - Connecting paths at Maylands Waterland and Image 5:- Maylands Sport and Recreation Club upgrades including and accessible toilet.

<b>City of Bayswater</b> <b>Access and Inclusion Plan 2020 - 2024</b> <b>INFORMATION UPDATE REPORT</b>	
<b>AUTHOR</b>	<b>Manager Community Development</b>
<b>BRANCH</b>	Community Development
<b>STRATEGY</b>	<b>4.1 - Promote the City's commitment to access and inclusion in the Customer Service Charter.</b>
<b>ACTION</b>	(a) Provide and promote a range of options for community members to connect and communicate with the City.
<b>DELIVERABLE</b>	<input type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> <b>2021/22</b> <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	The City promotes the opportunity for the community to communicate with the City in a variety of ways.
<b>OUTCOME</b>	Libraries are often the first point of contact when people are seeking information. Team members often assist people to find their way around the City's website. Team members also support people with hardcopy documentation if they do not have access to a computer or skills to use a computer.

<b>City of Bayswater</b> <b>Access and Inclusion Plan 2020 - 2024</b> <b>INFORMATION UPDATE REPORT</b>	
<b>AUTHOR</b>	<b>Manager Community Development</b>
<b>BRANCH</b>	Community Development
<b>STRATEGY</b>	<b>4.2 Build disability confidence to enhance staff and community capacity.</b>  <b>7.2 Continue to invest in building and promoting as inclusive workplace culture.</b>
<b>ACTION</b>	(a) Provide disability awareness and mental health training for staff, using specialist providers and people with lived experience (4.2).  (b) 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 (7.2).
<b>DELIVERABLE</b>	<input type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> <b>2021/22</b> <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	<p>The City of Bayswater endorses and promotes the principles of equity, diversity and inclusion underpinned by a positive workforce culture that appreciates and respects the social and cultural backgrounds of all employees. An inclusive culture supports strong employee engagement and improved levels of workforce participation.</p> <p>The City embraces its obligation under the <i>Equal Opportunity Act 1984</i> to prepare and implement an Equal Employment Opportunity (EEO) and Diversity Plan, entitled "City of Bayswater's Workforce Diversity and Inclusion Plan" to support employment recruitment and retention practices. This Plan was endorsed by the City's Executive Leadership Team in November 2021.</p> <p>The City of Bayswater Workplace Diversity and Inclusion Plan is overseen by six sub-groups consisting of staff and volunteers covering the following topics:</p> <ol style="list-style-type: none"> <li>1. Disability;</li> <li>2. Culturally and linguistically Diverse Backgrounds;</li> <li>3. LGBTIQ+;</li> <li>4. Aboriginal and Torres Strait Islander peoples;</li> <li>5. Youth; and</li> <li>6. Women.</li> </ol> <p>To celebrate World Autism Awareness Day on 2 April 2022, the Workplace Diversity and Inclusion Disability Subgroup delivered a lunch and learn on 8 April 2022.</p> <p>Given COVID-19, staff had the opportunity to attend the lunch and learn in person or connect via MS Teams.</p> <p>An additional presentation was made, in May 2022, to the Management and Executive Leadership Team on Autism, with an enriching discussion amongst leaders at the City.</p>

<b>OUTCOME</b>	<p><b>Lunch and Learn – World Autism Awareness Day celebrating neurodiversity in the workplace.</b></p> <p>25 City staff were introduced to Diversity and Inclusion Disability Subgroup members and focused on the theme World Autism Awareness Day with a focus on neurodiversity in the workplace.</p> <p>Attendees viewed a clip of Dylan Alcott's Australian of the Year acceptance speech. Dylan is a passionate advocate for employment of people with disability.</p> <p>This was followed by Disability sub-group member providing an overview of the perceptions and diagnoses of Autism over the years and shared personal insights of lived experiences with autism.</p> <p>Qualitative feedback from attendees suggests that the lunch and learn was well received with positive comments received from attendees such as;</p> <ul style="list-style-type: none"> <li>• <i>A very positive and educational experience</i></li> <li>• <i>A very informative and insightful session</i></li> </ul> <p>Twenty-five leaders at the City of Bayswater were introduced to Alex Barker, who shared a lived experience in living with autism as a staff member, and this was supported by Managers and Directors who shared in an enriching conversation as a result.</p>
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<b>City of Bayswater</b> <b>Access and Inclusion Plan 2020 - 2024</b> <b>INFORMATION UPDATE REPORT</b>	
<b>AUTHOR</b>	<b>Manager Community Development</b>
<b>BRANCH</b>	Community Development
<b>STRATEGY</b>	<b>4.2 Build disability confidence to enhance staff and community capacity.</b>
<b>ACTION</b>	(c) Develop and implement an online City of Bayswater access and inclusion induction training program for staff and Councillors.
<b>DELIVERABLE</b>	<input type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> <b>2021/22</b> <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	The City has developed content for an online Litmos staff training program entitled: 'An Introduction to Access and Inclusion' which will be presented to the Diversity and Inclusion disability sub-group for endorsement in June 2022.
<b>OUTCOME</b>	<p>The City developed content for an online Litmos staff training program entitled: 'An Introduction to Access and Inclusion' and it will be presented to the Diversity and Inclusion disability sub-group next meeting for review and implementation.</p> <p>The access and inclusion induction training course will cover:</p> <ul style="list-style-type: none"> <li>• Federal and State Legislation;</li> <li>• An outline of the City of Bayswater Access and Inclusion; Plan and the seven Outcomes;</li> <li>• Effective communication;</li> <li>• Monitoring and reporting; and</li> <li>• Examples of best practice against each outcome deliverable, as outlined in the Access and Inclusion Plan.</li> </ul>

<b>City of Bayswater</b> <b>Access and Inclusion Plan 2020 - 2024</b> <b>INFORMATION UPDATE REPORT</b>	
<b>AUTHOR</b>	<b>Manager Community Development</b>
<b>BRANCH</b>	Community Development
<b>STRATEGY</b>	<b>5.1 Review and improve the City's processes to improve feedback mechanisms.</b>
<b>ACTION</b>	(a) Invite people with disability to be part of consultations to help the City improve customer service satisfaction levels.
<b>DELIVERABLE</b>	<input type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> <b>2021/22</b> <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	The City is committed to ensuring people with disability have the same opportunities as other to make complaints to the City.
<b>OUTCOME</b>	<p>The City provides the opportunity for people with disability to participate in consultation in a variety of ways including making copies of consultation papers available in alternative formats, as well as communicating with housebound members promoting consultation opportunities.</p> <p>Over the reporting period the following internal and external consultations have been promoted:</p> <ul style="list-style-type: none"> <li>• Library Members' Survey; and</li> <li>• State Government's consultation for the WA Seniors Strategy.</li> </ul>

<p style="text-align: center;"><b>City of Bayswater</b>  <b>Access and Inclusion Plan 2020-2024</b>  <b>INFORMATION UPDATE REPORT</b></p>	
<b>AUTHOR</b>	Community Engagement Advisor
<b>BRANCH</b>	Community Engagement
<b>STRATEGY</b>	<b>6.1 Consider access and inclusion in the planning, design and delivery of public consultation.</b>
<b>ACTION</b>	(a) Embed access and inclusion in community engagement planning process.
<b>DELIVERABLE</b>	<input type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> 2021/22 <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	<p>From August 2021 to June 2022, several community engagement initiatives have been planned and delivered, with access and inclusion being considered as part of the process. This has included:</p> <ul style="list-style-type: none"> <li>• Bike Plan</li> <li>• Community Recreation Plan</li> <li>• Keeping and Control of Cats local law</li> <li>• Traffic Management Planning – Bayswater and Embleton</li> <li>• Place Making projects – Morley Precinct and Bedford Precincts</li> <li>• Pride Fest</li> </ul> <p>Engagement activities have included measures to improve access and inclusion, including:</p> <ul style="list-style-type: none"> <li>• Using the principles of easy English when asking questions.</li> <li>• Hard copy surveys available at libraries.</li> <li>• Pop up stalls in community spaces to reach people and provide opportunities to participate in person.</li> <li>• Alternative ways of collecting feedback, such as interactive drawing / design, voting with dotmocracy, popping colour coded dots onto a map.</li> <li>• Inclusion of Word versions of surveys on Engage Bayswater.</li> <li>• Promotion of initiatives via a variety of mediums, including social media, e-newsletter and Bayswater Beat. <b>Refer to Image 1.</b></li> </ul> <p>For the City's pride fest is an interactive poll was developed to get the conversation going around what the role of LGAs are in promoting gender inclusion. The poll formed part of the City's pop-up at Hyde Park and was also available on-line. <b>Refer to Image 2.</b></p> <p>The City collects submission for changes to local laws has been improved. For the Cat Local Law the team developed a survey to receive feedback. This was to ensure that people that are not able / comfortable in writing English to be able to let us know their position without having to write a submission.</p> <p>For the Bike Plan information gathered included views of people with physical and/or mental disabilities as a key stakeholder group. Seniors will also be targeted as a unique stakeholder group in this project. <b>Refer to Image 3.</b></p>



	<p>For suitable projects (recreation, bike and traffic plans) the City added a map engagement tool. This allows people to drop a pin onto a map to provide feedback. This exercise was duplicated in hard copy at pop-ups in the community. This makes it possible for people to engage in a more spatial way if they are not able to follow the usual written survey type tool.</p> <p>The City has also included ideas boards that allow photograph uploads as well as text. For the place-making project in Morley the City employed its access and inclusion committee members to undertake an access audit in site. In Bedford the engagement included walking audits of the various town focus areas.</p>
<b>OUTCOMES</b>	<p>The six projects listed above received very good on-line participation, with:</p> <ul style="list-style-type: none"> <li>• More than 800 people contributing to the relevant surveys</li> <li>• 75 ideas posted online</li> <li>• 435 pins dropped onto online maps</li> </ul> <p>All projects were also well visited by the community at in-person pop-up events.</p>



Image 1: - Community engagement activities

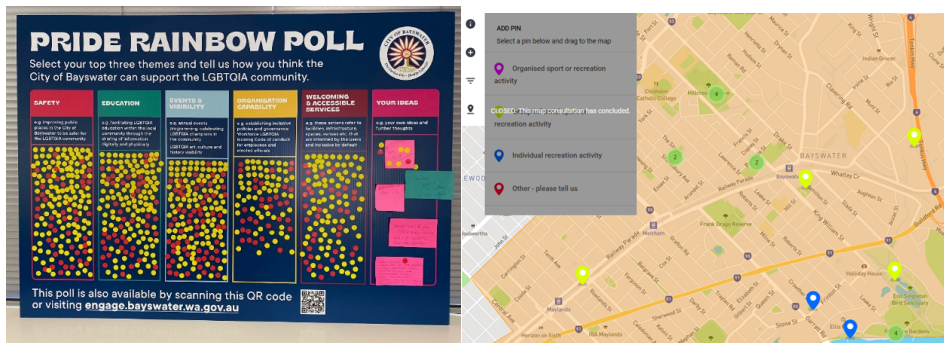


Image 2 and 3: - Interactive poll Pridefest and Ideas Board

<b>City of Bayswater</b> <b>Access and Inclusion Plan 2020 - 2024</b> <b>INFORMATION UPDATE REPORT</b>	
<b>AUTHOR</b>	<b>Manager Community Development</b>
<b>BRANCH</b>	Community Development
<b>STRATEGY</b>	<b>6.1 Consider access and inclusion in the planning, design and delivery of public consultation.</b>
<b>ACTION</b>	(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.
<b>DELIVERABLE</b>	<input type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> <b>2021/22</b> <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	<p>The City is committed to ensuring people with disability have the same opportunities as other people to participate in any public consultation by the City.</p> <p>Engagement initiated by City staff, events and programs are designed to ensure all community members are able to participate. In order to deliver public consultations, the City has a raft of information and equipment to optimise access for all.</p>
<b>OUTCOME</b>	<p>Internal staff have access to relevant information and equipment such as portable hearing loops, finding and working with Auslan interpreters, and local suppliers of accessible amenity such as; matting, portable accessible toilets and ramp, links to information are provided on the City's intranet 'BAYNET', for example:</p> <ul style="list-style-type: none"> <li>• Decision Making Tree – Engaging Interpreters</li> <li>• Do you Need an Interpreter Factsheet</li> <li>• Interpreter essentials</li> <li>• Working with Interpreters Onsite</li> <li>• Working with Telephone Interpreters</li> <li>• Creating Accessible Events</li> <li>• Accessible Events Checklists</li> </ul>

<b>City of Bayswater</b> <b>Access and Inclusion Plan 2020 - 2024</b> <b>INFORMATION UPDATE REPORT</b>	
<b>AUTHOR</b>	<b>Manager Community Development</b>
<b>BRANCH</b>	Community Development
<b>STRATEGY</b>	<b>6.2 Expand the variety of consultation methods offered by the City.</b>
<b>ACTION</b>	(b) Monitor the diversity of people, including people with disability engaging in public consultations by including questions to gauge the diversity of contributors.
<b>DELIVERABLE</b>	<input type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> <b>2021/22</b> <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	<p>Community members were invited to share their ideas on public space improvements at the proposed upgrades to the Bedford Shopping Precincts.</p> <p>Given the high health risks associated with COVID-19, an alternative virtual, online engagement process was offered to people with lived experience of disability to participate and contribute ideas to this project.</p>
<b>OUTCOME</b>	<p><b>Bedford Shopping Precincts Disability Co-Design Workshop</b></p> <p>On 31 March, the City hosted a co-design workshop with contribution from participants with lived experience of disability to help understand how the local shopping centres in Bedford can be improved to be more accessible for all users.</p> <p>Participants attended the workshop via MS Teams, and through the use of google maps and photos, participants gained an understanding of the local shopping precincts in Bedford. <b>Refer to Image 1.</b></p> <p>Participants contributed feedback, ideas and suggestions to improve access and usability within each precinct. This was a valuable and beneficial session that will inform ongoing design and upgrades.</p>



**Image 1:** - Bedford Shopping precincts Disability Co-Design workshop.

<b>City of Bayswater</b> <b>Access and Inclusion Plan 2020 - 2024</b> <b>INFORMATION UPDATE REPORT</b>	
<b>AUTHOR</b>	<b>Manager Community Development</b>
<b>BRANCH</b>	Community Development
<b>STRATEGY</b>	<b>7.1 Advance employment practices to increase the employment of people with disability.</b>
<b>ACTION</b>	(c) Investigate and source funding to develop a mentoring program in partnership with a disability employment provider.
<b>DELIVERABLE</b>	<input type="checkbox"/> 2020/21 <input checked="" type="checkbox"/> <b>2021/22</b> <input type="checkbox"/> 2022/23 <input type="checkbox"/> 2023/24
<b>INFORMATION</b>	<p>The City services a diverse and multicultural community. The City is committed to a workplace that is inclusive and diverse and have progressed measures for the number of employees with disability.</p> <p>The City's 2020-2021 membership with the Australian Network on Disability (AND), has provided a range of opportunities, such as; conducting an organisation wide assessment, which will help to inform our road map for future actions.</p> <p>An additional benefit of having a membership with AND includes:</p> <ul style="list-style-type: none"> <li>• Providing training in Disability Confidence for Human Resources;</li> <li>• Disability Confidence for Managers; and</li> <li>• Disability Confident Recruiter.</li> </ul>
<b>OUTCOME</b>	<p>Disability Confidence for City Managers, Supervisors and Coordinators is scheduled to be delivered in June 2022.</p> <p>The Disability Confidence and Awareness training will provide an understanding and awareness of the needs of employees with disability.</p> <p>The training will challenge participants, disrupt thoughts and has the potential to facilitate change in practice and processes across the organisation. This will be done through discussion, group activities, scenarios and video.</p> <p>By the completion of training, participants will:</p> <ul style="list-style-type: none"> <li>• Understand the importance of disability confidence for individuals and the whole organisation;</li> <li>• Have greater awareness of what disability is in the Australian society;</li> <li>• Be confident in using the right language and doing the right things;</li> <li>• Understand the value of inclusive behaviours and attitudes;</li> <li>• Understand the key concepts, such as workplace adjustments, essential requirements and sharing information;</li> <li>• Understand disclosure of disability from both employee's and employer's perspective;</li> <li>• Be confident to have appropriate discussions regarding performance management;</li> </ul>

	<ul style="list-style-type: none"> <li>• Have awareness of the legislative requirements and considerations to the management of risk;</li> <li>• Recognise the importance of access to learning and development opportunities; and</li> <li>• Know where to find further information and assistance.</li> </ul>
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**11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**12 QUESTIONS FROM MEMBERS WITHOUT NOTICE**

**12.1 Responses To Questions From Members Without Notice**

**Ordinary Council Meeting, 26 April 2022**

**Cr Dan Bull**

**Question 1**

**Are all Councillors permitted to attend Audit and Risk Committee meetings?**

**Response 1**

Mr Cliff Frewing, Chief Executive Officer advised that in accordance with the *Standing Orders Local Law 2021* any member may attend the meeting. Those who are not members may attend to observe the meeting.

**Cr Elli Petersen-Pik**

**Question 1a**

**Are workshops, briefings and concept forums not considered to be confidential anymore?**

**Response 1a**

Mr Cliff Frewing, Chief Executive Officer, advised these should be treated as confidential.

**Question 1b**

**I was advised on numerous occasions they were confidential. I understand the decision not to investigate the leak is on the basis that that briefing that we had, the Budget Briefing or the Financial Briefing was not regarded as confidential in your view. I would like to know for next week whether workshops briefings and concept forms are confidential or not?**

**Response 1b**

Mr Cliff Frewing, Chief Executive Officer, advised it is normal practice for material considered at those sorts of meetings to be considered confidential. On this occasion there was no evidence that members were specifically advised that the contents were confidential. Moving forward, the front page of these meetings should indicate if the content and documentation is confidential.

**Question 1c**

**For the future, if we are in a workshop or a briefing or a concept forum and the agenda before us does not mention the word ‘confidential’ and no one tells us that it is confidential, does that mean it is not necessarily confidential?**

**Response 1c**

Mr Cliff Frewing, Chief Executive Officer, advised it would not be good practice to release information that may be considered confidential to the public or the media or anyone else without checking with the administration first. Nevertheless, to put the matter beyond doubt, confidential information presented to Council should be marked as confidential.

**Question 1d**

**Can the CEO consider developing a new practice that informs Councillors what forms are considered confidential?**

Response 1d

Mr Cliff Frewing, Chief Executive Officer advised this could be developed.

**Ordinary Council Meeting, 24 May 2022**

**Cr Lorna Clarke**

**Question 1**

**Why weren't all the questions that were put in the May Council Meeting documented in this agenda?**

Response 1

Questions that are taken on notice are published along with the response from the City in the subsequent agenda to that meeting. Questions that are responded to on the day of the meeting are documented in the minutes to that meeting, along with the response provided in the meeting.

Officers have checked for errors and discovered there were questions that were responded to on the day of the meeting of April 2022 that were mistakenly omitted from the minutes. This error has since been rectified. The questions and responses have been included in this agenda, and controls put in place to stop this issue recurring. Officers also checked all Council meeting minutes from this year and can confirm this was a once-off error.

It can be confirmed however that all questions taken on notice at the Ordinary Council Meeting of April 2022 were included in the agenda for the meeting of May 2022.

**Question 2**

**Would it be possible for Council to receive quarterly updates as to how we're tracking against tree canopy and carbon emission targets? Perhaps go through the Audit and Risk Committee? I don't mind as long as the updates are documented and publicly available.**

Response 2

City officers will be establishing reporting parameters around a number of sustainability metrics – this can include tree and carbon targets. This is under development at the moment under the guidance of the executive leadership team.

**Question 3**

**Could extra trees be planted on King Williams Street and if so, where could they be positioned? There seems to be some suggestion that we might have to wait until METRONET is finished building, but are there spaces where we could plant more trees in the mean-time?**

Response 3

The City's officers do not know what the impact of the final recommendations / actions by Main Roads will have for the road and intersections.

Accordingly, planting anywhere on King William Street has been temporarily suspended until the train station project and any associated upgrades to the surrounding road network are completed.

Further, there will also be a number of trees planted as part of the overall project within the station precinct and surrounding areas. At this stage, the number of trees is still being determined. A further update will be provided once City officers have more information.

**Question 4**

**Would the Mayor consider writing to the Officer of the Auditor General and the responsible State Minister to ask that they ensure that our audited accounts are not as late as they have been this year and what they're going to do to make sure it doesn't happen again next year?**

**Response 4**

A letter will be prepared on behalf of the Mayor addressing the matter of timing of the audit of the Financial Statements and will be sent to both the Office of the Auditor General and the Minister.

**Question 6**

**I have a memory of former Councillor Barry McKenna saying that there were new requirements for councils to have quite intensive training for the CEO Review Committee. Are we planning that training for our elected members, and would the whole Council or just members of that Committee need to attend the training?**

**Response 6**

In December 2019 a report was presented to the CEO Review Committee recommending that at least one member of the Committee undertake training in relation to the conduct of CEO performance reviews. The Committee nominated former Cr Barry McKenna to undertake the training.

Whilst there isn't a legislative requirement to complete the training, it is advisable that at least one member of the CEO Review Committee does complete the full day training course, which is provided by WALGA.

**Question 7**

**Could the Policy Review and Development Committee meeting next week and all future meetings of that Committee be open to the public, and livestreamed?**

**Response 7**

While the *Local Government Act 1995* requires that Committee meetings with delegated authority be open to the public, there is no such requirement for committee meetings that do not have delegated authority.

A Council resolution would be required to approve this meeting to be open to the public, or for committee meetings to be generally open to the public.

A notice of motion was considered at the Ordinary Council Meeting of 10 March 2020, to make all minor Committees meeting open to the public, however this motion was lost with three Councillors voting for and seven Councillors voting against the motion.

**Cr Elli Petersen-Pik**

**Question 2**

**Can I please get an update on the development of electronic petitions?**

**Response 2**

The City is currently working on a solution for electronic petitions, which is scheduled to be launched by the end of June 2022.

**Question 3c**

**Is the City of the view that melaleuca trees are detrimental for Maylands Lakes?**



Response 3c

Mr Luke Botica, Director Works and Infrastructure, advised that there is a plan being implemented in that area and has provided the following information.

The Friends of Maylands Lakes (FoML) have been successful in securing a grant to undertake revegetation works for a portion of foreshore at Lake Bungana, Maylands. Accordingly, the City will be working with the FoML to rehabilitate an area of Lake Bungana foreshore as part of the Maylands Lake Restoration Plan to improve water quality. The project will:

- Contribute to improved water quality;
- Provide habitat for native animals including nesting turtles;
- Improve biodiversity at the site; and
- Improve the visual amenity of the Lake.

Works will be undertaken in June and July 2022, and will include:

- Removing invasive non endemic species *Casuarina cunninghamii* and *Melaleuca quinquenervia* consistent with management notes from the Department of Biodiversity Conservation and Attractions;
- Minor modification of the bank to improve riparian vegetation levels;
- Planting approximately 3,000 endemic species; and
- Community planting days to install native plant species.

In preparation for these works, the non-endemic species referred to above have been treated with herbicide, consistent with management notes provided by the Department of Biodiversity Conservation and Attractions, and with permits issued by the Australian pesticides and veterinary medicines authority to prevent regrowth in the rehabilitated area. These works are part of a continuing program to progressively restore the foreshore of Maylands Lakes.

**Question 4b**

**Are we able to see the tree canopy statistics from three and six years ago?**

Response 4b

Mr Luke Botica, Director Works and Infrastructure advised that the City has prepared an app that the public can access that shows the changes between 2018 and 2021 visually on a map and displays the statistics for it.

**Could you please provide the link to that application?**

The link to application is below:

[Tree Canopy Statistics 2021 and 2018 \(arcgis.com\)](https://arcgis.com)

## **12.2 Question From Members Without Notice**

**Cr Giorgia Johnson**

**Question 1**

**My question is about bike accidents and how they're recorded or what impact they have on road design - is there a process for reporting bike accidents that feeds into some sort of planning process or comes up as a kind of a bike black spot data?**

Response 1

Mr Luke Botica, Director Works and Infrastructure advised that if the accident occurs on the road it does get recorded as an accident. The information is collated through the State Government, it is then made available to Local Government and to the State. The City uses that information when looking at black spot locations.

Question 2

**Is that if an accident involves a car, or if it's an accident with a bike only or a bike and a bike or bike and a pedestrian?**

Response 2

Mr Bryce Coelho, Principal Engineer Major Projects advised that when qualifying black spots, they take into consideration any sort of accident, whether it be vehicle to vehicle or vehicle to pedestrians or vehicle to cyclists. All forms of accidents are recorded and taken into consideration.

Question 3

**To be included in that data - does a police report need to be made?**

Response 3

Mr Bryce Coelho, Principal Engineer Major Projects answered that only accidents that have been recorded through the police are taken into consideration. Any accidents that the driver or the motorist have not reported to the police, the State Government or the police would not have record of it and therefore cannot be taken into consideration, because there's no record of it.

**Cr Sally Palmer**

Question 1

**Madame Mayor, you very kindly showed us the letter that was sent from the former Prime Minister Scott Morrison regarding the assistance that they gave to Ukraine and we also sent a letter as per the motion to our now Prime Minister Albanese, and I'm wondering if there was a letter sent or if we had a return letter from him?**

Response 1

Cr Filomena Piffaretti, Mayor advised that she hadn't received any response from Prime Minister Albanese in response to the letter regarding Ukraine.

**Cr Josh Eveson**

Question 1

**There was I believe a decision handed down by the Minister for Planning regarding Amendment 95 to the City's Town Planning Scheme for 504 and 508 Guilford Road in Bayswater. That was the application for an Aldi which Council resolved to not approve at the January OCM. What was the outcome and was any reasoning given?**

Response 1

Mr Des Abel, Director Community and Development advised that on 17 May 2022 Amendment No. 95 was considered by the Western Australian Planning Commission. The Statutory

Planning Committee of the Commission resolved to provide a recommendation to the Minister, however it is noted that both the report and the recommendation were confidential.

However, the Minister for Planning did advise that she refused Amendment No. 95 on 9 June 2022, as the proposed additional use of shop constitutes an encroachment on industrial land inconsistent with the provisions of the draft State Planning Policy 4.1 Industrial Interface, and secondly the amendment proposes to facilitate out-of- centre development in a manner that was considered inconsistent with the provisions of the State Planning Policy 4.2, relating to Activity Centres for Perth and Peel and the draft State Planning Policy 4.2 Activity Centres.

**Cr Elli Petersen-Pik**

**Question 1**

**We just heard that the Minister for Local Government announced the outcome on what will happen with the reform of Local Governments and I understood that one of the proposals is to reduce the number of Councillors. Can we get clarification what does that mean for our Council?**

**Response 1**

Mr Cliff Frewing, Chief Executive Officer advised that the Minister has stated he would like to see the amendments to the Local Government Act in place for 2023. Although the proposed wording of the Act is not known, the City is aware of the intent through the release recently of the proposed legislation. But that needs to be converted into legislation and considered by Parliament and then there may be consequential amendments to other sections of the Act as well as Regulations prepared. At this stage, the City is not able to advise Council as to whether or not it would affect Council next year.

**14 MEETING CLOSED TO THE PUBLIC****14.1 Matters For Which The Meeting May Be Closed****14.1.1 Waste Collection and Associated Services - Recycling Charges**

<b>Responsible Branch:</b>	Sustainability, Environment and Waste
<b>Responsible Directorate:</b>	Works & Infrastructure
<b>Authority/Discretion:</b>	Executive/Strategic
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	Nil
<b>Refer:</b>	Item 10.3.2: OCM 27.07.21 Item 14.1.1: OCM 27.01.21 Item 10.3.2: OCM 21.07.20

**REASON FOR CONFIDENTIALITY**

*This is a CONFIDENTIAL REPORT in accordance with section 5.23(2) of the Local Government Act 1995 (WA), which permits the meeting to be closed to the public for the business relating to:*

- (c) *a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and*
- (e) *a matter that if disclosed, would reveal —*
  - (iii) *information about the business, professional, commercial or financial affairs of a person*

**COUNCIL RESOLUTION**

**That the meeting be closed to the public and the recording be suspended.**

**Cr Filomena Piffaretti, Mayor Moved, Cr Sally Palmer Seconded**

**CARRIED: 5/2**

**For:** *Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Sally Palmer, Cr Josh Eveson and Cr Giorgia Johnson.*

**Against:** *Cr Catherine Ehrhardt, Deputy Mayor and Cr Elli Petersen-Pik.*

*At 7:47pm on the 4 July 2022, the meeting closed to the public and the recording was suspended.*

*At 8:03pm, Cr Catherine Ehrhardt, Deputy Mayor withdrew from the meeting and returned at 8:05pm.*

**MOTION****(OFFICER'S RECOMMENDATION)**

**That the recommendation as contained in the "Confidential Report" be adopted.**

**Cr Sally Palmer Moved, Cr Giorgia Johnson Seconded**

**LOST: 1/6**

**For:** *Cr Sally Palmer.*

**Against:** *Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik and Cr Giorgia Johnson.*

**COUNCIL RESOLUTION**

That the recommendation as contained in the “Confidential Report” as amended be adopted.

Cr Catherine Ehrhardt, Deputy Mayor Moved, Cr Sally Palmer Seconded

Cr Catherine Ehrhardt, Deputy Mayor Moved, Cr Sally Palmer Seconded

**CARRIED UNANIMOUSLY: 7/0**

***For:*** Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik and Cr Giorgia Johnson.

***Against:*** Nil.

**COUNCIL RESOLUTION**

That the meeting be reopened to the public and the recording be resumed.

Cr Catherine Ehrhardt, Deputy Mayor Moved, Cr Giorgia Johnson Seconded

**CARRIED UNANIMOUSLY: 7/0**

***For:*** Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Sally Palmer, Cr Josh Eveson, Cr Catherine Ehrhardt, Deputy Mayor, Cr Elli Petersen-Pik and Cr Giorgia Johnson.

***Against:*** Nil.

*At 8:26pm, the meeting was reopened to the public and the recording resumed.*

**14.2 Public Reading of Resolutions That May Be Made Public**

Nil.

**15 CLOSURE**

There being no further business to discuss, the Chairperson, Cr Filomena Piffaretti, Mayor, declared the meeting closed at 8:26pm on 4 July 2022.