



Ordinary Meeting of the 39th Council

25 February 2020

Minutes

To: The Mayor and Councillors

Here within the Minutes of the Ordinary Meeting of Council of the City of Stirling held Tuesday 25 February 2020 in the City of Stirling Council Chamber, 25 Cedric Street, Stirling.

Stuart Jardine PSM | Chief Executive Officer

Our Vision, Mission and Values

Vision

The City of Stirling will be a place where people choose to live, work, visit and invest. We will have safe and thriving neighbourhoods with a range of housing, employment and recreational opportunities. We will engage with our diverse community to help shape our future into the City of Stirling – City of Choice.

Mission

To serve the City's diverse community through delivering efficient, responsive and sustainable services

Values

The City of Stirling's core values are:-

- Integrity
- Community Participation
- Accountability
- Respect
- Environment
- Diversity

Disclaimer

Members of the public should note that in any discussion regarding any planning or other application that any statement or intimation of approval made by any member or officer of the City during the course of any meeting is not intended to be and is not to be taken as notice of approval from the City. No action should be taken on any item discussed at a Council meeting prior to written advice on the resolution of the Council being received.

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**MINUTES OF THE ORDINARY MEETING OF COUNCIL OF TUESDAY 25
FEBRUARY 2020 HELD IN CITY OF STIRLING COUNCIL CHAMBER,
25 CEDRIC STREET, STIRLING**

1. OFFICIAL OPENING

The Presiding Member declared the Ordinary Meeting of Council open at 7.01pm.

2. ATTENDANCE AND APOLOGIES

ATTENDANCE

Mayor Mark Irwin

Deputy Councillor Bianca Sandri

Councillors Councillor David Boothman JP
Councillor Karen Caddy
Councillor Felicity Farrelly
Councillor Chris Hatton
Councillor David Lagan
Councillor Karlo Perkov
Councillor Stephanie Proud JP
Councillor Elizabeth Re
Councillor Keith Sargent
Councillor Adam Spagnolo
Councillor Lisa Thornton

Employees Chief Executive Officer - Stuart Jardine PSM
Director Community Development - Michael Quirk
Director Corporate Services - Ingrid Hawkins
Director Infrastructure - Michael Littleton
Acting Director Planning and Development - Stevan Rodic
Manager City Planning - Fraser Henderson
Manager Governance - Jamie Blanchard
Acting Manager Community Safety - Brett Spencer
Internal Auditor - Ian Ekins
Senior Communications Advisor - Jo Hocking
Senior Governance Officer - Regan Clyde
Senior Governance Officer - Jaclyn Robins

Public 10

Press 1

APOLOGIES

Councillor Joe Ferrante.
Councillor Suzanne Migdale.

3. APPROVED LEAVE OF ABSENCE

Nil.

4. DISCLOSURES OF INTEREST**Planning and Development Committee - 18 February 2020**

Councillor Adam Spagnolo disclosed an Impartial Interest in Item 12.1/CP1 as his wife owns a property in the area.

Audit Committee - 18 February 2020

Nil.

Council - 25 February 2020

Nil.

5. PETITIONS

5.1 PETITION - OPPOSITION TO COUNCIL'S DECISION ON THE LOCATION OF THE HAMER PARK CLUBROOMS

Councillor David Lagan tabled the following petition containing 39 verified signatures:-

"We the undersigned residents of Second Avenue and Third Avenue between North Street and Clifton Crescent, Mount Lawley do respectfully request that the Council reconsider the decision to locate the clubrooms in Hamer Park on the North Street side of Hamer Park.

We support the recommendation made by City of Stirling staff to build the clubroom on Woodsome Street directly across from Mount Lawley Senior High School. The building would be 20m from the road and require a 12-bay car park in Hamer Park.

We support this location because the school could use the clubhouse building and extra parking during school hours. The clubs, which only operate outside school hours, would use all the parking and drop off facilities built in Woodsome Street for the school. The clubhouse would face away from the sun, have mature shade trees nearby and be 200m from the nearest residence.

We oppose the decision made by the elected members of the City of Stirling to build the clubhouse on the North Street side of Hamer Park. This location is an intrusive 75m into Hamer Park and requires a 59-bay car park to be built in Hamer Park 10m from residences. It will be built on the root system of one of the matching pair of large lemon-scented gum trees. The building will face the sun and there are few nearby shade trees."

The petition has been forwarded to the Facilities, Projects and Assets Business Unit.

Motion

0220/039

Moved Councillor Spagnolo, seconded Councillor Proud

That Council RECEIVES the petition tabled at the Council meeting held Tuesday 25 February 2020 and the petition be REFERRED to the Chief Executive Officer for the appropriate action.

The motion was put and declared CARRIED (13/0).

For: Councillors Boothman, Caddy, Farrelly, Hatton, Lagan, Perkov, Proud, Re, Sandri, Sargent, Spagnolo, Thornton and Mayor Irwin.

Against: Nil.

6. RESPONSES TO PREVIOUS QUESTIONS FROM MEMBERS OF THE PUBLIC TAKEN ON NOTICE

The responses to questions that were answered during Public Question Time at the previous Council meeting were published in the minutes of that meeting.

Only the responses to questions that were taken on notice at the previous Council meeting appear in the minutes below.

6.1 PUBLIC QUESTION TIME - G WYRE

The following questions submitted by Mr G Wyre, 1 Waterford Street, Inglewood 6052 were taken on notice at the Council Meeting held Tuesday 11 February 2020.

- Q2. *"One of the significant objections to the proposal was the concern about rat running. Why has Council not advised people that the results of the similar 40km/h zone in the Mount Lawley-Highgate area showed a reduction in traffic on that road between 40,000 in 2009 and 16,000 after the 40km zone was introduced? How could you possibly justify that there would be no rat running in Inglewood?"*
- A2. The Director Infrastructure advised that the purpose of the trial is to determine the extent of displacement of traffic, if in fact that happens. The report does articulate that it is a risk. But the idea of the trial is to better understand the potential implications. The operating speed of Beaufort Street under normal circumstances, and in particular in peak hour, is marginally above 40km per hour. Any issues around rat running will be defined as part of the trial process.
- Q3. *"Given that you've also referred to traffic in neighbouring streets increasing as a result of the new Woolworths and Aldi supermarket, which are currently under construction, what would be the trigger points for Council to determine that rat running and the increased traffic in neighbourhood streets is beyond the pale?"*
- A3. The Director Infrastructure advised that the intent is to complete an assessment where the City would identify the impacts of the trial, such as an increase to 85th percentile speed in adjacent streets, an increase in traffic volume and other measures. Officers would seek to gain an understanding of the impacts around pedestrian and cyclist movements, and general movement through the precinct. The goal is to identify whether streets, as an impact of the trial, actually are starting to operate outside of their acceptable parameters. That would be how the City would determine the success, or otherwise, of the trial.
- Q4. *"Could you please write to me and tell me what those acceptable parameters [referenced in A3 as shown above] are for a residential street?"*
- A4. The Mayor advised that the question would be taken on notice and a written response provided.

Additional Information

- A2. The City would also clarify that the volume of traffic along Beaufort Street did not reduce by 40,000 vehicles per day to 16,000 vehicles per day, as suggested. Beaufort Street carried approximately 25,000 vehicles per day in 2009, and reduced to around 23,000 vehicles per day following the 40km/h zone implementation in Vincent. However, this value has since returned to around 24,000 vehicles per day. The volume of traffic along this road has remained relatively constant for a considerable period of time.
- A4. In accordance with the City's Functional Road Hierarchy, Local Access roads are generally designed to accommodate up to 3,000 vehicles per day.

6.2 PUBLIC QUESTION TIME - S BROOKE

The following questions submitted by Ms S Brooke, 8C Boulton Street, Dianella WA 6059 were taken on notice at the Council Meeting held Tuesday 11 February 2020.

Q1. *"My questions relate to the Walter Road West Neighbourhood Centre Local Development Plan. Does the 26 day advertising consultation period allocated for the above Local Development Plan, and which includes 11 days falling within the Christmas holiday period for state schools, meet the requirement of the City's relevant advertising consultation policy?"*

A1. The Acting Director Planning and Development advised that the Local Development Plan needs to be advertised for 14 days. Over the Christmas period, there was an extension from 18 December 2019 to 9 January 2020. Advertising commenced after this period and finalises on 17 February 2020. So yes, it does comply with the City's consultation procedure.

Q2. *"Will below grade parking as depicted in Figure 4 under the general development provisions local development plan be permitted to extend for the full depth of the building footprint of attached low rise apartments located on the south side of Harald Street?"*

A2. The Acting Director Planning and Development advised that the question would be taken on notice and a written response provided.

Q3. *"Are the reference points for measurement of the 4.5m and 3.5m maximum storey heights slab to slab, and does the 3.5m maximum height for the upper level include the roof structure? If not, what is the maximum height permitted for a four storey building?"*

A3. The Acting Director Planning and Development advised that the question would be taken on notice and a written response provided. The Director further advised that he would arrange for officers to make contact and go through these issues.

Additional Information

A1. The Local Development Plan is being advertised from 23 January 2020 to 17 February 2020. This period of time meets the City's Planning Consultation Procedure minimum advertising period of 14 days and includes an additional day for the Australia Day public holiday. The 14 day minimum timeframe is based on the requirements of the Planning and Development (Local Planning Schemes) Regulations 2015.

A2. Basement car parking is able to be built anywhere within the building footprint where the basement does not protrude more than 1.2m above the ground level. There are locations on each property that are required to be Deep Soil Areas as per Clause 3.5 of the Local Development Plan. These Deep Soil Areas are not suitable for underground parking, as they are places where trees will be required to be planted. For the Attached Low Rise Apartments Building Type, the Deep Soil Areas are depicted in the images of Clause 5.2 as items F1 and F2.

- A3. The reference to the measurement of building height in Clause 5.0.d (of 4.5m for the ground storey and 3.5m for upper storeys) is taken from slab to slab of each level. However, these are indicative as the measurement of the building is taken from the number of storeys. As such, any roof structure is not included in the measurement of building height. It should be noted that State Planning Policy 7.3 Residential Design Codes Volume 2 - Apartments advises that rooftop articulation is to be approximately 2m as a guide.

6.3 PUBLIC QUESTION TIME - R PARKINSON

The following questions submitted by Mr R Parkinson, 8B Boulton Street, Dianella WA 6059 were taken on notice at the Council Meeting held Tuesday 11 February 2020.

- Q1. *"I wish to ask the following questions in relation to the draft Walter Road West Neighbourhood Centre Local Development Plan. The maximum permissible height of buildings for the attached low rise apartments on the south side of Harold Street is noted on the draft Walter Road Neighbourhood Local Development Plan documentation as four storeys, whereas the documents displayed at the March 2019 workshop and the May 2019 Community Open Day stated a maximum height of only three storeys for the same buildings. When was this significant change made, and why were the affected local residents not consulted on the change?"*
- A1. The Acting Director Planning and Development advised that the question would be taken on notice and a written response provided. The Director further advised that he would arrange for officers to make contact and go through these issues.
- Q2. *"Why does the draft Walter Road Neighbourhood Local Development Plan documentation not include sectional diagrams of the interface between the attached low rise apartments on the south side of Harold Street and the abutted and residential properties on Boulton Street as shown for street to street situations."*
- A2. The Mayor advised that the question would be taken on notice and a written response provided.
- Q3. *"What is the City's rationale for proposing four storey maximum building heights for the attached low rise apartments on the south side of Harold Street directly abutting residential sites, but restricting building heights fronting Elsegood Street to a maximum of two storeys, where there is a 20m road reservation separation between the two sites?"*
- A3. The Mayor advised that the question would be taken on notice and a written response provided, and reiterated that the Acting Director Planning and Development would arrange for officers to make contact and discuss these issues.

Additional Information

- A1. The buildings conceptualised for the south side of Harold Street, displayed at the May 2019 Community Open Day, were shown as ranging between two storeys adjacent to the southern lot boundary up to a maximum of five storeys closer to Harold Street. The draft Local Development Plan, which is currently being advertised for comment, actually reduces the maximum height for these sites down to four storeys from the five storeys that was conceptualised for the May 2019 Community Open Day. Whilst the maximum height of four storeys is permitted on these sites, any fourth storey is restricted to a minimum setback of 15m from the south western lot boundary, which is the common boundary for the properties on Boulton Street. The third storey is restricted to a minimum setback of 9m from this lot boundary and the second storey must be a minimum 6m. The setback requirements cause each storey to be stepped as shown at the May 2019 Community Open Day.

- A2. The sectional diagrams referred to in Part 4 of the Local Development Plan show how the different Street Types are to be constructed. The sectional diagrams are not for the purpose of demonstrating the transition from buildings within the Local Development Plan to the properties outside the area. The designation of each of the Street Types is shown in Part 6 of the Local Development Plan.
- A3. Whilst properties to the south side of Harold Street have a maximum building height of four storeys, this fourth storey is restricted to being setback a minimum of 15m from the lot boundary. These buildings can only be two storeys when setback 6m from the boundary and the third storey must be setback 9m. This 6m setback for a second storey is greater than the setback requirements normally within the City of Stirling when development is controlled by the Residential Design Codes. This means the properties on both the north and south sides of Harold Street would have a consistent maximum building height of four storeys in order for a consistent streetscape to be achieved. The stepping from four storeys down to two storeys with large setbacks within the Local Development Plan is considered to provide a transition in height to the rear boundary of buildings on Boulton Street. To keep a consistent streetscape for buildings on both sides of Elsegood Street, the properties to the south side of Elsegood Street within the Local Development Plan area have a maximum building height restriction of two storeys.

6.4 PUBLIC QUESTION TIME - R HADLEY

The following question submitted by Mr R Hadley, 8 Hakea Road, Woodlands WA 6018 was taken on notice at the Council Meeting held Tuesday 11 February 2020.

Q1. *“Under state regulations, property that has been contaminated must be identified immediately to avoid risk to public health. The Ewen Street Community Group has been informed that the BP service station, since demolished on Scarborough Beach Road Innaloo, has petrol leakage. Can the Council advise what the current situation is on this site? And also, the existing Caltex service station on Scarborough Beach Road Innaloo?”*

A1. The Acting Director Planning and Development advised that the question would be taken on notice and a written response provided.

Additional Information

A1. The BP service station site was re-classified in June 2018 by the Department of Water and Environmental Regulation (DWER) in consultation with the Department of Health as ‘Contaminated - restricted use’. The following is a summary of the nature and extent of contamination and restrictions on use for this site:-

- **Nature and Extent:** *Soils at depths between 4m and 4.6m below ground level, and groundwater beneath the site are impacted by hydrocarbons (such as from petrol and diesel).*
- **Restrictions on Use:** *The land use of the site is restricted to commercial/industrial use, which excludes more sensitive uses such as recreational open space, residential, childcare centres, kindergartens, pre-schools and primary schools. The site should not be developed for a more sensitive use without further contamination assessment and/or remediation.*

Due to the presence of hydrocarbon-impacted soils, a site specific health and safety plan is to be developed and implemented to address the risks to the health of any workers undertaking intrusive works below 4m depth.

Other than for analytical testing or remediation, groundwater abstraction is not permitted at this site because of the nature and extent of groundwater contamination.

DWER are responsible for monitoring and classifying contaminated sites and therefore any potential leakage would be investigated by them. The City will contact DWER and advise them of the alleged concern in respect of possible petrol leakage.

The Caltex service station on Scarborough Beach Road, Innaloo was re-classified in March 2018 as ‘Remediated for restricted use’. The following is a summary of the nature and extent of contamination and restrictions on use for this site:-

- **Nature and Extent:** *Hydrocarbons (such as from petrol or diesel) are present in groundwater beneath the site and in soils within the groundwater smear zone.*
- **Restrictions on Use:** *Other than for analytical testing, groundwater abstraction is not permitted at this site because of the nature of groundwater contamination.*

The DWER Notice of Classification for the site advises that substances present on the site do not pose an unacceptable risk to human health, the environment or any environmental value, and the site is suitable for ongoing commercial/industrial land use. The presence of a hydrocarbon plume beneath the site is considered to pose a potential risk to groundwater users, which is to be managed through the implementation of an ongoing site management plan.

6.5 PUBLIC QUESTION TIME - J WILKIE

The following questions submitted by Ms J Wilkie, 35 Farnley Street, Mount Lawley WA 6050 were taken on notice at the Council Meeting held Tuesday 11 February 2020.

Q1. *"My question is to do with the proposed town square plaza on the Mount Lawley Business Precinct. How many off-street car parking bays are being constructed in the Mount Lawley Business Precinct since the Shire of Perth became the City of Stirling in 1971, or within the period for which records are available?"*

A1. The Director Infrastructure advised that the question would be taken on notice and a written response provided.

Q2. *"How many land owners in Beaufort Street, within the City of Stirling boundaries, have been required to make a contribution of cash in lieu of parking in relation to parking shortfalls associated with approvals for development or redevelopment on their properties since 1971, or within the period for which records are available?"*

A2. The Mayor advised that the question would be taken on notice and a written response provided.

Q3. *"What is the total number of car parking lost to Beaufort Street, within the City of Stirling boundaries, as a consequence of waivers by Council of the requirement to make a contribution of cash in lieu of parking, in relation to parking shortfalls associated with approvals for development or redevelopment on their properties since 1971, or within the period for which records are available?"*

A3. The Mayor advised that the question would be taken on notice and a written response provided.

Additional Information

A1. There is a total of 66 off-street car parking bays within the precinct, including a 31-bay car park on the western side of Beaufort Street and a 35-bay car park on the eastern side of Beaufort Street. There are additional off-street parking areas that are available for use by members of the public visiting the precinct, but they are within private properties and were not constructed by the City.

A2. The City's records indicate that four properties along Beaufort Street have made a cash-in-lieu of parking contribution because development on the site was unable to accommodate the required amount of car parking under the Scheme.

A3. Each application for development approval is assessed on its individual merits, including what is an appropriate level of car parking to be provided on site. The City is not required to maintain a register of the parking shortfalls in a locality.

6.6 PUBLIC QUESTION TIME - A DAVIES

The following question submitted by Mr A Davies, 50 Francis Avenue, Karrinyup 6018 was taken on notice at the Council Meeting held Tuesday 11 February 2020.

Q2. *"Will the City of Stirling consider having an entry / exit constructed from their car park at the western side of the Karrinyup Library onto Devonport Street, the junction of Park Street. The shopping centre has closed the entry / exit onto Burroughs Road to the south of the north court exit and while carrying out the extensions it is a fairly awkward place to get in and out of. Also, an entry exit at Devonport Street would alleviate the need of an exit further down on the bend at Devonport Street on the proposed plan?"*

A2. The Mayor advised that the question would be taken on notice and a written response provided.

Additional Information

A2. The car park at the western side of the Karrinyup Library will be connected to a proposed access along Davenport Street, between Burroughs Road and Pike Street. The City would not support an additional access at the Pike Street intersection, as this would create a 4-way intersection, which typically have higher conflict movements. This would present a road safety issue into the future.

6.7 PUBLIC QUESTION TIME - C BERBATIS

The following questions submitted by Mr C Berbatis, 24 First Avenue, Mount Lawley 6050 were taken on notice at the Council Meeting held Tuesday 11 February 2020.

- Q3. *"The third question relates to these minutes, omissions in the minutes, pages 45 and 46. I spent some time at the Electors' General Meeting talking about the canopy cover and the loss of it referred to in the Council's Annual Report, page 126. The question of what action is being taken is missing. The suburb of Nollamara - 22% canopy loss; Scarborough - 21% canopy loss; Doubleview - 20% loss. If these rates of loss continue, these suburbs may lose between a third and half of their tree canopy cover in the next 15 to 20 years. What actions are being taken to reverse or rectify that?"*
- A3. The Mayor advised that the question would be taken on notice and a written response provided.
- Q4. *"There was a motion that was put that the City supports lowering speed limits to no more than 40km/h around all roads under the control of the City of Stirling within the suburb of Mount Lawley. The motion was put and declared carried. There was discussion there, but it's missing. Could you please respond to that in writing as well?"*
- A4. The Mayor advised that the question would be taken on notice and a written response provided. He also advised that all motions from the Electors' General Meeting form part of the agenda for this Council meeting, and will be discussed during proceedings.

Additional Information

- A3. In October 2017, the City introduced Local Planning Policy 6.11 Trees and Development, which aims to increase the number of trees being retained during development and requires the planting of new trees to replace the canopy which is being lost. The effectiveness of this policy is currently being evaluated and the results will be presented to Council for consideration later in 2020.

Further actions to retain and plant trees are being guided by the City's endorsed Urban Forest Plan and Million Trees Program. For example, the Better Suburbs project is proposing to set more ambitious canopy targets for corridors and centres in the suburbs of Balga, Mirrabooka, Nollamara, Westminster and Dianella north of Morley Drive, where canopy loss has been significant.

Developments in these areas will be required to achieve 25% canopy cover which will be achieved through changes in the plot-ratio to enable increased landscaping. This project is in the final stages of development. Given the majority of canopy cover losses occur on private land, it will be crucial to ensure this rate of tree loss is reversed.

The City is providing 2,000 free trees per year to residents for planting on private land, and is planting approximately 10,000 new trees each year on City verges and reserves. Additionally, the City is investigating options for implementing a Significant Tree Register to better protect significant or larger mature trees.

Finally, the City is working to support tree-friendly development. A guide to tree-friendly development is in the early stages of production, and the City is offering free arborist inspections and support to developers who retain significant trees. This will help to establish a suite of demonstration projects showing how trees and development can co-exist.

- A4. As the Electors' General Meeting is the "people's meeting", the City minutes questions and answers verbatim (or near verbatim), rather than providing a summary.

As noted in the minutes of the 2 December 2019 Electors' General Meeting, Mr Berbatis spoke twice during that meeting. The first time Mr Berbatis spoke was minuted at Item 8.3, and concerned tree canopy loss.

The second time Mr Berbatis spoke was minuted at Item 9.14. Several different matters were spoken about, such as landscaping, canopy cover, heritage, and the development application process. Mr Berbatis then moved a motion in relation to lowering the speed limit in Mount Lawley to no more than 40km/h.

All of the comments have been minuted verbatim, or near verbatim – edited only to remove unnecessary 'filler' words.

The full Electors' General Meeting minutes are available on the City's website, and were also included as an attachment to Item 13.1 within both the agenda and minutes of the Council meeting held 11 February 2020.

7. PUBLIC QUESTION TIME

7.1 PUBLIC QUESTION TIME - S WHITTOME

The following questions were submitted by Ms S Whittome, 31 North Street, Mount Lawley WA 6050 at the Council Meeting held Tuesday 25 February 2020.

Q1. *"My questions relate to the sound evaluation process conducted by the officer at the City of Stirling to identify Woodsome Street as the best location for the Hamer Park clubhouse. Do Councillors acknowledge that the people who are best qualified and who have the necessary time, skills and impartiality to decide what is the best location for the Hamer Park clubrooms are the staff at the City of Stirling? And that their decision was supported by 62.5% of the participants at the subsequent community consultation?"*

A1. The Mayor advised that officers are certainly in a position to provide advice and commentary to Councillors, but ultimately it is Council that will make the decision.

Q2. *"Are Councillors aware that the City gave a full explanation of the process it had used to identify Woodsome Street as the best location for the Hamer Park Clubroom? This information was given in answer to Question 7.2 asked by Mr. J Whitburn at the Council meeting held 14 May 2019. The questions were:-*

- *What factors determined that the Hamer Park clubrooms should be relocated to the west side of the oval?*
- *What other clubhouse locations were evaluated by the Council prior to deciding on a location on the west side?*

The City gave detailed answers at the time to both these questions, which I would like recorded in these minutes with this question, and I can read them again if you'd like me to. Or you can refer back to your minutes from then?"

A2. The Director Infrastructure advised that Council is aware; they have taken into consideration all of the technical advice that the City's officers have provided, and also the outcomes of the community consultation in making their determination on the Hamer Park location.

Additional Information –

[The questions and answers from the 14 May 2019 Council meeting, referred to in Question 2 above, can be found on page 19 of the Minutes from that meeting. The Minutes are available on the City's website - click [here](#).]

Q3. *"Are Councillors aware that in response to questions at the last meeting of Council held 11 February 2020, the Director Infrastructure stated that the City does believe that it conducted a sound evaluation process when suggesting the Woodsome Street location. 'Does believe', so that is the present tense."*

A3. The Mayor confirmed that this is the case, and that Councillors are aware.

7.2 PUBLIC QUESTION TIME - J BELLINGE

The following questions were submitted by Ms J Bellinge 31A North Street, Mount Lawley WA 6050 at the Council Meeting held Tuesday 25 February 2020.

- Q1. *"This question is with reference to agenda item 12.3/FPA1 on 10 September 2019, during which the Woodsome Street location was removed from further consideration. Can Council confirm that the agenda item covered only the Moyle Pavilion concept designs, not the Hamer Park clubhouse?"*
- A1. The Director Infrastructure confirmed that that the recommendation referenced in that item dealt with the Moyle Pavilion concept development. The item presented in September also spoke about the Hamer Park clubroom facility. Up until that point, the City's reports tended to have both Moyle and Hamer Park being considered together, given they were part of a broader project. But at that point, it was decided to de-couple those two items. This was due to there being a general consensus (through the consultation) in regards to Moyle Pavilion, however, it was clear that the Hamer Park facility required additional consultation. That report also referenced that Hamer Park would continue to be consulted on, with Woodsome Street being removed from further consideration. A report was then presented to Council in February.
- Q2. *"Can Council explain how and why the Woodsome Street location was taken off the table when there was not an agenda item covering it specifically? And it was presented to Council and voted upon without there being an agenda item covering it?"*
- A2. The Mayor advised that there was clear direction from Council to remove Woodsome Street from consideration.
- Q3. *"So we have been reassured that Council has undertaken a thorough comparison between the placement of the clubhouse at the Woodsome Street location and location C. However, there has been a complete lack of evidential documentation showing such an objective comparison. Where is that comparison? And when will it be made available to ratepayers?"*
- A3. The Director Infrastructure advised that a technical assessment of the Woodsome Street location, and the four other sites that were proposed in the most recent round of consultation, were completed. Council made its decision on the basis of that assessment and on the feedback they received from the many stakeholders that have expressed an interest in the matter. Generally, all of the technical assessments have been identified through the 'Your Say' page on the City's website.

The Director Infrastructure also offered to discuss this further with Ms Bellinge.

7.3 PUBLIC QUESTION TIME - R BIEGEL

The following question was submitted by Mr R Biegel, 31A North Street, Mount Lawley WA 6050 at the Council Meeting held Tuesday 25 February 2020.

Q1. *"My question refers to the minutes of the Ordinary Council Meeting on February 11 2020, page 27, A3. Can Council please tell us, what was the one specific concern raised in the petition (and in the community) that outweighed the technical assessment and tipped the scale to casually drop Woodsome Street?"*

A1. The Mayor advised that it was not a single point in a petition. Council considered all of the comments from the petition and from the public consultation, and then made an informed decision.

7.4 PUBLIC QUESTION TIME - L STAUDE

The following questions were submitted by Mr L Staude, 33A North Street, Mount Lawley, WA 6050 at the Council Meeting held Tuesday 25 February 2020.

Q1. *"My questions relate to the petition presented at the 14 May 2019 Council meeting signed by 397 people and used as evidence to remove Woodsome Street from consideration of this process. At the Ordinary Council Meeting held 11 February 2020, it was pointed out during Public Question Time that the petition was a request for further information for public consultation and more time to consider. It would include a large proportion of the people who signed the first petition resulting in these people being counted twice. There was no mention of Woodsome Street until point 4 in the original petition, and only then because of traffic concerns in Woodsome Street, which is where the City was proposing to locate the clubroom. Point 5 'a' to 'f' asks for more information regarding traffic, parking, noise, amenities, capital estimates and environmental concerns. Why, therefore, when the petition was a request for further information for public consultation and more time to consider, did the Council consider the petition to be against Woodsome Street?"*

A1. The Mayor advised that when petitions are presented to Council, they form part of the decision making process. They are not the sole reason that a decision is formed.

Additional Information –

[The petition tabled at the Council meeting held 14 May 2019 can be found on page 9 of the Minutes from that meeting. The Minutes are available on the City's website - click [here](#).]

Q2. *"The second petition, dated 30 July 2019, states 'the City of Stirling has failed to provide sufficient information for a community review.' Why, therefore, when this petition again requested further information and when the petitioners believe that there is not enough information to make a decision, can it be considered to be against Woodsome Street?"*

A2. The Mayor advised that Council did not necessarily decide one of those petitions was against Woodsome Street. There can be times when Council does not necessarily agree with a petition, but all petitions form part of the decision making process. It is also not about the numbers on a petition, but it may highlight an aspect of someone's perception or what the community thinks.

Q3. *"A large proportion of the people who signed the second petition would also have signed the first petition, resulting in these people being counted twice. What has the Council done to revise their view on the number of people with concerns about the Woodsome Street location in light of this?"*

A3. The Mayor advised that while the question is noted, Council has already made a decision on this item at the last Council meeting.

7.5 PUBLIC QUESTION TIME - A BUNKER

The following questions were submitted by Ms A Bunker, 83A North Street, Mount Lawley WA 6050 at the Council Meeting held Tuesday 25 February 2020.

- Q1. *"My first question relates to the petition presented [11 February 2020], where the petitioners respectfully request that the Council instruct a detailed comparison of the proposed locations for the clubrooms on Woodsome Street and the North Street side of Hamer Park. Such a comparison needs to be based on all relevant and factually correct information and made public. These signatures were collected in four days between 8 and 11 February. It was signed by 500 people, 445 of which were verified. These signatures were easy to collect because the general population want the Council to make decisions based on relevant, factually correct information. What is the Council doing about that petition?"*
- A1. The Director Infrastructure confirmed that the petition has been accepted and a response letter was provided to the lead petitioner on 12 February 2020.
- Q2. *"At the last Council meeting held 11 February 2020, Item 7.9 question three, the Director Infrastructure advised that the Council understands the nature of petitions. So my second question concerns the petition collected by Mrs Gout and presented on 30 July 2019, where they claimed that the petition showed that 95% of people within 400m opposed the Woodsome Street location. The petition presented on 30 July 2019 does not mention any of the advantages; it just looks at the problems. The Mayor replied that that would be taken into consideration. Has the Mayor accepted the 95% figure as fact and indicative of the whole Hamer Park community?"*
- A2. The Mayor advised that when a petition is presented, Council does not necessarily look at it as fact or not. Council looks at it as a community perception at that time. In effect, Council has no control over what an individual, a small group of individuals, or a very large group of individuals wants to put on a petition. Councillors have to acknowledge it, assess it with all other information available, and make a decision.
- Q3. *"Tonight we've presented an unemotive, factually correct petition, and the petition is a representative sample of residents. In fact, we took residents from Second and Third Avenue. And it's a sample, I'm not saying we've surveyed everyone within the 400 meters - it's a representative sample. Of those 53 homes, 34 had people in at the time. - and we went a couple of times - 23 of those 34 supported the Woodsome Street location, and the other 10 had either no opinion or were too busy. Nobody supported Option C. So about 70% of residents in our sample support the Woodsome Street location. This doesn't validate the claims that 95% of the people oppose it. What concerns me is that somehow the consultation was ineffective and indeed inappropriately conducted and you've been unduly influenced through consultations that most residents assumed Woodsome Street was going ahead and didn't know about these consultations. So this business of who you're consulting with - is it the Council's preferred way of doing public consultations? And if not, what is the Council going to do to make sure that they consult with the right people in this instance? Where our sample indicates the community believe that Woodsome Street is the best location?"*
- A3. The Mayor advised that a petition forms a view of a portion of the community. As stated in the question, the petition centred around the residents in that area. Council takes into account the different user groups of the oval, the people who use the clubs, and numerous other factors when making these decisions. The Mayor further advised that the City will provide a response to the petition.

Procedural Motion

Moved Councillor Sandri, seconded Councillor Lagan

That in accordance with Clause 5.7(12) of the City of Stirling's Meeting Procedures Local Law 2009, Public Question Time be EXTENDED for a further 15 minutes.

The motion was put and declared CARRIED (13/0).

For: Councillors Boothman, Caddy, Farrelly, Hatton, Lagan, Perkov, Proud, Re, Sandri, Sargent, Spagnolo, Thornton and Mayor Irwin.

Against: Nil.

7.6 PUBLIC QUESTION TIME - M HARMER

The following question was submitted by Mr M Harmer, 83A North Street, Mount Lawley WA 6050 at the Council Meeting held Tuesday 25 February 2020.

Q1. *“Woodsome Street has the school on one side. So there is a lot of traffic outside Woodsome Street in the morning going in both directions, trying to drop kids off. There's about 35 parking bays either side. If you're going to drive down Woodsome Street and drop your child off using those parking bays, you have to reverse out. And when you reverse out, you've got people on either side reversing out with traffic in both directions and it's a 40km/h speed limit. So although there are 75 parking bays there, not many people use them - it's just too difficult. The traffic on both sides of Woodsome Street try to use the drop off bay that's outside the school. The queues down Woodsome Street go for 600m at least. Parents queue for the drop off bay or they stop in the road. If you put the clubhouse on Woodsome Street, you will also put a 12 bay carpark on Woodsome Street on the other side of the road from the drop off bay. You would then have a drop off bay on both sides of the road, which would make traffic much safer. What discussion has the Council had with the High School in relation to the extra 12 bay drive-through carpark in regard to improving safety and traffic flow for the drivers through Woodsome Street?”*

A1. The Director Infrastructure advised that officers met with representatives of the High School to discuss the location of the Hamer Park clubrooms, including the car parking and traffic issues anticipated in response to the project. Council has since made a decision in September that Woodsome Street would be removed from further consideration. On that basis, no further discussions around the value (or otherwise) have been undertaken. The City's understanding was that the High School was not supportive of the location of the clubrooms on Woodsome Street.

The Mayor further advised that from discussions during previous Council meetings, the High School was vehemently opposed to the Woodsome Street location.

7.7 PUBLIC QUESTION TIME - Z RYAN

The following questions were submitted by Ms Z Ryan, 41 North Street, Mount Lawley WA 6050 at the Council Meeting held Tuesday 25 February 2020.

- Q1. *"My questions relate to the benefits that the school could derive from the use of a free clubhouse opposite the school in Hamer Park with the increased chance of funding for a project that possibly could result of that. The Council may be aware that the school has no sporting facilities and the students currently wheel equipment from the school to Hamer Park in bins and then assemble under trees. Council may be aware that the Mount Lawley Senior High School shares a large sports ground complex with Edith Cowan University and the general public. As a result, this sports complex is well used throughout the day, every day of the week. The clubhouse is going to be used by junior footballers, senior cricket, junior cricketers as well, and possibly the female footballers. It would not be used during school hours, during peak drop off and pick up times, which was the motive that was used in the petition. So there are currently 1,900 students enrolled in the school. The use of a clubroom that was on Woodsome Street could easily afford the school some extra space for practicing. Sharing the club rooms in this way would maximise the use of the amenity and could likely attract the necessary funding or extra funding for the project. Has the Council had discussions with the school about the enormous benefits that these clubrooms, if they were on Woodsome Street, could provide to the High School?"*
- A1. The Mayor advised that there has been discussions with the school in regards to the previous proposed location at Woodsome Street, and they were strongly opposed to that location.
- Q2. *"Has the Council considered that such a shared use would increase the attractiveness of a proposal to external or third party funders?"*
- A2. The Director Infrastructure advised that whether the facility is located on Woodsome Street or in Hamer Park, the City does not anticipate that this will change the school's opportunity to continue to utilise Hamer Park. It is currently well utilised by the school and any decision that they would like to utilise the clubrooms in any location is an opportunity. It is important to recognise that this facility will be leased to the summer and winter users; ultimately, while the City seeks to facilitate improved use, there are other stakeholders that need to be considered. Hamer Park is accessible to Mount Lawley School and will continue to be so.

7.8 PUBLIC QUESTION TIME - S WHEELER

The following questions were submitted by Mr S Wheeler, 7/22 Pearl Parade, Carine WA 6020 at the Council Meeting held Tuesday 25 February 2020.

- Q1. *"A late confidential item on the last agenda was headed as 'business of an urgent nature', and it was further explained that in cases of extreme urgency or other special circumstances, matters may, on a motion that is carried by the meeting, be raised with that notice and decided by the meeting. My question is, who gets to decide if an item is urgent enough to be included on the agenda as an urgent, late and confidential item? Who makes that call?"*
- A1. The Mayor advised that he makes that decision.
- Q2. *"What was so urgent about the CEO's contract extension given there was well over a year left on the CEO's contract? Or if the answer to that is 'secret squirrel', can you inform me if the confidential agenda available to Council has addressed the nature of this emergency?"*
- A2. The Mayor advised that the 'urgent nature' section in the agenda is a format that is available to be used. Council wished to consider the CEO contract at its meeting held 11 February 2020. Council can decide to extend a CEO contract at any time. The decision to use it at this time was decided by Council as a means of ensuring the City can maintain stability and continue to achieve its strategies.
- Q3. *"My question was regarding the urgency of this. This is a confidential, late, urgent item with very little opportunity for Councillors to masticate over the item and indeed for members of the public to have their little bit of a say, if they had known what was on the agenda."*
- A3. The Mayor advised that members of the community elect Council to make decisions, including the decision of employing the CEO. Many of the Council members sit on the CEO Performance Review Committee, and review the CEO's performance continually during the year. They are well aware of his performance, and they consider whether to renew the contract.
- Q4. *"Item 12.2/CG1, covering Division 6 of the Act, seems to cover instances where disclosures of potential conflicts of interest by members have been submitted and recorded. Is the audit expected to include notification of instances of non-compliance with Section 5.6 of the Act? Is the City aware of any such cases?"*
- A4. The Manager Governance advised that if any specific section is included in the Compliance Audit Return, it is expected that it will be reported on. The City is not aware of any instances where that has not been complied with.
- Q5. *"Does the City decide which bit of the Act that it's going to include? Or is there a list you have to complete?"*
- A5. The Manager Governance advised that the Regulations state which sections of the Act are to be included in the Compliance Audit Return. Those are the ones that are listed in the attachment of the agenda to which the City has provided answers.

8. APPLICATIONS FOR LEAVE OF ABSENCE

Councillor Bianca Sandri requested a leave of absence for the period 20 July 2020 to 30 August 2020 inclusive.

Council Resolution

0220/040

Moved Councillor Caddy, seconded Councillor Proud

That Council APPROVES Councillor Bianca Sandri's requested leave of absence for the period 20 July 2020 to 30 August 2020 inclusive.

The motion was put and declared CARRIED (13/0).

For: Councillors Boothman, Caddy, Farrelly, Hatton, Lagan, Perkov, Proud, Re, Sandri, Sargent, Spagnolo, Thornton and Mayor Irwin.

Against: Nil.

9. CONFIRMATION OF MINUTES

Council Resolution

0220/041

Moved Councillor Hatton, seconded Councillor Spagnolo

That the Minutes of the Ordinary Meeting of Council of 11 February 2020 be confirmed as a true and correct record of proceedings.

The motion was put and declared CARRIED (12/1).

For: Councillors Boothman, Caddy, Farrelly, Hatton, Lagan, Perkov, Proud, Sandri, Sargent, Spagnolo, Thornton and Mayor Irwin.

Against: Councillor Re.

10. ANNOUNCEMENTS BY THE PRESIDING MEMBER

10.1 ANNOUNCEMENT - ACKNOWLEDGEMENT OF STORM ASSISTANCE

Mayor Irwin made the following announcement:-

"I wish to acknowledge the City employees and the Stirling SES who are assisting residents following the quick but severe storm that went through the City today. Many people are assisting to ensure the clean up is swift and making sure they help people who need it. So a big thanks to all those people from all the different teams that have been coordinated."

11. UNRESOLVED BUSINESS FROM PREVIOUS MEETING

Nil.

12. REPORTS AND RECOMMENDATIONS OF COMMITTEES

12.1 PLANNING AND DEVELOPMENT COMMITTEE - 18 FEBRUARY 2020

Councillor Adam Spagnolo disclosed an Impartial Interest in Item 12.1/CP1 as his wife owns a property in the area.

12.1/CP1 MAIN STREET URBAN DESIGN STRATEGY AND TRANSPORT PLAN - OUTCOMES OF ADVERTISING

This item was REFERRED to the Planning and Development Committee meeting to be held 18 February 2020 at the Council meeting held 11 February 2020, to allow officers to liaise with the Main Street Co-op, and to allow further information to be provided to Councillors.

Additional information and an alternative recommendation have been included at the end of the report.

Report Information

Location: Main Street District Centre, Osborne Park
 Applicant: Not Applicable
 Reporting Officer: Manager City Planning
 Business Unit: City Planning
 Ward: Osborne
 Suburb: Osborne Park, Tuart Hill

Authority/Discretion

Definition

- ☐ Advocacy *when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- ☐ Executive *the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- ☒ Legislative *includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.*
- ☐ Quasi-Judicial *when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*
- ☐ Information Purposes *includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').*

Council Resolution

0220/042

Moved Councillor Boothman, seconded Councillor Spagnolo

That Council ENDORSES the modified Main Street Urban Design Strategy, as shown in Attachment 6, and the associated Transport Plan.

The motion was put and declared CARRIED (13/0).

For: Councillors Boothman, Caddy, Farrelly, Hatton, Lagan, Perkov, Proud, Re, Sandri, Sargent, Spagnolo, Thornton and Mayor Irwin.

Against: Nil.

Committee Recommendation

That Council ENDORSES the modified Main Street Urban Design Strategy, as shown in Attachment 6, and the associated Transport Plan.

Officer's Recommendation

That Council ENDORSES the modified Main Street Urban Design Strategy, as shown in Attachment 4, and the associated Transport Plan.

(Suggested Alternative Recommendation – refer to Conclusion)

Report Purpose

To consider submissions received in respect of the Main Street Urban Design Study and the associated Transport Plan and for Council to endorse a modified Main Street Urban Design Strategy.

Relevant Documents

Attachments

- Attachment 1 - Main Street Urban Design Strategy - As Advertised (previously circulated to Councillors under separate cover)*
- Attachment 2 - Main Street Transport Plan - As Advertised (previously circulated to Councillors under separate cover)*
- Attachment 3 - Schedule of Submissions (previously circulated to Councillors under separate cover)*
- Attachment 4 - Main Street Urban Design Strategy - Tracked Changes - Modified After Advertising (previously circulated to Councillors under separate cover)*
- Attachment 5 - Main Street Co-Op Additional Information and Modifications to Urban Design Strategy with City Officers Recommendations [↓](#)
- Attachment 6 - Main Street Urban Design Strategy - Additional changes to Modified Strategy [↓](#)

Available for viewing at meeting

Nil

** (Please note that Attachments 1-4 can be viewed as a separate document to the 26 November 2019 Planning and Development Committee Agenda on the City of Stirling website.)*

Background

The Main Street District Centre is situated in Osborne Park and Tuart Hill within the City of Stirling. The Centre is located approximately 8km northwest of the Perth CBD and 3km due east from the Stirling City Centre Strategic Metropolitan Activity Centre. The Centre is generally bounded by North Beach Drive to the north, Edward Street to the west, Cape Street to the south, and Waterloo Street to the east (refer Figures 1 and 2).

In 2016, the City prepared an Activation Strategy for the Main Street Centre. In preparing the Activation Strategy it was identified that the potential success of the Centre is impeded by the poor historical urban design and design of road intersections. Specifically, the large setback of buildings, the dominance of parking within the streetscape, and the wide roads which enable traffic to speed through the Centre, have all resulted in this poor urban design outcome.

Council budgeted in 2017/2018 to undertake an Urban Design Study for the Main Street District Centre.

The Main Street Urban Design Study was commenced in late 2017. The objectives of the Study were identified as:-

- a. Understand urban design and place issues across the Main Street Centre;
- b. Develop a shared vision for the Main Street Centre with the local community, including principles and redevelopment objectives;
- c. Develop design and place making options to guide built form and transport planning to improve Main Street and deliver the vision; and
- d. Identify quick wins and longer term delivery strategies and initiatives.

An analysis of the area and the perceived issues was undertaken and, following this, an online community survey, Vision Workshop, Design Workshop and Community Open Day were held. The community engagement process directly contributed to the recommendations of the Main Street Urban Design Strategy and associated documents.

The community engagement process and strategy were outlined in a report to Council at its meeting held 16 April 2019. A feasibility study on the potential mixed use redevelopment of the public car park on the northwest corner of the Hutton/Main Street intersection was also presented for consideration.

At its meeting held 16 April 2019, Council resolved (Council Resolution Number 0419/022) as follows:-

1. *“That the draft Main Street Urban Design Strategy and associated Transport Plan, as shown in Attachments 1 and 2, be ADVERTISED for public comment.*
2. *That Council NOTES the findings of the Feasibility Study on the potential Mixed Use Development of the existing Public Car Park at Lot 340 and Lot 4, House Numbers 223 and 223A, Main Street, Osborne Park, as shown in Attachment 5.”*

In the report, the associated Local Development Plan and Scheme amendment were also recommended to be advertised concurrently. However with Council's resolution, outlined above, the initiation of the Scheme Amendment and advertising of the Local Development Plan will be subject to a separate report after the consideration of the Urban Design Strategy and associated Transport Plan.

The submissions received during the advertising of the Main Street Urban Design Strategy were considered by Council at its meeting on 3 December 2019. At this meeting Council resolved (Council Resolution Number 1219/050) that the report be REFERRED to the Planning and Development Committee meeting to be held 28 January 2020 to allow officers to liaise with the Main Street Co-op, and to allow further information to be provided to Councillors.

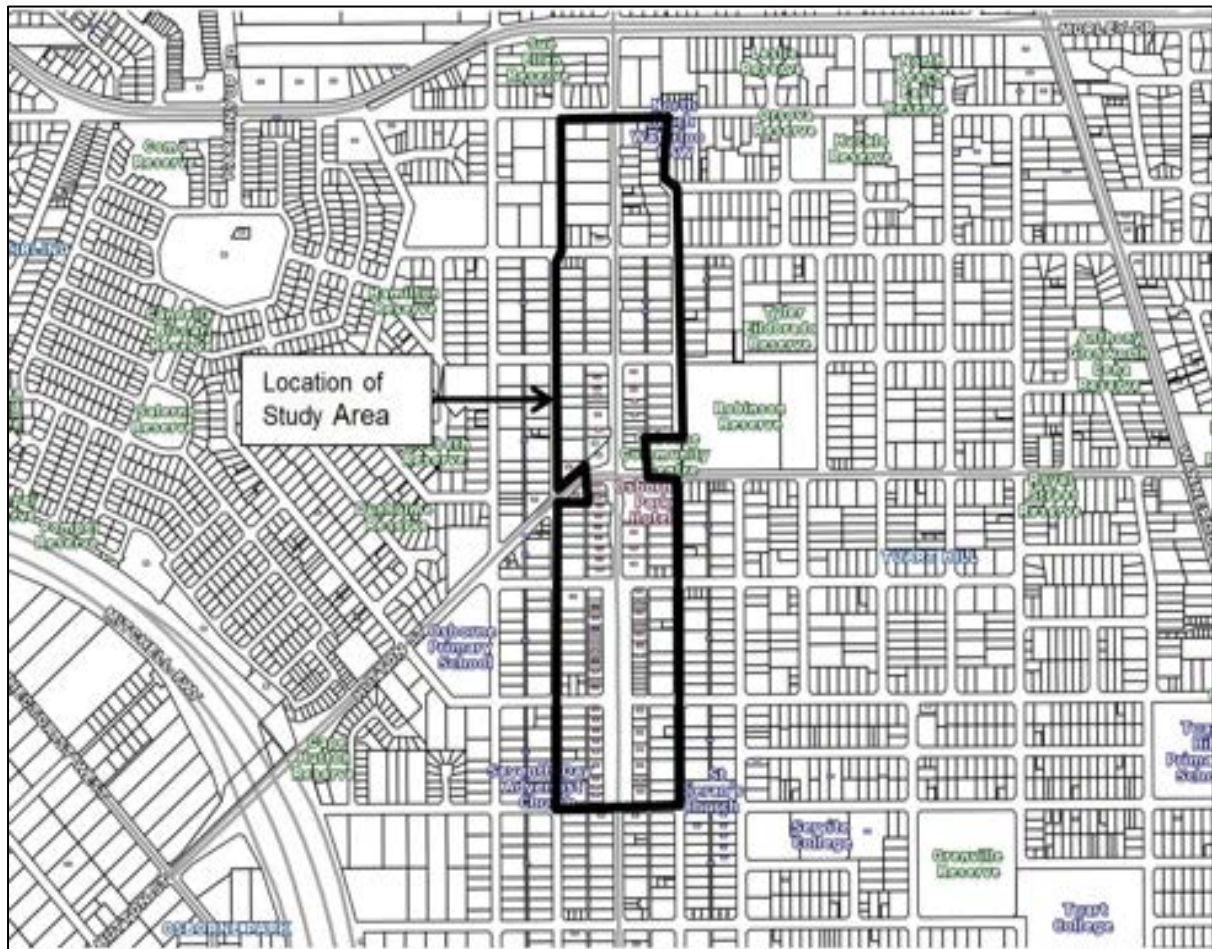


Figure 1 – Location Plan



Figure 2 – Aerial Photograph

Community Consultation

In addition to the Vision and Design Workshops and the Community Open Day held in 2018, the Main Street Urban Design Strategy and Transport Plan was advertised for a period of 64 days from 4 June 2019 until 6 August 2019. Consultation included a letter to all properties in the study area as well as within a 200m radius of the study area seeking comments on the Urban Design Strategy and Transport Plan. A total of 3,116 letters were sent out by the City. In addition, an advertisement was placed in the local community newspaper, Stirling Times, on 4 June 2019 as well as being placed on the City's website and on all notice boards in the City's Administration Centre, Recreation Centres and Libraries on 4 June 2019.

At the completion of advertising a total of 35 submissions had been received – 31 from the community and four from government agencies and public authorities. This represents a 1% response rate. The percentage of submissions that supported, objected or provided comments is outlined in Table 1 below:-

TABLE 1 – SUBMISSIONS RECEIVED

SUBMISSIONS RECEIVED	Within 200m radius of proposed site	Remainder of the City	All submissions
SUPPORT	26%	9%	34%
OBJECT	17%	3%	20%
OTHER (Not stated/No Opinion/Conditional)	31%	3%	46%

A full summary of all submissions received is outlined in Attachment 3.

Comment

Generally written comments were identified as being from local residents, business owners, landowners or property owners. Key themes arising included:-

- 40km/hour speed limit
- On street parking
- Removal of Hutton Street slip lane
- Traffic calming measures
- Building height bonuses
- Streetscapes

Movement and Access:

- 40km/h speed reduction

Some submissions were against the continuation or increased area of the 40km/hour zone, whilst other submissions stated support for the slowing down of traffic through the area.

The City is currently undertaking a two year trial of a 40km/h variable speed on Main Street between Eldorado Street and Federal Street which commenced in October 2017. The Strategy proposes introducing a wider area of 40km/h zone in conjunction with physical modifications to the road itself as well as retaining the new speed limit.

Studies by the University of Adelaide (*Travelling Speed and the Risk of Crash Involvement, NHMRC Road Accident Research Unit, November 1997*) into the impact of lower speeds in urban areas has identified that lowering the posted speed limit has minimal impact on travel times. Speed reductions from 60km/h to 40km/h would only result in an additional 12 seconds in travel time on Main Street through the 400m length of the study area.

Reduction in travel speeds significantly reduces the risk of road crashes, serious injury and death. A 40km/h speed limit, and subsequent reductions in speed by 20km/h, will result in a 40-60% reduction in road crashes and an 80-100% reduction in serious injuries and fatalities (*World report on road traffic injury prevention, World Health Organisation 2004*). This is particularly important in a town centre and in areas where pedestrian safety is important (such as school zones).

The reduction to one lane each way will help to reduce the traffic speed on the road closer to the sign posted speed limit of 40km/h (which is currently on trial). It is important to design the road for the speed limit to create a visual cue to drivers that they are entering a low speed environment.

The data collected by the City during the trial of the reduced traffic speed to 40km/h through the study area showed only a marginal reduction in speeds. With the use of 40km/h signs only, speeds through the study area still averaged 56.6 km/h. The success in reducing traffic speeds on other streets with similar volumes of traffic, such as Beaufort Street and Cambridge Street has come as a result of changing road conditions with the introduction of on street parking, narrower lane widths and other traffic calming features. Therefore the aims of the Strategy in putting Main Street on a 'road diet' are integral to reducing traffic speed and improving pedestrian amenity and safety and no change to the Strategy is recommended.

- On Street Parking

Whilst some submissions supported the recommendations of the Strategy, some submissions raised concerns regarding provision of on street parking and reduction to single lanes on Main Street during off peak periods, citing issues of congestion or interruption to traffic flow.

The Strategy proposes the use of off peak parking bays to slow traffic down on the street to provide a safer and more pedestrian friendly area. Parking bays have already been partially delivered on Main Street and are standard practice for most corridors such as Beaufort Street and Cambridge Street as part of urban design to make areas pedestrian friendly and safe. On street parking provides 'friction' for passing traffic causing drivers to reduce speed and create a more pedestrian friendly environment. Data collected by the City has shown that the installation of on-street parking bays on Beaufort Street in Inglewood has led to a decrease in speed without reducing the actual sign posted speed limit. The reduction in speed has made Beaufort Street safer, less noisy and more pedestrian friendly. This also helps alfresco dining on corridors as the parked cars provide a buffer between moving traffic and the footpath/alfresco areas.

In terms of congestion, the installation of parking bays on Beaufort Street has not lead to more congestion on the corridor. The delivery of off peak parking bays on this corridor as well as peak hour bus lanes has led to an increase in people movements along the corridor. Beaufort Street now moves approximately 46,000 people (30,000 by car and 16,000 by bus) per day.

On Main Street it is still proposed to keep two lanes of traffic in each direction during the peak hours which will provide the same level of traffic capacity that exists now and will not lead to additional congestion.

During the off peak periods the volume of traffic (approximately 800 – 900 vehicles one way) is less than during the peak period. Given that an average lane of traffic can normally cater for approximately 1,800 vehicles per hour the volumes of traffic during the off peak period will only utilise about 50% of the available capacity of one lane of traffic.

The secondary purpose of the on-street parking bays is to provide additional public parking that provides convenient parking for nearby shops. Therefore no change in relation to the delivery of further on-street parking is recommended.

- Removal of Hutton Road slip lane

Whilst some submissions supported the recommendations of the Strategy, some submissions raised concerns regarding the removal of the Hutton Street slip lane. A number of submissions were supportive of the proposed traffic calming measures which would slow vehicle traffic, improve pedestrian safety and improve the amenity of the area.

One of the main aims of the Strategy is to change the focus of this section of Main Street from cars to pedestrians. The removal of the left turn Hutton Street slip lane will eliminate a hazard point between fast moving traffic and pedestrians trying to cross Main and Hutton Streets. The intersection will still maintain a separate left turning pocket which will allow for controlled left hand turns. No change to the Strategy is recommended.

Concerns raised about the removal of the Hutton Street slip lane also suggested it would result in 'rat running' through nearby streets. The issue of the potential to create rat runs through the proposed road 'diet' and removal of the Hutton Street slip lane needs to be addressed further and consideration of this should form part of the Strategy. It is therefore recommended that the Main Street Urban Design Strategy be modified to clarify that there needs to be further investigation on possible traffic calming for surrounding streets such as Edward Street.

- Turning movements

One submission requested consideration be given to the provision of a roundabout at the intersection of Eldorado Street and Main Street to assist with right turn movements onto Main Street. A roundabout cannot be accommodated within the existing road reserve and is not supported in pedestrian friendly town centres. It is recommended, however, that the Strategy be modified to include a new right turn pocket into Eldorado Street from Main Street north which will assist in improving turning movements. This would be a long term proposal.

Land Use and Built Form

- Building height bonuses

A submission suggested that providing additional height/plot ratio could be used as a development incentive for providing infrastructure benefitting the public and local community, such as the public plaza on the hotel site.

It is important in the middle of town centres to have public plazas where informal meetings/gatherings/activities can occur. The Strategy identifies landmark sites on the corners of Main Street and Royal Street (in the middle of the centre) for creation of civic spaces to frame the public realm. Currently there is little incentive proposed for owners to provide these spaces for public benefit with no additional storeys proposed.

The Osborne Park Hotel should be considered as a landmark site which provides a public place on its north-west to get people walking along and towards Main Street. Some consideration of additional height for this property, in exchange for the provision of a public place, could be considered as part of the drafted Local Development Plan. The proposed Local Development Plan would be able to provide requirements for these bonuses. Community acceptance of this can then be gauged during advertising of Scheme Amendment No.112 and the Local Development Plan should Council resolve to initiate these for advertising.

It is therefore recommended that the Strategy be reviewed to provide for more incentive for redevelopment with bonus plot ratio and additional height in return for provision of public facilities on private land such as open and civic spaces on the hotel site.

- Land Use and Zoning

There is an existing medical centre at House Number 181, Hutton Street, Osborne Park which is currently zoned Residential R40 and is therefore a non-conforming use. The Urban Design Strategy proposes that the site have planning controls that would permit a three to four storey residential building. A submission by the owners requested consideration be given to the lot's rezoning as part of the Strategy. Due to its existing use and it effectively forming an extension of the Main Street Town Centre, it is considered that it should form part of the town centre rather than the residential area and it is recommended that appropriate planning controls for this lot be incorporated into the Strategy.

It is therefore recommended that the Strategy be amended to clarify that this lot forms part of the Main Street Town Centre (mixed use zoning) rather than the adjoining area to be redeveloped with three to four storey residential buildings and, accordingly, should be rezoned from Residential R40 to Mixed Use/R-AC0.

Place Management

- Public plazas

There was little support from the community for the concept of using special area levies and developer contributions to fund the creation and maintenance of public places/plazas. These contributions were proposed in the draft Strategy as when the City last upgraded this centre, it constructed public works (ie lighting, paving and railings) on private property and there has been minimal maintenance of this infrastructure over the last 15 years or so. A place management framework which coordinates an approach between the City and other stakeholders to manage infrastructure, market and make the town centre better is contained in the advertised strategy.

It is therefore recommended that reference to a Special Area Levy in the Strategy be deleted as the Strategy still provides for a place management framework to be put in place.

- Streetscape

There was a request for a Streetscape Masterplan to be developed that would assist in providing an identity for Main Street with the use of thematic planting that would contribute to providing a sense of place when visiting the Centre. This could include the use of planting which reflects the market garden heritage of the area.

It is recommended that the need for a streetscape master plan be identified in the Urban Design Strategy.

Proposed Changes to Strategy and Transport Plan

As a result of issues raised during advertising of the Main Street Urban Design Strategy and associated Transport plan, it is recommended the following modifications to the Strategy are made:-

- Include discussion on the possibility of additional traffic calming being required on surrounding streets which may be subject to a change in vehicle movements as a result of the proposed modifications to Main Street and the removal of the Hutton Street slip lane. Consideration of traffic calming for other streets should form part of the Strategy. Additional comments to be included in Strategy at Clause 1.7 and Part 5.3 Eldorado to Royal.
- Include reference to provision of a new right-turn pocket into Eldorado Street from Main Street North to assist in turning movements. Additional comments to be included in Strategy and Clause 1.7 and Part 5.2 North Beach to Eldorado.
- Include reference to House Number 181 Hutton Street in Part 5.3 Eldorado to Royal and Part 6.2 Proposed Planning Changes to note that this lot forms part of Main Street Town Centre (mixed use zoning) rather than adjoining area to be redeveloped with three to four storey residential buildings and should be rezoned accordingly.
- Review Part 5.4 Main/Royal Intersection component of the Strategy to provide for more incentive for redevelopment with bonus plot ratio and additional height in return for provision of public facilities on private land such as open and civic spaces.
- Include reference for the need for a streetscape master plan which reflects the market garden heritage of the area in Part 6.4 Further Consideration.
- Delete mention of consideration of a Special Area Levy at Part 6.3 Further Consideration of the Strategy.

In addition, as a result of additional comments provided from the Community Safety Business Unit requesting a parking management plan be prepared for the centre as part of the implementation plan, the Strategy has been modified to include reference to parking.

It is also noted that there are minor issues with the Urban Design Strategy that should be modified prior to adoption, including typographical errors and edits, to make the document easier to read and understand.

Options

The following options are available to Council with respect to the Main Street Urban Design Strategy and associated Transport Plan:-

Option 1 – Not endorse the Main Street Urban Design Strategy and associated Transport Plan

This option does not require any action from Council, and no short term improvements to the centre will be undertaken. The costs and benefits of this option are outlined below:-

Costs

- The opportunity to improve the transport, pedestrian and urban design considerations of relevance to the centre will be lost.
- Possible loss of confidence from the community that Council is willing to implement the outcomes of the study.
- The 40km/h speed trial may be compromised and the speed would likely revert to 60km/h.

Benefits

- No financial cost to the City.

This option is not supported as it does not act on the outcomes of the community consultation process to date and the support to create a pedestrian friendly town centre.

Option 2 – Endorse the Main Street Urban Design Strategy and associated Transport Plan (without modifications)

This option requires Council to endorse the Main Street Urban Design Strategy and associated Transport Plan without modifications and to consider allocating funding for the Engineering Services and the Parks and Sustainability Business Units to undertake detailed design works in order to identify the exact costs of implementation of the public realm improvement options identified in the study. Subject to funding, the design works could be undertaken in the 2020/2021 financial year, with construction to follow in subsequent years.

The costs and benefits of this option are outlined below:-

Costs

- Does not address submissions received during public advertising of the Strategy and may result in a loss of confidence in the community consultation process.
- Ignores the opportunity to make the Strategy a more legible document.
- The identified “quick wins” will require funding and exact costs will be determined once detailed design occurs during the implementation stage.

Benefits

- Implementation of short term “quick win” strategies to support the accessibility and viability of the centre.
- Improved pedestrian amenity through planting of street trees and shade.
- Improved footpath width and creation of alfresco opportunities.
- Ensure the 40km/h speed zone is made permanent.

Option B is not supported as it does not act on the outcomes of the community consultation process.

Option 3 – Endorse the modified Main Street Urban Design Strategy and associated Transport Plan to respond to issues raised during the community consultation process.

Following updating of the Strategy, the City can then proceed with reviewing Amendment No.112 to Local Planning Scheme No.3 (LPS3) and the Local Development Plan.

A report can then be prepared to Council for the purpose of adoption of the updated Main Street Urban Design Strategy and associated Transport Plan as well as for initiation and advertising of the Scheme Amendment and Local Development Plan in early 2020.

The costs and benefits of this option are outlined below:-

Costs

- The identified “quick wins” will require funding and exact costs will be determined once detailed design occurs during the implementation stage.

Benefits

- Community confidence in the community consultation process.
- The Strategy incorporates necessary modifications.
- Implementation of short term “quick win” strategies to support the accessibility and viability of the centre.
- Improved pedestrian amenity through planting of street trees and shade.
- Improved footpath width and creation of alfresco opportunities.
- Ensures the 40km/h speed zone is made permanent.

Option C is recommended as it will facilitate the urban design and transport outcomes envisaged by the Urban Design Strategy and associated Transport plan, and addresses many of the submissions received during the public advertising.

Next steps

Should Council resolve to adopt the modified Strategy, Amendment No.112 to LPS3, which rezones lots as a consequence of the Strategy and the associated Local Development Plan, will be reviewed and modified to ensure consistency with the modified Strategy and will then be presented to Council for consideration of initiation.

It is anticipated that Amendment No.112 to LPS3 and the associated Local Development Plan will be presented to Council for initiation in early 2020.

Policy and Legislative Implications

Whilst there is no statutory process for adopting an Urban Design Strategy, implementation of the Strategy's recommendations will require the initiation of proposed Scheme Amendment No.112 to LPS3 and the preparation of a Local Development Plan to facilitate comprehensive redevelopment of the land in the precinct. These documents will be reviewed to reflect the outcomes of advertising and the modified Main Street Urban Design Strategy should it be endorsed by Council.

Financial Implications

Implementation of the recommendations of the Main Street Urban Design Strategy will require funding in order to achieve the recommended modifications, such as road modifications, landscaping, and improved pedestrian and cycling connections. These funding requirements will be identified through the preparation of an implementation plan that will be prepared after Council has adopted the Main Street Urban Design Strategy.

In the interim the City is currently delivering some quick wins through the use of \$40,000 of existing funding from the State Government and \$40,000 matching funding from the City.

In the 2019/2020 financial year it is proposed to utilise \$45,000 from the City's cash-in-lieu of parking funds to build on street parking on Main Street between Hutton Street and Eldorado Street. There is currently \$77,004.21 in the parking cash-in-lieu account for funds received from development applications on Main Street in the study area that can be utilised for this quick win. Other work will need to be designed, costed and brought forward for future budget consideration.

All costs associated with proposed Amendment No.112 to LPS3 and the associated Local Development Plan will be borne by the City Planning Business Unit's 2019/2020 budget.

Strategic Implications

Built Environment: Liveable and accessible City

Outcome B1: Places to live, work and enjoy

Objective B1.1: Plan to create unique and liveable neighbourhoods and places.

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:-

ENVIRONMENTAL	
Issue	Comment
Energy consumption	The actions identified in the Main Street Urban Design Strategy will improve the health and vitality of the district centre, and will provide improved access to local shops and services, reducing the need for local residents to travel.

SOCIAL

Issue	Comment
Amenity	The measures identified in the short term option, such as the proposed intersection upgrades, provision of additional landscaping, alfresco opportunities, reduced vehicle speeds and increased turnover of parking bays, will contribute to an improved outcome for the amenity of the district centre in the short term. In the longer term, redevelopment of private lots pursuant to the proposed Local Development Plan would achieve a revitalisation of the centre further contributing to improved amenity for the community.
Transport and access	The Transport Plan has identified a range of opportunities that will collectively contribute to the significant improvement in the transport and access arrangements within the district centre.

ECONOMIC

Issue	Comment
Transport and infrastructure	Implementation of the Transport Plan recommendations will achieve significant improvements in the transport and accessibility arrangements for the centre.

Conclusion

The Main Street Urban Design Study was initiated to investigate opportunities to address issues of traffic speeds, poor pedestrian amenity, lack of shade and poor urban design with buildings at varying setbacks. Following a number of community engagement events, the Urban Design Strategy and Transport Plan were produced with a number of key recommendations which require Council's consideration in order to move forward with implementation where appropriate.

It is recommended that Council notes the outcomes of advertising and endorses the recommendations of the modified Main Street Urban Design Strategy and associated Transport Plan.

Additional Information - 28 January 2020

At the Planning and Development Committee meeting held 26 November 2019, the Main Street Co-Op, a not-for-profit community organisation formed to engage the community and government in the revitalisation of Main Street, made a deputation in relation to the Main Street Urban Design Strategy and Transport Plan. During this deputation, the Main Street Co-Op raised a number of matters. As a result, at its meeting held 3 December 2019, Council resolved (Council Resolution Number 1219/050) as follows:-

"That Item CP1 - Main Street Urban Design Strategy and Transport Plan - Outcomes of Advertising be REFERRED to the Planning and Development Committee meeting to be held 28 January 2020 to allow officers to liaise with the Main Street Co-op, and to allow further information to be provided to Councillors."

Following this resolution, the Main Street Co-Op provided an expanded submission for discussion with the City's officers. On 19 December 2019 the City's officers met with the Main Street Co-Op to discuss these matters.

The Main Street Co-Op's submission recommends changes to the Main Street Urban Design Strategy and Transport Plan. The City's officers are continuing to review the submission and associated recommendations to ensure that the expanded submission is appropriately addressed, and that the implications of these recommendations are understood, before a recommendation is made to Council.

It is therefore recommended:-

Suggested Alternative Recommendation

That a further report be PRESENTED to the Planning and Development Committee meeting to be held 18 February 2020 to allow a thorough review of the Main Street Co-op's expanded submission, including assessment of the implications, and to allow a clear recommendation to be presented to Councillors.

Additional Information – 18 February 2020

At its meeting held 11 February 2020, Council resolved (Council Resolution Number 0220/008) as follows:-

"That a further report be PRESENTED to the Planning and Development Committee meeting to be held 18 February 2020 to allow a thorough review of the Main Street Co-op's expanded submission, including assessment of the implications, and to allow a clear recommendation to be presented to Councillors."

The following information is provided.

Meeting with Main Street Co-op and changes recommended to Main Street Urban Design Strategy

On 19 December 2019 officers met with the Main Street Co-op. The purpose of this meeting was to discuss additional information provided by the Main Street Co-op expanding on the content of its submission on the Main Street Urban Design Strategy and Transport Plan. This meeting also discussed recommended modifications to the Strategy.

The additional information provided by the Main Street Co-op, and City Officers' comments, are contained in Attachment 5.

Following this meeting and a detailed review of the comments made, the following additional changes to the Main Street Urban Design Strategy are recommended:

- Inclusion of a new Section 1.4 titled "Economic Vitality," and wording addressing the background and importance of the local economy to the Main Street centre. This is consistent with a recommendation of the Strategy for the City to consider the development of an Economic Development Strategy for the Main Street centre and is a minor change.

- Modifications to Section 5.4.2 of the Strategy to clearly articulate the importance of providing a piazza that is designed to provide a civic space which is usable, enjoyable and activated, and not compromised by the mixed use development of the balance of the site. This change is minor in nature and provides clarity about the purpose of the piazza.
- Include an additional point (d) within the part of Section 5.4.2 of the Strategy emphasising that any redevelopment of the municipal car park site at the corner of Hutton and Main Streets for mixed use or other purposes needs to be of a high quality and provide a catalyst for investment in the centre. This is a minor change and is consistent with the findings of the Feasibility Study for the possible future redevelopment of the public car park site.
- Modify the Strategy to replace the proposed 'quick win' interim piazza on a portion of the public car park at the corner of Hutton and Main Streets with the provision of a micro-piazza adjacent House Number 213, Main Street as a 'quick win'. A micro-piazza is essentially a scaled down version of a traditional piazza which is still a usable public space. The provision of a piazza on the public car park site as an interim measure prior to the possible redevelopment of the site for mixed use purposes, was reconsidered and it was determined that would be difficult to activate due to limited connectivity with other parts of Main Street and poor amenity. Alternatively a micro-piazza at the proposed new site would be more appropriate as it is adjacent to existing businesses, has better pedestrian connections and would be easier to activate in the short term. This change does not remove or alter the long term plan for a piazza on the public car park site.
- Inclusion of additional historical information in the Main Street Strategy about the Osborne Park area from the City's Local Planning Strategy. This information includes the area being part of the traditional lands and home of the Wadjuk people, and historical heritage information about settlement as this is a relevant part of the history of the area. In addition an Acknowledgement of Country is also included in the document.
- Inclusion of additional information in the Strategy about the cycle route connections in the Main Street Transport Plan from Waterloo Street to Main Street, including signage, to provide legibility and improved access to the Main Street centre for cyclists.
- Modifications to Section 5.5.2g. and Figures 8 and 10 of the Strategy to remove the requirement for a civic space to be provided in the future redevelopment of the Osborne Park Hotel site. This is to be replaced with the use of appropriate development incentives and bonuses to encourage the provision of civic space in the future redevelopment of the Osborne Park Hotel site. This is consistent with community feedback during the consultation process.
- Deletion of some photographs and artist's impressions (repeated in the document) which are no longer considered relevant and/or present an unnecessary negative impression of the Main Street area. Also replacement of some heritage photographs of the Main Street area with better examples provided by the Main Street Co-op.

Requests for modifications not supported:-

- The submission of the Main Street Co-op to specify dimensions for the size of the public square/piazza in the strategy is not supported as this document is not a statutory document and has no way of enforcing any size requirement in the future. The size of the future public piazzas will be included in the Local Development Plan for the area, and as this is a statutory document these requirements must be complied with.
- The submission of the Main Street Co-op to revise 'Quick Win #5 On-street parking' to require that either coloured asphalt or interim painting is implemented immediately with the on-street markings is not supported as the Strategy currently identifies this as an option.

The inclusion of a requirement for either coloured asphalt or interim painting to be implemented immediately with the on-street parking bay markings is not supported at this point in the development of the planning framework because a decision cannot be made until a design and costings are completed and funding sourced. This suggestion does however have merit and will be taken into consideration at the design stage.

- The submission by the Main Street Co-op to include a new item d in Section 6.3 of the Strategy to recommend the City undertake a review of the density in the 400m – 800m catchment of the area is not supported as the City's endorsed Local Planning Strategy only identifies the need to increase density on lots fronting and backing onto urban corridors. The City contains over 100km of urban corridors (about a third of the total in the Metropolitan Area). Analysis completed by the City has shown that if all urban corridors have higher density within 400m – 800m the City would be left with very few areas of lower density.

In addition the majority of lots within a 400m – 800m catchment area are already developed and strata titled as grouped and multiple dwellings. Therefore it would be difficult to achieve redevelopment of these properties in the short to medium term due to the multiple ownerships.

- The submission of the Main Street Co-op to include a new 'Quick Win #6 Cycling Infrastructure' in the Strategy is to take advantage of opportunities to link Main Street to the regional cycling network. This includes signage to promote respect for cyclists utilising the streets to access Main Street businesses and experiences, specialised traffic signals at the intersection of Hutton and Main Streets, and amenities including bike racks in all public spaces and enlarged footpath areas.

Changes to the Strategy are recommended to include the connections identified in the Main Street Transport Plan. However, inclusion of a 'Quick Win' as proposed by the Main Street Co-op is not supported because a decision to include changes to traffic signals at the intersection of Hutton and Main Streets will require the approval of Main Roads Western Australia and will depend on evidence to demonstrate the benefits of such changes. A decision cannot be made on this recommended change, along with the provision of signage and bike racks, until a design and costings are completed and funding sourced.

- The submission of the Main Street Co-op requiring that the shape and location of civic space on the Hotel site in Figure 10 be modified so that it is not shown as a certain outcome or shape is considered unnecessary as the location of the civic space is conceptual. To help clarify this, modifications to the legend of Figure 10 are recommended to clearly explain that the configuration and location of the civic space on the Hotel site is conceptual and will depend on any redevelopment of the Hotel site and the design of that development.
- The Main Street Co-op has recommended modification of 'Quick Win #4' to read:-

"Cross centre linkages

Develop enhanced pedestrian links between the office and retail quarters of the Main Street centre. This can include planting additional trees alongside the existing footpaths for an enhanced pedestrian experience, and including signage to direct pedestrians to experiences up and down the street."

This change is not supported as Section 5.6.2d of the Strategy already identifies the need for planting additional trees alongside the existing footpaths to provide shelter and improve amenity. The provision of signage is accepted however, it cannot be delivered as a 'quick win' as it will require a decision on the design and costings, and funding will need to be sourced.

A schedule of the modifications recommended by the Main Street Co-op, including the City's comments about the proposed changes, is attached (Attachment 5).

On 16 December 2019 officers also met with three Main Street business owners and their planning consultant who made a submission during the advertising of the Main Street Urban Design Strategy. These owners expressed concerns over the delay in the Strategy being endorsed by Council and supported progressing the next stage of the planning process to advertise the Scheme Amendment and Local Development Plan.

Additional information requested at Planning and Development Committee meeting held 28 January 2020

At the Committee meeting a request was made for the report to the next Planning and Development Committee held 18 February 2020 to include a breakdown of submissions received (percentage for and against) of the following matters:-

- The current 40km per hour speed limit over part of Main Street;
- The existing and proposed on-street parking; and
- The proposed change to the Hutton Street/Main Street intersection slip lane.

This information is provided below:-

	For	Against	No comment
40km per hr speed limit	51%	8%	41%
On-street parking (existing and proposed)	54%	14%	32%
Change to Hutton St/Main St intersection slip lane	49%	17%	34%

Petition relating to Lot 223 and 223A, on the corner of Main and Hutton Streets

At its meeting held 11 February 2020, Council received the following ePetition containing 254 verified signatures and a hard copy version of the petition containing 23 verified signatures:-

“Save our public land, lot 223 and 223A, on the corner of Main and Hutton Streets, Osborne Park, from investors and developers, and create a Town Square (Piazza) for our community. After surveys and public consultation it was in favour that a large open public place was to be created where people can come together, filled with trees, bench seats, water fountains & local art. Where we can meet and greet, where we can take a stroll and just ‘be’, where our seniors, elders, teens and children can enjoy interacting, where we can hold events and festivals, where local artists can create pieces that reflect the market garden and multicultural history and culture of Osborne Park and surrounding suburbs. Piazzas encourage people to venture out and escape the loneliness they may feel staying home. They are an essential part of our wellbeing and unite our communities. Some people can’t afford to eat out but a piazza encourages social interaction without the cost and builds a healthier and less isolated community. It doesn’t have to be full of people every day, all day. It just has to be a piece of the community we can keep as ours and can call ‘ours’. We need to prioritise people and their wellbeing, not put profit over the people. This land is the jewel in the crown for our people. It unites the North and South of Main Street. It is what every other precinct dreams of creating but lack space to create it. It is the heart of our Town Centre, and we want it to become the ‘heartbeat’ that will bring our community back to life. PLEASE help us save our land from the big investors.”

The ePetition and hard copy petition collectively contain 277 verified signatures.

The ePetition is being considered in this report because the City Planning Business Unit is preparing an urban design strategy for the land that is the subject of the ePetition.

The ePetition calls for the creation of a Town Square (Piazza) for the community. The idea of some form of civic space was a consistent theme during the development of the Main Street Urban Design Strategy. The preparation of the Main Street Urban Design Strategy involved significant community engagement, which included the following key components:-

- Online community survey;
- Vision workshop;
- Design workshop; and
- Community open day.

The community survey results indicated (in particular) that a key element missing from the area was an outdoor piazza and seating. All of the results of the survey informed the community workshop that was held 9 December 2017.

A key aspiration arising from the workshop was that *‘there is an attractive and central intergenerational public gathering place (piazza/plaza).’*

The outcomes of the community survey and workshop informed the development of design options for the area. The community’s views on the development of the car park site were sought through the following questions:-

- Do you support the removal of an area of car parking and replacement with on street parking and creation of a small piazza?
- Do you support redevelopment of the car park at the corner of Main Street and Royal Street as a multi storey car park with mixed use commercial at ground floor level and a piazza fronting Main Street?

There was a level of support for removal of an area of car parking and replacement with on street parking and creation of a small piazza (4 of 6 tables). The redevelopment of the car park into a multi storey car park had mixed reactions.

The Strategy proposes the preparation of a Parking Management Plan to determine the requirement for public parking in the area. The plan will inform the location, amount and management of existing and future public parking in the area.

The community engagement did not indicate the size of civic space that should be provided. In its response to the advertising of the Strategy, the Main Street Co-Op called for specific dimensions for the size of the public square/piazza to be included.

The City's officers do not support this, as the Strategy has no statutory basis. However, areas and minimum dimensions for future civic spaces will be included in the Local Development Plan that is being prepared for the area.

The modified Strategy that is recommended for endorsement identifies areas for future civic spaces. The Strategy also identifies the location of a micro-piazza adjacent to House Number 213, Main Street.

For the reasons given above, no changes to the Strategy in response to the petitions received are recommended.

The City's officers have met with the Main Street Co-op to discuss their submission and additional comments provided, as required by Council. As a result, and based on the additional information provided, modifications to the Main Street Urban Design Strategy (as shown in pink in Attachment 6) are recommended.

For this reason, the following alternative recommendation is provided.

Suggested Alternative Recommendation

That Council ENDORSES the modified Main Street Urban Design Strategy, as shown in Attachment 6, and the associated Transport Plan.

Attachment 5

Main Street Co-op additional information on its submission, recommended modifications and the City's comments

Co-op submission content	Main Street Co-op recommended modification	Officer Comment
Our initial conversations have identified the importance of a strong residential catchment to support local businesses. To respond to regional trends in retail and hospitality and thrive despite declining "destination" trade, the role of Main Street needs to become more focused on servicing locals within 2-4km (a short walk, cycle or drive). This means we need a strong residential catchment (on and around Main Street) to support our local businesses with safe access for pedestrians and cyclists. The urban design strategy should clearly link recommendations to a vibrant, healthy local economy. Quick wins, as the immediate investment into our centre, need to represent strong benefit for investment. This underpins many of our key recommendations.	Include new section 1.4 "Economic vitality" that includes a brief background to the importance of local economy to a thriving centre, bringing forward the recommendation for an "Economic Development Strategy" from section 6.3 (iv) so that it is a core response of the project, rather than a smaller component of the place plan introduced at the end of the report. Other recommended modifications made in relation to specific other submission items.	Inclusion of a new section 1.4 titled "Economic Vitality" and wording addressing the background and the importance of the local economy to the Main Street centre. This is consistent with a recommendation of the Strategy for the City to consider the development of an Economic Development Strategy for the Main Street centre and is a minor change.
"Redevelop car parking into a useable, enjoyable, activated civic space that meets contemporary design principles for urban spaces, noting that for a successful square, faces should be recognizable and a dimension of 30-35 metres is the optimal size.. The car park area is publically owned, therefore should be used for the community. A key need in the	Modify item 5.4.2 g to read: "Redevelop car parking into a useable, enjoyable, activated civic space that meets contemporary design principles for urban spaces, noting that for a successful square, faces should be recognizable and a dimension of 30-35 metres is the optimal size. Incorporate a sense of place and culture such as	Modify section 5.4.2 of the Strategy to clearly articulate the importance of providing a piazza that is designed to provide a civic space that is usable, enjoyable and activated and not compromised by the mixed use development of the balance of the site. The recommendation of the Main Street Co-

community is a high quality urban open space. A place to meet, to socialize, to enjoy. Right at the heart of the centre. Because the public square will be co-located with mixed use development, the urban design strategy should clearly articulate the minimum size dimensions of the public space, to ensure that high quality community space is not compromised by commercial return on mixed use development of the balance of the site. The decision on the optimal size of a town square is essential. Architect, Jan Gehl, has suggested that for a successful square, faces should be recognizable and a dimension of 30-35 metres is the optimal size. This should be articulated in the strategy to provide certainty to the community.	public art.	op to specify dimensions for the size of the public square/piazza in the strategy is not supported as the Strategy is not a statutory document and has no way of enforcing any size requirement in the future. The size of the future public piazzas will be included in the Local Development Plan for the area and as this is a statutory document these requirements will have to be complied with.
Framing this high quality space, mixed use development on the site should be a demonstration project of high quality residential development that catalyzes investment into the centre, turning public land into an enduring, community benefit. Alongside public space, we support high quality residential development on Main Street at medium to high densities, because having a strong residential catchment is good for our local business. A key economic intervention into Main Street is creating opportunity for more people to live in the immediate area, therefore spend their money in the area.	Include an additional point “d” within “built form” of 5.4.2 to articulate the community benefit of leveraging public land for community benefit, as the development of public land is not clearly justified in the document: “As identified in the feasibility study, realise the public economic benefits of mixed use development of a portion of the public carpark, including: • A market leading development for the precinct that would absorb the inherent risks and costs involved for future investment (e.g. a catalyst for investment) • The additional retain and business spending	Include an additional point (d) within the part of section 5.4.2 of the Strategy emphasizing that any redevelopment of the municipal car park site for mixed use or other purposes needs to be of a high quality and provide a catalyst for investment in the centre. This is a minor change and is consistent with the findings of the Feasibility Study for the possible future redevelopment of the public car park site.

The feasibility study identifies several economic benefits (as distinct from profitability measures) of mixed use development on the portion of the corner carpark site that is not retained as a public square. These include: • A market leading development for the precinct that would absorb the inherent risks and costs involved for future investment (e.g. a catalyst for investment) • The additional retain and business spending as a result of increasing the residential expenditure pool and floorspace for business • Place activation benefits	as a result of increasing the residential expenditure pool and floorspace for business • Place activation benefits”	
A public piazza on the carpark site requires a strategic approach, and should be delivered as part of a coordinated development. The challenges of the site means a piazza here should not be treated as a ‘quick win’. A more appropriate site for a quick win micro piazza is located on the area to be reclaimed by removing car parking embayments adjacent to 213 Main Street. This is in addition to, not in replacement of, a long term, permanent piazza on the corner site. The carpark site (identified for a ‘quick win’ piazza is currently an area of poor amenity, limited connectivity, and poor activation, with no physical or business anchors. In the immediate term, preceding key interventions outlined in the strategy (including	Revise Figure 10 to include micro-piazza adjacent to 213 Main Street, integrating with the “mid-block pedestrian crossing” identified as number 4 on that image. Modify “Quick Win 3” on page 38 to read: “A Piazza can be achieved adjacent to 213 Main Street by removing a short-run” Modify section 1.5 c to read: “Instant/interim micro piazza adjacent to 213 Main Street”	The possible redevelopment of the public carpark at the corner of Main and Hutton Streets with civic space (piazza), a mixed use building and public parking (multi-level car park) was developed through close consultation with the community. It is recognised that this is a medium to long term vision and will require a strategic approach. The replacement of the proposed interim piazza on the car park site with development of a ‘quick win’ micro piazza adjacent to property No. 213 Main Street is supported. The space provided by the removal of the car parking embayments (replaced by on street parking on Main Street), adjacent to property No. 213 Main Street will enable the

a mixed use edge and downgrading the Main-Hutton intersection), the site does not meet recommended siting and design requirements for public squares. However, slightly south of this intersection, and off the regional road network, the generous width of the road reserve and the 'quick win' proposal to replace car embayments with onstreet parking creates a fantastic opportunity to create a micro piazza in the interim. Removing car embayments creates a ~7x20m urban space (140m²).		footpath to be widened to approximately 6metres and provide a space that could be utilized as a micro piazza. This will improve the environment for pedestrians and may assist in activation of the area. This change does not remove or alter the long term plan for a piazza on the public car park site
We support the transport plan, which provides a holistic, comprehensive approach to enhance the safety of pedestrians and cyclists and improving the amenity of our centre.	Current response is suitable.	Comments noted.
We do not support a special area levy or developer contributions as suggested in section 6.3i. This will have unintended consequences, and disincentive renewal, which will erode our local economy. There is nothing proposed by the urban design strategy that exceeds current benchmarks of public space, therefore there is nothing imposing a special area rate is unwarranted. Since 1994 (the last upgrade of the Main Street streetscape), our local community has continued to	Current response is suitable, however the summary of this submission point is fairly cursory.	Noted. Reference to special area levy and developer contributions in section 6.3(i) already proposed to be removed from the Strategy.

pay rates, whilst the public land in our local area has been largely ignored. A quick telephone call to the City's rates team has identified that there are no current special area levies in the City of Stirling. This includes in Scarborough, where there has been considerable investment into amazing public facilities along the Scarborough Beach foreshore. It would be unfair to impose one for Main Street. State Planning Policy No. 3.6 provides the framework for developer contributions. Furthermore, developer contributions need to demonstrate a need and nexus that clearly established a relationship between the need for infrastructure and the new development. The urban design strategy has a focus on enhancing the amenity of livability of the existing area, whilst facilitating residential development in the area. It does not identify infrastructure upgrades as a result of future development. For the most part, the proposals of the urban design strategy are beyond the scope of infrastructure listed as appropriate for inclusion in a developer contributions plan. Developer contributions will increase developer costs, disincentive renewal, and may not be supported by the Western Australian Planning		

Commission due to policy inconsistency.		
Section 3.4 Character and Heritage doesn't capture that the true heritage of our urban village is in our multi-cultural community, not buildings. We value the indigenous culture of the Whadjuk people, traditional owners of the land. We value that the area has been and continues to be a place of arrival for a diversity of migrants. This is our heritage, and something to be recognized and celebrated. The expression of our multi-cultural community should be further discussed in this section, with more thought about how we can express the constant evolution of our multi-culturalism through urban design.	Include an acknowledgement of country in the opening paragraphs of the strategy. Include the following paragraphs in section 3.4: "For tens of thousands of years, the area has been part of the traditional lands and home of the Whadjuk people, and the traditional cultural importance of the area endures through more recent history of the place. .. [additional paragraphs summarizing the history of the area, and the continued role of the area as an arrival place for immigrants – I'm sorry we haven't had the time to draft these paragraphs though we attach relevant information after this schedule]	Comments noted and changes made to document inserting an acknowledgement to country at the beginning of the document. Information included in section 3.4 about the indigenous culture of the Whadjuk people as traditional owners of the land.
Cycling infrastructure on Main Street is lacking, and should be addressed in the urban design strategy. Whilst the urban design strategy recommends the parallel Waterloo Street as a bike boulevard, there is no recognition of the importance of attracting cyclists to Main Street and the opportunities to link the centre to the regional cycling network. There is demand for more cycle infrastructure, demonstrated by our successful 2019 bike week breakfast. Our urban village does not have a single U bar.	Include: "Quick Win #6 – cycling infrastructure To take advantage of opportunities to link Main Street to the regional cycling network, additional infrastructure for safe cycling can be introduced across the centre. This includes signage to promote respect for cyclists utilizing the streets to access Main Street businesses and experiences, specialized traffic signals at the intersection of Hutton and Main Streets, and amenities including bike racks in all	Comments noted. The improvement of cycling infrastructure is identified in the Implementation Plan being developed for Main Street as recommended in section 6.3a. of the Strategy. Additional information included in the Strategy about the cycle route connections in the Transport Plan from Waterloo Street to Main Street, including signage, to provide legibility and improved access to the Main Street centre for cyclists.

Accessibility by cycling in the local area is a key element of our future economic viability. The urban design strategy should facilitate this.	public spaces and enlarged footpath areas”.	A ‘Quick Win’ is also included for cycling infrastructure such as signage bike racks etc and the possible changes to the intersection of Hutton and Main Streets. This intersection will require the approval of Main Roads Western Australia.
The mandating of a significant civic space on the hotel site (as proposed by Figure 8, and section 5.5.2g) is not supported as it is unnecessary and would disincentive renewal. Additional civic space in this location is unnecessary. Main Street has a wide road reserve, sufficient for a collection of micro-piazas and will have considerable public space following the “road diet” recommended by the strategy and the construction of the piazza on the carpark site in the longer term. Main Street is also in close proximity to Robinson Reserve, and the “Royal Street Piazza” co-located with the Osborne Library and Community Centre. Requiring ceding of public space in this location (be it functional or formal) will have an unintended consequence of reducing the viability of renewal and redevelopment, and may serve to disincentivise redevelopment, resulting in a lost opportunity to support our local economy. The prominence of the site, alone, warrants a landmark development, therefore this should not be tied to functional ceding of land. A civic space in this location should not be	New item “h” in 5.4.2 “encourage additional civic space with the redevelopment of the hotel site through appropriate development incentives and bonuses”. Modify Figure 8 to read for item 4 “Future redevelopment of hotel site, with additional civic space encouraged through development incentives”. Modify item g of section 5.5.2 to read “Encourage public space into the future redevelopment of the hotel site through development incentives and bonuses.” Modify Figure 10 to read for item 5 “Future redevelopment of hotel site, with additional civic space encouraged through development incentives”, and modify presentation of the location so it is not visually shown as a certain outcome or layout.	Comments noted and wording modified in section 5.4.2 (h) reflecting the suggested modification. Comments noted and Figure 8 modified to reflect the suggested modification. Comments noted and wording included in section 5.5.2 (g) reflecting the suggested modification. Comments noted and wording in Figure 10 modified to reflect the suggested modification. Suggested change to presentation of the location of the civic space is not supported as Figure 10 is only a concept plan and the actual size and configuration of this space will depend on plans for the future redevelopment of the hotel site.

mandated. Mandating a civic space here is, in effect, a land contribution form of developer contribution. On the basis of considerable public land in the vicinity, with Robinson Reserve, the proposed piazza, and streetscapes, the need and nexus for a significant civic space in line with SPP3.6 is difficult to establish for this site.		
Quick win #4 (micro piazza on Hamilton Street) does not provide the best benefit for investment in relation to the office area. Immediate investment in this area should prioritise linkages between the office area and the core of the Main Street Urban Village. We think it is important to promote accessibility between these areas, as they currently operate independently. It is better for our local business to have local office workers coming into the main activity area for lunch, ensuring that spend is captured within Main Street, and is not leaked to other centres accessed by car. We recommend reviewing section 5.6.2 to more clearly identify and prioritise pedestrian linkages between the “office” area and the main activity core of the urban village.	Modify Quick win #4 to read: “Cross centre linkages Develop enhanced pedestrian links between the office and retail quarters of the Main Street centre. This can include planting additional trees alongside the existing footpaths for an enhanced pedestrian experience, and including signage to direct pedestrians to experiences up and down the street.” Or, in the response to the submission, identify and clarify the economic benefits of increased, localized amenity in this location and confirm support/priority from local office tenants in this area.	Comments noted. This change is supported additional paragraph added to quick win No. 4 in section 5.6.2. The strategy discusses more trees and shade in section 5.6 and the inclusion into the quick win makes this a priority.

Quick win #5 (onstreet parking) identifies that <i>“this marking could be accompanied by interim painting and artwork applied directly to the road surface to support place identity and slow traffic.”</i> Visual cues are essential to slow down cars, and give notice of onstreet parking. Therefore, this recommendation should more clearly require that either coloured asphalt or interim painting is implemented immediately with the onstreet bay markings.	Revise Quick win #5 to read: “To provide visual cues and give notice of onstreet parking, this parking should be accompanied by interim painting ...”	Comments noted. The inclusion of a requirement for either coloured asphalt or interim painting to be <u>implemented immediately</u> with the on-street parking bay markings is not supported because a decision cannot be made until a design and costings is completed and funding sourced.
An additional recommendation should be included to review density and built form in the urban frame of the centre (the residential area within 400-800 metres of Main Street). Built form recommendations stop at the nearest parallel street, which will lead to an inconsistent streetscape on these streets with higher density on one side, and lower density on the other. This can cause conflict and result in community objections to future development approvals. Also, the age of housing in the surrounding area is such that the majority of housing assets (in particular grouped dwellings sites built in the 70s and 80s) are due for renewal. Along many streets, continuous brick and masonry walls form the street frontage for older grouped dwellings, created a poor aesthetic and little interaction with the street. However, the current densities preclude renewal of these areas. For many grouped dwelling sites current R30 and R40 coding disincentive renewal	Include new item d in section 6.3: “Recognising that the age of housing assets in the urban frame of Main Street are due for renewal, undertake a review of density and built form in the 400-800 metre residential catchment of Main Street. This will support investment into increased built amenity of the broader area, and support a strong residential catchment to maintain a strong local economy”.	Comments noted. The recommendation of the Main Street Co-op to include a new item d in section 6.3 of the Strategy to recommend the city undertake a review of the density in the 400m – 800m catchment of the area is not supported as the City’s endorsed Local Planning Strategy only identifies the need to increase density on lots fronting and backing onto urban corridors. The City of Stirling contains over 100km of urban corridors (about 1/3 of the total in the Metropolitan Area). Analysis completed by the City has shown that if all urban corridors have higher density within 400 – 800m the City would be left with very few areas of lower density. In addition the existing residential development in the 400m – 800m catchment area revealed that the majority of lots are already developed and strata titled as

because lot sizes would result in lesser yield than currently constructed. Renewal would result in a reduced yield, therefore it is not a viable option for landowners. A review is needed to facilitate urban renewal, identify ways to maintain housing diversity, increase aesthetic and interaction, and also support a suitable sized residential catchment for the ongoing economic viability of Main Street.		grouped and multiple dwellings. Therefore it would be difficult to achieve redevelopment of these properties in the short to medium term due to the multiple ownerships
Photographs used in the document do not present the positive viewpoints and experiences of Main Street, and appear to present a negative impression of the place. There are far more attractive parts of the centre that could be showcased, compared to large shots in the document that illustrate unkempt side streets, and old, deteriorating signage (that has been removed since photographs used in the document were taken). The Main Street Co-op would be pleased to share some more positive visual representations, and suggest the authors look at our Instagram account.	Replace photographs throughout the document to use high quality examples from Main Street of activation and amenity.	Comments noted and document modified to reflect the suggested modification.
A single artists' impression is used multiple times in the document, which provides a very generic look and feel.	Reduce the use of the single artist's impression, or develop additional artists impressions.	Comments noted and document modified to reflect the suggested modification.
We recommend a streetscape masterplan is developed for the centre, including a planting list. Reflecting the market garden heritage of the area, we recommend that anything planted in the centre should be either food for our native animals, or food for our people.	Modifications recommended by officers are sufficient.	Comments noted. Changes already included in section 6.3 of the Strategy to recommend the preparation of a Streetscape Masterplan as part of the Strategy.

People — cultural & language diversity 2016 census data

[demographics & education](#) | [cultural & language diversity](#) | [employment](#)

Country of birth	Stirling (C)	%	Western Australia	%	Australia	%
Australia	116,525	55.4	1,492,842	60.3	15,614,835	66.7
England	11,267	5.4	194,163	7.8	907,570	3.9
India	6,603	3.1	49,385	2.0	455,389	1.9
New Zealand	5,131	2.4	79,221	3.2	518,466	2.2
Italy	4,080	1.9	19,210	0.8	174,042	0.7
South Africa	3,775	1.8	41,008	1.7	162,449	0.7

In Stirling (C) (Local Government Areas), 55.4% of people were born in Australia. The most common countries of birth were England 5.4%, India 3.1%, New Zealand 2.4%, Italy 1.9% and South Africa 1.8%.

Heritage Info re Main Street and Osborne Park area:

Excerpts from city of Stirling Municipal Inventory 1997 **Possible themes highlighted.**

In 1875 **William Osborne** (1830-95), expirée butcher, purchased Walters' vast holding north of Herdsman Lake. He greatly improved the property and stocked it with high-grade animals to supply his Hay Street butcher's shop, which was arguably the finest in the colony. After Osborne fell prey to alcoholism, **his wife Matilda** successfully coped for over a decade with his problem, their 13 children, the business and Lake Farm - now Osborne Park. She sold the latter to Town Properties in 1899.

The growing population and the emergence of new suburbs also created a demand for new intensive farming subdivisions near the metropolis. As a result **dairymen and market gardeners** were attracted in increasing numbers to the fertile patches on the Peninsula and Osborne Park. During this period there was also the large-scale development of market gardening, dairying and poultry farming within the Perth Road District. [Included current Osborne Park]. Most agriculturists established themselves on the flanks of the Yambago and Njookenbooroo swamps in Osborne Park, where irrigation water was available in summer from the drainage network. There were Chinese gardens in Glendalough, beside Yambago and Careniup Swamps and below Kirkham Hill Terrace and Falkirk Avenue near Mills Pottery on the Peninsula. In 1910 On Hop had a Chinese garden on the Peninsula and Ah Yung and Lee Shing in Eighth Avenue. Bon Tak and Charlie Lin had their gardens on either side of Scarborough Beach Road near to where the Glendalough Railway Station is situated. Ah Bong and Wong Ching were two Chinese working the edges of Careniup Swamp. By 1925 the last of the Chinese had sold around Careniup and were replaced by gardeners of European origin.

By 1899 William and Matilda Osborne's The Lakes farm was purchased by Town Properties of Western Australia and the first blocks were auctioned in April 1903. The estate offered both **residential blocks along Main Street and rural holdings to attract those interested in pig or poultry-raising and in market gardening.** Osborne Park with its successful farms helped by proximity to the city soon earned the sobriquet of Perth's "kitchen suburb". William Robinson (1880-1932) established his dairy, now 396 Main Street Balcatta, in 1905. Robinson was a founding member of the Osborne Park Agricultural Society, its president and a Perth Road Board member from 1930-32. **Mrs Robinson ran a store in Main Street. 239 Odin Drive, Stirling** - a weatherboard cottage associated with the Donatti family - is an example of the housing of the period as is the cottage and working market garden at lot 84 Gribble Road on the edge of Careniup Swamp though to have been built by the Coopers in 1914. The Donatti family were typical of the first southern European's in the area. They came to the state in the goldrush period moving on from Victoria where they had been part of the mid-century goldrushes. Other early families were

the Guelfis and Geneffs. Also from this period is 156 North Beach Drive, Tuart Hill, 1913, in almost original condition and lived in by the daughter of the builder..

In 1914, the **Osborne Park Agricultural Society** held its first Show, which soon emerged as second only to the Perth Royal Show.

A further factor in the social dimension of the Road District during these two decades was the fact that by 1910 the majority of its residents were new to Western Australia. The ethnic composition of the district was also changing. Apart from the **Chinese farmers** in Osborne Park and Maylands, a substantial number of settlers from **Southern Europe** were in the market gardening districts

The period between 1920 and 1940 saw the further development of the inner city suburbs of Mount Lawley, Inglewood and Maylands, the farming area of Osborne Park, and the growth of coastal communities at Scarborough and North Beach.

The transport system also underwent fundamental changes in the postwar years. Trams were progressively phased out in favour of trolley and diesel buses. The Scarborough Bus Service, with its magnificent 70-seater semi-trailers, was in its heyday, and other networks were expanding, often over inadequate road surfaces, to serve the new suburbs. A proposal for a passenger railway linking Subiaco, Scarborough and Whitfords Beach was not adopted, at a time when car ownership was rapidly growing and public funds were inadequate even to provide for the required growth in road construction.

In Mount Lawley the third release of land took place c1929 in the area now called Menora. Many substantial houses were built. Housing styles changed as influences from the Arts and Crafts Movement, mediated through Gustav Stickley and California, came into prominence - particularly with developers. Typical of this is 158 Tenth Avenue, Inglewood. This is the predominant style throughout the western part of the district between the wars much of it stock designs from developers. Examples in relatively intact condition include, 147 Deanmore Street, Scarborough, 205 Edinboro Street, 7 Joondanna Street, 162 Roberts Street, Joondanna, and **244 Main Street, Osborne Park.** (see below). Houses with Spanish styling were prevalent in the metropolitan area at this time by few are seen in the area covered by the city of Stirling. One example in original condition is at 131 Edinboro Street, Joondanna. Architect designed houses tended to be more individual. Those designed by Eustace Cohen, being readily recognised for their 'half-timbered' effect.



244 Main Street, Corner of Eldorado and Main Street

Post WW1

Osborne Park also experienced changes to its social composition as new settlers continued to arrive in the district from the wheatbelt and goldfields. Always multicultural, the district's social composition became increasingly dominated by people of **South European descent**. Mainly from Italy and the newly created Republic of Yugoslavia, these newcomers frequently took over holdings vacated by frustrated erstwhile farmers. By 1920 poultry farms were a well-established element of the agricultural landscape both in the Soldier Settlement area near Cedric Street and further east along Wanneroo Road.

Annual milk production peaked at 4.5 million litres in 1935. **Rafferty Bros dairy was in Main Street.** The TB eradication programme put an end to the dairying in Osborne Park freeing land for more intensive farming. In the sandier areas egg and poultry production expanded rapidly during the 1930s, with flocks containing more than 80,000 by the end of the decade. An old poultry farm remains at 294 Albert Street. The pig population also grew twelve-fold to 17,000 in the 15 years after 1920. Vegetable production continued to increase, and vineyards were planted and local wine produced. C.Vladich had a vineyard in Balcatta Beach Road on the corner of Cedric Street. His wife had a wine saloon on the property. Other vigneron with cellar-door sales were the Rodins, Lukins and Stampalias. Market gardener families the Guelfis and Giranolos in Albert Street contributed to the growth of the economy. Richard Sebastian Guelfi became the first deputy mayor of the City of Stirling. His contacts included Albert Facey who ran a poultry farm at the corner of Wanneroo Road and Royal Street. A weatherboard house, 112 Royal Street, dating from the 1930s still stands in this vicinity. Working market gardens that remain include 87 Hamilton Street and 218 Odin Drive, Stirling. The influence of the southern European migrants can be seen in a number

In Osborne Park the impact of enlistment was less severe than elsewhere, since most primary producers were not permitted to join up.

Successive Osborne Park Agricultural Shows raised over £1,500 for patriotic purposes, and local ethnic groups also made substantial contributions. One sour but extremely temporary Li note was struck by a group of Italian origin, who took to wearing black shirts once Italy entered the war.

Post WW2

As early as 1952 rapid change in general and the uncoordinated growth of Scarborough in particular convinced the Perth Roads Board of the need for comprehensive planning. Immediate outcomes were the gazettal of the Osborne Park Industrial Area, the creation of small local shopping precincts and close coordination with other authorities and town-planner Margaret Fielman on the design of a new street layout for Karrinyup.

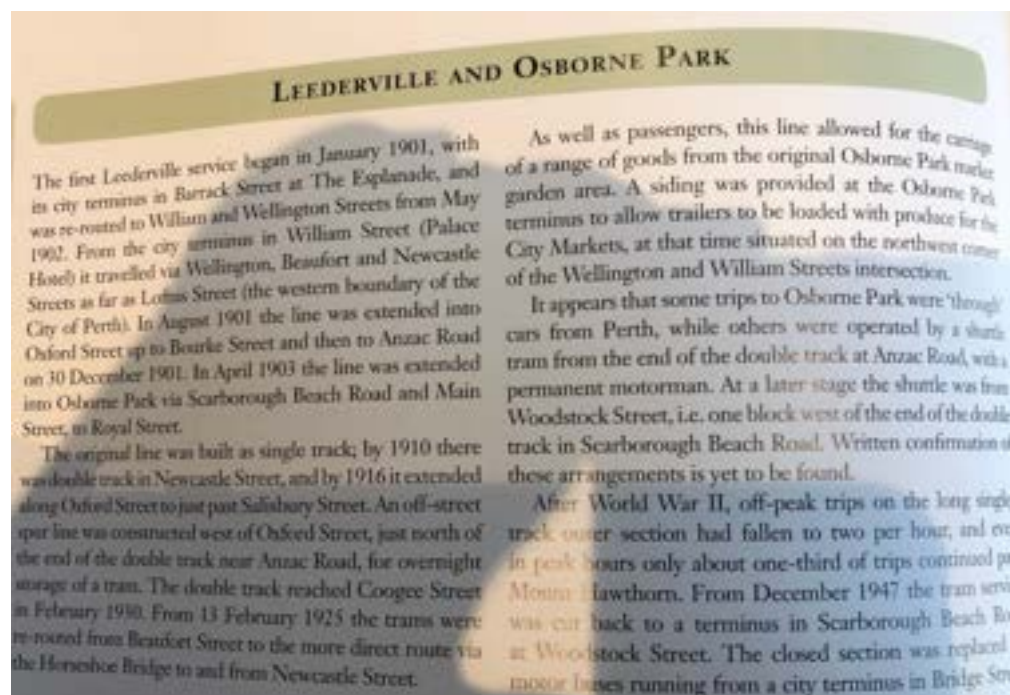
The tremendous growth in housing and population caused increasing pressure on the existing transport system. **Already by the early 1960s arterial roads such as Scarborough Beach Road and Wanneroo Road were proving inadequate to handle the amount of traffic flowing to and from the city.**

NB no research into community snapshots since 1997.

Only “up to date” source is 2016 census, attached.

Excerpts from 'Tracks by the Swan' **Trams and Main Street:**

The North Perth and Perth Road Board Districts Tramways Act, 1902, confirming a Provisional Order for extending the Leederville tramway along Oxford St, Scarborough Beach Road, and Main Street, was assented to on February 19 1902. Trams ran from 1903 to 1947, when they were replaced by trolleybuses.





Tram 15 moves through the points onto the siding at the Osborne Park terminus. n.d.

Suburban terminus.

Leederville and Osborne Park

In July 1900 agreement was reached with the municipality of Leederville for tramway extensions into that area. The agreement included a guarantee that passengers from Leederville into Perth could complete their journey on other lines within the P.C.C. boundaries for one additional penny. Trams were to run at intervals of not greater than twenty minutes between the hours of 6.00 am and 11.30 pm.

The Newcastle Street service was extended westwards from Loftus Street to Oxford Street, and then north to Bourke Street; this section opened on 10 August 1901, with a further extension to Anzac Road [then called Government Road] on 10 December 1901. The location of loops on this section, if there were any, is not known.

The final extension of this line, still on single track, was made in accordance with the 1901 agreement with Town Properties of West Australia Ltd. This company owned, and was developing for residential purposes, 6 000 acres of land, known as the Osborne Park Estate—essentially the present-day suburb of Osborne Park. They believed that what would enhance, and perhaps hasten, the suburban development would be a tramway right through the heart of the area, represented today by Main Street—the locality at the time was basically a market garden area. The proposed Main Street tramway could easily be linked to the line being constructed along Oxford Street under the Leederville agreement.

The single-track Osborne Park extension ran via Scarborough Beach Road and Main Street to Royal Street, Osborne Park, and was opened on 11 April 1903, with free services on Wednesdays and Saturdays for prospective land buyers. Passing loops were at Coogee Street and Green Street. It was operated, at least for part of the time, as a shuttle between Anzac Road and Royal Street. A spur line was constructed south of Anzac Road, on the west side of Oxford Street, where a tram could be housed overnight for use on this shuttle.



Tram No 10 smokers car at the terminus of the Osborne Park line, next to the original Osborne Park Hotel. n.d.



Tramlines being taken up along Main Street.



No dates, no details. Who was J. Tyler, Produce Merchant?



Agricultural Hall. Community focus.



MAIN STREET

URBAN DESIGN STRATEGY



Acknowledgement of Country

The City of Stirling Acknowledges the Wadjak People of the Nyoongar Nation as the traditional custodians of Mooro Country. We pay our respects to Aboriginal and Torres Strait Islander Elders past, present for they hold the memories, the traditions, the culture and hopes for Aboriginal Australia.

The City is committed to forging stronger relationships and a deeper respect for Aboriginal and Torres Strait Islander Australians. By acknowledging and respecting the diversity and history of our Aboriginal community, we will continue to realise our vision for reconciliation.

DISCLAIMER

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2 Main Street Urban Design Strategy

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1.0 SUMMARY

As a District Centre, the Main Street Centre (the Centre) currently services **the residents of Osborne Park, Tuart Hill, Joondanna and Stirling residents**, by providing a good mix of community facilities, retail, office, cafés, take-away outlets and restaurants.

Its central retail area is the Royal/Hutton intersection, a busy east-west heavy vehicle route connecting Wanneroo Road/Charles Street and the Mitchell Freeway. Main Street itself is also a favourable transit route for commuters and buses travelling during peak times to the Perth CBD, Osborne Park Industrial Area and to Subiaco.

The conflict between vehicles and people is experienced by the local community daily, and is an enduring issue that the City of Stirling (the City) is actively addressing. It also adversely impacts the capacity for the Main Street Centre to redevelop and grow to service and meet the needs of the surrounding areas.

In 2016, the City and community developed a Vision and Activation Strategy for the Main Street Centre. In preparing the Strategy it was identified that the potential success of the Centre is impeded by the poor urban design context and safety issues that would need to be resolved in order to enable active use by the community and broader revitalisation to occur over the next 35 years.

In order to completely understand and solve the complex urban design and place issues of the Main Street Centre, the City, with the assistance of consultants, has prepared this Urban Design Strategy.

1.1 STUDY OBJECTIVES

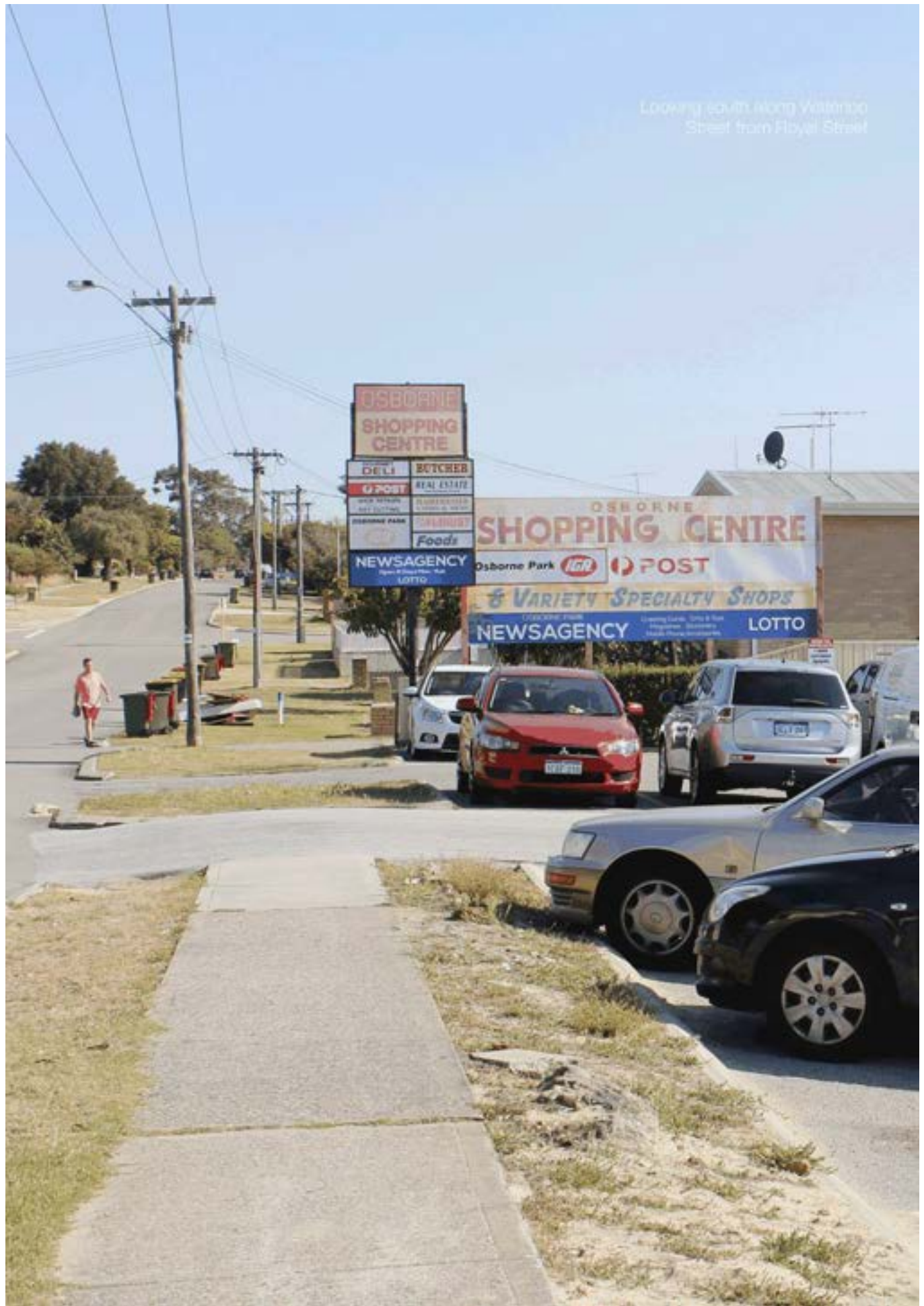
The Urban Design Study involved extensive research and analysis of how the Centre currently performs and an engagement process with the local community and other stakeholders to help develop a strategy for the improvement and growth of the centre. The objectives of the study were to:

- a. Understand urban design and place issues across the Main Street Centre;
- b. Develop a shared vision for the Main Street Centre with the local community, including principles and redevelopment objectives;
- c. Develop design and placemaking options to guide built form and transport planning to improve Main Street and deliver the vision; and
- d. Identify quick wins and longer term delivery strategies and initiatives.

1.2 COMMUNITY ENGAGEMENT PROCESS

The preparation of this Urban Design Strategy has been a collaborative process involving the local community from the initial stages. The community consultation process undertaken included:

- a. Place assessment walk and talk with Committee Members of the Main Street Co-Op in November 2017
- b. Online Survey from 8 November – 5 December 2017, receiving 271 responses
- c. Vision Workshop on 9 December 2017, with 48 participants
- d. Urban Design Workshop on 5 May 2018, with 46 participants
- e. Community Open Day on 30 June 2018, with 64 recorded participants



1.3 A SHARED VISION FOR MAIN STREET

Through the consultation process, a shared Vision for the Main Street Centre was created. This Vision will guide the City and Community for the collective transformation of the area.

1.4 ECONOMIC VITALITY

The Main Street District Centre is an important commercial hub for local residents. Historically it played a significant role as a commercial centre in the local area as it facilitated a tram terminus which sought to serve agricultural communities in the area. The Centre consists of a range of commercial premises including local service industries, cafes, restaurants, a hotel, a community centre and a library. The 'Plaza' section of the Centre, located between Federal and Cape Streets, predominately caters for commercial offices whose operations include financial and medical services.

We imagine that Main Street Centre could become a convenient and welcoming 'village centre' – a place that supports its small businesses and groups that offer a diverse tapestry of flavours and localised experiences.



Realising its potential, it could become a well-known and treasured destination celebrating its fresh market produce and farming heritage, Mediterranean character and multicultural community.

We envision a tree-lined, pedestrian and bike-friendly and lively place where many people choose to live, work and frequently visit.



1.5 KEY IMPROVEMENTS

During the study process and Urban Design Workshops, a number of key place shaping ideas and projects were identified. The following projects are recommended to be delivered by the City, in ongoing consultation with the community and key Main Street stakeholders.



Reduce size of the Royal/Main Street intersection to remove surplus slip-lanes, tighten corners and improve pedestrian crossing.

Redevelop road and businesses between Royal and Federal Streets to bring buildings closer to the street in 'true main street fashion'.



Introduce more tree planting, paving and street furniture along Main Street to improve pedestrian amenity.

Encourage higher intensity development along Main Street, with mixed residential and commercial uses to add life and vitality to the area.



Create new public spaces on City land, and in future private redevelopment, for people to gather and to accommodate major public events.

Create a safe cycle boulevard along Waterloo Street for all kinds of cyclists, connected to Main Street at key points.



1.6 QUICK WINS

Although the reshaping and reinvigoration of the Main Street Centre will take time, there are some immediate 'quick win' actions possible in the next 1-3 years (2019/20-2021/22):

- a. Put Main Street (south) on a "Road Diet".
- b. Green-Up Main Street.
- c. Create a Micro Piazza at 213 Main Street using the existing wide footpath and the future removal of the embayed parking bays (replaced by on street parking).
- d. Create a small Piazza at the intersection of Hamilton ~~Lewley~~ Street and the car park on the western side of Main Street.
- e. On-Street Parking along Main and Royal Streets
- f. Enhance the pedestrian links between the office and retail section of the Main Street precinct by planting of additional trees alongside existing footpaths and signage to direct pedestrians to experiences along Main Street.
- g. Introduce additional infrastructure for cyclists (signage, bike racks and if possible changes to traffic signals) to improve access & safety.

1.7 RECOMMENDED PLANNING CHANGES

In order to deliver the vision and urban design improvements the following town planning updates will be considered:

- a. Application of R-AC0 Codes supported by Design WA Apartment Design standards for new residential development.
- b. Development of a Local Development Plan establishing key development parameters including building height and massing, car parking requirements and performance-based incentives to encourage exemplary development outcomes.
- c. Preparation of a Local Planning Scheme No. 3 amendment to put in place new densities and provisions to guide future development.

1.8 RECOMMENDED PARKING AND TRANSPORT ACTIONS

A Transport Plan for the Main Street Centre has been prepared in conjunction with the Urban Design Study to support the vision and proposed urban design improvements. The key recommendations of

the Transport Plan are:

- a. Introduction of a wider area 40km/hr speed zone via a staged approach.
- b. Reconfiguration of on-street parking, embayed parking and bus stop embayments.
- c. Reconfiguration of pedestrian crossing points for crossovers and installation of two additional pedestrian signal crossings in the study area.
- d. Improvements to cyclist connectivity through the development of a Safe Active Street along Waterloo Street with connections to Main St.
- e. Removal of the give-way left turn slip lane from Hutton Street to Main Street and introduction of traffic calming on nearby streets to discourage rat running.
- f. Use of on-street traffic calming and management such as cushions or vertical deflection treatments throughout the area, including the potential use at Main Street intersection with Hutton Street.
- g. Introduction of a right turn pocket into Eldorado Street from Main Street North to assist in improving turning movements in and out of Eldorado Street.
- h. Preparation of a Parking Management Plan to determine the requirement for public parking.

1.9 STUDY IMPLEMENTATION

As a document, this Strategy examines the findings, and provides the tangible foundation needed to enable the revitalisation and improvement of the Main Street Centre to occur, achieved through a series of quick wins, medium term projects and strategies.

There are also technical studies supporting the strategy, including a Transport Plan and a Public Parking Feasibility Study. Following the Strategy, amendments to the Local Planning Scheme and a Local Development Plan will be prepared to facilitate the implementation of the recommended planning changes.

The actioning of recommendations and initiatives within this Strategy will be determined by the City and its elected members, however most initiatives will be implemented with the local Main Street community and broader stakeholders.

The indicative illustration shown opposite highlights the potential for Main Street to become a great place through the implementation of the study recommendations.



Main Street Urban Design Strategy

2.0 INTRODUCTION

2.1 STUDY AREA

The Main Street Study Area includes the spaces, streets and places within the boundary (see Figure 1). It is important to note that although the study area was defined, the broader context and public infrastructure (such as connections to local schools, Glendalough Train Station, places of worship, public open spaces) were identified and considered throughout the study analysis.

It is important that the revitalisation of the Main Street Centre is undertaken with a view to being attuned to the values and needs of the local community, whilst also serving the broader metropolitan role that Royal Street/ Hutton Street/ Main Street provide as key road connectors.

2.2 PLANNING CONTEXT

The Strategy for the area has given due regard to the prevailing strategic and statutory planning framework, which includes WAPC's Perth and Peel @3.5million and the Central Sub-Regional Planning Framework (the 'Framework') that highlight the potential for redevelopment and growth in accordance with the strategic goal of a consolidated and connected Metropolitan City.

The Framework considers urban consolidation principles and alignment with strategic policy such as State Planning Policy 4.2 Activity Centres for Perth and Peel (SPP4.2) in order to define areas where increased housing, employment and associated amenity may occur. The Main Street Centre is designated as a 'District Centre' in accordance with SPP4.2, and can be considered both an 'Activity Centre' and 'Urban Corridor'.

This Strategy also accords with the Local Area Planning for the Glendalough-Joondanna-Osborne Park-Tuart Hill-Yokine (GJOTY) Local Area Plan. The GJOTY Local Area Plan was the first comprehensive community based plan that the City produced for this locality. It provides a holistic consideration of social, economic and environmental issues and identifies unique opportunities in the local area by integrating the outcomes of community engagement with the broader strategic objectives of the City.

The GJOTY Local Area Plan emphasises that the Main Street Centre is one of the local centres most in need of improvement and highlights the need for more public places to socialise.

The Strategy will be implemented through the statutory framework, which includes the City of Stirling Local Planning Scheme No. 3 and a Local Development Plan. It is recommended that a Local Planning Scheme No. 3 amendment be prepared to put in place new densities and provisions to guide future development.



FIGURE 1: Main Street Study Area

2.3 CONSULTATION PROCESS

The preparation of this Strategy has been facilitated as a collaborative process involving the local community from the outset. The community consultation process undertaken has included the key activities listed below.

In addition to this engagement, the City's planning officers have met with landowners and Ward Councillors to understand their views on the current performance and future potential of the Main Street Centre. Further information regarding the consultation findings and reports can be found on the City's website.

1. PLACE AUDIT WALK AND TALK NOV 2017

In November, City staff and placemaking consultants met with representatives of the Main Street Co-op to walk through the Main Street Centre area. Key issues and problem areas were identified, and the current condition of the area was documented.

2. ONLINE SURVEY NOV-DEC 2017

An online survey was open to the community in late 2017, receiving a total of 271. Most participants were between the ages of 30-44 years, and over 65 per cent were female. The survey found that participants like the convenience that the Main Street centre provides, its retro aesthetic and street art but dislike vehicle dominance on the streets, the lack of atmosphere and rundown state of some shopfronts and limited evening activity.

3. VISION WORKSHOP DEC 2017

A Community Vision Workshop was held at the Stirling Community Centre in Tuart Hill in December 2017. 48 participants attended the workshop and identified local character and history of the area, defined a future vision for the Main Street Centre, and brainstormed potential improvements that will make the area more 'liveable' and 'loveable'. The information gathered through this workshop has informed the development of the Urban Strategy.

4. URBAN DESIGN WORKSHOP MAY 2018

An Urban Design Workshop was held at the Osborne Park Community Centre in May 2018 with 46 attendees. A draft Vision was presented to the group for feedback, and potential urban design options and priority interventions were discussed amongst the group. The valuable feedback received from participants enabled a preferred urban design approach to be confirmed.

5. COMMUNITY OPEN DAY JUNE 2018

A Community Open Day was held at the Osborne Park Community Centre on Saturday, 30 June 2018 with 64 people attending this event to review and provide feedback for the preferred urban design approach and quick win projects finalised from the Urban Design Workshop.



Main Street Urban Design Strategy

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3.0 MAIN STREET IN CONTEXT

3.1 URBAN SETTING

The Main Street Centre has played an important role in the growth of Perth as a place for agricultural production and entrepreneurial opportunities. Although the Centre has changed significantly over the decades, it continues to display distinctive qualities and intangible social aspects that are valued by the community.

When visiting the Main Street Centre and talking with community members, there is a sense of authentic social bonds and pride. This is also evident by the atmosphere seen in the cafés and restaurants, locally owned businesses and on the street, with people waving to each other or stopping to chat.

Its strong road linkages to neighbouring centres however puts other community and commercial attractions in close reach to local residents, and a key challenge is to establish a clearly defined point of difference and experience to its competing destinations of Mt Hawthorn, Leederville and Karrinyup Shopping Centre.

Improving the urban design and providing for the local residents needs will help to support businesses and encourage more people to walk and cycle to the centre, and attract a greater catchment of visitors.

The diversity and cultural backgrounds of the residents and business owners is highly valued by the local community and this is connected to how they view the place's identity/character. Supporting the cultural diversity, traditions and place character in the Main Street Centre should also be an ongoing focus, so that the streets, public spaces, buildings and events enable the local qualities to be maintained and enhanced into the future.

3.2 TRANSPORT, PARKING AND MOVEMENT

It is important that the revitalisation of the Main Street Centre is undertaken with a view to being attuned to the values and needs of the local people, whilst also serving the broader metropolitan role that Royal Street/Hutton Street and Main Street provide as key road connectors to and from the Main Street Centre.

Traffic volume counts indicate that Main Street south of Morley Drive has an average weekday volume of around **27,500** vehicles per day (vpd), comprised of 50% flows in each direction. Main Street south of Royal Street has an average weekday volume of around 22,300 vpd with the northbound traffic flow being around 55% of recorded volume. This tidal flow is symptomatic of commuting and interregional traffic movements.

Main Street has historically had a posted speed limit of 60km/h, however a two-year trial of a 40km/h speed limit along the central part of Main Street is currently underway. The intersecting District Distributor Roads, Hutton Street and Royal Street, have a posted speed limit of 60km/h. All other intersecting roads have a default speed limit of 50km/h.

Main Street has three bus routes which run along the central section of the study corridor, providing connections between Perth CBD and key transport hubs including Stirling Station and Glendalough Station. Buses within the study area generally operate at frequencies ranging from 10-20 minutes at peak times. There are 9 bus stops along Main Street in the study corridor. All lots in the corridor are near a bus stop, and therefore have excellent connectivity to the wider Transperth network.

Cyclist movement is accommodated by a marked cycling route along Waterloo Street, which runs parallel through most of the corridor to the east of Main Street. The area indicated as being very walkable, with excellent local access to services and facilities that would easily be reached through walking.

An off-street parking occupancy survey was completed in 2016 for the key commercial land uses in the corridor adjacent to the intersection of Main Street and Hutton Street. It indicated that, during the high use peak periods for a Saturday and Thursday, there is adequate parking availability in the area.

There is an existing 75 bay public carpark on the corner of Main Street and Hutton Street.



FIGURE 2: Main Street Urban Setting

3.3 CURRENT PERFORMANCE

The following place assessment summarises key strengths and weaknesses identified within the study area, contextualising the performance of the Main Street Centre today.



3.3.1 CULTURE AND ECONOMY

Strengths

- Osborne Park Library and Community Centre
- Neighbouring schools actively participating in the Centre's future
- Long-running community groups like the Osborne Park RSL, Agricultural Society, St John Ambulance, Osborne Park Bowling Club and several church groups
- Locally owned businesses and commercial employment
- Well-known and loved restaurants and cafés with multi-cultural flavours
- Retail and dining clustered in a central point

Weaknesses

- Some anti-social behaviour in laneways and parking areas
- Lacks diverse urban and night-time attractions like small bars, high-end restaurants, bakeries and entertainment venues
- Lack of pedestrian traffic to support businesses and services
- No major supermarket for residents to purchase fresh food and ad hoc trade hours
- Southern commercial area not active at night or on weekends
- Low rental rates



3.3.2 ECOLOGY AND STREETS

Strengths

- Some large trees in Waterloo and Edward Streets, with new trees recently planted in neighbouring streets by the City
- Trees and landscaping strong along southern Main Street
- Robinson Reserve, and future improvements planned
- Generally consistent paving treatments
- Footpath wide in some locations
- Signalled pedestrian crossing south of Royal Street
- Laneways providing some pedestrian thoroughfares

Weaknesses

- Lacks sense of arrival and 'town centre' feel
- Lacks public spaces for people to gather
- Wide streets feel more suited for fast through vehicular traffic than for people movement
- Royal/Main Street intersection is poor for safe pedestrian movement
- Prioritisation of car movement over pedestrians and cyclists
- Narrow footpath in some locations
- Lacks sufficient tree canopy and shelter on Main Street
- Poor lighting at night for lanes and carpark

3.3.3 BUILDINGS AND HOUSING

Strengths

- Mixture of building types with some consistency of buildings materials
- Some properties with awnings over footpaths
- Mixture of small and larger tenancies
- Mixture of apartments, townhouses, villas and single dwellings
- Affordable housing for a range of social groups

Weaknesses

- Buildings north of Royal Street and south of Lawley Street set back with parking in front
- Buildings do not contribute well to public spaces
- Many buildings tired and lack character
- Some buildings with wide separation
- Some empty tenancies and blocked windows
- Height differences on north-east side of Main Street north of Royal Street means buildings elevated and lack engagement with street
- Position of commercial buildings and car parking provides lack of passive surveillance



3.3.4 ACCESS AND TRANSPORT

Strengths

- Public use car bays provided on private lots
- 40km/hr zone trial along Main Street
- Good public transport (bus) connections north-south
- Bus shelters and seating
- North Beach Drive – good east-west cycling route
- Most errands can be accomplished on foot
- Signalled pedestrian crossing well used
- Offices include rear/basement private parking

Weaknesses

- Lacks good east-west bus route and low frequencies
- Lacks bike infrastructure and safe cycle routes
- Busy commuter traffic in mornings and evenings
- Royal/Main Street intersection provides short time to cross and ability to cross all directions
- East-west pedestrian connections can be dangerous with narrow median
- Crossing Royal Street to access Robinson Reserve and Osborne Park Library and Community Centre is challenging
- Poor sight lines along Royal and Hutton Streets (sloping road)
- Pedestrian fence barriers inhibit pedestrians

3.3.5 MANAGEMENT AND COOPERATION

Strengths

- Engaged landowners that have or are willing to invest in improving buildings
- Established community group – Main Street Co-Op
- New public art, signage and murals
- Main Street Plaza Design Guidelines and landowner contribution requirements have provided good landscaping and footpath improvements for the southern portion of Main Street (Federal Street to Cape Street)

Weaknesses

- Poor verge maintenance within some private properties
- Confusion of ownership for maintenance of lights, fencing and landscaping on private/public boundaries
- Lacks public toilets

3.4 CHARACTER AND HERITAGE

The City of Stirling lies within the area known as Wadjak Nyoongar (Mooro) country, part of a greater area land traditionally occupied by the Nyoongar people. Prior to European colonisation, the Wadjak Nyoongar (Mooro) people moved through the country to take advantage of each season's offerings, living on the coastal plain's wetland chain in the hot seasons and moving inland as the weather cooled.

Although the Swan River colony was first established in 1829, European settlement of the area now known as the City of Stirling remained sparse throughout the nineteenth century. Land with river frontage was the first to be occupied and farming on the Maylands Peninsula occurred from 1830 onwards. During the 1870s, small farming settlements began to spring up around the many wetlands in the area, and by the 1880s the first beach cottages were being built at North Beach.

Subdivisions in Osborne Park commenced from 1903 and coincided with the construction of tramlines from Oxford Street along Scarborough Beach Road, and from Main Street to Royal Street.

By 1907 a thriving centre had developed in Osborne Park. Prior to 1920, the area was particularly popular with migrants from southern Europe and China, who established market gardens there. The inter war period saw the residential in-filling of previously subdivided areas and by 1921, permanent settlements had been established in Osborne Park.

The community of the Main Street Centre value the Osborne Park local stories, place character and heritage. This snapshot of the Osborne Park History provides an understanding of the people, events and trends that have shaped the place.



Osborne Park Hotel and Tram No. 100 (Main Street Co-op)



Osborne Park Agricultural Hall (Main Street Co-op)



Pharmacy - 215 Main Street, 1960 (SLWA 234726PD)



Osborne Park Hotel, 1960 (SLWA 250521PD)



Looking north along Main Street, 1979 (SLWA 362633PD)

3.5 COMMUNITY PROFILE (2016)

The demographic profile of the area provides key insights into the composition and characteristics of the local community, and helps to understand how to accommodate for potential visitors of the Main Street Centre.

The local community comprises a mix of people with a diverse range of backgrounds and ages. Italian, Mandarin, Macedonian and Gujarati languages are widely spoken, reflecting a significant proportion of residents born overseas or with Italian, Indian, Chinese or Macedonian ancestry.

The community includes a higher proportion of young couples (25-34 years) and families. There is also an aging demographic with a reasonably high percentage of elderly people over the ages of 65 years.

The median weekly household income is low when compared to Greater Perth, and there is also a high proportion of people renting in the area.

Key considerations for the future Main Street Centre include:

- Accommodate and celebrate the ethnic and cultural diversity of the local community.
- Provide accessible walking paths, ACROD and parents parking nearby shops, seating, public toilets and easy crossing points.
- Diversify the night-time uses to attract young couples and families wanting entertainment and various dining experiences in a safe environment.
- Provide areas that are safe and attractive for families with young children and teenagers.
- Provide access to frequent and well networked public transport in the Centre for local workers.
- Plan for an affordable and diverse mix of housing to assist renting residents to purchase homes and stay within the community.

SA2 Area	Balcatta-Hamersley (North)	Tuart Hill-Joondanna (East)	Stirling – Osborne Park (West)
Population	15,364	11,895	13,748
Median Age	39	35	37
Median Household Income	\$1,406	\$1,409	\$1,620
Median Weekly Rent	\$350	\$231	\$360
Minority Languages	Italian (8%)	Italian (5%)	Italian (8%)
	Macedonian (3%)	Gujarati (3%)	Mandarin (4%)
Travel to Work	Car (74%)	Car (71%)	Car (74%)
	Public transport (10%)	Public transport (14%)	Public transport (11%)
Household Structure	Couples no children (41%)	Couples no children (48%)	Couples no children (41%)
	Couples with children (40%)	Couples with children (34%)	Couples with children (46%)
Country of Birth	Australia (50%)	Australia (51%)	Australia (52%)
	Born overseas (41%)	Born overseas (49%)	Born overseas (48%)
Ancestry	English (22%)	English (21%)	English (18%)
	Australian (18%)	Australian (16%)	Italian (15%)
	Italian (12%)	Italian (9%)	Australian (14%)
Dwelling Structure	Separate house (64%)	Semi-detached (62%)	Separate house (60%)
	Semi-detached (36%)	Separate house (27%)	Semi-detached (31%)
	Flat/apartment (0%)	Flat/apartment (11%)	Flat/apartment (9%)
Dwelling Tenure	Own outright (35%)	Own with a mortgage (31%)	Own with a mortgage (36%)
	Own with a mortgage (34%)	Own outright (23%)	Own outright (33%)
	Rent (28%)	Rent (43%)	Rent (29%)

TABLE 1: Main Street Community Profile (Source: ABS)

4.0 MAIN STREET VISION

4.1 VISION STATEMENT

The Vision for the Main Street Centre, as set out below, was created through conversations with the community. There are many ways to achieve the Vision, including delivering best practice urban design and placemaking, which is represented through the urban design concept and integrated throughout the recommendations within this strategy.

However, it is up to the whole community (the City, residents, businesses, property owners, workers and visitors) to drive positive change and realise the place's potential.

Having an inclusive and holistic approach to revitalising the area will ensure the Centre experiences positive change that is shaped through purposeful actions over time, and continues to be loved by future generations.

We imagine that Main Street Centre could become a convenient and welcoming 'village centre' – a place that supports its small businesses and groups that offer a diverse tapestry of flavours and localised experiences.



Realising its potential, it could become a well-known and treasured destination celebrating its fresh market produce and farming heritage, Mediterranean character and multicultural community.

We envision a tree-lined, pedestrian and bike-friendly and lively place where many people choose to live, work and frequently visit.



4.2 COMMUNITY ASPIRATIONS

The following community aspirations for the Main Street Centre were captured during the engagement process and reflect the priorities of local stakeholders, including business-owners and residents.

These aspirations are summarised in the Strategy to provide direction for how the place could adapt with its community and become a safer, liveable and more loveable place. A number of the aspirations are reflected in the urban design concept and project initiatives proposed.



4.2.1 CULTURE AND ECONOMY

- There is a central shopping market or supermarket providing fresh produce.
- There are a mixture of uses on Main Street, from Cape Street to Eldorado Street.
- Owners take pride in their neighbourhood and maintain their properties.
- It attracts new residents, independent businesses (like small bars, restaurants, cafés, cultural venues) and developers.
- It is a place that hosts engaging creative and cultural activities that attract people and support businesses.
- Community and City work together towards common goals.
- The community sees the public benefit of future development in the Centre.
- Appropriate funding and implementation projects (immediate and long term focus)

4.2.2 ECOLOGY AND STREETS

- There is a central public gathering place for residents, visitors and workers.
- The streets are shaded by large colourful trees and hold a distinctive 'Mediterranean' character.
- People are encouraged to walk and feel safe doing so including crossing streets.
- There is adequate public amenities such as bins, shade shelters, seating and bike racks.
- The laneways and car parks are well-lit, safe to walk through and activated with public events.



4.2.3 HOUSING AND BUILDINGS

- a. Retail cafés and restaurants engage with the street through alfresco dining and windows facing the street.
- b. High quality buildings add to the identity of the place and enable more residents to live in the area.
- c. There is a mix of housing types that have active uses at the ground floor level.
- d. New buildings are designed to complement the area, are human scale and do not negatively impact surrounding dwellings.
- e. Additional building height is accommodated on key development sites where community benefit is provided.



4.2.4 PARKING, ACCESS AND TRANSPORT

- a. It is a physically connected neighbourhood that integrates well with Robinson Reserve, schools and public facilities, and surrounding residential areas.
- b. Parking is well located and managed in a fair manner that provides for good public and private usage.
- c. Vehicles travel through the precinct at speeds that are conducive to the safe movement of pedestrians.
- d. Public transport is frequent and accessible



5.0 URBAN DESIGN STRATEGY

5.1 STRATEGY OVERVIEW

This section of the Strategy presents the preferred urban design plan and planning changes proposed for the Main Street Centre. As the Centre has diverse uses and treatments between its northern and southern areas, the proposed changes are provided in the following five areas:

- **Area A:** North Beach Drive to Eldorado Street
- **Area B:** Eldorado Street to Royal Street
- **Area C:** Main Street/Royal Street/Hutton Street Intersection
- **Area D:** Royal Street to Federal Street
- **Area E:** Federal Street to Cape Street

The Strategy establishes key built form and landscape principles, supported by specific place interventions where necessary, to establish a holistic urban design framework for the area's future.

These principles and recommendations reflect the outcomes of extensive community consultation and vision-setting, through which key parameters such as building height and massing, transport improvements and public realm enhancements were reviewed and agreed amongst local residents, business owners and technical experts.

Although divided into areas for the presentation of the Strategy, the delivery of interventions and changes will occur as a holistic process, with the whole centre coming together as one integrated place.

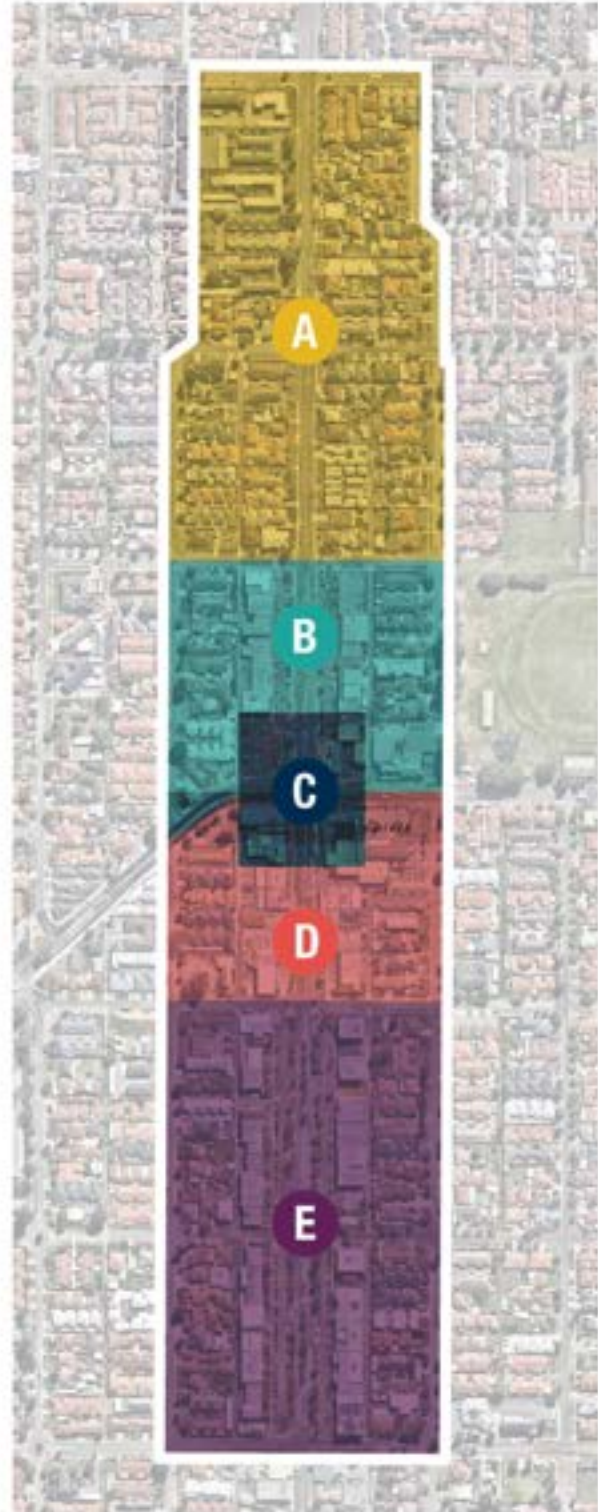


FIGURE 3: Urban Design Strategy Structure



Looking east from Main Street at
the corner of Garner Lane.

A

5.2 NORTH BEACH TO ELDORADO

HOW IT IS...



HOW IT COULD BE...



5.2.1 CURRENT CONTEXT

The North Beach Drive to Eldorado Street Precinct is currently extensively developed with Strata titled group housing. As a consequence, only a few sites remain available that may be further redeveloped.

Given that Main Street is a key activity corridor, it remains desirable to intensify residential and other activity along its alignment. However, any intensification (redevelopment) should have respect to the existing housing behind and adjacent.

The public realm along Main Street in this location is relatively poor, owing to reasonably high traffic volumes, and higher operational speeds (due to a lack of "side-friction" such as trees) and a diminished footpath environment and inadequate provision of shade for pedestrians.

5.2.2 KEY INTERVENTIONS

Built Form

- Fronting Main Street, 3-4 storey buildings with residential buildings set back from the street and other buildings to create a 'detached' urban streetscape.
- Front setbacks to be landscaped with low fencing to achieve a green interface to Main Street.
- Fronting laneways, 3 storey residential buildings with massing oriented towards the rear of the lot support active laneways while also achieving a 'detached' passive streetscape.

Public Realm

- Footpaths along Main Street should be improved and widened with tree planting to provide shade for pedestrians and slow traffic.
- Establish a priority safe cycle route ("**Bicycle Boulevard**") along Waterloo Street in order to encourage long-route cycling to shift from Main Street to a safer, higher amenity route (continues through Area B).
- Introduce a right turn pocket into Eldorado Street from Main Street to assist with turning movements.



FIGURE 4: North Beach to Eldorado Urban Design Concept Plan



FIGURE 5: North Beach to Eldorado Indicative Section (Main Street)

B

5.3 ELDORADO TO ROYAL

HOW IT IS...



5.3.1 CURRENT CONTEXT

Eldorado Street to Royal Street is primarily commercial in character but comprises deeply set back built form behind car parks resulting in one stop trips rather than multiple visits within the centre.

Cross grades from Waterloo Street to Edward Street also introduce barriers and challenges at times to redevelopment. Similarly, lot sizes and ownership present a challenge to coordinating orderly redevelopment of this area.

This section of Main Street is mostly overbuilt with road infrastructure (i.e. very extensive carriageways, slip-lanes, turn-pockets, wide intersection sweeps, etc) resulting in a very poor pedestrian environment. The existing development in this area does not encourage people to remain in the area for any longer than is necessary to access services and businesses.

There is an existing car park on the corner of Main Street and Hutton Street with 75 bays.

HOW IT COULD BE...



5.3.2 KEY INTERVENTIONS

Built Form

- To Main Street and Hutton Street, 4-5 storey buildings with ground floor commercial uses and residential or commercial upper stories which contribute to an active main-street- town centre environment.
- Apply a minor front setback for alfresco and trade display purposes, landscaped to create an extension of the public realm.
- Fronting side streets, 3-4 storey residential buildings with massing oriented towards the rear of the lot supporting active laneways while maintaining passive street character.

Public Realm

- Maintain a minimum 6m footpath measured between the ultimate redesigned kerb line and the proposed new development.
- Undertake extensive street tree planting along the footpath and within a central median to reinforce the character of Main Street.
- Ensure that buildings activate the street.
- Introduce a mid-street crossing (notionally a plateau for pedestrian crossing).
- Reduce carriageway dimensions along Main Street, remove unnecessary slip lanes and introduce on-street parking.
- Provide traffic calming measures along Edward Street to discourage rat running



FIGURE 6: Eldorado to Royal Urban Design Concept Plan

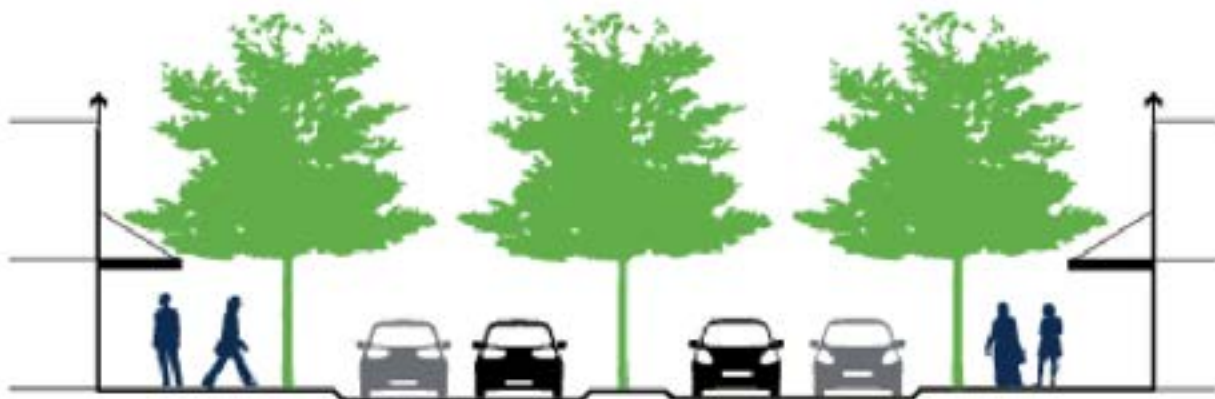


FIGURE 7: Eldorado to Royal Indicative Section (Main Street)

C

5.4 MAIN/ROYAL INTERSECTION

HOW IT IS...



5.4.1 CURRENT CONTEXT

Keynote intersections in town centres are usually the heart and iconic image of their respective centres. The Royal and Main Street intersection exhibits excessive road paving, particularly slip lanes and turn lanes (which are not necessarily required for volume to accommodate traffic volumes), and favours vehicle flows over pedestrian movement and people friendly activity.

It is noted that intersections such as Vincent and Oxford Streets (Leederville) are comparable to Main and Royal Street in terms of volume, yet occupy a much more compact configuration. Similarly Beaufort and Walcott Streets have approximately double the traffic volumes of Main/Royal Streets, but similarly operate with a compact intersection form which allows pedestrian activity to thrive.

There is an existing car park on the corner of Main Street and Hutton Street with 75 bays.

5.4.2 KEY INTERVENTIONS

Built Form

- Bring new buildings up to the street (6.0m setback from ultimate kerb line).
- Require the design of buildings to present active edges to the street (including the provision of weather shelter, fenestrations, and entries).

HOW IT COULD BE...



- Consider the use of buildings to frame up public realm particularly on the hotel and municipal car park sites.
- Any redevelopment of the municipal car parking site and/or other municipal sites for mixed use or other purposes to include a market leading development that provides a catalyst for investment.

Public Realm

- Remove slip lanes and turn lanes, reduce curve radius at intersection to slow traffic speed and assist pedestrian crossing.
- Enhance footpaths (6.0 metre dimension, weather shelter, street furniture).
- Encourage the creation of new civic spaces through the use of development incentives such as plot ratio and additional height at the intersection to enable community activity and commercial attraction.
- Create civic spaces that are useable, enjoyable, safe, activated and meet contemporary design principles. Redevelopment of the municipal car parking site on the north-west corner and the Hotel site on the south-east corner of Main Street and Hutton Streets to include public plaza areas that meets the optimal size to achieve the above mentioned requirements.
- Maintain public car parking through the preparation of a parking management plan.

FIGURE 8: Main/Royal Intersection Design Concept



LEGEND

1 Possible redevelopment of public car park with civic space, (illustrative only) mixed-use building and public parking (multi-level car park)	7 Possible redevelopment of Service Station site
2 Widened Footpaths and new street trees	8 Median vehicle openings closed and widened for landscaping
3 On-street parking	9 Right turn into hotel site removed
4 Possible redevelopment of Hotel site, including new civic space (illustrative only) encouraged through development incentives	10 Improved pedestrian crossings
5 Left turn slip lane removed	11 City of Stirling Library and Community Centre
6 Intersection narrowed and kerb returns tightened	12 Possible redevelopment of medical centre with mixed use ground floor commercial oriented towards new civic space



D

5.5 ROYAL TO FEDERAL

HOW IT IS...



HOW IT COULD BE...



5.5.1 CURRENT CONTEXT

The Royal Street to Federal Street Precinct exhibits a generally sound urban form comprising activated street edges, in close proximity to the street for the greater part. In some instances however, the precinct comprises disparate frontages with a mix of urban street-front tenancies and back-of-car-park retail/commercial.

Parking along this section of Main Street also contains a mix of embayed on-street parking and on-site car parking in front of various tenancies. With a few exceptions there is a general absence of street trees to provide amenity and shelter for pedestrians.

5.5.2 KEY INTERVENTIONS

Built Form

- Establish road widening provisions to create a consistent street setback with adequate public space, with new development brought forward to this alignment (minimum 6 metre setback).
- To Main Street, 4-5 storey buildings with ground floor commercial uses and residential or commercial upper stories.
- Fronting side streets, 3-4 storey residential buildings.

Public Realm

- Remove turn pocket at Hutton Street and remove embayed parking along Main Street to improve the pedestrian environment and increase opportunities for further activation.
- Incorporate tree planting, street furniture and public art to provide greater opportunities for pausing, staying and for activating spaces.
- Continue the establishment of a priority safe-cycle route ("Bicycle Boulevard") along Waterloo Street
- Encourage publically accessible private open space with development incentives into future redevelopment of hotel site, given its locality at the core of the town centre and the confluence of pedestrian routes in this location.



FIGURE 10: Royal to Federal Urban Design Concept Plan

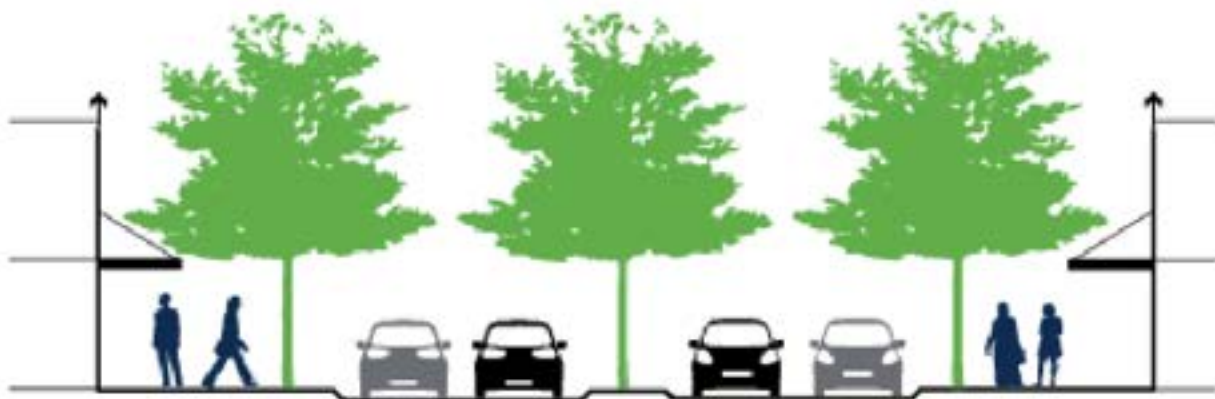


FIGURE 11: Royal to Federal Indicative Section (Main Street)

E

HOW IT IS...



HOW IT COULD BE...



5.6 FEDERAL TO CAPE

5.6.1 CURRENT CONTEXT

The Federal Street to Cape Street area is less 'urban' due to the deep separation of development from the street and extensive parking in front of built form.

The Centre has seen considerable redevelopment relatively recently, which together with relatively constrained sites, diminishes the prospect for further redevelopment.

Notwithstanding its sub-urban form, existing built form appears to engage adequately with the public realm, incorporating minor setbacks and landscaping to support lower-intensity activation in a form that is appropriate to non-trading non-retail commercial uses.

The area also contains good tree planting along Main Street itself but little or no trees along the footpath, thereby providing little or no shelter for pedestrians in this location.

5.6.2 KEY INTERVENTIONS

Built Form

- Along Main Street, retain existing built form recognising its currency and also the limitations of small redevelopment sites.
- Fronting side streets, 3 storey residential buildings with massing oriented towards the rear of the lot support active laneways while also achieving a 'detached' passive streetscape.

Public Realm

- Maintain roads and car parks in their current form.
- Establish additional trees alongside the existing footpath to provide pedestrian shelter and amenity.
- Continue the extension of a priority safe cycle route Bicycle Boulevard along Waterloo Street in order to encourage cycling.
- Create a public space at the intersection of **Lewley Hamilton** Street and the car park on the western side of Main Street. The piazza should maintain full through traffic but serve as a break-out amenity point for existing residents and employees.

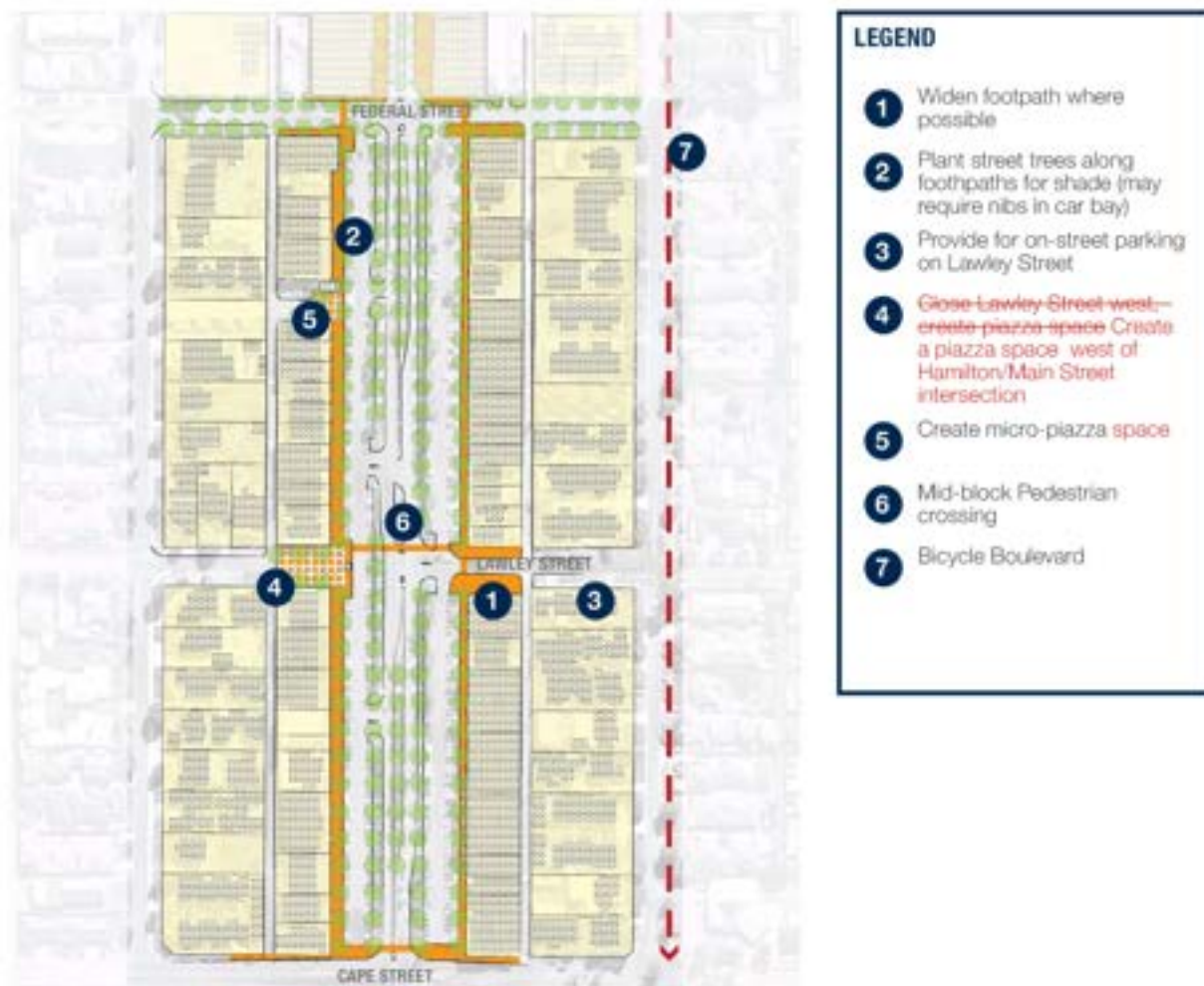


FIGURE 12: Federal to Cape Urban Design Concept Plan



FIGURE 13: Federal to Cape Indicative Section (Main Street)

6.0 IMPLEMENTATION

6.1 QUICK WINS

Although the greater Main Street Centre project contains a multitude of interventions and sub-projects which may progress over a period of many years, there are a number of project elements that have been identified, which may be delivered early as 'quick wins'.



QUICK WIN #1 South Main Street Road Diet

Main St between Royal and Federal contains various embayed car parks and bus bays elements which diminish available pedestrian space and encourage speeding. Removal of embayed elements will enable the kerb line to be straightened and provide for increased footpath area for pedestrians.



QUICK WIN #2 Green Up Main Street

The above road diet should also be accompanied by street tree planting along Main Street, and surrounding streets (where possible) to affect an immediate improvement to amenity and character. Street trees, understorey planting and pot plants could improve place character and improve local microclimate. These improvements could also include the provision of additional street furniture (e.g. seating, bike parking) and public art.



QUICK WIN #3 Pop-up Micro Piazza

A Micro Piazza can be achieved on 275 Main Street using the existing road layout and the future removal of the embayed car park. The creation of the Micro Piazza will provide a focal point and community activation zone and incubate future development.



QUICK WIN #4 **Lawley Street Pop Up Park**

A micro-piazza (similar to the Mary Street Piazza on Beaufort Street) can be created at the intersection of Lawley Street and the car park areas within the wider Main Street road reserve. The subject land is entirely situated within Crown Reserve under the City's control and can be designed to preserve the through movement of traffic whilst creating a sheltered high-quality 'break-out' space for community, local residents and local workers.

To support businesses customers need somewhere to sit and wait outside of the Main Street centre can be developed through the planting of trees, streetlights, seating and other infrastructure to support the street to attract customers to businesses and to support the street.



QUICK WIN #5 **On-street Parking**

Supporting the removal of car parking to deliver other quick win interventions, additional on street car parking can be line marked on to the kerbside lane of Main Street thereby considerably increasing the amount of parking available within the Centre. This marking could be accompanied by interim painting and artwork applied directly to the road surface to support place identity and slow traffic.



QUICK WIN #6 **Cycling Infrastructure**

To give advantage of a pedestrian on the Main Street is the highest priority. Supporting infrastructure for safe cycling can be introduced across the centre. This includes signage to support the need for users using the street to access Main Street business, and experience, provide change to traffic signs at the intersection of Main and Main Street for cyclists, and signage including the need to be at the end of the street and support the street.

6.2 PROPOSED PLANNING CHANGES

To realise the vision set out by the Main Street Urban Design Strategy, a range of changes to the local planning framework are proposed. These changes are intended to enable new development, controlled via a Council-approved Local Development Plan. To achieve this, the following modifications to Local Planning Scheme No. 3 are recommended:

- Recode existing 'Residential R30' and 'Residential R40' areas to introduce an 'R-ACO' code to facilitate higher intensity redevelopment, supported by a Local Development Plan;
- Introduce a Special Control Area for the Main Street Centre to support the establishment of site-specific planning controls that apply across multiple zone boundaries; and
- Rezone Lots 340 and 4, House Numbers 223 and 223A Main Street, Osborne Park, being the government-owned car park on the northwest

corner of the Hutton/Main Street intersection, from 'Civic R40' to 'District Centre/R-ACO' to facilitate its potential future redevelopment.

- Rezone Lot 550, House Number, 181 Hutton Street, Osborne Park from 'Residential R40' to 'District Centre/R-ACO' to incorporate this existing commercial use into the Town Centre.

To ensure the LDP is a functional and effective document while maintaining consistency with the principles set out at Part 5 of this report, duplicate and/or repeated recommendations for different areas within the Activity Centre may be consolidated into four building types broadly relating to: sites fronting Main Street within the core activity centre area; sites fronting side streets within the core area; sites fronting Main Street north of the core area; and sites fronting side streets in peripheral areas.



FIGURE 14: Proposed Planning Changes

6.3 FURTHER CONSIDERATIONS

The implementation of urban design changes and individual projects will occur over an extended period, which reflects the budgeting and resourcing of the City, and accounts for the appropriate delivery of infrastructure and services in-line with the City's Business Planning and financial responsibility to ratepayers.

Where possible, it is recommended the City work in partnership with Federal Government, State Government and local organisations to deliver on the Main Street Centre shared vision and community aspirations. Consideration of staging of works and management of delivery will be paramount, so as to not negatively affect businesses and residents.

The success of places are for the most part attributed to good place management and operations, not just design. Successful places result when most of the effort is spent on activation, management and promotion. A place management approach should be considered for the revitalisation of the Centre.

Delivering a 'place management approach' means putting the experience of people first by ensuring spaces and amenities are well-maintained and serviced. Physical or perception barriers should also be addressed before inviting people in to experience the activations and public spaces. Elements like these will be essential to its success as a place that welcomes all kinds of people.

It is important to note, that the actioning of recommendations and initiatives within this Strategy will be determined by the City and its elected members, however most initiatives will be implemented with the local Main Street community and broader stakeholders.

It is recommended the City consider:

- a. City Planning work with various business units to develop an Implementation Plan for the delivery of short/medium to long-term projects with a coordinated approach to delivery across all internal disciplines/directorates;
- b. The City's new Place Activation Team prepare a Place Plan with the local community and businesses that outlines:

- i. A maintenance program for new and existing infrastructure (particularly focussing on landowner and City roles for place management), ~~and considering a special area levy and developer contributions~~ for sustaining the maintenance of the Centre and/or contributing to community benefit;
- ii. Continue consultation and meaningful engagement with the local community;
- iii. Supporting and encouraging the delivery of events and activation programming by the local community within the Centre's streets and new public spaces such as the proposed piazza;
- iv. Engaging with businesses to develop an Economic Development Strategy with the Main Street Co-Op (and/or future Business Improvement District) to support and promote the Main Street Centre as a destination and place to shop, dine and enjoy;
- v. Preparation of a Parking Management Plan to determine the requirement for public parking; and
- vi. A Streetscape Masterplan which establishes a sense of place for the centre and reflects its market garden heritage.
- c. Continue to work with key transport/road State Government agencies to improve the roads, streets and public transport connections in the area.

6.4 STAGING

Staging of the various recommendations of the Urban Design Strategy needs to be considered carefully, as incremental redevelopment will result in the removal of sections of car park, and may impact on access and land locked development sites.

A staging plan will be required in order to guide, manage and prioritise incremental redevelopment. The staging plan may need to consider the prioritisation of development sites and the restriction of redevelopment on other sites in order to maintain an orderly pattern of transition.



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Council Resolution**0220/043****Moved Councillor Boothman, seconded Councillor Proud**

That the balance of the Planning and Development Committee recommendations be ADOPTED by exception resolution in accordance with Clause 4.7 of the City of Stirling Meeting Procedures Local Law 2009.

The motion was put and declared CARRIED (13/0).

For: Councillors Boothman, Caddy, Farrelly, Hatton, Lagan, Perkov, Proud, Re, Sandri, Sargent, Spagnolo, Thornton and Mayor Irwin.

Against: Nil.

**12.1/CP2 OPTIONS FOR COMMUNITY ENGAGEMENT - INGLEWOOD
HERITAGE PROTECTION AREA****Report Information**

Location: Inglewood Heritage Protection Area
Applicant: Not Applicable
Reporting Officer: Manager City Planning
Business Unit: City Planning
Ward: Inglewood
Suburb: Inglewood

Authority/Discretion**Definition**

☐	Advocacy	<i>when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
☐	Executive	<i>the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
☒	Legislative	<i>includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.</i>
☐	Quasi-Judicial	<i>when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
☐	Information Purposes	<i>includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').</i>

Council Resolution**0220/044****Moved Councillor Boothman, seconded Councillor Proud**

That the City UNDERTAKES community consultation to gauge Inglewood residents' attitude to modifying Local Planning Policy 3.1 Character Guidelines Mount Lawley, Menora and Inglewood, to provide design flexibility for additions to dwellings in Inglewood.

The motion was put and declared CARRIED (13/0) by exception resolution.

For: Councillors Boothman, Caddy, Farrelly, Hatton, Lagan, Perkov, Proud, Re, Sandri, Sargent, Spagnolo, Thornton and Mayor Irwin.

Against: Nil.

Committee Recommendation

That the City UNDERTAKES community consultation to gauge Inglewood residents' attitude to modifying Local Planning Policy 3.1 Character Guidelines Mount Lawley, Menora and Inglewood, to provide design flexibility for additions to dwellings in Inglewood.

Officer's Recommendation

That the City UNDERTAKES community consultation to gauge Inglewood residents' attitude to modifying Local Planning Policy 3.1 Character Guidelines Mount Lawley, Menora and Inglewood, to provide design flexibility for additions to dwellings in Inglewood.

Report Purpose

To consider consultation with residents and landowners in the Inglewood Heritage Protection Area. The purpose of the consultation is to gauge the community's attitude towards modifying Local Planning Policy 3.1 - Character Guidelines Mount Lawley, Menora and Inglewood for Inglewood only. In particular reviewing the provision of greater design flexibility for development at the rear of existing houses, rear lots, and lots with frontage to laneways.

Relevant Documents

Attachments

Nil.

Available for viewing at the meeting

Nil.

Background

In May 2000, Mount Lawley, Inglewood and Menora were gazetted as Heritage Protection Areas. This followed the adoption of Heritage Guidelines to control development outcomes in these areas that were adopted in 1999.

Since then, the pre-1960s streetscape character of these areas has been retained, reflecting the purpose of gazettement Mount Lawley, Inglewood and Menora as Heritage Protection Area.

The City's previous District Planning Scheme No.2 and Local Planning Scheme No.3 (LPS3) have incrementally been amended to provide increased protection of the character of these suburbs. The City's Character Retention Guidelines have been updated a number of times to complement the changes to the Scheme.

At its meeting held 3 December 2019, Council considered a Notice of Motion and subsequently resolved (Council Resolution Number 1219/055) as follows:-

“That a report be PRESENTED to a future Planning and Development Committee meeting on options to undertake community consultation with residents in the Inglewood Heritage Protection Area to gauge this community’s attitude towards modifying Local Planning Policy 3.1 Character Guidelines Mount Lawley, Menora and Inglewood, as it relates to development in Inglewood at the rear of existing houses, rear lots, and lots with frontage to laneways to allow more design flexibility.”

The reason for this Notice of Motion was that ‘some community members have suggested that the development controls in the Inglewood Heritage Protection Area could be amended to provide more flexibility while still protecting the heritage character of the area. Before entertaining this idea the whole community should have a chance to voice their opinion’.

Comment

Since guidelines were prepared in 1999 to control development in the Heritage Protection Area, differing approaches to heritage management have applied. Early versions of the guidelines, for example, permitted contemporary additions to existing buildings where these ‘complemented the original house’.

The City’s current approach to heritage management is based on a series of workshops undertaken in March 2003 with heritage consultants, community representatives and Councillors. Key outcomes of the Councillor workshops at that time included:-

- New development should conform to the style of the original building stock and preserve the areas character as the first priority.
- Council will only support seamless extensions. This is particularly important if the extension can be seen from the street.
- Council wants to regulate colours and materials.
- Contemporary design of dwellings in the Heritage Protection Areas is inappropriate, and Council will not support new contemporary dwellings in these areas.

These workshops were held 16 years ago. Since that time, changes to LPS3 and the guidelines have been made, which involved statutory consultation only.

There has been no comprehensive community engagement to ascertain whether the planning framework for heritage protection in Inglewood reflects community aspirations.

Engaging with residents and owners of properties in Inglewood will allow Council to gauge the view of the community for change to the planning controls for the area.

The Customer and Communications Business Unit has assisted with the development of an ‘Engagement and Communications Plan’ to answer this question. The engagement can be undertaken for approximately \$6,000, and could commence in March / April 2020. Key elements of that plan include writing to all owners (approximately 5,500) and residents in the area to obtain their comments, attending the Inglewood Monday night markets to engage with the community and an online survey. This survey will be open to residents and owners of properties in Inglewood only.

Any design flexibility would need to still satisfy the objectives of the Heritage Protection Area Special Control Area under LPS3. These state that ‘*additions to existing buildings....are in keeping with the heritage character of the area, respect the scale and proportions of surrounding buildings, and are designed to fit into the existing streetscape.*’

Following community consultation, the outcomes of community engagement will be presented to Council. If there is a desire to allow design flexibility for additions in the area, Council will need to decide whether or not to review the Character Retention Guidelines. Modifying the Character Retention Guidelines will require additional community consultation.

Options

Option 1 – Do not gauge the community’s attitude towards modifying Local Planning Policy 3.1 Character Guidelines to allow design flexibility in Inglewood

This option involves not consulting with the community to gauge its attitude towards modifying Local Planning Policy 3.1 Character Guidelines to allow design flexibility in Inglewood. The costs and benefits of this option are outlined below:-

Costs

- Does not respond to possible community sentiment that Character Retention Guidelines should allow design flexibility in Inglewood.

Benefits

- Nil.

This option is not supported, as it does not address the request of some members of the community for change.

Option 2 – Undertake community consultation towards modifying Local Planning Policy 3.1 Character Guidelines to allow design flexibility in Inglewood

This option involves consulting with the community to gauge its attitude towards modifying Local Planning Policy 3.1 Character Guidelines to allow design flexibility in Inglewood. The costs and benefits of this option are outlined below:-

Costs

- Diverting officers from other projects.

Benefits

- Responds to possible community sentiment that Character Retention Guidelines should allow design flexibility in Inglewood.
- Will ensure current planning controls reflect community desire for design flexibility.

This option is recommended, and proposed methods of community engagement are discussed below.

Consultation/Communication Implications

The consultation recommended is not statutory consultation that is required when there are proposed changes to the planning framework.

The City's Customer and Communications Business Unit has assisted with the development of an 'Engagement and Communications Plan' to gauge the community's attitude towards modifying Local Planning Policy 3.1 Character Guidelines Mount Lawley, Menora and Inglewood, as it relates to development in Inglewood at the rear of existing houses, rear lots, and lots with frontage to laneways to allow more design flexibility.

Key elements of the Engagement and Communications Plan include:-

- Letters to all residents in the Inglewood suburb (approx. 5,500 letters);
- Online survey;
- City officers attending Inglewood night markets to answer questions and provide advice;
- Posts on Facebook;
- Media Release; and
- Article in Scoop/Scene.

This consultation will cost approximately \$6,000, and there are sufficient funds in the City Planning Business Unit to cover this cost.

This cost involves gauging the community's attitude towards modifying Local Planning Policy 3.1 Character Retention Guidelines as they apply to Inglewood only.

Should Council, after this process, resolve to review or amend the Character Retention Guidelines, consultation will be undertaken in accordance with the requirements of the City's Planning Consultation Procedure.

Policy and Legislative Implications

Nil.

Financial Implications

This consultation will cost approximately \$6000, and there are sufficient funds in the City Planning Business Unit to cover this cost.

Should Council resolve to review the Character Retention Guidelines, the resources required to undertake this work will need to be accommodated within the City Planning work programme.

Strategic Implications

Built Environment: Liveable and accessible City

Outcome B1: Places to live, work and enjoy

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:-

ENVIRONMENTAL	
Issue	Comment
Preservation of built heritage	Council has an adopted framework to preserve the City's built heritage. This is reviewed periodically, and Council determines what that framework should be.

SOCIAL	
Issue	Comment
Community engagement	When Council determines that a review of its framework for the Heritage Protection Area is needed, the City will engage with its community.

ECONOMIC	
Issue	Comment
Financial benefits	The preservation of the built heritage has a positive financial effect on property values in an area.

Conclusion

Council has requested options for engaging with residents of Inglewood to determine if the community supports changes to the Character Retention Guidelines that apply to the area.

Community engagement to gauge the level of support for design flexibility is supported, as detailed in this report.

It is recommended that community engagement be undertaken in March / April 2020 and a report on the outcomes of the engagement will be presented to a future Council meeting.

12.1/CP3 LOCAL PLANNING SCHEME NO.3 - LOCAL PLANNING POLICY 6.16 - CONTAINER DEPOSIT SCHEME INFRASTRUCTURE - OUTCOMES OF ADVERTISING

Report Information

Location: City Wide
 Applicant: Not Applicable
 Reporting Officer: Manager City Planning
 Business Unit: City Planning
 Ward: City Wide
 Suburb: City Wide

Authority/Discretion

Definition

- ☐ Advocacy *when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- ☐ Executive *the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- ☒ Legislative *includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.*
- ☐ Quasi-Judicial *when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*
- ☐ Information Purposes *includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').*

Council Resolution

0220/045

Moved Councillor Boothman, seconded Councillor Proud

That pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015, Council PROCEEDS with (adopts) draft Local Planning Policy 6.16 - 'Container Deposit Scheme Infrastructure' as shown in Attachment 2.

The motion was put and declared CARRIED (13/0) by exception resolution.

For: Councillors Boothman, Caddy, Farrelly, Hatton, Lagan, Perkov, Proud, Re, Sandri, Sargent, Spagnolo, Thornton and Mayor Irwin.

Against: Nil.

Committee Recommendation

That pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015, Council PROCEEDS with (adopts) draft Local Planning Policy 6.16 – ‘Container Deposit Scheme Infrastructure’ as shown in Attachment 2.

Officer's Recommendation

That pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015, Council PROCEEDS with (adopts) draft Local Planning Policy 6.16 – ‘Container Deposit Scheme Infrastructure’ as shown in Attachment 2.

Report Purpose

To consider the outcomes of advertising of draft Local Planning Policy 6.16 – ‘Container Deposit Scheme Infrastructure’, and to obtain a Council resolution to proceed with adopting the Policy.

Relevant Documents

Attachments

- Attachment 1 - Advertised Version - draft Local Planning Policy 6.16 - Container Deposit Scheme Infrastructure [↓](#)
- Attachment 2 - Modified Version - draft Local Planning Policy 6.16 - Container Deposit Scheme Infrastructure [↓](#)
- Attachment 3 - Modified Version with Track Changes - draft Local Planning Policy 6.16 - Container Deposit Scheme Infrastructure [↓](#)
- Attachment 4 - Geographical analysis showing where Container Deposit Scheme Infrastructure could be allowed without approval under advertised policy [↓](#)
- Attachment 5 - Geographical analysis showing where Container Deposit Scheme Infrastructure could be allowed without approval under advertised policy if a 100m setback to residential properties was applied [↓](#)

Available for viewing at meeting

Nil

Background

In December 2018, the State Government announced it would be implementing a Container Deposit Scheme that will come into effect on 2 June 2020. In order to increase rates of recycling and to limit littering, the scheme would offer a 10 cent refund for eligible beverage containers.

At its meeting held 27 August 2019, Council considered draft Local Planning Policy 6.16 – Container Deposit Scheme Infrastructure. The purpose of this policy was to comply with a State Government Position Statement that encouraged local government to adopt a Local Planning Policy to exempt Container Deposit Scheme Infrastructure from requiring development approval. This would only occur where certain development standards were satisfied.

At that meeting, Council resolved (Council Resolution Number 0819/032) as follows:-

“That ‘Local Planning Policy 6.16 – Container Deposit Scheme Infrastructure’ be PREPARED and advertised for public comment as shown in Attachment 1.”

The draft Local Planning Policy 6.16 – Container Deposit Scheme Infrastructure has been advertised, and this report considers the outcomes of advertising.

Since draft Local Planning Policy 6.16 was advertised, the State Government has published proposed changes to the state planning framework relating to Container Deposit Scheme Infrastructure.

The changes in the draft Regulations are inconsistent with the Container Deposit Scheme Position Statement released in mid-2019. This is discussed further in this report.

Comment

Planning and Development (Local Planning Schemes) Amendment Regulations 2019

Since the advertising of draft Local Planning Policy 6.11, the State Government has proposed amendments to the Planning and Development (Local Planning Scheme) Regulations 2015. These changes would allow Container Deposit Scheme infrastructure that complies with the Regulations to be established without the need for development approval.

The City’s officers do not support these changes as they are inconsistent with the Container Deposit Scheme Position Statement released in mid-2019. That Position Statement encouraged local governments to adopt Local Planning Policies to exempt Container Deposit Scheme infrastructure from requiring development approval.

The City strongly supports the principles behind the Container Deposit Scheme and the environmental benefits that it will provide. The City has developed a bespoke Local Planning Policy that allows Container Deposit Scheme Infrastructure without development approval only where there are no amenity impacts.

These Regulations are subject to public consultation, and it is not known if or when they would come into effect. The final version of the Regulations could also be different to those advertised for public comment.

The City’s officers do not support superseding the advertised Local Planning Policy with the proposed exemptions in the Regulations. There are a number of exemptions in the Regulations that are not supported and, if they come into force, could have adverse amenity impacts.

A separate report on this agenda contains a draft submission to the Western Australian Planning Commission on these Regulations. That submission includes commentary on why the exemptions proposed have not been well thought out and could result in poor amenity outcomes.

Street Art and decoration of Container Deposit Scheme Infrastructure

One submission suggested the advertised policy be modified to allow street art or other decorations, without the need for a development approval. The rationale behind this was that requiring the structures to be in keeping with surrounding buildings is *'boring and unoriginal where as the structures provide an opportunity to add fun and interest to the site'*.

Street art is not a term that has a planning meaning, and in most local government jurisdictions, is a controlled activity requiring some form of approval.

Allowing street art in an uncontrolled manner on Container Deposit Scheme infrastructure would be inconsistent with the principles underlying the Container Deposit Scheme. Those principles include the infrastructure having minimal impact on the amenity of an area.

For this reason, the City's officers do not support permitting street art on Container Deposit Scheme infrastructure without development approval.

In relation to the appearance of the infrastructure, the draft policy states *'the infrastructure must be.....consistent in colour and finish to that of nearby buildings.'*

Having reviewed the submission, the City's officers recognise that difficulties may arise about whether Container Deposit Scheme infrastructure is *'consistent in colour and finish to that of nearby buildings.'*

For this reason, it is recommended that the advertised draft Local Planning Policy 6.16 – Container Deposit Scheme Infrastructure be modified to remove the reference to *'are consistent in colour and finish to that of nearby buildings'*.

Setback to Residential Land Uses

One of the submissions suggested container deposit scheme infrastructure has common issues of noise, odour, maintenance and drainage. The submission suggested a 10m setback to residential properties was insufficient and should be increased to 100m.

The City's officers contacted local governments in the eastern states where similar schemes are already operating, to ascertain if there was evidence to support these concerns.

Officers from the City of Randwick in New South Wales have advised that noise associated with Container Deposit Scheme infrastructure is the biggest source of complaint. In New South Wales, Container Deposit Scheme collection points operate up to 10.00pm. Issues of odour, maintenance and drainage were not identified as problems.

In Western Australia, the hours of operation of infrastructure are more closely controlled, and therefore fewer noise complaints would be expected. This is because both the advertised policy and the Regulations require Container Deposit Scheme collection points to close at 7.00pm.

The City's officers analysed geographically the impact of setting back Container Deposit Scheme Infrastructure 100m from residential properties. This request would effectively prohibit Container Deposit Scheme infrastructure on land zoned Civic, Local Centre, Business, Mixed Use, Hotel, Service Station and Private Institution without a development approval.

This is because none of these zones have a 100m 'buffer' to residential zones.

Similarly, land used for Primary Schools and Local Reserves would be impacted, prohibiting local community groups from operating collection points for fundraising, without development approval.

This geographical analysis is detailed in Attachments 4 and 5 and shows the areas where Container Deposit Scheme infrastructure would be permitted without development approval based on different setback requirements (10m and 100m). Attachment 5 shows that a 100m setback would significantly limit where Container Deposit Scheme infrastructure can be located without development approval.

Making the suggested change would mean that the only areas where Container Deposit Scheme infrastructure could be exempt would be land zoned Industrial, Mixed Business, Regional Centre and District Centre. Some of these centres are close to residential areas, and therefore the policy would only apply to parts of these areas.

These Attachments exclude areas that are not subject to Local Planning Scheme No.3, such as the Scarborough Redevelopment Area and the Metropolitan Region Scheme Reserves.

Applying a 100m setback would undermine the ability to locate Container Deposit Scheme infrastructure with convenient access for the public. A 100m setback for Container Deposit Scheme Infrastructure would be inconsistent with the State Government approach to the scheme.

For this reason, increasing the requirements for Container Deposit Scheme infrastructure to be setback 100m from residential properties to be exempt from requiring development approval is not supported.

Administrative Change

In July 2019 after the release of the WAPC Model Local Planning Policy, the *Heritage Act 2018* replaced the *Heritage of Western Australia Act 1990*.

Following advertising of the draft Local Planning Policy 6.16 - Container Deposit Scheme Infrastructure, references to the *Heritage Act 2018* needs to be updated. The advertised policy is recommended to be modified, as shown in Attachment 3 to reflect these updates.

Options

Option 1 – Proceed with (adopt) the advertised version of Local Planning Policy 6.16 – Container Deposit Scheme Infrastructure

This option involves adopting the advertised Local Planning Policy 6.16 – Container Deposit Scheme Infrastructure as advertised. The costs and benefits of this option are outlined below:-

Costs

- Does not incorporate changes to the policy recommended by officers following consideration of submissions received during the advertising period.

Benefits

- Nil.

This option is not supported, as it does not address the submissions received during the advertising period or appropriate administrative changes.

Option 2 – Proceed with (adopt) the modified version of Local Planning Policy 6.16 – Container Deposit Scheme Infrastructure

This option involves adopting a modified Local Planning Policy 6.16 – Container Deposit Scheme Infrastructure as per Attachment 2. The modifications respond to a comment made and make a minor administrative change to reflect correct legislation. The costs and benefits of this option are outlined below:-

Costs

- Nil.

Benefits

- Responds to comments received during public consultation
- Reflects current legislation.

This option is recommended as the changes will make it less likely that there will be disagreements whether Container Deposit Scheme infrastructure are exempt from requiring development approval. This option also updates the policy to reflect current legislation.

Option 3 – Not proceed with (not adopt) Local Planning Policy 6.16 – Container Deposit Scheme Infrastructure

This option involves Council not resolving to adopt the advertised Local Planning Policy. The costs and benefits of this option are outlined below:-

Costs

- The draft Regulations would apply and these could result in adverse amenity impacts.

Benefits

- No further work is required.

This option is not supported. In the short term, Container Deposit Scheme infrastructure would either need development approval, or would be considered against the exemptions proposed in the changes to the Planning and Development (Local Planning Schemes) Regulations 2015 mentioned earlier.

Consultation/Communication Implications

Advertising of draft Local Planning Policy 6.16 – Container Deposit Scheme Infrastructure commenced on Thursday 21 November 2019 and concluded on Thursday 12 December 2019.

Advertising was carried out in accordance with the requirements of the Planning and Development (Local Planning Schemes) Regulations 2015 and the City's Planning Consultation Procedure. An advertisement was placed in three local community newspapers; details were placed on the City's website; and notices placed in the City's Administration Centre for the duration of the advertising period.

The City also wrote to 11 community groups, and 13 government agencies and public authorities.

At the conclusion of the advertising period, the City received seven submissions. Though supportive of the advertised policy, two submissions requested changes to the draft local planning policy.

A summary of the submissions received is outlined in Tables 1 and 2.

TABLE 1 - SUBMISSIONS RECEIVED

SUBMISSIONS RECEIVED	ALL SUBMISSIONS
SUPPORT	43%
OBJECT	0%
OTHER (Not stated / No opinion / Conditional)	57%

TABLE 2 - SUMMARY OF ISSUES RAISED IN SUBMISSIONS

SUBMISSION NUMBER	SUBMISSION DETAILS	OFFICER COMMENT
1	Unconditional Support.	Noted.
2	Requests that street art and other decorations be allowed at the collection sites, as opposed to just being in keeping with the colours of the surrounding buildings.	A change to the advertised policy is not supported. This is discussed in further detail later in this report.
3	Unconditional Support.	Noted.
4	Unconditional Support.	Noted.
5	Setbacks to residential properties of 10m is insufficient, and they should be increased to be 100m setback requirements.	A change to the advertised setback of 10m from residential properties is not supported.

SUBMISSION NUMBER	SUBMISSION DETAILS	OFFICER COMMENT
	Requests recognition in the local planning policy that reverse vending machines are best located at retail outlets, due to co-trip generating with other uses.	This is discussed in further detail later in this report. The benefits of co-locating reverse vending machines and retail outlets are acknowledged. The ability to use co-location already exists because of the availability for over the counter refunds. Promoting one form of infrastructure over another is not supported.
6	No objection.	Noted.
7	No objection.	Noted.

Policy and Legislative Implications

The Planning and Development (Local Planning Schemes) Regulations 2015 allow Container Deposit Scheme Infrastructure to be exempt from requiring development approval if they satisfy the requirements of a local planning policy.

- (1) *Development approval of the local government is not required for the following works —*
- (i) *the carrying out of any other works specified in a local planning policy or local development plan that applies to the development as works that do not require development approval;*

The Planning and Development (Local Planning Schemes) Regulations 2015 outline the process for preparing a local planning policy, and state that:-

- (1) *If the local government resolves to prepare a local planning policy the local government must, unless the Commission otherwise agrees, advertise the proposed policy as follows—*
- (a) *publish a notice of the proposed policy in a newspaper circulating in the Scheme area, giving details of -*
- (i) *the subject and nature of the proposed policy; and*
- (ii) *the objectives of the proposed policy; and*
- (iii) *where the proposed policy may be inspected; and*
- (iv) *to whom, in what form and during what period submissions in relation to the proposed policy may be made;*
- (2) *The period for making submissions in relation to a local planning policy must not be less than a period of 21 days commencing on the day on which the notice of the policy is published under subclause (1)(a).*

Financial Implications

The costs associated with adopting the draft Local Planning Policy 6.16 – Container Deposit Scheme Infrastructure are covered within the City Planning Business Unit's budget.

Strategic Implications

Built Environment: Liveable and accessible City

Outcome B3: Built infrastructure that meets community needs

Natural Environment: Sustainable natural environment Outcome

N1: Sustainable natural resources

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:-

ENVIRONMENTAL	
Issue	Comment
Waste generation	Increased recycling of containers will reduce the amount of waste having to be placed in landfill and littering.

SOCIAL	
Issue	Comment
Community services	Provision of funding opportunities for clubs and community groups.

ECONOMIC	
Issue	Comment
Dvlpmnt of key business sectors	Local businesses and community organisations will be able to generate additional income from improved recycling opportunities.

Conclusion

The draft Local Planning Policy 6.16 – Container Deposit Scheme infrastructure will make it easier for container deposit points to operate where certain criteria are met. This approach is recommended, as Container Deposit Scheme Infrastructure that are of a small scale and which have minimal off site impacts ought to be able to operate without needing development approval.

The comments received during the public advertising of the draft local planning policy are noted, and a modification to the advertised policy is recommended to respond to this submission.

It is recommended that Council proceed with (adopt) draft Local Planning Policy 6.16 – Container Deposit Scheme Infrastructure in a modified form as shown in Attachment 2.

6.16 CONTAINER DEPOSIT SCHEME INFRASTRUCTURE

1. Introduction

This Policy is to provide an exemption in accordance with Clause 61(1)(i) and (2)(e) of the *Planning and Development (Local Planning Schemes) Regulations 2015* from the requirement to obtain development approval for container deposit scheme facility proposals which satisfy minimum development standards.

2. Objectives

- 2.1 To ensure the location, design and siting of container deposit scheme infrastructure is complementary to the character, functionality and amenity of urban localities.
- 2.2 To prevent negative impacts on local amenity from the operation of container deposit scheme infrastructure.
- 2.3 To enable the timely, cost effective delivery of essential container deposit scheme infrastructure.
- 2.4 To provide conveniently located infrastructure to ensure the container deposit scheme effective reduction of litter, increased recycling and protection of the environment.

3. Applications Subject of this Policy

- 3.1 This Policy applies to all container deposit scheme infrastructure developments.
- 3.2 Development approval will not be required for container deposit scheme infrastructure proposals that comply with the provisions of this policy, in accordance with Clause 61(1)(i) and (2)(e) of the deemed provisions of the Local Planning Scheme No. 3 provided for by the Regulations, unless the development is proposed on land that is:
 - a. entered in the Register of Heritage Places under the Heritage Act; or
 - b. the subject of an order under Part 6 of the Heritage Act; or
 - c. included on a heritage list prepared in accordance with Local Planning Scheme No. 3; or
 - d. within an area designated under Local Planning Scheme No. 3 as a heritage area; or
 - e. the subject of a heritage agreement entered into under section 29 of the Heritage Act.
- 3.3 Container deposit scheme infrastructure proposed to be erected on a temporary basis of not more than 48 hours within a 12 month period are exempt from approval, as per the requirements of 61(1)(f) and (2)(d) of the deemed provisions provided in the Regulations and contained within Local Planning Scheme No. 3. As such, the policy provisions would not apply.

4. Definitions

Container collection cage:

means a cage, or other structure, that is designed to store containers deposited at return points, and is incidental to the predominant land use.

Container deposit scheme:

means the Western Australian program that provides a refund for the return of eligible beverage containers at various container return points. The program is not intended to collect normal household waste.

<u>Container deposit scheme infrastructure:</u>	means a reverse vending machine or a container collection cage used for the container deposit scheme.
<u>Heritage Act:</u>	means the <i>Heritage Act 2018</i> .
<u>Noise Regulations:</u>	means <i>Environmental Protection (Noise) Regulations 1997</i> (as amended) prepared under the <i>Environmental Protection Act 1986</i> .
<u>Regulations:</u>	means the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> prepared under the <i>Planning and Development Act 2005</i> .
<u>Reverse vending machine:</u>	means an unattended device that accepts empty beverage containers used for the container deposit scheme, and is incidental to the predominant land use.
<u>Total lot area:</u>	means the total land area of a freehold or survey strata lot.

5. General

- 5.1 Container deposit scheme infrastructure must not result in any change to the property that results in the site no longer complying with any relevant development standards and/or requirements of the Local Planning Scheme No. 3.
- 5.2 Where the development is no longer incidental to an existing land use, development approval for the change of land use may be required.

6. Zones and Reserves

- 6.1 Development approval for the development or operation of a container collection cage is not required where it complies with all the relevant development standards outlined by this policy, and may take place in any zone or local reserve.
- 6.2 Development approval for the development or operation of a reverse vending machine is not required where it complies with all the relevant development standards outlined by this policy, and may take place in any local reserve or any of the following zones:

a. Business;	b. Civic;	c. District Centre;
d. Hotel;	e. Industry;	f. Local Centre;
g. Mixed Business;	h. Mixed Use;	i. Private Institution;
j. Regional Centre; and	k. Service Station.	

7. Location

- 7.1 Container deposit scheme infrastructure must not be erected within 10 metres of an adjoining lot boundary that accommodates a residential use.
- 7.2 Container deposit scheme infrastructure must not restrict any vehicular or pedestrian access to or from, or entry to any building, on the land on which the infrastructure is located.
- 7.3 Container deposit scheme infrastructure must not obstruct the operation of, or access to, any utility services on the land on which the infrastructure is located or on adjacent land.
- 7.4 To preserve pedestrian and vehicular sightlines, and servicing access, container deposit scheme infrastructure must not be erected within two (2) metres of any road reserve or right-of-way intersection or crossover, and shall not reduce existing car park sightlines, aisle widths and manoeuvring spaces.

8. Visual Amenity

- 8.1 Where the development of a container deposit scheme infrastructure is proposed outdoors:
- a. placement of the infrastructure must not result in the removal of any vegetation, landscaping or street tree;
 - b. the infrastructure must be constructed and clad with low-reflective, graffiti-resistant materials, which provide protection from the elements and, where not consisting of promotional or branding material approved under the operation of the container deposit scheme, are consistent in colour and finish to that of nearby existing buildings; and
 - c. the infrastructure must not display any advertising signage other than promotional or brand signage related to the operation of the container deposit scheme infrastructure, that must be attached to the infrastructure and not extend beyond the surface of the infrastructure. The signage is not to comprise of lights.
- 8.2 Where the development of a container deposit scheme infrastructure is proposed outdoors, and the infrastructure exceeds a development footprint of 10 square metres, bins for the removal of waste or recyclable materials not accepted by the infrastructure must be provided. The bins are to be adjacent to the container deposit scheme infrastructure, and serviced regularly at the applicants expense to maintain the amenity of the area, at a rate of one (1) waste bin and 0.5 recycling bins (both 240L in volume) per 10 square metres or part thereof development footprint.

9. Operational Amenity

- 9.1 Where the development or operation of a container deposit scheme infrastructure is proposed within 100 metres to land that accommodates a residential use, the infrastructure must operate only:
- a. between 7.00 am and 7.00 pm Monday to Saturday; and
 - b. between 9.00 am and 7.00 pm on Sunday and public holidays.
- Outside of these hours the container deposit scheme infrastructure shall be locked and made inoperable.
- 9.2 Where the development of a container deposit scheme infrastructure is proposed, the operation of the infrastructure must not prejudicially affect the amenity of the locality due to the emission of light, noise, vibration, electrical interference, smell or any other by-product.
- 9.3 Where the development or operation of a container deposit scheme infrastructure is proposed, the infrastructure or use of the infrastructure must not emit noise at a level which exceeds any requirement(s) under the Noise Regulations.
- 9.4 Where the development or operation of a container deposit scheme infrastructure is proposed, the infrastructure must be provided with lighting that complies with AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces, Part 3.1: Pedestrian area (Category P) lighting—Performance and design requirements (as amended).
- 9.5 Where the development or operation of a container deposit scheme infrastructure is proposed, the infrastructure must be accessible to any person with a disability.

10. Development Footprint

- 10.1 For a container collection cage proposed outdoors, the cage must not have a development footprint of more than eight (8) square metres or be more than 2.5 metres in height. There shall not be more than one (1) cage per lot.
- 10.2 For a reverse vending machine proposed outdoors, on land not used for car parking, the machine must not be more than three (3) metres in height, or have dimensions greater than eight (8) metres by six (6) metres. There shall not be more than one (1) machine per 15,000 square metres of total lot area or part thereof.
- 10.3 For a reverse vending machine proposed within an existing car park, there must be a minimum of 40 car parking spaces available after the development of the infrastructure with the provision of car parking bays on-site complying with the City's Car Parking Policy. There shall not be more than one (1) machine per 1,000 car parking space or part thereof. The area occupied by the large reverse vending machine must not exceed:
- a. 50 square metres, where there are less than 200 car parking spaces; or
 - b. 75 square metres, where there are 200 or more car parking spaces.

11. Variations to Policy Requirements

Any variations to this Policy will be assessed by the City against the objectives of this Policy.

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1. Introduction

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 - a. entered in the State Register of Heritage Places under the Heritage Act; or
 - b. the subject of an order under Part 4 of the Heritage Act; or
 - c. included on a heritage list prepared in accordance with Local Planning Scheme No. 3; or
 - d. within an area designated under Local Planning Scheme No. 3 as a heritage area; or
 - e. the subject of a heritage agreement entered into under section 90 of the Heritage Act.
- 3.3 Container deposit scheme infrastructure proposed to be erected on a temporary basis of not more than 48 hours within a 12 month period are exempt from approval, as per the requirements of 61(1)(f) and (2)(d) of the deemed provisions provided in the Regulations and contained within Local Planning Scheme No. 3. As such, the policy provisions would not apply.

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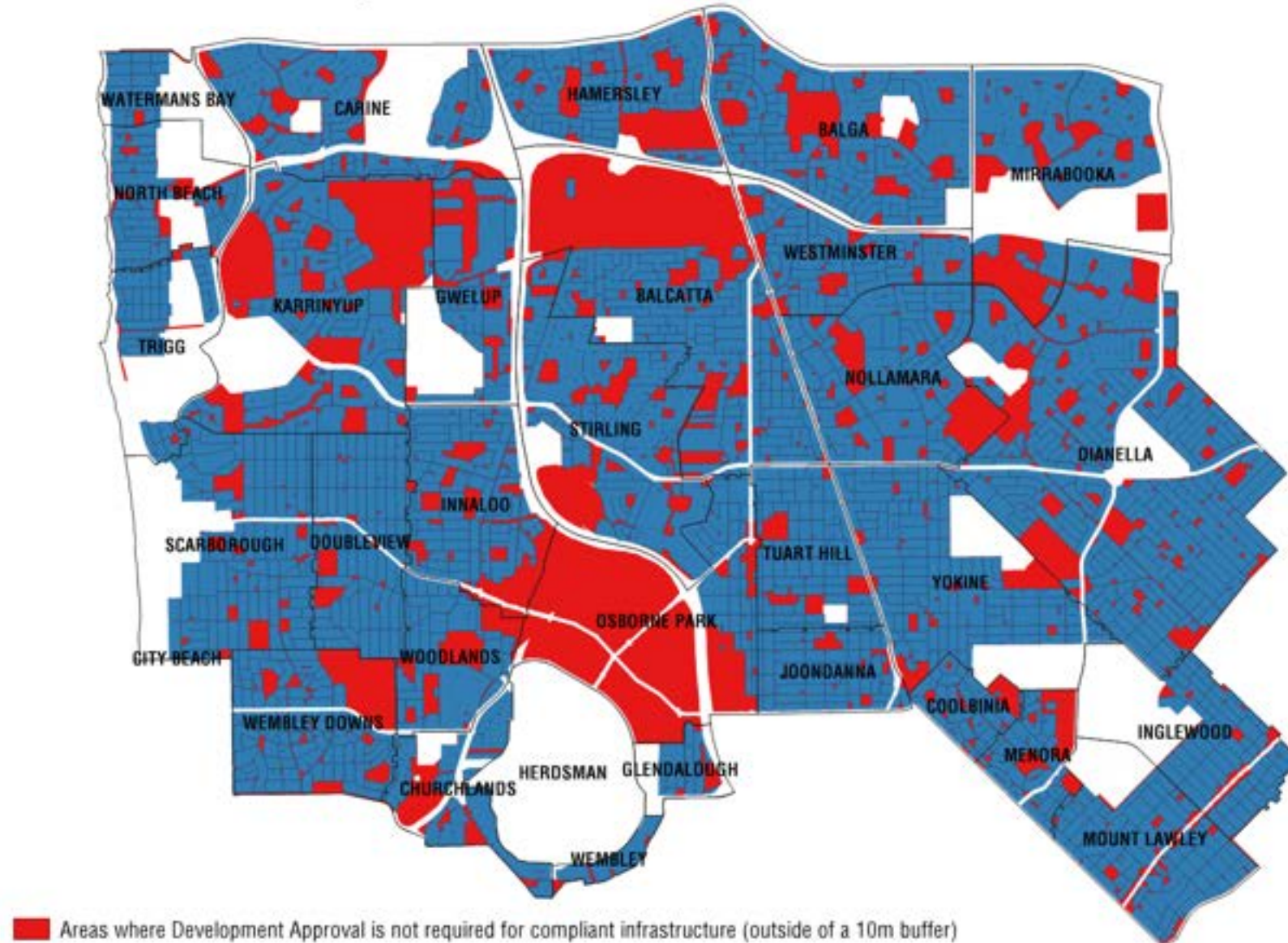
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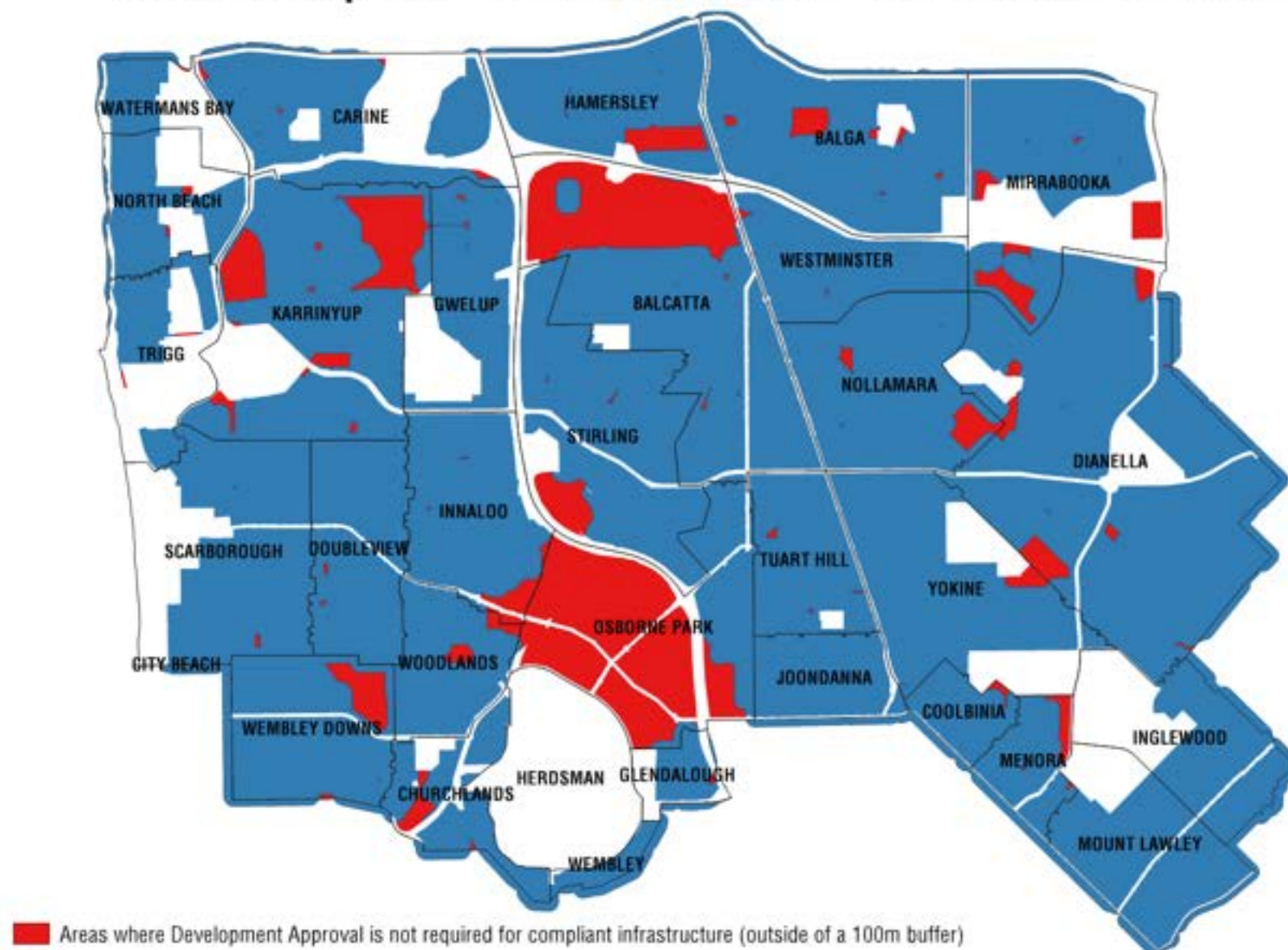
11. Variations to Policy Requirements

Any variations to this Policy will be assessed by the City against the objectives of this Policy.

Container Deposit Scheme Infrastructure - 10m residential buffer



Container Deposit Scheme Infrastructure - 100m residential buffer



**12.1/CP4 CONTAINER DEPOSIT SCHEME INFRASTRUCTURE - DRAFT
PLANNING AND DEVELOPMENT (LOCAL PLANNING SCHEMES)
AMENDMENT REGULATIONS 2019 - PROPOSED SUBMISSION****Report Information**

Location: City Wide
Applicant: Not Applicable
Reporting Officer: Manager City Planning
Business Unit: City Planning
Ward: City Wide
Suburb: City Wide

Authority/Discretion**Definition**

☒	Advocacy	<i>when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
☐	Executive	<i>the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
☐	Legislative	<i>includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.</i>
☐	Quasi-Judicial	<i>when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
☐	Information Purposes	<i>includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').</i>

Council Resolution**0220/046****Moved Councillor Boothman, seconded Councillor Proud**

That Council ENDORSES the submission to the Department of Planning, Lands and Heritage of the draft 'Planning and Development (Local Planning Schemes) Amendment Regulations 2019' documents, as shown in Attachment 1.

The motion was put and declared CARRIED (13/0) by exception resolution.

For: Councillors Boothman, Caddy, Farrelly, Hatton, Lagan, Perkov, Proud, Re, Sandri, Sargent, Spagnolo, Thornton and Mayor Irwin.

Against: Nil.

Committee Recommendation

That Council ENDORSES the submission to the Department of Planning, Lands and Heritage of the draft 'Planning and Development (Local Planning Schemes) Amendment Regulations 2019' documents, as shown in Attachment 1.

Officer's Recommendation

That Council ENDORSES the submission to the Department of Planning, Lands and Heritage of the draft 'Planning and Development (Local Planning Schemes) Amendment Regulations 2019' documents, as shown in Attachment 1.

Report Purpose

To consider the proposed Planning and Development (Local Planning Schemes) Amendment Regulation 2019 released for public comment. The purpose of the draft Regulations is to exempt certain forms of Container Deposit Scheme Infrastructure from requiring development approval.

Relevant Documents

Attachments

Attachment 1 - Planning and Development (Local Planning Schemes) Amendment Regulation 2019 Recommended Submission [↓](#)

Attachment 2 - Invitation to comment on Planning and Development (Local Planning Schemes) Amendment Regulations 2019 [↓](#)

Available for viewing at meeting

Nil

Background

On 30 November 2018, the Western Australian State Government announced that the Waste Avoidance Resource Recovery Amendment (Container Deposit) Bill 2018 had been introduced into State Parliament. This legislation enables a container deposit scheme to be established, the purpose of which is to reduce littering and increase recycling throughout the State.

In December 2018, the Western Australian Planning Commission (WAPC) published the Draft Position Statement - Container Deposit Scheme Infrastructure for public comment. At its meeting held 26 February 2019, Council considered a recommended submission to this draft Position Statement and resolved (Council Resolution Number 0219/039) to endorse the City's submission.

The WAPC released the adopted Position Statement on 31 May 2019. This included a model local planning policy that local governments could use to exempt Container Deposit Scheme Infrastructure from requiring development approval.

The City's officers subsequently prepared draft Local Planning Policy 6.16 – Container Deposit Scheme Infrastructure, based on the model policy. This model policy was modified to suit the City.

This draft Local Planning Policy was considered by Council at its meeting held 27 August 2019 and Council resolved (Council Resolution Number 0819/032) to advertise draft Local Planning Policy 6.16.

Advertising of the draft Local Planning Policy was undertaken, between 21 November 2019 and 12 December 2019, and the outcomes of advertising are included in a separate report in this agenda.

Despite the Container Deposit Scheme Infrastructure Position Statement requiring local governments to prepare a local planning policy to exempt this form of development, on 17 December 2019 the Department of Planning, Lands and Heritage released the Planning and Development (Local Planning Schemes) Amendment Regulation 2019 for public comment (Attachment 2).

The draft Regulations provide exemptions from requiring development approval for Container Deposit Scheme infrastructure that meet certain requirements. The proposed exemptions go beyond those contained in the Model Policy. For example, container deposit recycling centre would be exempt under certain circumstances.

The draft Regulations were released without consultation with local government, including those who had commenced preparation of a local planning policy as required by the Container Deposit Scheme Infrastructure Position Statement.

The draft Regulations are intended to ensure a successful implementation of the Container Deposit Scheme when it comes into effect in June 2020.

The draft Regulations are only intended to apply to infrastructure that is established before 2 June 2021. Any new or expanded infrastructure proposed after this date would require development approval unless exempted from the City's local planning framework.

A draft submission has been prepared to these draft Regulations (refer to Attachment 1). Key comments contained in that submission are detailed below. A key objection to the draft Regulations is that they do not allow local governments who have proactively prepared local planning policies to use those policies, as the draft Regulations would override them.

Comment

Recently Developed Local Planning Policies

The intent of the draft Regulations is to facilitate the Container Deposit Scheme, and exempt associated infrastructure from requiring development approval. This intent is acknowledged, even though the City's officers propose modifications to the draft Regulations.

However, the City has been pro-active in preparing a local planning policy to exempt Container Deposit Scheme Infrastructure from requiring development approval. The draft Regulations do not acknowledge the work undertaken by many local governments in preparing local planning policies to facilitate the Container Deposit Scheme. This is a failing of the draft Regulations.

The draft Regulations propose exemptions that are different to those contained in the City's draft Local Planning Policy. Some of the key differences include:-

- Allowing container deposit recycling centres in many of the City's non-residential zones;
- Allowing the removal of vegetation that is not considered significant, where the draft Policy does not allow for the removal of any vegetation;
- Not restricting operating hours for collection cages; and
- Allowing commercial vehicles to service the infrastructure outside of normal hours.

It is recommended that the draft Regulations are amended to only have effect where a Local Government has not adopted a local planning policy to exempt container deposit scheme infrastructure.

Local governments who have prepared local planning policies as required by the WAPC Position Statement – Container Deposit Scheme Infrastructure, ought to be able to bring these into effect.

Residential Area

The Regulation Amendments define 'residential area' to mean an area to which the R-Codes apply.

LPS3 states that *"Except as otherwise required in the Scheme or a Local Planning Policy, residential development not in the Residential Zone is to comply with the requirements of multiple dwellings under the R80 R-Codes."*

If the draft Regulations come into effect as proposed, this definition will cause uncertainty about what container deposit scheme infrastructure is exempt from requiring development approval.

This conflicts with the intention to exempt container deposit scheme infrastructure from requiring development approval. It is recommended that the Regulations be modified to clarify what is intended.

The Regulations allow container deposit recycling centres to operate in inappropriate locations

The draft Regulation Amendments allow establishing container deposit recycling centres without development approval, as long as certain criteria are met.

The draft Regulations do not contain a definition for this use, despite the Position Statement stating this would happen. The Position Statement defines container deposit recycling centre as:-

"premises used to return, consolidate, temporarily store and sort material associated with a container deposit scheme established under Part 5A of the Waste Avoidance and Resource Recovery Act 2007 before transfer to a waste storage facility or resource recovery centre, and may also include the return of small consumer goods or products as an incidental use."

It is recommended that the draft Regulations include a definition for this use.

The draft Regulation Amendments propose allowing container deposit recycling centres, in particular, where located in a building that is not within 200m of the boundary of a lot used for residential purposes.

This would allow a container deposit recycling centres in zones such as 'Local Centre' or other zones where there needs to be a high amenity.

A building used for a container deposit recycling centre could be setback 200m from the boundary of the residential property. However, this setback area could be used for the movement of vehicles and the storing of materials outside the building. This could affect the amenity of adjoining properties which could be a retail outlet, office building or other non-residential and non-industrial uses.

The draft Regulations also allow a container deposit recycling centre to operate on land as long as the land is not in a 'residential area'. The Regulations define a 'residential area' as *"an area to which the R-Codes apply"*.

LPS3 allows residential development in non-residential zones (at an R80 density) where the zoning table of the scheme allows. This means the R-Codes apply to large parts of the City, even if the land is not zoned for residential purposes. This prevents container deposit recycling centres from being exempt in the majority of the City.

The Position Statement identifies what areas are suitable locations for a container deposit recycling centres. This Position Statement states that the use should be identified in local planning schemes as a '*permitted*' use in mixed business/service commercial bulky goods areas, commercial and light/service industrial areas. In '*centre/shopping/town centre*' type zones the Position Statement identifies the use may be a '*discretionary*' use.

Allowing container deposit recycling centres in a building within 200m of the boundary of a lot used for residential purposes is inconsistent with the Position Statement.

The Container Deposit Scheme should not be rolled out at the expense of proper and orderly planning. A recycling centre is a use that is only appropriate in certain zones, and not in areas where there is a reasonable expectation that residential amenity should not be compromised.

Due to potential off-site impacts (such as noise and adverse visual amenity) associated with recycling centres, these should not be allowed without assessing impacts through a development application process.

A container deposit recycling centre is not a specific defined land use in the LPS3. It is a use that falls under the Industry – General land use. This use is not permitted in any zone in LPS3 other than the Industry and the Mixed Business zones. In regulating this through its Local Planning Scheme, Council has determined how land uses should integrate with one another.

For these reasons, it is recommended that the draft Regulations be modified to make it clear that container deposit recycling centres should only be exempt in Industrial type zones.

Reverse Vending Machines

The draft Regulation does not differentiate between a small or large reverse vending machine. The WAPC Position Statement does differentiate, with notable differences being that a large reverse vending machine is typically stored outdoors and a small reverse vending machine may be used indoors.

The draft Regulations restrict the operating hours for a reverse vending machine where a neighbouring property is used for residential purposes. This would restrict the use of a small reverse vending machine that is located inside a building.

The draft Regulations restricts service vehicles access to hours outside of the operating hours of the infrastructure. This means that service vehicles have to come early in the morning or later in the evening. These are inappropriate times to service infrastructure due to the level of noise created, and potential impacts to adjoining properties.

For these reasons modifications are recommended (refer to Attachment 1) to clarify the hours of operation for small reverse vending machines and when servicing of infrastructure is permitted.

Container Collection Cage Operating Hours

The draft Regulation amendments do not limit the times when someone can use a collection cage. This would allow containers to be deposited early in the morning or late at night.

The City's draft Local Planning Policy limits the operating hours of collection cages to not before 7.00am and not later than 7.00pm. The cage must be locked outside the permitted hours. This is the same requirement as a reverse vending machine when located within 100m of a residential property.

These provisions will safeguard the residential amenity of an area.

Should the draft Regulation come into effect as advertised, this would supersede the City's draft provisions, allowing the use of collection cages at all times. It is recommended that the Regulations be modified to restrict the hours that a container collection cage can operate when located within 100m of a residential property.

Definitions

It is recognised that a number of the terms used in the draft Regulation differ to the definitions used in the model policy, such as 'container collection cage', and 'reverse vending machine', which have minimal consequence.

The draft Regulations introduces the term 'significant vegetation or landscaping' that is not defined. The lack of definition means that trees or vegetation may be removed because there is no clarity what 'significant' means.

If the intent of the clause was to retain significant vegetation, this needs to be defined. The removal of shrubs may be appropriate, but not the removal of trees.

It is recommended that a definition for 'significant vegetation' is provided to clarify when vegetation and landscaping can be removed without development approval when container deposit scheme infrastructure is proposed.

Summary

The draft Regulations are supported in principle, as it will facilitate the introduction of the Container Deposit Scheme in Western Australia.

A number of modifications are recommended that will prevent adverse amenity the impacts on properties in the City.

Consultation/Communication Implications

The public consultation period for lodging submissions closes on Friday 7 February 2020. An extension of time has been provided from the Department of Planning, Lands and Heritage to allow the City to provide a Council endorsed submission.

Policy and Legislative Implications

The Planning and Development (Local Planning Schemes) Regulations 2015 sets out the requirements for local governments Local Planning Schemes, including provisions for the development and use of land. The draft Planning and Development (Local Planning Schemes) Amendment Regulations 2019 provides exemptions to the development of Container Deposit Scheme infrastructure.

Financial Implications

Nil.

Strategic Implications

Governance: Making it happen

Outcome G1: Good governance

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:-

ENVIRONMENTAL	
Issue	Comment
Waste generation	Increased recycling of containers will reduce the amount of waste having to be placed in landfill and littering.

SOCIAL	
Issue	Comment
Amenity	Provision of funding opportunities for clubs and community groups.

ECONOMIC	
Issue	Comment
Dvlpmnt of key business sectors	Local businesses and community organisations will be able to generate additional income from improved recycling opportunities.

Conclusion

The proposed Planning and Development (Local Planning Schemes) Amendment Regulations 2019 are supported in principle, subject to a number of recommended modifications.

A key modification required is to allow Council to adopt Local Planning Policy 6.16 – Container Deposit Scheme Infrastructure. This policy would identify what Container Deposit Scheme Infrastructure is exempt from requiring development approval.

It is recommended that Council endorses the draft submission to the proposed Planning and Development (Local Planning Schemes) Amendment Regulations 2019 documents, as shown in Attachment 1.



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MINUTES OF THE ORDINARY MEETING OF COUNCIL
25 FEBRUARY 2020

Enquiries: Neil Maull – (08) 9205 8554

28 February 2019

Jacquie Stone
Department of Planning, Lands and Heritage
Locked Bag 2506
PERTH WA 6001

Dear Sir/Madam

**PLANNING AND DEVELOPMENT (LOCAL PLANNING SCHEMES) AMENDMENT
REGULATIONS 2019 FOR CONTAINER DEPOSIT SCHEME INFRASTRUCTURE**

Thank you for the opportunity to comment on *Planning and Development (Local Planning Schemes) Amendment Regulations 2019* for Container Deposit Scheme Infrastructure.

At its meeting of 25 February 2020 Council considered a report on the draft document and resolved:

That Council ENDORSES the submission to the Department of Planning, Lands and Heritage of the draft 'Planning and Development (Local Planning Schemes) Amendment Regulation 2019' documents, as shown in Attachment 1.

At that same meeting Council considered the draft Local Planning Policy 6.16 – Container Deposit Scheme Infrastructure and resolved:

That pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015, Council PROCEEDS with (adopts) draft Local Planning Policy 6.16 – 'Container Deposit Scheme Infrastructure' as shown in Attachment 2.

A copy of the City's submission and adopted local planning policy are attached for your information.

The City again thanks you for the opportunity to comment and would be pleased to discuss any of the comments and recommendations made in a further detail with the commission.

Yours sincerely

Stevan Rodic
ACTING DIRECTOR PLANNING AND DEVELOPMENT

The City's comments are summarised below.

Recently Developed Local Planning Policies

The State Government publish the "Container Deposit Scheme Position Statement in May 2019". The State Government asked for the adoption of Local Planning Policy's. These policies are to provide Local Authority regulation of Container Deposit Infrastructure. The position paper contained a model Local Planning Policy.

This policy exempts Container Deposit Scheme Infrastructure meeting certain criteria from development approval.

To help roll out the Container Deposit Scheme Infrastructure, the City of Stirling developed a Local Planning Policy. This Policy is in general accordance with the model policy.

The policy has been advertised. The outcomes of advertising will be considered by the Council at its meeting on 25 February 2020.

The proposed Amendments to the Regulations means that the policy will have no effect. The City submits that developed Local Planning Policy's should be allowed to operate.

Recommendation

Modify the Proposed Regulations to allow previously prepared local planning policies to exempt Container Deposit Scheme Infrastructure from requiring development approval to prevail over the requirements of the Regulations.

The Regulations allow Recycling Centres to operate in inappropriate locations

The draft Regulation Amendments allow establishing container deposit recycling centres without development approval, as long as certain criteria are met.

The draft Regulations do not contain a definition for this use, despite the Position Statement stating this would happen. The Position Statement defines container deposit recycling centre as:

'premises used to return, consolidate, temporarily store and sort material associated with a container deposit scheme established under Part 5A of the Waste Avoidance and Resource Recovery Act 2007 before transfer to a waste storage facility or resource recovery centre, and may also include the return of small consumer goods or products as an incidental use'.

It is recommended that the draft Regulations include a definition for this use.

The draft Regulation Amendments propose allowing container deposit recycling centres, in particular, where located in a building that is not within 200m of the boundary of a lot used for residential purposes.

In this scenario, a building used for a container deposit recycling centre could be setback 200m from the boundary of the residential property. However, this setback area could be used for the movement of vehicles and the storing of materials outside the building. This could affect the amenity of adjoining properties.

The Regulations also allow a container deposit recycling centre to operate on land as long as the land is not in a 'residential area'. The Regulations define a 'residential area' as "an area to which the R-Codes apply".

Local Planning Scheme No. 3 allows residential development in non-residential zones (at an R80 density) where the zoning table of the scheme allows. This means the R-Codes apply to large parts of the City, even if the land is not zoned for residential purposes. This prevents container deposit recycling centres from being exempt in the majority of the City.

The Position Statement identifies what areas are suitable locations for a container deposit recycling centres. This identifies that the use should be identified in local planning schemes as a '*permitted*' use in mixed business/service commercial bulky goods areas, commercial and light/service industrial areas. In '*centre/shopping/town centre*' type zones the Position Statement identifies the use may be a '*discretionary*' use.

Allowing container deposit recycling centres in a building within 200m of the boundary of a lot used for residential purposes is inconsistent with the Position Statement.

Facilitating the Container Deposit Scheme should not be rolled out at the expense of proper and orderly planning. A recycling centre is a use that is only appropriate in certain zones, and not in areas where there is a reasonable expectation that residential amenity should not be compromised.

Because of potential off-site impacts (such as noise and adverse visual amenity) associated with recycling centres, these should not be allowed without assessing impacts through a development application process.

A container deposit recycling centre is not a specific defined land use in the Local Planning Scheme No. 3. It is a use that falls under the Industry – General land use. This use is not permitted in any zone in Local Planning Scheme No. 3 other than the Industry and the Mixed Business zones. In regulating this through its Local Planning Scheme, Council has determined how land uses should integrate with one another.

The City's officers are concerned that if the draft Regulations come into effect as advertised, this will compromise the strategic planning for the City that has been undertaken. For example, the City's officers have met with proponents of container deposit recycling centre along Scarborough Beach Road. This is an inappropriate location for this type of use.

For these reasons, it is recommended that the draft Regulations be modified to make it clear that container deposit recycling centres should only be exempt in Industrial type zones.

Recommendation

Proposed clause 61C.2 is modified to restrict container deposit recycling centres to Industrial zones.

Reverse Vending Machines

The draft Regulation Amendments do not differentiate between a small or large reverse vending machine. The WAPC Position Statement did, with notable differences being that a large reverse vending machine is typically stored outdoors and a small reverse vending machine may be used indoors.

The Regulations restrict the operating hours for a reverse vending machine where a neighbouring property is used for residential purposes. This would restrict the use of a small reverse vending machine that is located inside a building.

These draft Regulation provisions are more restrictive than the Model Policy that only applied to large reverse vending machines, and the City's draft Local Planning Policy 6.16 which only applied to any reverse vending machine when located within 100m of a residential property.

Additionally, the draft Regulations restricts service vehicles access to hours outside of the operating hours of the infrastructure. This means that service vehicles have to come early in the morning or later in the evening. These are inappropriate times to service infrastructure due to the level of noise created, and potential impacts to adjoining properties.

For these reasons, the following modifications are recommended.

Recommendation

Clause 61B.3.c be modified to allow small reverse vending machines to operate at times outside of 7am to 7pm when located indoors, or greater than 100m from a residential property.

Recommendation

Clause 61B.3.c be modified to prevent servicing of infrastructure outside the following hours:

- (i) between 9.00 am and 7.00 pm on Sundays and public holidays; and*
- (ii) between 7.00 am and 7.00 pm on other days.*

Container Collection Cage Operating Hours

The draft Regulation Amendments do not limit the times which someone can deposit containers into collection cage. This would allow containers to be deposited early in the morning or late at night.

The City's draft Local Planning Policy limited the operating hours of collection cages to the same hours as a reverse vending machine when located within 100m of a residential property, with the cages to be locked outside the permitted hours.

These provisions will safeguard the residential amenity of an area.

Should the draft Regulation Amendments be enacted, this would supersede the City's draft provisions, allowing the use of collection cages at all times.

Recommendation

Proposed clause 61B.4 be modified to restrict the hours that a container collection cage can operate when located within 100m of a residential property to:

- (i) between 9.00 am and 7.00 pm on Sundays and public holidays; and*
- (ii) between 7.00 am and 7.00 pm on other days.*

Definitions

A number of terms used in the Regulation Amendments differ to the definitions used in the Model Policy, such as 'container collection cage', and 'reverse vending machine', which have minimal consequence.

The Regulations introduce the term 'significant vegetation or landscaping' that is not defined. The lack of definition means that trees or vegetation may be removed because there is no clarity what 'significant' means.

If the intent of the clause was to retain significant vegetation, this needs to be defined. The removal of shrubs may be appropriate, but not the removal of trees.

Recommendation

A definition for 'significant vegetation' is provided in clause 59A, to prevent confusion as to what sort of vegetation and landscaping can be removed without development approval when container deposit scheme infrastructure is proposed.

Heritage Provisions

The Regulation Amendments update references in Schedule 2 Clause 59A and 61 to reference the *Heritage Act 2018*. However other references to the *Heritage of Western Australia Act 1990* in the Regulations have not been updated.

This matter is brought to the Department of Planning, Heritage and Lands in case this was not intended.

Department of Planning,
Lands and HeritageOur ref: PLH2019P0412
Enquiries: Jacqui Stone

Mr Stuart Jardine
Chief Executive Officer
City of Stirling
25 Cedric Street
STIRLING WA 6021


Dear Mr Jardine**INVITATION TO COMMENT ON DRAFT LEGISLATIVE AMENDMENT FOR
CONTAINER DEPOSIT SCHEME INFRASTRUCTURE**

As you would be aware, a Container Deposit Scheme (CDS) is set to commence in Western Australia in June 2020. The Minister for Planning is seeking public comment on proposed amendments to the *Planning and Development (Local Planning Schemes) Regulations 2015* that will help to facilitate the implementation of the scheme.

The intent is to amend clause 61 of the Local Planning Scheme Regulations to provide development approval exemptions for specific CDS developments.

The amendments provide exemptions for container deposit recycling centres proposed within existing buildings outside of residential areas, and for all reverse-vending machines and collection cages proposed outside of residential areas. Key points relating to the proposed amendments include:

- A sunset clause will apply to CDS infrastructure that is deemed exempt and is functioning by 1 June 2021. After 2 June 2021, such infrastructure will no longer be exempt and will be expected to have a development approval in place.
- The exemptions only apply to works that are being undertaken within a pre-existing building – they do not apply for works such as the construction of a warehouse or shed.

Your comments on the draft amendments are invited prior to **Friday 7 February 2020**. For more information, and to make a submission, visit <https://www.dplh.wa.gov.au/cds-regs>

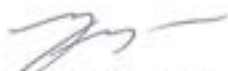
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Alternatively you may post your submission to:

Jacquie Stone
Department of Planning, Lands and Heritage
Locked Bag 2506
Perth WA 6001

Should you have any queries or require further information, please contact Jacquie Stone, Director Policy on (08) 6551 9373.

Yours sincerely


Gail McGowan PSM
Director General

13 December 2019

Enclosed: *Planning and Development (Local Planning Schemes) Amendment Regulations 2019 (Consultation Draft)*

Western Australia

Planning and Development (Local Planning Schemes) Amendment Regulations 2019

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Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Amendment Regulations 2019

Made by the Minister under Part 15 Division 1 of the Act.

1. Citation

These regulations are the *Planning and Development (Local Planning Schemes) Amendment Regulations 2019*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Planning and Development (Local Planning Schemes) Regulations 2015*.

[The following text is the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 1 Part 7 showing proposed amendments in track changes. A formal amending instrument will be drafted at a later stage.]

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**Schedule 2 — Deemed provisions for local
planning schemes**

[r. 10(4)]

Part 7 — Requirement for development approval**59A. Terms used**

In this Part —

CDS display material means promotional material, brand images, signs, or similar material associated with the container deposit scheme;

CDS infrastructure means —

(a) a container collection cage; or

(b) a reverse vending machine;

civic use has the meaning given in Schedule 1 clause 38;

commercial vehicle has the meaning given in Schedule 1 clause 37(1);

community purpose has the meaning given in Schedule 1 clause 38;

container has the meaning given in WARR Act section 47C(1);

container collection cage means a cage or other structure in which members of the public may place empty containers for the purposes of the container deposit scheme, without receiving payment of the refund amount in exchange;

container deposit recycling centre means a refund point that has or can accommodate facilities for the consolidation or sorting of empty containers pending collection for the purposes of the container deposit scheme;

container deposit scheme means the scheme established by WARR Act Part 5A;

drop-off refund point means a refund point that —

(a) is located in a building; and

(b) is not a container deposit recycling centre;

educational establishment has the meaning given in Schedule 1 clause 38;

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floor area has the meaning given in Schedule 1 clause 37(1);

heritage-protected place means a place that is —

- (a) entered in the State Register of Heritage Places under the *Heritage Act 2018* section 42; or
- (b) the subject of an order under the *Heritage Act 2018* Part 4; or
- (c) the subject of a heritage agreement that has been certified under the *Heritage Act 2018* section 90; or
- (d) included on a heritage list prepared in accordance with this Scheme; or
- (e) within an area designated under this Scheme as a heritage area;

incidental use has the meaning given in Schedule 1 clause 37(1);

refund amount has the meaning given in WARR Act section 47C(1);

refund point has the meaning given in WARR Act section 47C(1);

residential area means an area to which the R-Codes apply;

reverse vending machine means a permanently-located unattended device that accepts empty containers from members of the public in exchange for the payment of the refund amount;

shop has the meaning given in Schedule 1 clause 38;

WARR Act means the *Waste Avoidance and Resource Recovery Act 2007*.

60. Requirement for development approval

A person must not commence or carry out any works on, or use, land in the Scheme area unless —

- (a) the person has obtained the development approval of the local government under Part 8; or
- (b) under clause 61, 61A, 61C, 61E or 61G the development is exempt from the requirement for development approval, of a type referred to in clause 61.

Note:

- 1. Development includes the erection, placement and display of advertisements.

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2. Approval to commence development may also be required from the Commission if the land is subject to a region planning scheme.

61. Development for which development approval not required

- (1) Development approval of the local government is not required for the following works —

- (a) the carrying out of works that are wholly located on an area identified as a regional reserve under a region planning scheme;

Note:

Approval may be required from the Commission for development on a regional reserve under a region planning scheme.

- (b) the carrying out of internal building work which does not materially affect the external appearance of the building unless the development is located in a heritage-protected place; ~~place that is —~~

~~(i) entered in the Register of Heritage Places under the *Heritage of Western Australia Act 1990*; or~~

~~(ii) the subject of an order under the *Heritage of Western Australia Act 1990* Part 6; or~~

~~(iii) included on a heritage list prepared in accordance with this Scheme and identified on that list as having an interior with cultural heritage significance; or~~

~~(iv) the subject of a heritage agreement entered into under the *Heritage of Western Australia Act 1990* section 29;~~

- (c) the erection or extension of a single house on a lot if the R-Codes apply to the development and the development satisfies the deemed-to-comply requirements of the R-Codes unless the development is located in a heritage-protected place; ~~place that is —~~

~~(i) entered in the Register of Heritage Places under the *Heritage of Western Australia Act 1990*; or~~

~~(ii) the subject of an order under the *Heritage of Western Australia Act 1990* Part 6; or~~

~~(iii) included on a heritage list prepared in accordance with this Scheme; or~~

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- ~~(iv) within an area designated under the Scheme as a heritage area; or~~
- ~~(v) the subject of a heritage agreement entered into under the *Heritage of Western Australia Act 1990* section 29;~~
- (d) the erection or extension of an ancillary dwelling, outbuilding, external fixture, boundary wall or fence, patio, pergola, veranda, garage, carport or swimming pool on the same lot as a single house or a grouped dwelling if the R-Codes apply to the development and the development satisfies the deemed-to-comply requirements of the R-Codes unless the development is located in a heritage-protected place; ~~place that is —~~
 - ~~(i) entered in the Register of Heritage Places under the *Heritage of Western Australia Act 1990*; or~~
 - ~~(ii) the subject of an order under the *Heritage of Western Australia Act 1990* Part 6; or~~
 - ~~(iii) included on a heritage list prepared in accordance with this Scheme; or~~
 - ~~(iv) within an area designated under the Scheme as a heritage area; or~~
 - ~~(v) the subject of a heritage agreement entered into under the *Heritage of Western Australia Act 1990* section 29;~~
- (e) the demolition of a single house, ancillary dwelling, outbuilding, external fixture, boundary wall or fence, patio, pergola, veranda, garage, carport or swimming pool except where the single house or other structure is or is located in, a heritage-protected place; —
 - ~~(i) located in a place that is entered in the Register of Heritage Places under the *Heritage of Western Australia Act 1990*; or~~
 - ~~(ii) the subject of an order under the *Heritage of Western Australia Act 1990* Part 6; or~~
 - ~~(iii) included on a heritage list prepared in accordance with this Scheme; or~~
 - ~~(iv) located within an area designated under this Scheme as a heritage area; or~~

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- ~~(v) the subject of a heritage agreement entered into under the *Heritage of Western Australia Act 1990* section 29;~~
- (f) temporary works which are in existence for less than 48 hours, or a longer period agreed by the local government, in any 12 month period;
 - (g) the temporary erection or installation of an advertisement if —
 - (i) the advertisement is erected or installed in connection with an election, referendum or other poll conducted under the *Commonwealth Electoral Act 1918* (Commonwealth), the *Electoral Act 1907* or the *Local Government Act 1995*; and
 - (ii) the primary purpose of the advertisement is for political communication in relation to the election, referendum or poll; and
 - (iii) the advertisement is not erected or installed until the election, referendum or other poll is called and is removed no later than 48 hours after the election, referendum or other poll is conducted;
 - (h) the erection or installation of a sign of a class specified in a local planning policy or local development plan that applies in respect of the sign unless the sign is to be erected or installed —
 - (i) on a place included on a heritage list prepared in accordance with this Scheme; or
 - (ii) on land located within an area designated under this Scheme as a heritage area;
 - (i) the carrying out of any other works specified in a local planning policy or local development plan that applies to the development as works that do not require development approval;
 - (j) the carrying out of works of a type identified elsewhere in this Scheme as works that do not require development approval.

**Planning and Development (Local Planning Schemes) Amendment
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Note:

1. The *Planning and Development Act 2005* section 157 applies in respect of the carrying out of works necessary to enable the subdivision of land if the Commission has approved a plan of the subdivision.
 2. The *Planning and Development Act 2005* section 6 applies in respect of the carrying out of public works by the Crown, the Governor, the Government of the State or a local government
- (2) Development approval of the local government is not required for the following uses —
- (a) a use that is wholly located on an area identified as a regional reserve under a region planning scheme;

Note:

Approval may be required from the Commission for development on a regional reserve under a region planning scheme.

- (b) development that is a use identified in this Scheme as a use that is permitted in the zone in which the development is located and —
 - (i) the development has no works component; or
 - (ii) development approval is not required for the works component of the development;
 - (c) the use of premises as a home office;
 - (d) temporary use which is in existence for less than 48 hours, or a longer period agreed by the local government, in any 12 month period;
 - (e) any other use specified in a local planning policy or local development plan that applies to the development as a use that does not require development approval;
 - (f) use of a type identified elsewhere in this Scheme as use that does not require development approval.
- (3) Despite subclause (1) development approval may be required for certain works carried out —
- (a) in a special control area; or
 - (b) on land designated by an order made under the *Fire and Emergency Services Act 1998* section 18P as a bush fire prone area.

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- (4) For the purposes of subclause (1)(c) or (d), development is to be taken to satisfy a deemed-to-comply requirement of the R-Codes if it complies with —
- (a) a requirement in a local development plan or activity centre plan made under the R-Codes that amends or replaces the deemed-to-comply requirement; or
 - (b) a requirement —
 - (i) in a structure plan that was approved before the day referred to in the *Planning and Development (Local Planning Schemes) Regulations 2015* regulation 2(b); and
 - (ii) that amends or replaces the deemed-to-comply requirement;
- or
- (c) a requirement in a local planning policy that amends or replaces the deemed-to-comply requirement.
- (5) If under subclause (1)(c) or (d) development approval is not required for the carrying out of works on land, the owner of the land may provide to the local government confirmation of the matters set out in subclause (1)(c) or (d), as relevant, in a manner and form approved by the Commission.

[Clause 61 amended; Gazette 7 Dec 2015 p. 4883-4.]

61A. Development approval not required to erect or install CDS infrastructure

- (1) Subject to subclauses (2), (3) and (4), development approval of the local government is not required for the erection or installation of CDS infrastructure.
- (2) The erection or installation of CDS infrastructure is not exempt from the requirement for development approval unless each of the following conditions is satisfied —
 - (a) no part of the development is in a heritage-protected place;
 - (b) no part of the development is in a residential area;
 - (c) the infrastructure is not within 10 m of the boundary of a lot used for residential purposes;

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- (d) the infrastructure does not restrict any vehicular or pedestrian access or entry to a building;
- (e) the infrastructure does not obstruct the operation of, or access to, any utility services;
- (f) the infrastructure is not within 2 m of any road, right of way or vehicle access point to a road or right of way;
- (g) the infrastructure does not reduce existing car park sightlines, aisle widths or manoeuvring spaces;
- (h) if the development is outdoors —
 - (i) the erection or installation of the infrastructure does not result in the removal of any significant vegetation or landscaping; and
 - (ii) the infrastructure does not carry or display promotional material, brand images, signs or similar material, other than CDS display material; and
 - (iii) the infrastructure is constructed of or clad with low-reflective, graffiti-resistant materials that provide protection from the elements.
- (3) The erection or installation of CDS infrastructure that is or includes a reverse vending machine is not exempt from the requirement for development approval unless each of the following conditions is satisfied —
 - (a) the erection or installation is completed and the reverse vending machine is in use by 2 June 2021;
 - (b) if the development is outdoors on land that is not a car park —
 - (i) there is not more than 1 machine for each 15 000 m² of the area of the land on which the development is located; and
 - (ii) no machine occupies an area larger than 45 m²; and
 - (iii) no machine is more than 3 m in height, 8 m in length or 6 m in width;
 - (c) if the development is outdoors on land that is a car park —
 - (i) the car park has at least 40 spaces; and

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- (ii) there is not more than 1 machine for each 1 000 car parking spaces; and
 - (iii) no machine occupies an area larger than the greater of —
 - (I) an area comprising 4 car parking spaces;
 - (II) 45 m², if the car park has 200 car parking spaces or less, and 75 m² in any other case.
- (4) The erection or installation of CDS infrastructure that is or includes a container collection cage is not exempt from the requirement for development approval unless each of the following conditions is satisfied —
 - (a) the development is in premises that are lawfully civic use, community purpose or educational establishment;
 - (b) the cage is located so as to be visually unobtrusive;
 - (c) the cage is not readily movable without the use of lifting equipment;
 - (d) there is not more than 1 cage on a lot;
 - (e) no cage occupies an area of more than 8 m²;
 - (f) no cage is more than 2 m in height.

61B. Development approval not required to operate CDS infrastructure

- (1) Subject to subclauses (2), (3) and (4), development approval of the local government is not required to use land to operate CDS infrastructure.
- (2) The use of land to operate CDS infrastructure is not exempt from the requirement for development approval unless each of the following conditions is satisfied —
 - (a) the erection or installation of the infrastructure was exempt under clause 61A from the requirement for development approval;

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- (b) the infrastructure is provided with lighting that complies with AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces, Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements published by Standards Australia as amended from time to time, or any Australian or Australia/New Zealand Standard that replaces that standard;
- (c) the infrastructure complies with relevant requirements of AS 1428.1-2009 Design for access and mobility – General requirements for access – New building work and AS 1428.2-1992 Design for access and mobility - Enhanced and additional requirements - Buildings and facilities published by Standards Australia as amended from time to time, or of any Australian or Australia/New Zealand Standard that replaces either or both of those standards;
- (d) if the area occupied by the infrastructure equals or exceeds 10 m², bins for the removal of waste and recyclable materials are provided at the infrastructure and regularly serviced at the rate of at least —
 - (i) 1 waste bin of 240 litres capacity per 10 m² of area occupied; and
 - (ii) 1 recycling bin of 240 litres capacity for the first 10 m² of area occupied and 1 recycling bin of 240 litres capacity for each further 20 m² of area occupied.
- (3) The use of land to operate CDS infrastructure that is or includes a reverse vending machine is not exempt from the requirement for development approval unless each of the following conditions is satisfied —
 - (a) the operation of the infrastructure does not result in the emission of noise at a level which exceeds any applicable requirement of the Environmental Protection (Noise) Regulations 1997;
 - (b) commercial vehicles enter the land for the purposes of the container deposit scheme only —
 - (i) before 9.00 am or after 7.00 pm on Sundays and public holidays; and
 - (ii) before 7.00 am or after 7.00 pm on other days;

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- (c) if the land is adjacent to a lot used for residential purposes, the infrastructure operates only —
 - (i) between 9.00 am and 7.00 pm on Sundays and public holidays; and
 - (ii) between 7.00 am and 7.00 pm on other days.
- (4) The use of land to operate CDS infrastructure that is or includes a container collection cage is not exempt from the requirement for development approval unless the cage is locked or secured in such a way that material cannot be removed from it, other than for the purposes of the container deposit scheme.
- 61C. Development approval not required to operate container deposit recycling centre**
 - (1) Subject to subclause (2), development approval of the local government is not required to use land to operate a container deposit recycling centre.
 - (2) The use of land to operate a container deposit recycling centre is not exempt from the requirement for development approval unless each of the following conditions is satisfied —
 - (a) no part of the land is in a heritage-protected place;
 - (b) no part of the land is in a residential area;
 - (c) the operation of the centre begins by 2 June 2021;
 - (d) the centre operates in a building which is not within 200 m of the boundary of a lot used for residential purposes;
 - (e) the floor area of the part of the building that is primarily used for the purposes of the centre does not exceed 2 000 m²;
 - (f) for each 100 m² of the floor area of the part of the building that is primarily used for the purposes of the centre, there is on the land at least —
 - (i) 1 car parking space; or
 - (ii) a 6 m length of car queuing lane.

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61D. Development approval not required to operate drop-off refund point

Development approval of the local government is not required to use land to operate a drop-off refund point —

(a) in a premises otherwise used as a shop; or

(b) in any other premises, if —

(i) the premises are not in a residential area; and

(ii) use to operate a drop-off refund point is an incidental use of the premises.

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12.2 AUDIT COMMITTEE - 18 FEBRUARY 2020

12.2/CG1 2019 COMPLIANCE AUDIT RETURN

Report Information

Location:	Not Applicable
Applicant:	Not Applicable
Reporting Officer:	Manager Governance
Business Unit:	Governance
Ward:	Not Applicable
Suburb:	Not Applicable

Authority/Discretion

Definition

☐	Advocacy	<i>when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
☐	Executive	<i>the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
☒	Legislative	<i>includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.</i>
☐	Quasi-Judicial	<i>when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
☐	Information Purposes	<i>includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').</i>

Council Resolution

0220/047

Moved Councillor Lagan, seconded Councillor Perkov

1. That Council **ADOPTS** the Department of Local Government, Sport and Cultural Industries Compliance Audit Return for the period 1 January 2019 to 31 December 2019, as shown in Attachment 1.
2. That Council **AUTHORISES** the certification to be jointly completed by the Mayor and Chief Executive Officer in accordance with Regulation 15 of the Local Government (Audit) Regulations 1996.

The motion was put and declared CARRIED (12/1).

For: Councillors Boothman, Caddy, Farrelly, Hatton, Lagan, Perkov, Proud, Sandri, Sargent, Spagnolo, Thornton and Mayor Irwin.

Against: Councillor Re.

Committee Recommendation

1. That Council **ADOPTS** the Department of Local Government, Sport and Cultural Industries Compliance Audit Return for the period 1 January 2019 to 31 December 2019, as shown in Attachment 1.
2. That Council **AUTHORISES** the certification to be jointly completed by the Mayor and Chief Executive Officer in accordance with Regulation 15 of the Local Government (Audit) Regulations 1996.

Officer's Recommendation

1. That Council **ADOPTS** the Department of Local Government, Sport and Cultural Industries Compliance Audit Return for the period 1 January 2019 to 31 December 2019, as shown in Attachment 1.
2. That Council **AUTHORISES** the certification to be jointly completed by the Mayor and Chief Executive Officer in accordance with Regulation 15 of the Local Government (Audit) Regulations 1996.

Report Purpose

To refer the City's responses to the Department of Local Government, Sport and Cultural Industries 2019 Compliance Audit Return to Council for its consideration and adoption.

Relevant Documents

Attachments

Attachment 1 - City of Stirling Compliance Audit Return 2019 [↓](#)

Available for viewing at meeting

Nil

Background

In accordance with Regulation 14 of the Local Government (Audit) Regulations 1996, the City is required to carry out an annual audit of statutory compliance in the form determined by the Department of Local Government, Sport and Cultural Industries.

The 2019 Compliance Audit Return deals with the period 1 January 2019 to 31 December 2019 and focuses on those areas considered high risk in accordance with the *Local Government Act 1995* and associated regulations.

The Audit Committee's role includes the requirement to review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance.

Comment

The 2019 Compliance Audit Return contains the following compliance categories:-

- *Commercial Enterprises by Local Governments;*
- *Delegation of Power/Duty;*
- *Disclosure of Interest;*
- *Disposal of Property;*
- *Finance;*
- *Integrated Planning and Reporting;*
- *Local Government Employees;*
- *Official Conduct; and*
- *Tenders for Providing Goods and Services.*

The relevant Business Unit Managers were required to provide responses to the questions identified as part of their responsibilities. There was one area of non-compliance of a minor nature.

Disclosure of Interest - Item 7

"Was an annual return lodged by all designated employees by 31 August 2019?"

One employee did not complete their annual return by 31 August 2019. As required, the City notified the Corruption and Crime Commission and the Department of Local Government, Sport and Cultural Industries of this return lodged after the due date.

It was mutually agreed that the employee undertake the City's online procurement training module as a refresher and include meeting compliance requirements as a key performance indicator in the next performance review. These initiatives are in place and address the nature of the breach. This response has been accepted by the regulators.

The 2019 Compliance Audit Return is complete and is now required to be adopted by Council prior to being submitted to the Department of Local Government, Sport and Cultural Industries by 31 March 2020.

Consultation/Communication Implications

The 2019 Compliance Audit Return was circulated for comment to the Executive Team and Business Unit Managers.

The compilation of the report was provided to the Internal Auditor for review and included a test sample of activity.

Policy and Legislative Implications

In accordance with Regulation 14 of the Local Government (Audit) Regulations 1996 the Audit Committee must review the completed 2019 Compliance Audit Return and report the results to Council. Following Council's adoption, the 2019 Compliance Audit Return must be submitted to the Department of Local Government, Sport and Cultural Industries by 31 March 2020.

Financial Implications

Nil.

Strategic Implications

Governance: Making it happen

Outcome G1: Good governance

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:-

ENVIRONMENTAL	
Issue	Comment
Nil.	

SOCIAL	
Issue	Comment
Nil.	

ECONOMIC**Issue****Comment**

Nil.

Conclusion

The 2019 Compliance Audit Return is complete and identified one area of non-compliance refer to Attachment 1). The initiatives to address the breach includes the employee to undertake the City's online procurement training module as a refresher and incorporating meeting compliance requirements as a key performance indicator in the employee's next performance review have been completed.

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Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a)(b)(c) F&G Reg 7,9	Has the local government prepared a business plan for each major trading undertaking in 2019?	Not Applicable		Cheyne Cameron, Manager Recreation and Leisure Services
2	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2019?	Not Applicable	The City did not undertake any 'non-exempt major land transactions' during 2019.	Michael Littleton, Director Infrastructure
3	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2019?	Not Applicable	The City did not undertake any 'non-exempt major land transactions' during 2019.	Michael Littleton, Director Infrastructure
4	s3.59(4)	Has the local government complied with public notice and publishing requirements of each proposal to commence a major trading undertaking or enter into a major land transaction for 2019?	Not Applicable		Michael Littleton, Director Infrastructure, Cheyne Cameron, Manager Recreation and Leisure Services
5	s3.59(5)	Did the Council, during 2019, resolve to proceed with each major land transaction or trading undertaking by absolute majority?	Not Applicable		Michael Littleton, Director Infrastructure, Cheyne Cameron, Manager Recreation and Leisure Services

Delegation of Power / Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16, 5.17, 5.18	Were all delegations to committees resolved by absolute majority?	Yes		Jamie Blanchard, Manager Governance
2	s5.16, 5.17, 5.18	Were all delegations to committees in writing?	Yes		Jamie Blanchard, Manager Governance
3	s5.16, 5.17, 5.18	Were all delegations to committees within the limits specified in section 5.17?	Yes		Jamie Blanchard, Manager Governance
4	s5.16, 5.17, 5.18	Were all delegations to committees recorded in a register of delegations?	Yes		Jamie Blanchard, Manager Governance
5	s5.18	Has Council reviewed delegations to its committees in the 2018/2019 financial year?	Yes		Jamie Blanchard, Manager Governance

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6	s5.42(1), 5.43 Admin Reg 18G	Did the powers and duties of the Council delegated to the CEO exclude those as listed in section 5.43 of the Act?	Yes		Jamie Blanchard, Manager Governance
7	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO resolved by an absolute majority?	Yes		Jamie Blanchard, Manager Governance
8	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO in writing?	Yes		Jamie Blanchard, Manager Governance
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	Yes		Jamie Blanchard, Manager Governance
10	s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority?	Yes		Jamie Blanchard, Manager Governance
11	s5.46(1)	Has the CEO kept a register of all delegations made under the Act to him and to other employees?	Yes		Jamie Blanchard, Manager Governance
12	s5.46(2)	Were all delegations made under Division 4 of Part 5 of the Act reviewed by the delegator at least once during the 2018/2019 financial year?	Yes		Jamie Blanchard, Manager Governance
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record as required?	Yes		Directors and Business Unit Managers

Disclosure of Interest

No	Reference	Question	Response	Comments	Respondent
1	s5.67	If a member disclosed an interest, did he/she ensure that they did not remain present to participate in any discussion or decision-making procedure relating to the matter in which the interest was disclosed (not including participation approvals granted under s5.68)?	Yes		Jamie Blanchard, Manager Governance
2	s5.68(2)	Were all decisions made under section 5.68(1), and the extent of participation allowed, recorded in the minutes of Council and Committee meetings?	N/A		Jamie Blanchard, Manager Governance
3	s5.73	Were disclosures under section 5.65 or 5.70 recorded in the minutes of the meeting at which the disclosure was made?	Yes		Jamie Blanchard, Manager Governance
4	s5.73	Where the CEO had an interest relating to a gift under section 5.71A(1), was written notice given to the Council?	N/A		Jamie Blanchard, Manager Governance
5	s5.73	Where the CEO had an interest relating to a gift in a matter in respect of a report another employee is providing advice on under section 5.71A (3), was the nature of interest disclosed when the advice or report was provided?	N/A		Jamie Blanchard, Manager Governance
6	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly elected members within three months of their start day?	Yes		Jamie Blanchard, Manager Governance

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7	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly designated employees within three months of their start day?	Yes		Jamie Blanchard, Manager Governance
8	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all continuing elected members by 31 August 2019?	Yes		Jamie Blanchard, Manager Governance
9	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all designated employees by 31 August 2019?	No	The Corruption and Crime Commission and the Department of Local Government, Sport and Cultural Industries were notified of the lodgement of annual return after the 31 August by a staff member. It was mutually agreed, corrective actions include the staff member to complete a refresher on the online procurement training and inclusion of "meeting compliance requirements" as a key performance indicator in the staff member's performance review. These measures have been implemented.	Jamie Blanchard, Manager Governance
10	s5.77	On receipt of a primary or annual return, did the CEO, (or the Mayor/ President in the case of the CEO's return) on all occasions, give written acknowledgment of having received the return?	Yes		Jamie Blanchard, Manager Governance
11	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained the returns lodged under section 5.75 and 5.76?	Yes		Jamie Blanchard, Manager Governance
12	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70 and 5.71, in the form prescribed in Administration Regulation 28?	Yes		Jamie Blanchard, Manager Governance
13	s5.89A Admin Reg 28A	Did the CEO keep a register of gifts which contained a record of disclosures made under section 5.71A, in the form prescribed in Administration Regulation 28A?	Yes		Jamie Blanchard, Manager Governance
14	s5.88 (3)	Has the CEO removed all returns from the register when a person ceased to be a person required to lodge a return under section 5.75 or 5.76?	Yes		Jamie Blanchard, Manager Governance
15	s5.88(4)	Have all returns lodged under section 5.75 or 5.76 and removed from the register, been kept for a period of at least five years, after the person who lodged the return ceased to be a council member or designated employee?	Yes		Jamie Blanchard, Manager Governance

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16	s5.103 Admin Reg 34C & Rules of Conduct Reg 11	Where an elected member or an employee disclosed an interest in a matter discussed at a Council or committee meeting where there was a reasonable belief that the impartiality of the person having the interest would be adversely affected, was it recorded in the minutes?	Yes		Jamie Blanchard, Manager Governance
17	s5.70(2)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to the Council or a Committee, did that person disclose the nature of that interest when giving the advice or report?	Yes		Directors and Business Unit Managers
18	s5.70(3)	Where an employee disclosed an interest under s5.70(2), did that person also disclose the extent of that interest when required to do so by the Council or a Committee?	Yes		Directors and Business Unit Managers
19	s5.103(3) Admin Reg 34B	Has the CEO kept a register of all notifiable gifts received by Council members and employees?	Yes		Jamie Blanchard, Manager Governance

Disposal of Property

No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Was local public notice given prior to disposal for any property not disposed of by public auction or tender (except where excluded by Section 3.58(5))?	Yes	Local Public Notice was undertaken as per Section 3.58(5) of the LGA 1995 for all land disposals undertaken in 2019	Michael Littleton, Director Infrastructure
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property?	Yes	Local Public Notice undertaken as per Section 3.58(5) of the LGA 1995 included all details as prescribed within Section 3.58(4) of the LGA 1995	Michael Littleton, Director Infrastructure

Elections

No	Reference	Question	Response	Comments	Respondent
1	Elect Reg 30G (1)(2)	Did the CEO establish and maintain an electoral gift register and ensure that all 'disclosure of gifts' forms completed by candidates and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the candidates?	Yes		Jamie Blanchard, Manager Governance

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2	Elect Reg 30G(3) &(4)	Did the CEO remove any 'disclosure of gifts' forms relating to an unsuccessful candidate or a successful candidate that completed the term of office from the electoral gift register, and retain those forms separately for a period of at least 2 years?	Yes		Jamie Blanchard, Manager Governance

Finance					
No	Reference	Question	Response	Comments	Respondent
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act?	Yes	The audit committee and members were appointed by an absolute majority through special council resolution 1019/005 on 29 October 2019	Ian Ekins, Internal Auditor
2	s7.1B	Where a local government determined to delegate to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority?	N/A	The Audit Committee has no delegation	Ian Ekins, Internal Auditor
3	s7.3(1)	Was the person(s) appointed by the local government under s7.3(1) to be its auditor, a registered company auditor?	Not Applicable	Audit undertaken by the Office of the Auditor General - not appointed by the Council	Ingrid Hawkins, Director Corporate Services
4	s7.3(1), 7.6(3)	Was the person or persons appointed by the local government to be its auditor, appointed by an absolute majority decision of Council?	Not Applicable		Ingrid Hawkins, Director Corporate Services
5	Audit Reg 10	Was the Auditor's report(s) for the financial year(s) ended 30 June received by the local government within 30 days of completion of the audit?	Yes		Ingrid Hawkins, Director Corporate Services
6	s7.9(1)	Was the Auditor's report for the financial year ended 30 June 2019 received by the local government by 31 December 2019?	Yes		Ingrid Hawkins, Director Corporate Services
7	s7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under s7.9(1) of the Act required action to be taken, did the local government, ensure that appropriate action was undertaken in respect of those matters?	Yes		Ingrid Hawkins, Director Corporate Services

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8	S7.12A (4)	Where the auditor identified matters as significant in the auditor's report (prepared under s7.9(1) of the Act), did the local government prepare a report stating what action had been taken or it intended to take with respect to each of the matters and give a copy to the Minister within 3 months after receipt of the audit report?	Not Applicable		Ingrid Hawkins, Director Corporate Services
9	S7.12A (4)	Within 14 days after the local government gave a report to the Minister under s7.12A(4) (b), did the CEO publish a copy of the report on the local government's official website?	Not Applicable		Ingrid Hawkins, Director Corporate Services
10	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives of the audit?	Yes		Ingrid Hawkins, Director Corporate Services
11	Audit Reg 7	Did the agreement between the local government and its auditor include the scope of the audit?	Yes		Ingrid Hawkins, Director Corporate Services
12	Audit Reg 7	Did the agreement between the local government and its auditor include a plan for the audit?	Yes		Ingrid Hawkins, Director Corporate Services
13	Audit Reg 7	Did the agreement between the local government and its auditor include details of the remuneration and expenses to be paid to the auditor?	Yes		Ingrid Hawkins, Director Corporate Services
14	Audit Reg 7	Did the agreement between the local government and its auditor include the method to be used by the local government to communicate with, and supply information to, the auditor?	Yes		Ingrid Hawkins, Director Corporate Services

Integrated Planning and Reporting

No	Reference	Question	Response	Comments	Respondent
1	s5.56 Admin Reg 190A (6)	Has the local government adopted a Corporate Business Plan. If Yes, please provide adoption date of the most recent Plan in Comments?	Yes	The Corporate Business Plan 2019-2023 was adopted by Council on 2 July 2019 (Council Resolution Number 0719/028).	Michelle Wolsoncroft, Service Lead - Strategy and Policy
2	s5.56 Admin Reg 190A (4)	Has the local government reviewed the Corporate Business Plan in the 2018-2019 Financial Year. If Yes, please provide date of Council meeting the review was adopted at?	Yes	The review of the Corporate Business Plan 2019-2023 was adopted by Council on 2 July 2019 (Council Resolution Number 0719/028).	Michelle Wolsoncroft, Service Lead - Strategy and Policy
3	s5.56 Admin Reg 19C	Has the local government adopted a Strategic Community Plan. If Yes, please provide adoption date of the most recent Plan in Comments?	Yes	The Strategic Community Plan 2018-2028 was adopted on 18 September 2018 (Council Resolution Number 0918/032).	Michelle Wolsoncroft, Service Lead - Strategy and Policy

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4	s5.56 Admin Reg 19C (4)	Has the local government reviewed the current Strategic Community Plan. If Yes, please provide date of most recent review by Council in Comments. Note: If the current Strategic Community Plan was adopted after 1/1/2016, please respond N/A and provide adoption date in Comments?	N/A	The Strategic Community Plan 2018-2028 was adopted on 18 September 2018 (Council Resolution Number 0918/032).	Michelle Wolsoncroft, Service Lead - Strategy and Policy
5	55.56 Admin Reg 190A (3)	Has the local government developed an Asset Management Plan(s) that covers all asset classes. If Yes, please provide the date of the most recent Plan adopted by Council in Comments?	Yes	Transport, Drainage and Buildings Asset Management Plan - Adopted by Council on 18 June 2013 (Council Resolution Number 0613/058) and the Parks & Open Space Asset Management Plan was endorsed by the Executive Team 5 March 2019.	Michael Littleton, Director Infrastructure
6	55.56 Admin Reg 190A (3)	Has the local government developed a Long Term Financial Plan. If Yes, please provide the adoption date of the most recent Plan in Comments?	Yes	The Long Term Financial Plan was adopted by Council on 2 July 2019 (Council Resolution Number 0719/029).	Ingrid Hawkins, Director Corporate Services
7	55.56 Admin Reg 190A (3)	Has the local government developed a Workforce Plan. If Yes, please provide adoption date of the most recent Plan in comments?	Yes	Workforce Plan 2018-2022 approved by Executive Team on 26 June 2018.	Natalia Smith, Manager Human Resources

Local Government Employees

No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve the process to be used for the selection and appointment of the CEO before the position of CEO was advertised?	Not Applicable		Natalia Smith, Manager Human Resources
2	s5.36(4) s5.37(3), Admin Reg 18A	Were all vacancies for the position of CEO and other designated senior employees advertised and did the advertising comply with s.5.36(4), 5.37(3) and Admin Reg 18A?	Yes		Natalia Smith, Manager Human Resources
3	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position of CEO under section 5.36(4)?	Not Applicable		Natalia Smith, Manager Human Resources
4	Admin Regs 18E	Did the local government ensure checks were carried out to confirm that the information in an application for employment was true (applicable to CEO only)?	Not Applicable		Natalia Smith, Manager Human Resources

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5	s5.37(2)	Did the CEO inform Council of each proposal to employ or dismiss a designated senior employee?	Yes		Natalia Smith, Manager Human Resources

Official Conduct

No	Reference	Question	Response	Comments	Respondent
1	s5.120	Where the CEO is not the complaints officer, has the local government designated a senior employee, as defined under s5.37, to be its complaints officer?	Yes		Jamie Blanchard, Manager Governance
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that result in action under s5.110(6)(b) or (c)?	Yes		Jamie Blanchard, Manager Governance
3	s5.121(2)(a)	Does the complaints register maintained by the complaints officer include provision for recording of the name of the council member about whom the complaint is made?	Yes		Jamie Blanchard, Manager Governance
4	s5.121(2)(b)	Does the complaints register maintained by the complaints officer include provision for recording the name of the person who makes the complaint?	Yes		Jamie Blanchard, Manager Governance
5	s5.121(2)(c)	Does the complaints register maintained by the complaints officer include provision for recording a description of the minor breach that the standards panel finds has occurred?	Yes		Jamie Blanchard, Manager Governance
6	s5.121(2)(d)	Does the complaints register maintained by the complaints officer include the provision to record details of the action taken under s5.110(6)(b) or (c)?	Yes		Jamie Blanchard, Manager Governance

Optional Questions

No	Reference	Question	Response	Comments	Respondent
1	Financial Management Reg 5(2)(c)	Did the CEO review the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with Local Government (Financial Management) Regulation 5(2)(c) within the 3 years prior to 31 December 2019? If yes, please provide date of Council resolution in comments?	Yes	The results of the review were presented to Council on 12 March 2019 (Council Resolution Number 0319/011).	Ingrid Hawkins, Director Corporate Services

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2	Audit Reg 17	Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with Local Government (Audit) Regulation 17 within the 3 years prior to 31 December 2019? If yes, please provide date of Council resolution in comments?	Yes	The results of the review were reported to the Audit Committee of the 25 February 2019 and accepted by Council resolution 0319/005	Ian Ekins, Internal Auditor
3	Financial Management Reg 5A.	Did the local government provide AASB 124 related party information in its annual report(s) tabled at an electors meeting(s) during calendar year 2019?	Yes		Ingrid Hawkins, Director Corporate Services
4	S6.4(3)	Did the local government submit to its auditor by 30 September 2019 the balanced accounts and annual financial report for the year ending 30 June 2019?	Yes		Ingrid Hawkins, Director Corporate Services

Tenders for Providing Goods and Services

No	Reference	Question	Response	Comments	Respondent
1	s3.57 F&G Reg 11	Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services) where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (Subject to Functions and General Regulation 11(2))?	Yes		Directors and Business Unit Managers
2	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than inviting tenders for a single contract?	Yes		Directors and Business Unit Managers
3	F&G Reg 14(1) & (3)	Did the local government invite tenders via Statewide public notice?	Yes		Ingrid Hawkins, Director Corporate Services
4	F&G Reg 14 & 15	Did the local government's advertising and tender documentation comply with F&G Regs 14, 15 & 16?	Yes		Ingrid Hawkins, Director Corporate Services
5	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer, notice of the variation?	Yes		Ingrid Hawkins, Director Corporate Services
6	F&G Reg 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Reg 16?	Yes		Ingrid Hawkins, Director Corporate Services

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7	F&G Reg 18(1)	Did the local government reject the tenders that were not submitted at the place, and within the time specified in the invitation to tender?	Yes		Ingrid Hawkins, Director Corporate Services
8	F&G Reg 18 (4)	In relation to the tenders that were not rejected, did the local government assess which tender to accept and which tender was most advantageous to the local government to accept, by means of written evaluation criteria?	Yes		Ingrid Hawkins, Director Corporate Services
9	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17 and did the CEO make the tenders register available for public inspection?	Yes		Ingrid Hawkins, Director Corporate Services
10	F&G Reg 19	Did the CEO give each tenderer written notice advising particulars of the successful tender or advising that no tender was accepted?	Yes		Ingrid Hawkins, Director Corporate Services
11	F&G Reg 21 & 22	Did the local governments advertising and expression of interest documentation comply with the requirements of F&G Regs 21 and 22?	Yes		Ingrid Hawkins, Director Corporate Services
12	F&G Reg 23(1)	Did the local government reject the expressions of interest that were not submitted at the place and within the time specified in the notice?	Yes		Ingrid Hawkins, Director Corporate Services
13	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services?	Yes		Ingrid Hawkins, Director Corporate Services
14	F&G Reg 24	Did the CEO give each person who submitted an expression of interest, a notice in writing in accordance with Functions & General Regulation 24?	Yes		Ingrid Hawkins, Director Corporate Services
15	F&G Reg 24AC (1) & (2)	Has the local government established a policy on procurement of goods and services from pre-qualified suppliers in accordance with the regulations?	Yes		Ingrid Hawkins, Director Corporate Services
16	F&G Reg 24AD(2)	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice?	Yes		Ingrid Hawkins, Director Corporate Services
17	F&G Reg 24AD(4) & 24AE	Did the local government's advertising and panel documentation comply with F&G Regs 24AD(4) & 24AE?	Yes		Ingrid Hawkins, Director Corporate Services
18	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of F&G Reg 16 as if the reference in that regulation to a tender were a reference to a panel application?	Yes		Ingrid Hawkins, Director Corporate Services

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19	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application, given notice of the variation?	Yes		Ingrid Hawkins, Director Corporate Services
20	F&G Reg 24AH(1)	Did the local government reject the applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time specified in the invitation for applications?	Yes		Ingrid Hawkins, Director Corporate Services
21	F&G Reg 24AH(3)	In relation to the applications that were not rejected, did the local government assess which application(s) to accept and which application(s) were most advantageous to the local government to accept, by means of written evaluation criteria?	Yes		Ingrid Hawkins, Director Corporate Services
22	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers, comply with the requirements of F&G Reg 24AG?	Yes		Ingrid Hawkins, Director Corporate Services
23	F&G Reg 24AI	Did the CEO send each person who submitted an application, written notice advising if the person's application was accepted and they are to be part of a panel of pre-qualified suppliers, or, that the application was not accepted?	Yes		Ingrid Hawkins, Director Corporate Services
24	F&G Reg 24E	Where the local government gave a regional price preference, did the local government comply with the requirements of F&G Reg 24E including the preparation of a regional price preference policy?	Not Applicable		Ingrid Hawkins, Director Corporate Services
25	F&G Reg 24F	Did the local government comply with the requirements of F&G Reg 24F in relation to an adopted regional price preference policy?	Not Applicable		Ingrid Hawkins, Director Corporate Services
26	F&G Reg 11A	Does the local government have a current purchasing policy that comply with F&G Reg 11A(3) in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$150,000 or less?	Yes		Ingrid Hawkins, Director Corporate Services
27	F&G Reg 11A	Did the local government comply with its current purchasing policy in relation to the supply of goods or services where the consideration under the contract is, or is expected to be \$150,000 or less or worth \$150,000 or less?	Yes		Ingrid Hawkins, Director Corporate Services

12.2/CG2 INTERNAL COMPLIANCE SELF-ASSESSMENT**Report Information**

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Manager Governance
Business Unit: Governance
Ward: Not Applicable
Suburb: Not Applicable

Authority/Discretion**Definition**

- ☐ Advocacy *when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- ☐ Executive *the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- ☒ Legislative *includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.*
- ☐ Quasi-Judicial *when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*
- ☐ Information Purposes *includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').*

Council Resolution**0220/048****Moved Councillor Lagan, seconded Councillor Sandri****That Council ADOPTS the Internal Compliance Self-Assessment for the period 1 July 2019 to 31 December 2019, as shown in Attachment 1.****The motion was put and declared CARRIED (12/1).****For:** Councillors Boothman, Caddy, Farrelly, Hatton, Lagan, Perkov, Proud, Sandri, Sargent, Spagnolo, Thornton and Mayor Irwin.**Against:** Councillor Re.

Committee Recommendation

That Council ADOPTS the Internal Compliance Self-Assessment for the period 1 July 2019 to 31 December 2019, as shown in Attachment 1.

Officer's Recommendation

That Council ADOPTS the Internal Compliance Self-Assessment for the period 1 July 2019 to 31 December 2019, as shown in Attachment 1.

Report Purpose

To provide Council with a summary of the City's responses to the Internal Compliance Self-Assessment ("assessment") for the period 1 July 2019 to 31 December 2019.

Relevant Documents

Attachments

Attachment 1 - Internal Compliance Self-Assessment July 2019 - December 2019 [↓](#)

Available for viewing at meeting

Nil

Background

The composition of the assessment focuses on legislative compliance within the *Local Government Act 1995*, Local Government (Audit) Regulations 1996 and other written laws.

The report identifies compliance questions considered medium/low risk that no longer form part of the Department of Local Government, Sport and Cultural Industries' Annual Compliance Audit Return. Retaining these elements ensures the treatment of processes is monitored to meet legislative compliance.

The Audit Committee's role includes the requirement to review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal controls and legislative compliance.

Comment

The assessment incorporates the compliance reviews under the following legislation:-

- *Local Government Act 1995*
- *Building Act 2011*
- *Bush Fires Act 1954*
- *Caravan Parks and Camping Grounds Act 1995*
- *Cat Act 2011*
- *Control of Vehicles (Off-road Areas) Act 1978*

- *Disability Services Act 1993*
- *Dog Act 1976*
- *Emergency Management Act 2005*
- *Equal Employment Opportunity Act 1984*
- *Fines, Penalties and Infringement Notices Enforcement Act 1995*
- *Fire and Emergency Services Authority of WA Act 1998*
- *Food Act 2008*
- *Freedom of Information Act 1992*
- *Health Act 1911*
- *Heritage of Western Australia Act 1990*
- *Litter Act 1979*
- *Occupational Safety and Health Act 1984*
- *Planning and Development Act 2005*
- *Public Health Act 2016*
- *Public Interest Disclosure Act 2003*
- *Rates and Charges (Rebates and Deferments) Act 1992*
- *Rights of Water and Irrigation Act 1914*
- *State Records Act 2000*
- *Working with Children (Criminal Record Checking) Act 2004.*

Each Business Unit Manager has provided responses to the questions relevant to their area of responsibility.

There was one area of non-compliance of a minor nature.

Finance - Item 17

“Did the local government pay a fee for attending Committee Meetings only to a committee member who was a Council member?”

A fee was paid to the independent member of the Audit Committee. This practice has been brought into compliance by making the fee by way of reimbursement of expenses incurred.

The expense allowance for the independent member was approved by Council at its Special Council meeting held 29 October 2019 (Council Resolution Number 1019/015).

Consultation/Communication Implications

The assessment was circulated for comment to the relevant Business Unit Managers to complete. This report demonstrates the City has work processes in place to meet all legislative responsibilities.

The report was provided to the Internal Auditor for review and included a test sample of activity.

Policy and Legislative Implications

The assessment was undertaken in accordance with Regulation 17(1) and (2) of the Local Government (Audit) Regulations 1996. This report has been presented to the Audit Committee for its review in accordance with Regulation 17(3) of the Local Government (Audit) Regulations 1996.

Financial Implications

Nil.

Strategic Implications

Governance: Making it happen

Outcome G1: Good governance

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:-

ENVIRONMENTAL	
Issue	Comment
Nil.	

SOCIAL	
Issue	Comment
Nil.	

ECONOMIC	
Issue	Comment
Nil.	

Conclusion

The Internal Compliance Self-Assessment for the period 1 July 2019 to 31 December 2019 is complete and identified one area of non-compliance.

The practice of paying the independent member of the Audit Committee has been brought into compliance by the introduction of reimbursement of expenses incurred.

The Internal Compliance Self-Assessment is attached for Council's consideration and adoption.

City of Stirling
Internal Compliance Self-Assessment
Reporting Period - 1 July to 31 December 2019

Local Government Act 1995
Disclosure of Interest

No	Reference	Question	Response	Comments	Respondent
1	s5.66(a)	Did the CEO, on all occasions, where a council member gave written notice of a disclosure of interest before a meeting, cause that notice to be given to the person who presided at the meeting?	Yes		Jamie Blanchard, Manager Governance
2	s5.66(b)	Did the person presiding at a meeting, on all occasions, when given a member's written financial interest disclosure by the CEO, bring its contents to the attention of persons present immediately before any matters to which the disclosure relates were discussed?	Yes		Jamie Blanchard, Manager Governance
3	s5.71(a)	Did the CEO disclose to the Mayor or President the nature of the interest as soon as practicable after becoming aware that he or she had an interest in the matter to which the delegated power or duty related?	Yes		Stuart Jardine, Chief Executive Officer
4	s5.71(b)	Did an employee disclose to the CEO the nature of the interest as soon as practicable after becoming aware that he or she had an interest in the matter to which the delegated power or duty related?	Yes		Stuart Jardine, Chief Executive Officer

Executive Functions

No	Reference	Question	Response	Comments	Respondent
1	s3.18(3)(a)	Has the local government satisfied itself that the services and facilities it provides ensure integration and co-ordination of services and facilities between government?	Yes		Business Unit Managers
2	s3.18(3)(b)	Has the local government satisfied itself that the services and facilities that it provides avoid unnecessary duplication of services or competition particularly with the private sector?	Yes		Business Unit Managers
3	s3.18(3)(c)	Has the local government satisfied itself that the services and facilities that it provides ensure services and facilities are properly managed?	Yes		Business Unit Managers
4	s3.32(1)	Was a notice of intended entry given to the owner or occupier of the land, premises or thing that had been entered?	Yes		Stevan Rodic, Manager Development Services
5	s3.32(2)	Did the notice of intended entry specify the purpose for which the entry was required?	Yes		Stevan Rodic, Manager Development Services
6	s3.32(3)	Was the notice of intended entry given not less than 24 hours before the power of entry was exercised?	Yes		Stevan Rodic, Manager Development Services
7	s3.40A(1)	Where in the opinion of the local government a vehicle was an abandoned vehicle wreck, was it removed and impounded by an employee authorised (for that purpose) by the local government?	Yes	Abandoned vehicle wrecks are removed by contractors under the direction of duly authorised employees	Laurie Crouch, Manager Community Safety

8	s3.40A(2)	Where the owner of the vehicle was identified within seven days after its removal under s3.40A(1), did the local government give notice to that person advising that the vehicle may be collected from a place specified during such hours as are specified in the notice?	Yes	Within seven (7) days of the removal of an abandoned vehicle wreck, where owners are identified, notice is provided specifying where and during which hours the vehicle may be collected	Laurie Crouch, Manager Community Safety
9	s3.40A(3)	Where notice was given under s3.40A (2) did it include a short statement of the effect of subsection (4)(b) and the effect of the relevant provisions of sections 3.46 and 3.47?	Yes	All notices given under s3.40A (2) include a short statement of the effect of subsection (4)(b) and the effect of the relevant provisions on sections 3.46 and 3.47	Laurie Crouch, Manager Community Safety
10	s3.50	Did the local government close a thoroughfare wholly or partially for a period not exceeding 4 weeks under the guidelines of 3.50?	No	Excluding temporary closures associated with roadworks, no thoroughfares were wholly or partially closed for a period not exceeding 4 weeks.	Paul Giamov, Manager Engineering Services
11	s3.51(3)	Did the local government give notice of what is proposed to be done giving details of the proposal and inviting submissions from any person who wishes to make a submission and allow a reasonable time for submissions to be made and consider any submissions made?	Yes	Consultation is undertaken with directly affected parties as part of the design process, and then again as part of the construction process (through Notification of Works).	Paul Giamov, Manager Engineering Services
12	s3.52(4)	Has the local government kept plans for the levels and alignments of public thoroughfares that are under its control or management, and made those plans available for public inspection?	Yes	All plans for engineering works on roads under the control or management of the City have been kept and are available for public inspection if and when required.	Paul Giamov, Manager Engineering Services

Finance

No	Reference	Question	Response	Comments	Respondent
1	s5.53 Admin Reg 19B	Has the local government prepared an annual report for the financial year ended 30 June 2019 that contained the prescribed information under the Act and Regulations?	Yes		Jodie Abela, Acting Manager Customer and Communications
2	s5.54(1), (2) and 5.55	Was the annual report accepted by absolute majority by the local government by 31 December 2019?	Yes		Jodie Abela, Acting Manager Customer and Communications
3	s5.54(1) & (2)	Where the Auditor's report was not available in time for acceptance by 31 December, was it accepted no more than two months after the Auditor's report was made available?	Not applicable		Ingrid Hawkins, Director Corporate Services
4	s5.55	Did the CEO give local public notice of the availability of the annual report as soon as practicable after the local government accepted the report?	Yes		Jodie Abela, Acting Manager Customer and Communications
5	s5.56 Admin Reg 19C(2)	Has the local government made a plan for the future of its district in respect of the period specified in the plan (being at least two financial years)?	Yes	The City of Stirling has a Strategic Community Plan 2018 - 2028 and a Corporate Business Plan 2019 - 2023.	Michelle Wolsoncroft, Service Lead - Strategy and Policy
6	Admin Reg 19D	After the Strategic Community Plan, or modifications to the Plan were adopted under regulation 19C, did the local government give public notice in accordance with subsection (2)?	Yes	The City of Stirling gave public notice of the modifications to this plan on 17 January 2019.	Michelle Wolsoncroft, Service Lead - Strategy and Policy

7	s5.94, s5.95	Did the local government allow any person attending the local government during office hours to inspect information, free of charge, listed in s5.94 of the Act and subject to s5.95 whether or not the information was current at the time of inspection?	Yes		Ingrid Hawkins, Director Corporate Services and Jamie Blanchard, Manager Governance
8	s5.96	Where a person inspected information under Part 5, Division 7 of the Act and requested a copy of that information, did the local government ensure that copies were available at a price that did not exceed the cost of providing those copies?	Yes		Ingrid Hawkins, Director Corporate Services and Jamie Blanchard, Manager Governance
9	s5.98 Admin Reg 30	Was the fee made available to elected members for attending meetings within the prescribed range?	Yes		Jamie Blanchard, Manager Governance
10	s5.98 Admin Reg 31	Was the reimbursement of expenses to elected members within the prescribed ranges or as prescribed?	Yes		Jamie Blanchard, Manager Governance
11	s5.98A	Where a local government decided to pay the deputy mayor or the deputy president an allowance, was it resolved by absolute majority?	Yes		Jamie Blanchard, Manager Governance
12	s5.98A	Where a local government decided to pay the deputy mayor or the deputy president an allowance, was it up to (or below) the prescribed percentage of the annual local government allowance to which the mayor or president is entitled under section 5.98 (5)?	Yes		Jamie Blanchard, Manager Governance
13	s5.99(a)	Where a local government decided to pay Council members an annual fee in lieu of fees for attending meetings, was it resolved by absolute majority?	Yes		Jamie Blanchard, Manager Governance
14	s5.99(b)	Where a local government decided to pay Council members an annual fee in lieu of fees for attending meetings, was it within the prescribed range?	Yes		Jamie Blanchard, Manager Governance
15	s5.99A(1)	Where a local government decided to pay Council members an allowance instead of reimbursing telephone, facsimile machine rental charges and other telecommunication, information technology, travelling and accommodation expenses, was it resolved by absolute majority?	Yes		Jamie Blanchard, Manager Governance

16	s5.99A(2)	Where a local government decided to pay Council members an allowance instead of reimbursing telephone, facsimile machine rental charges and other telecommunication, information technology, travelling and accommodation expenses, was it within the prescribed range?	Yes		Jamie Blanchard, Manager Governance
17	s5.100 (1)	Did the local government pay a fee for attending committee meetings only to a committee member who was a Council member?	No	A fee was paid to the independent member of the Audit Committee. This practice has been brought into compliance by making the fee by way of reimbursement of expenses incurred.	Jamie Blanchard, Manager Governance
18	s5.100 (2)	Where the local government decided to reimburse a committee member, who was not a council member or employee, for an expense incurred by the person in relation to a matter affecting the local government, was it within the prescribe range?	Yes	Expense allowance for the independent member of the Audit Committee was approved as per Special Council Resolution 1019/015 on 29 October 2019.	Ian Ekins, Internal Auditor
19	s6.8(1)(a)(b)	Was expenditure that the local government incurred from its municipal fund, but not included in its annual budget, authorised in advance on all occasions by absolute majority resolution?	No	Expenditure incurred under the 'Variations to Project Expenditure' Delegation. This requires an associated saving and to be reported to the next Community and Resources Committee	Ingrid Hawkins, Director Corporate Services
20	s6.8(1)(c)	Did the Mayor or President authorise expenditure from the municipal fund in an emergency? (Please indicate circumstances in the "Comments" column)	No		Ingrid Hawkins, Director Corporate Services
21	s6.8(1)(c)	In relation to expenditure that the local government incurred from its municipal fund that was authorised in advance by the Mayor or President in an emergency, was it reported on all occasions to the next ordinary meeting of Council?	Not Applicable		Ingrid Hawkins, Director Corporate Services
22	s6.12, 6.13, 6.16 (1),(3)	Did Council at the time of adopting its budget, determine the granting of a discount or other incentive for early payment by absolute majority?	Yes		Ingrid Hawkins, Director Corporate Services
23	s6.12, 6.13, 6.16 (1),(3)	Did Council determine the setting of an interest rate on money owing to Council by absolute majority?	Yes		Ingrid Hawkins, Director Corporate Services
24	s6.12, 6.13, 6.16 (1),(3)	Did Council determine to impose or amend a fee or charge for any goods or services provided by the local government by absolute majority? (Note: this applies to money other than rates and service charges).	Yes		Ingrid Hawkins, Director Corporate Services
25	s6.17(3)	Were the fees or charges imposed for receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate, limited to the cost of providing the service or goods?	Yes		Ingrid Hawkins, Director Corporate Services
26	s6.17(3)	Were the fees or charges imposed for any other service prescribed in section 6.16 (2)(f), limited to the cost of providing the service or goods?	Yes		Ingrid Hawkins, Director Corporate Services

27	s6.19	After the budget was adopted, did the local government give local public notice for all fees and charges stating its intention to introduce the proposed fees or charges and the date from which it proposed to introduce the fees or charges?	Yes		Ingrid Hawkins, Director Corporate Services
28	s6.20(2) FM Reg 20	On each occasion where the local government exercised the power to borrow, was the Council decision to exercise that power by absolute majority? (Only required where the details of the proposal were not included in the annual budget for that financial year).	Not Applicable		Ingrid Hawkins, Director Corporate Services
29	S6.76(6)	Was the outcome of an objection under section 6.76(1) promptly conveyed to the person who made the objection including a statement of the local government's decision on the objection and its reasons for that decision?	Not Applicable		Ingrid Hawkins, Director Corporate Services
30	FM Reg 5	Has efficient systems and procedures been established by the CEO of a local government as listed in Finance Reg 5?	Yes		Ingrid Hawkins, Director Corporate Services
31	FM Reg 6	Has the local government ensured that an employee to whom is delegated responsibility for the day to day accounting or financial management operations of a local government is not also delegated the responsibility for conducting an internal audit or reviewing the discharge of duties by that employee?	Yes		Ingrid Hawkins, Director Corporate Services
32	FM Reg 33	Has a copy of the annual budget been submitted to Department of Local Government Sports and Cultural Industries?	Yes		Ingrid Hawkins, Director Corporate Services

Local Government Employees

No	Reference	Question	Response	Comments	Respondent
1	s5.38	Was the performance of each employee, employed for a term of more than one year, (including the CEO and each senior employee), reviewed within the most recently completed 12 months of their term of employment?	Yes	Captured in Performance Management Form	Natalia Smith, Manager Human Resources
2	Admin Reg 18D	Where Council considered the CEO's performance review did it decide to accept the review with or without modification? (if Council did not accept the review, the preferred answer is N/A & refer Q12).	Yes	Council approved the performance review on 10 September 2019 (Council Resolution Number 0919/010).	Natalia Smith, Manager Human Resources
3	Admin Reg 18D	Where the Council considered the CEO's performance review, but decided not to accept the review, did it decide to reject the review? (if Council accepted the review, the preferred answer is N/A refer Q11).	Not Applicable		Natalia Smith, Manager Human Resources
4	s5.39	During the period covered by this Return, were written performance based contracts in place for the CEO and all designated senior employees who were employed since 1 July 1996?	Yes	Annual Performance Management Plan with agreed KPI's	Natalia Smith, Manager Human Resources
5	s5.39 Admin Reg 18B	Does the contract for the CEO and all designated senior employees detail the maximum amount of money payable if the contract is terminated before the expiry date? This amount is the lesser of the value of one year's remuneration under the contract.	Yes		Natalia Smith, Manager Human Resources
6	s5.39 Admin Reg 18B	Does the contract for the CEO and all designated senior employees detail the amount of money payable if the contract is terminated before the expiry date and this amount is the lesser of the value of the remuneration they would be entitled to had the contract not been terminated?	Yes		Natalia Smith, Manager Human Resources

7	s5.50(1)	Did Council adopt a policy relating to employees whose employment terminates, setting out the circumstances in which Council would pay an additional amount to that which the employee is entitled under a contract or award?	Not Applicable	Termination of employment of employees is covered by the relevant award and enterprise agreement.	Natalia Smith, Manager Human Resources
8	s5.50(1)	Did Council adopt a policy relating to employees whose employment terminates, setting out the manner of assessment of an additional amount?	Not Applicable	Termination of employment of employees is covered by the relevant award and enterprise agreement.	Natalia Smith, Manager Human Resources
9	s5.50(2)	Did the local government give public notice on all occasions where Council made a payment that was more than the additional amount set out in its policy?	Not Applicable		Natalia Smith, Manager Human Resources
10	s5.53(2)(g) Admin Reg 19B	For the purposes of section 5.53(2)(g) did the annual report of a local government for a financial year contain the number of employees of the local government entitled to an annual salary of \$100,000 or more?	Yes		Natalia Smith, Manager Human Resources

Local Laws

No	Reference	Question	Response	Comments	Respondent
1	s3.12(2) F&G Reg 3	On each occasion that Council resolved to make a local law, did the person presiding at the Council meeting give notice of the purpose and effect of each proposed local law in the manner prescribed in Functions and General Regulation Three?	Yes	The City advertised one local law for public comment and the comment period closes on 31 January 2020.	Jamie Blanchard, Manager Governance
2	s3.12(4)	Have all Council's resolutions to make local laws been by absolute majority?	Not Applicable		Jamie Blanchard, Manager Governance
3	s3.12(4)	Have all Council's resolutions to make local laws been recorded as such in the minutes of the meeting?	Not Applicable		Jamie Blanchard, Manager Governance
4	s3.12(6)	After the local law was published in the Gazette, did the local government give local public notice summarising the purpose and effect of the local law and the day on which it came into operation?	Not Applicable		Jamie Blanchard, Manager Governance
5	s3.12(6)	After the local law was published in the Gazette, did the local government give local public notice advising that copies of the local law may be inspected or obtained from its office?	Not Applicable		Jamie Blanchard, Manager Governance
6	s3.16(1)	Have all reviews of local laws under section 3.16(1) of the Act been carried out within a period of eight years?	Yes		Jamie Blanchard, Manager Governance
7	s3.16(1)(2)	If the local government carried out a review of a local law under section 3.16 of the Act, to determine whether or not the local law should be repealed or amended, did it give Statewide public notice stating that it intended to review the local law?	Not Applicable		Jamie Blanchard, Manager Governance
8	s3.16(1)(2)	If the local government carried out a review of a local law under section 3.16 of the Act, to determine whether or not the local law should be repealed or amended, did it give Statewide public notice advising that a copy of the local law could be inspected or obtained at the place specified in the notice?	Not Applicable		Jamie Blanchard, Manager Governance

9	s3.16(1)(2)	If the local government carried out a review of a local law under section 3.16 of the Act, to determine whether or not the local law should be repealed or amended, did it give Statewide public notice detailing the closing date for submissions about the local law?	Not Applicable		Jamie Blanchard, Manager Governance
10	s3.16(3)	Did the local government (after the last day for submissions) prepare a report of the review and have it submitted to Council?	Not Applicable		Jamie Blanchard, Manager Governance
11	s3.16(4)	Was the decision to repeal or amend a local law determined by absolute majority on all occasions?	Not Applicable		Jamie Blanchard, Manager Governance

Meeting Process

No	Reference	Question		Comments	Respondent
1	s2.25(1)(3)	Where Council granted leave to a member from attending six or less consecutive ordinary meetings of Council was it by Council resolution?	Yes		Jamie Blanchard, Manager Governance
2	s2.25(1)(3)	Where Council granted leave to a member from attending six or less consecutive ordinary meetings of Council, was it recorded in the minutes of the meeting at which the leave was granted?	Yes		Jamie Blanchard, Manager Governance
3	s2.25(3)	Where Council refused to grant leave to a member from attending six or less consecutive ordinary meetings of Council, was the reason for refusal recorded in the minutes of the meeting?	Not Applicable		Jamie Blanchard, Manager Governance
4	s2.25(2)	Was Ministerial approval sought (on all occasions) before leave of absence was granted to an elected member in respect of more than six consecutive ordinary meetings of Council?	Not Applicable		Jamie Blanchard, Manager Governance
5	s5.4	On all occasions when the Mayor or President called an ordinary or special meeting of Council, was it done by notice to the CEO setting out the date and purpose of the proposed meeting?	Yes		Jamie Blanchard, Manager Governance
6	s5.5	On all occasions when Councillors called an ordinary or special meeting of Council was it called by at least 1/3 (one third) of the Councillors, by notice to the CEO setting out the date and purpose of the proposed meeting?	Not Applicable		Jamie Blanchard, Manager Governance
7	s5.5(1)	Did the CEO give each Council Member at least 72 hours notice of the date, time, place and an agenda for each ordinary meeting of Council?	Yes		Jamie Blanchard, Manager Governance
8	s5.5(2)	Did the CEO give each Council Member notice before the meeting, of the date, time, place and purpose of each special meeting of Council?	Yes		Jamie Blanchard, Manager Governance
9	s5.7	Did the local government seek approval (on each occasion as required) from the Minister or his delegate, for a reduction in the number of officers of members needed for a quorum at a Council meeting?	Not Applicable		Jamie Blanchard, Manager Governance
10	s5.7	Did the local government seek approval (on each occasion as required) from the Minister or his delegate, for a reduction in the number of officers of members required for absolute majorities?	Not Applicable		Jamie Blanchard, Manager Governance

11	s5.8	Did the local government ensure all Council committees (during the review period) were established by an absolute majority?	Not Applicable		Jamie Blanchard, Manager Governance
12	s5.10(1)(a)	Did the local government ensure all members of Council committees, during the review period, were appointed by an absolute majority (other than those persons appointed in accordance with section 5.10(1)(b))?	Yes		Jamie Blanchard, Manager Governance
13	s5.10(2)	Was each Council member given their entitlement during the review period, to be appointed as a committee member of at least one committee, as referred to in section 5.9(2)(a) & (b) of the Act?	Yes		Jamie Blanchard, Manager Governance
14	s5.12(1)	Were Presiding members of committees elected by the members of the committees (from amongst themselves) in accordance with Schedule 2.3, Division One of the Act?	Yes		Jamie Blanchard, Manager Governance
15	s5.12(2)	Were Deputy presiding members of committees elected by the members of the committee (from amongst themselves) in accordance with Schedule 2.3 Division Two of the Act?	Yes		Jamie Blanchard, Manager Governance
16	s5.15	Where the local government reduced a quorum of a committee meeting, was the decision made by absolute majority on each occasion?	Not Applicable		Jamie Blanchard, Manager Governance
17	s5.21 (4)	When requested by a member of Council or committee, did the person presiding at a meeting ensure an individual vote or the vote of all members present, were recorded in the minutes?	Yes		Jamie Blanchard, Manager Governance
18	s5.22(1)	Did the person presiding at a meeting of a Council or a committee ensure minutes were kept of the meeting's proceedings?	Yes		Jamie Blanchard, Manager Governance
19	s5.22(2)(3)	Were the minutes of all Council and committee meetings submitted to the next ordinary meeting of Council or committee, as the case requires, for confirmation?	Yes		Jamie Blanchard, Manager Governance
20	s5.22(2)(3)	Were the minutes of all Council and committee meetings signed to certify their confirmation by the person presiding at the meeting at which the minutes of Council or committee were confirmed?	Yes		Jamie Blanchard, Manager Governance
21	s5.23 (1)	Were all Council meetings open to members of the public (subject to section 5.23(2) of the Act)?	Yes		Jamie Blanchard, Manager Governance
22	s5.23 (1)	Were all meetings of committees to which a power or duty had been delegated open to members of the public (subject to section 5.23(2) of the Act)?	Yes		Jamie Blanchard, Manager Governance
23	s5.23(2)(3)	On all occasions, was the reason, or reasons, for closing any Council or committee meeting to members of the public, in accordance with the Act?	Yes		Jamie Blanchard, Manager Governance

24	s5.23(2)(3)	On all occasions, was the reason, or reasons, for closing any Council or committee meeting to members of the public recorded in the minutes of that meeting?	Yes		Jamie Blanchard, Manager Governance
25	s5.24 (1) Admin Reg 5 & 6	Was a minimum time of 15 minutes allocated for questions to be raised by members of the public and responded to at every ordinary meeting of Council?	Yes		Jamie Blanchard, Manager Governance
26	s5.24 (1) Admin Reg 5 & 6	Was a minimum time of 15 minutes allocated for questions to be raised by members of the public and responded to at every special meeting of Council?	Yes		Jamie Blanchard, Manager Governance
27	s5.24 (1) Admin Reg 5 & 6	Was a minimum time of 15 minutes allocated for questions to be raised by members of the public and responded to at every meeting of a committee to which the local government has delegated a power or duty?	Yes		Jamie Blanchard, Manager Governance
28	Admin Reg 8	Was a period of 30 minutes allowed from the advertised commencement time before any Council or committee was adjourned due to the lack of a quorum?	Not Applicable		Jamie Blanchard, Manager Governance
29	Admin Reg 9	Was voting at Council or committee meetings conducted so that no vote was secret?	Yes		Jamie Blanchard, Manager Governance
30	Admin Reg 10(1)	Were all motions to revoke or change decisions at Council or committee meetings supported in the case where an attempt to revoke or change the decision had been made within the previous three months but failed, by an absolute majority?	Not Applicable		Jamie Blanchard, Manager Governance
31	Admin Reg 10(1)	Were all motions to revoke or change decisions at Council or committee meetings supported in any other case, by at least one third of the number of officers of member (whether vacant or not) of the Council or committee?	Yes		Jamie Blanchard, Manager Governance
32	Admin Reg 10(2)	Were all decisions to revoke or change decisions made at Council or committee meetings made (in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority), by that kind of majority?	Not Applicable		Jamie Blanchard, Manager Governance
33	Admin Reg 10(2)	Were all decisions to revoke or change decisions made at Council or committee meetings made in any other case, by an absolute majority?	Not Applicable		Jamie Blanchard, Manager Governance
34	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include the names of members present at the meeting?	Yes		Jamie Blanchard, Manager Governance
35	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include where a member entered or left the meeting, the time of entry or departure, as the case requires, in the chronological sequence of the business of the meeting?	Yes		Jamie Blanchard, Manager Governance
36	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include details of each motion moved at the meeting, including details of the mover and outcome of the motion?	Yes		Jamie Blanchard, Manager Governance

37	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include details of each decision made at the meeting?	Yes		Jamie Blanchard, Manager Governance
38	Admin Reg 11	Did the contents of the minutes of all Council or committee meetings include, where the decision was significantly different from the written recommendation of a committee or officer, written reasons for varying that decision?	Yes		Jamie Blanchard, Manager Governance
39	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include a summary of each question raised by members of the public and a summary of the response given?	Yes		Jamie Blanchard, Manager Governance
40	Admin Reg 11(f)	Did the contents of minutes of all Council or committee meetings include in relation to each disclosure made under sections 5.65 or 5.70, where the extent of the interest has been disclosed, the extent of the interest?	Yes		Jamie Blanchard, Manager Governance
41	Admin Reg 12(1)	Did the local government, at least once during the period covered by this return, give local public notice for the next 12 months of the date, time and place of ordinary Council meetings?	Yes		Jamie Blanchard, Manager Governance
42	Admin Reg 12(1)	Did the local government, at least once during the period covered by this return, give local public notice for the next twelve months of the date, time and place of those committee meetings that were required under the Act to be open to the public or that were proposed to be open to the public?	Yes		Jamie Blanchard, Manager Governance
43	Admin Reg 12(2)	Did the local government give local public notice of any changes to the dates, time or places referred to in the question above?	Yes		Jamie Blanchard, Manager Governance
44	Admin Reg 12(3) (4)	In the CEO's opinion, where it was practicable, were all special meetings of Council (that were open to members of the public) advertised via local public notice?	Yes		Jamie Blanchard, Manager Governance
45	Admin Reg 12(3) (4)	Did the notice referred to in the question above include details of the date, time, place and purpose of the special meeting?	Yes		Jamie Blanchard, Manager Governance
46	Admin Reg 13	Did the local government make available for public inspection unconfirmed minutes of all Council meetings within 10 business days after the Council meetings?	Yes		Jamie Blanchard, Manager Governance
47	Admin Reg 13	Did the local government make available for public inspection unconfirmed minutes of all committee meetings within five business days after the committee meetings?	Yes		Jamie Blanchard, Manager Governance
48	Admin Reg 14(1) (2)	Were notice papers, agenda and other documents relating to any Council or committee meeting, (other than those referred to in Admin Reg 14(2)) made available for public inspection?	Yes		Jamie Blanchard, Manager Governance

49	Admin Reg 14A	On all occasions where a person participated at a Council or committee meeting by means of instantaneous communication, (by means of audio, telephone or other instantaneous contact) as provided for in Administration Regulation 14A, did the Council approve of the arrangement by absolute majority?	Not Applicable		Jamie Blanchard, Manager Governance
50	Admin Reg 14A	On all occasions where a person participated at a Council or committee meeting by means of instantaneous communication, (as provided for in Administration Regulation 14A) was the person in a suitable place as defined in Administration Regulation 14A(4)?	Not Applicable		Jamie Blanchard, Manager Governance
51	s5.27(2)	Was the annual general meeting of electors held within 56 days of the local government's acceptance of the annual report for the previous financial year?	Yes		Jamie Blanchard, Manager Governance
52	s5.29	Did the CEO convene all electors' meetings by giving at least 14 days local public notice and each Council member at least 14 days notice of the date, time, place and purpose of the meeting?	Yes		Jamie Blanchard, Manager Governance
53	s5.32	Did the CEO ensure the minutes of all electors' meetings were kept and made available for public inspection before the Council meeting at which decisions made at the electors' meeting were first considered?	Yes		Jamie Blanchard, Manager Governance
54	s5.33(1)	Were all decisions made at all electors' meetings considered at the next ordinary Council meeting, or, if not practicable, at the first ordinary Council meeting after that, or at a special meeting called for that purpose?	Yes		Jamie Blanchard, Manager Governance
55	s5.33(2)	Were the reasons for Council decisions in response to decisions made at all electors' meetings recorded in the minutes of the appropriate Council meeting?	Yes		Jamie Blanchard, Manager Governance
56	s5.89A	Has the CEO kept a register of all notifiable gifts received by Council members and employees?	Yes		Jamie Blanchard, Manager Governance
58	Audit Reg 17	Has the review of risk management, internal control and legislative compliance commenced?	Yes	The results of the review were reported to the Audit Committee of the 25 February 2019 and accepted by Council resolution 0319/005	Ian Ekins, Internal Auditor
59	S5.103	Has the Council adopted a code of conduct?	Not Applicable		Jamie Blanchard, Manager Governance
60	FM Reg 5(2)(c)	Has a review of financial management systems and procedures been undertaken no later than once in 4 financial years and report to Council?	Yes		Ingrid Hawkins, Director Corporate Services
61	FM Reg 51(2)	Has a copy of the annual financial report been submitted to the Department of Local Government and Communities within 30 days of the receipt of auditors report on the annual report?	Yes		Ingrid Hawkins, Director Corporate Services

Miscellaneous Provisions

No	Reference	Question	Response	Comments	Respondent
1	s9.4	Has each person who received an unfavourable decision from Council, or from an employee of the local government exercising delegated authority, (that is appealable under part nine of the Act) been informed of his or her right to object and appeal against the decision?	Yes		Business Unit Managers
2	s9.29(2)(b)	On all occasions, were those employees who represented the local government in court proceedings, appointed in writing by the CEO?	Yes		Business Unit Managers
3	s9.6(5)	Did the local government ensure that the person who made the objection was given notice in writing of how it has been decided to dispose of the objection and the reasons why?	Yes		Business Unit Managers
4	s9.10	Have the appointment of Authorised Officers for the purposes of the <i>Local Government Act 1995</i> been reviewed and new Certificates issued for the period up to twelve months?	Yes		Jamie Blanchard, Manager Governance

Building Act 2011
Authorised Person

No	Reference	Question	Response	Comments	Respondent
1	s96(3)	Have the appointment of Authorised Officers for the purposes of the Building Act 2011 been reviewed, adopted by Council and new Certificates issued for the period up to twelve months?	Yes		Jamie Blanchard, Manager Governance

Private Swimming Pools

No	Reference	Question	Response	Comments	Respondent
1	Building Reg 53(1)	Have inspections of known private swimming pools, either been, or are proposed to be, undertaken?	Yes		Stevan Rodic, Manager Development Services

Bush Fires Act 1954
Local government may require occupier of land to plough or clear a fire break

No	Reference	Question	Response	Comments	Respondent
1	s33(1)	Has the City given notice to owners or occupiers of land by publishing a notice in the <i>Government Gazette</i> and in a newspaper circulating in the area requiring them to make fire breaks by a determined time and as prescribed in this section?	Yes	Notice is provided to owners and occupiers of land requiring them to make fire breaks by a determined time and in a prescribed way through the publishing of a notice in the <i>Government Gazette</i> and in local newspapers circulated in the district	Laurie Crouch, Manager Community Safety

Local government may appoint bush fire control officer

No	Reference	Question	Response	Comments	Respondent
1	s38(1)	Have the appointment of Authorised Officers for the purposes of the <i>Bush Fires Act 1954</i> been reviewed, adopted by Council and new Certificates issued for the period up to twelve months?	Yes		Jamie Blanchard, Manager Governance

Caravan and Camping Grounds Act 1995

Appointment of authorised person

No	Reference	Question	Response	Comments	Respondent
1	s17	Have the appointment of Authorised Officers for the purposes of the Caravan Parks and Camping Grounds Act 1995 been reviewed and new Certificates issued for the period up to twelve months?	Yes		Jamie Blanchard, Manager Governance

Register

No	Reference	Question	Response	Comments	Respondent
1	s14(1)	Was a register of caravan park licences maintained?	Yes		Stevan Rodic Acting Director Planning and Development

Powers of Entry

No	Reference	Question	Response	Comments	Respondent
1	s21(1)	Did the local government inspect each caravan park or camping ground?	Yes		Stevan Rodic Acting Director Planning and Development

Cat Act 2011

Authorisations

No	Reference	Question	Response	Comments	Respondent
1	s48(1)	Have the appointment of Authorised Officers for the purposes of the Cat Act 2011 been reviewed and new Certificates issued for the period up to twelve months?	Yes		Jamie Blanchard, Manager Governance

Control of Vehicles (Off-road Areas) Act 1978

Authorised officers, who are, functions of etc.

No	Reference	Question	Response	Comments	Respondent
1	s38(3)(a)	Have the appointment of Authorised Officers for the purposes of the Control of Vehicles (Off-road Areas) Act 1978 been reviewed, endorsed by Council and new Certificates issued for the period up to twelve months?	Yes		Jamie Blanchard, Manager Governance

Disability Services Act 1993

Review Disability Access and Inclusion Plan

No	Reference	Question	Response	Comments	Respondent
1	s28(7), 29(2), DS Reg 8 and Reg 9	Has the Disability Access and Inclusion Plan been reviewed no later than 5 years between one review and another and referred to Council for endorsement and subsequently to the Commission?	Yes	DAIP and Implementation Plan are reviewed annually. Extensive consultation during 2019 to develop DAIP 2020-25, with draft scheduled May/June 2020.	Viv Barton, Acting Manager Community Services

Dog Act 1976

Power to Squeeze Dogs

No	Reference	Question	Response	Comments	Respondent
1	s29	Have the appointment of Authorised Officers for the purposes of the Dog Act 1976 been reviewed and new Certificates issued for the period up to twelve months?	Yes		Jamie Blanchard, Manager Governance

Emergency Management Act 2005

Local emergency management committee

No	Reference	Question	Response	Comments	Respondent
1	s38	Has one or more local emergency management committees been established?	Yes	The City complies with Section 38(1) of the Emergency Management Act 2005	Laurie Crouch, Manager Community Safety

Annual report of local emergency management committee

No	Reference	Question	Response	Comments	Respondent
1	s40(1)	Did the emergency management committee receive a copy of the annual report within reasonable time after the end of the financial year?	Yes	The 2019 Preparedness and Capability Survey was submitted to SEMC (through DFES) on 17 May 2019.	Laurie Crouch, Manager Community Safety

Reviewing and renewing local emergency management arrangements

No	Reference	Question	Response	Comments	Respondent
1	s42	Has the local emergency management arrangements been reviewed in accordance with the procedures established by State Emergency Management Committee?	Yes	The City's Emergency Management Arrangements (LEMA) were approved by a full meeting of the City's Council on 22 November 2016. The local government reviews the LEMA on the following basis: • after an event or incident requiring the activation of an Incident Support Group or after an incident requiring significant recovery co-ordination; • every five years; and • whenever the local government considers it appropriate.	Laurie Crouch, Manager Community Safety

Equal Employment Opportunity Act 1984

Preparation and implementation of management plans

No	Reference	Question	Response	Comments	Respondent
1	s146	Has the an annual report been presented to the Director Equal Employment Opportunity in Public Employment?	Yes		Natalia Smith, Manager Human Resources

Fines Penalties and Infringement Notices Enforcement Act 1994
Approved prosecuting authorities and officers

No	Reference	Question	Response	Comments	Respondent
1	s13(2)	Has the Registrar been given written notice of those officers that are designated officers for the purposes of the Act?	Yes	The Registrar has been given written notice of the officers that are designated prosecuting officers for the purposes of and in accordance with sections 16 and 22.	Laurie Crouch, Manager Community Safety

Fire and Emergency Services Authority of WA Act 1998
Emergency Services Levy

No	Reference	Question	Response	Comments	Respondent
1	s36A	Has the annual estimate been submitted to FES Commissioner to pay?	Yes		Ingrid Hawkins, Director Corporate Services
2	s36V	Has the amounts of levy and levy interest determined by FES Commissioner been paid at the times specified in the procedures?	Yes		Ingrid Hawkins, Director Corporate Services
3	s36W	Has the Minister determined certain fees for the City's performance in relation to the assessment, collection and recovery of the levy?	No		Ingrid Hawkins, Director Corporate Services
4	s36X	Has the Minister declared a rate of interest that applies to any unpaid amount of levy or interest levy?	No		Ingrid Hawkins, Director Corporate Services

Food Act 2008
Reports by and about enforcement agencies

No	Reference	Question	Response	Comments	Respondent
1	s121	Has a report been submitted to the CEO on the performance of functions under this Act and include any details of proceedings for an offence?	Yes		Stevan Rodic Acting Director Planning and Development

Appointment of authorised officers

No	Reference	Question	Response	Comments	Respondent
1	s122	Have the appointment of Authorised Officers for the purposes of the Food Act 2008 been reviewed, approved by Council and new Certificates issued for the period up to twelve months?	Yes		Jamie Blanchard, Manager Governance

Infringement notices

No	Reference	Question	Response	Comments	Respondent
1	s126(3)	Have the appointment of Authorised Officers for the purpose of receipting infringement notices been reviewed, approved by Council and new Certificates issued for the period up to twelve months?	Yes		Jamie Blanchard, Manager Governance
2	s126(6)	Have the appointment of Authorised Officers for the purpose of extending the period of 28 days within which the modified penalty may be paid been reviewed, approved by Council and new Certificates issued for the period up to twelve months?	Yes		Jamie Blanchard, Manager Governance

3	s126(7)	Have the appointment of Authorised Officers for the purpose of withdrawing an infringement notice been reviewed, approved by Council and new Certificates issued for the period up to twelve months?	Yes		Jamie Blanchard, Manager Governance

Freedom of Information Act 1992

Publication of annual information statements

No	Reference	Question	Response	Comments	Respondent
1	s96 & 97	Has an up-to-date information statement been prepared to be published in a manner approved by the Minister administering this Act?	Yes		Jamie Blanchard, Manager Governance

Annual Report to Parliament

No	Reference	Question	Response	Comments	Respondent
1	s111(3)	Has information been provided to the Commission at the Commissioners request for the purpose of preparation of a report to Parliament?	Yes		Jamie Blanchard, Manager Governance

Health (Miscellaneous Provisions) Act 1911

Fees and charges may be fixed by resolution

No	Reference	Question	Response	Comments	Respondent
1	s344C	Have the fees and charges fixed under this section been adopted by Council resolution?	Yes		Stevan Rodic Acting Director Planning and Development

Heritage of Western Australia Act 1990

Local government to compile etc. an inventory of buildings with cultural heritage significance

No	Reference	Question	Response	Comments	Respondent
1	s45	Has the City compiled and maintained an inventory of buildings which are, or may become, of cultural heritage significance and undertake a review every 4 years?	Yes		Fraser Henderson, Manager City Planning

Litter Act 1979

Authorised officers, appointment and jurisdiction of etc.

No	Reference	Question	Response	Comments	Respondent
1	s26(1)(c)(ii)	Have the appointment of Authorised Officers for the purposes of the Litter Act 1979 been reviewed, adopted by Council and new Certificates issued for the period up to twelve months?	Yes		Jamie Blanchard, Manager Governance

Occupational Safety and Health Act 1984

Duties of employers

No	Reference	Question	Response	Comments	Respondent
1	s19	Has the City as far as practicable, provided and maintained a working environment in which the employees are not exposed to hazards and in the workplace?	Yes		Natalia Smith, Manager Human Resources

Duties of employers in relation to safety and health representatives

No	Reference	Question	Response	Comments	Respondent
1	s35	Has the City made available to each safety and health representative information relating to potential hazards to employees in the workplace that arise or may arise?	Yes	HSRs are part of the three Safety Leadership Teams which replace the previous safety & health committee structure	Natalia Smith, Manager Human Resources

Employees to appoint representatives

No	Reference	Question	Response	Comments	Respondent
1	s37	Have the employees appointed one or more employees to represent them?	Yes		Natalia Smith, Manager Human Resources

When employer must establish safety and health committee

No	Reference	Question	Response	Comments	Respondent
1	s38	Has a safety and health committee for the workplace been established within the allowed period?	Yes	Three Safety Leadership Teams report monthly to an Executive Safety Leadership Group	Natalia Smith, Manager Human Resources

Evacuation procedures

No	Reference	Question	Response	Comments	Respondent
1	OSH Reg 3.10	Are the evacuation procedures clearly and prominently displayed and strictly followed in the event of an emergency?	Yes		Natalia Smith, Manager Human Resources

Register of hazardous substances

No	Reference	Question	Response	Comments	Respondent
1	OSH Reg 5.13	Has a register been established and kept current of each hazardous substance used in the workplace?	Yes	The City has engaged ChemWatch to provide a cloud based, online hazardous substance management system available to all employees	Natalia Smith, Manager Human Resources

Planning and Development Act 2005
Local government to prepare consolidated scheme

No	Reference	Question	Response	Comments	Respondent
1	s88	For the purposes of s90, was the consolidation of the local planning scheme completed within the fifth year after approval was given to the scheme by the Minister?	Yes		Fraser Henderson, Manager City Planning

Appointment of Designated Persons

No	Reference	Question	Response	Comments	Respondent
1	s234	Have the appointment of Authorised Officers for the purposes of the Planning and Development Act 2000 been reviewed, adopted by Council and new Certificates issued for the period up to twelve months?	Yes		Jamie Blanchard, Manager Governance

Public Interest Disclosure Act 2003
Obligations of principal executive officers of public authorities

No	Reference	Question	Response	Comments	Respondent
1	s23(f)	Has the Commissioner been provided information annually on the number of public interest disclosures, the results of any investigations conducted and such other matters as are prescribed?	Yes		Jamie Blanchard, Manager Governance

Public Health Act 2016
Powers of a local government

No	Reference	Question	Response	Comments	Respondent
1	s312	Have the appointment of Authorised Officers for the purposes of the Public Health Act 2016 been reviewed and new Certificates issued for the period up to twelve months?	Yes		Jamie Blanchard, Manager Governance

Rates and Charges (Rebates and Deferments) Act 1992
Claims by administrative authorities

No	Reference	Question	Response	Comments	Respondent
1	s16(1)	Has a claim for reimbursement by the Minister of the amount allowed to a registered person been made?	Not Applicable		Ingrid Hawkins, Director Corporate Services

Rights in Water and Irrigation Act 1914
Application for and issue of licences

No	Reference	Question	Response	Comments	Respondent
1	s5 & 26D	Has application been made to the Minister to construct an artesian well or a non-artesian well or for the enlargement, deepening or altering of an existing well?	Yes		Ian Hunter, Manager Parks and Sustainability

State Records Act 2000
Review of plans

No	Reference	Question	Response	Comments	Respondent
1	s28	Has a review of the recordkeeping plan been undertaken no more than 5 years between one review and another?	Yes		Jamie Blanchard, Manager Governance

Working with Children (Criminal Record Checking) Act 2004
Working with Children - Assessment Notices

No	Reference	Question	Response	Comments	Respondent
1	s22, 23 & 24	Has a review of the assessment notices for all staff (volunteers) employed to work with children been completed no later than every 3 years?	Yes		Natalia Smith, Manager Human Resources

12.2/CG4 PROPOSED CITY OF STIRLING INTEGRITY STRATEGY**Report Information**

Location:	Not Applicable
Applicant:	Not Applicable
Reporting Officer:	Manager Governance
Business Unit:	Governance
Ward:	Not Applicable
Suburb:	Not Applicable

Authority/Discretion**Definition**

☐	Advocacy	<i>when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
☐	Executive	<i>the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
☒	Legislative	<i>includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.</i>
☐	Quasi-Judicial	<i>when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
☐	Information Purposes	<i>includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').</i>

Council Resolution

0220/049

Moved Councillor Caddy, seconded Councillor Lagan

1. That Council **ADOPTS** the amended City of Stirling Integrity Strategy with the following amendment:-
 - a. On page 1, under the heading titled 'Review', insert the following new paragraph at the end of the section:-

"The City is to present to the Audit Committee once each year a report including an update on the City's Integrity Strategy, the Snapshot Tool and the Action Plan."
2. That a comprehensive review be **UNDERTAKEN** of the City's Misconduct Control Management Practice and the City's Misconduct Investigations Management Practice to ensure:-
 - a. That the process for reporting and being kept informed are clear; and
 - b. That all employees are encouraged to participate in education and training initiatives by December 2020.
3. That the review of the City's Misconduct Control Management Practice and the City's Misconduct Investigations Management Practice be **LISTED** on the Management Action Plan for Audit Committee review.

The motion was put and declared **CARRIED (13/0)**.

For: Councillors Boothman, Caddy, Farrelly, Hatton, Lagan, Perkov, Proud, Re, Sandri, Sargent, Spagnolo, Thornton and Mayor Irwin.

Against: Nil.

Reason for Change

- To ensure that the Audit Committee has oversight of the Integrity Strategy, existing integrity controls and actions being taken by the City to improve its approach to integrity.
- To ensure that the City's misconduct reporting and review practices are appropriate, keep participants informed throughout the process and are well understood across the City.

Committee Recommendation

That Council **ADOPTS** the City of Stirling Integrity Strategy.

Officer's Recommendation

That Council **ADOPTS** the City of Stirling Integrity Strategy.

Report Purpose

For Council to consider and adopt the proposed City of Stirling Integrity Strategy.

Relevant Documents

Attachments

Attachment 1 - City of Stirling Misconduct Control Plan [↓](#)

Attachment 2 - City of Stirling Integrity Strategy [↓](#)

Available for viewing at meeting

Nil

Background

The City of Stirling Misconduct Control Plan was last reviewed and endorsed by the Executive Team on 23 August 2016. The City of Stirling Integrity Strategy ("Integrity Strategy") replaces the Misconduct Control Plan. The City adopted the WA Government Integrity Strategy in developing the Integrity Strategy, utilizing the Integrity Snapshot Tool to assess its approach to integrity and identify areas of improvement and the development of the Integrity Action Plan.

Comment

In late 2019, the Public Sector Commission launched the integrity strategy model for Western Australian public authorities and encouraged the public sector to embrace and implement the strategy. The model provides clear expectations and adapts risk analysis and planning as a systematic and practical approach for addressing misconduct.

The assessment and reporting tool provides direction across the organisation on recommended practice through a simple risk assessment process. The tool focuses on four key domains and risk of integrity breach:-

- Model and embody a culture of integrity
- Be accountable for integrity
- Learn and develop integrity knowledge and skills
- Plan and act to continually improve integrity.

The City is committed to an ethical culture of integrity characterised by consistent demonstration of strong moral principles and standards of honesty and adherence to the City of Stirling Code of Conduct, policies and procedures.

The Integrity Strategy will highlight and detect gaps or vulnerabilities in integrity practice and inform the area of focus and priority actions to strengthen and embed a positive culture and lift capabilities to mitigate misconduct.

Consultation/Communication Implications

Consultations were held with the Executive Team, Business Unit Managers and the Corporate Risk Management Group.

The Integrity Strategy will be reviewed across the organisation no later than the pre-determined due date.

Policy and Legislative Implications

The review of all City policies and management practices is undertaken bi-annually. The review of the City's Risk Management Framework and Risk Management Practice will be conducted in March 2020.

Financial Implications

Nil.

Strategic Implications

Governance: Making it happen

Outcome G1: Good governance

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:-

ENVIRONMENTAL	
Issue	Comment
Nil.	

SOCIAL	
Issue	Comment
Nil.	

ECONOMIC	
Issue	Comment
Nil.	

Conclusion

The Integrity Strategy demonstrates the City's commitment to embed and improve integrity, and ensure appropriate and effective systems and processes are established to meet the City's expectations to mitigate misconduct.



MISCONDUCT CONTROL PLAN

23/08/2016

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FORWARD

Misconduct can take many forms. Fraudulent and Corrupt conduct by public officials may fall within the category of 'Misconduct' under the *Corruption, Crime and Misconduct Act 2003* (CCM Act). (See definitions below). Fraud is normally characterised by some form of deliberate deception to facilitate or conceal the misappropriation of assets, whereas corruption involves a breach of trust in the performance of official duties.

For the purpose of this document the City will make use of the term 'Misconduct' which includes Fraud and Corruption. However it must be noted that the Australian Standard AS 8001-2008 Fraud and Corruption Control, that has been adopted by the City as the framework for managing Misconduct, refers to the terms Fraud and Corruption.

1.1 Introduction

Misconduct can occur in all organisations and therefore it is important that management and employees anticipate issues before they occur and act to prevent unwanted outcomes.

The City of Stirling (The City) is committed to minimising the incidence of misconduct through the identification of misconduct risk and the development, implementation and regular review of a range of misconduct prevention and detection strategies.

Misconduct can negatively impact organisations financial operations and damage its reputation. Therefore organisational culture, ethical awareness and behaviour are the most important elements that support effective misconduct control.

1.2 Objectives

The main objectives of this control plan are to:

- provide a statement to employees that misconduct is not acceptable and will not be tolerated;
- ensure that management and employees are aware of and implement their responsibilities for establishing controls and procedures for the prevention and detection of misconduct;
- ensure that management and employees are aware of and implement their responsibilities for reporting suspicions of misconduct and how reports should be made and dealt with;
- build an organisational culture that supports employees to report misconduct;
- ensure appropriate action is taken if misconduct is detected; and
- protect the reputation of the City by controlling misconduct risk.

1.3 Definitions

1.3.1 Definition of Fraud

"Dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees, or persons external to the entity and where deception is used at the time, immediately before or immediately following the activity."¹

The following are some Fraud examples as set out in the Australian Standard AS 8001-2008:

- Theft of plant and equipment by employees.
- Theft of inventory by employees.
- False invoicing (involving a staff member of the entity or a person external to the entity creating a fictitious invoice claiming payment for goods or services not delivered or exaggerating the value of goods delivered or services provided).
- Theft of funds other than by way of false invoicing.
- Theft of cash.
- Accounts receivable fraud (misappropriation or misdirection of remittances

¹ AS 8001-2008 Fraud and Corruption Control 1.7.8

received by an entity from a debtor).

- Credit card fraud involving the unauthorised use of a credit card or credit card number issued to another person.
- Theft of intellectual property or other confidential information.
- Financial reporting fraud.
- Release or use of misleading or inaccurate information for the purposes of deceiving, misleading or to hide wrongdoing.
- Misuse of position by senior executives or directors in order to gain some form of financial advantage.

1.3.2 Definition of Corruption

"Dishonest activity in which a director, executive, manager, employee or contractor of an entity acts contrary to the interests of the entity and abuses his/her position of trust in order to achieve some personal gain for him or herself or for another person or entity."²

The following are some Corruption examples as set out in AS 8001-2008:

- Payment or receipt of secret commissions (bribes), which may be paid money or in some other form of value to the receiver (e.g. building projects completed at an employee's private residence) and may relate to a specific decision or action by the receiver or generally.
- Release of confidential information for other than a proper business purpose in exchange for some form of non-financial benefit or advantage accruing to the person releasing the information.
- Collusive tendering (the act of multiple tenderers for a particular contract colluding in preparation of their bids).
- Payment or solicitation of donations for an improper political purpose.
- Serious conflict of interest.
- Serious nepotism or cronyism where the appointee is inadequately qualified to perform the role to which he or she has been appointed.
- Manipulation of the procurement process by favouring one tenderer over others or selectively providing information to other tenderers.
- Gifts or entertainment intended to achieve a specific or generic commercial outcome in the short or long term – an essential element rendering conduct of this type corrupt would be that it is in breach of the entity's values, behavioural code or gifts policy (or that of any external party's values or behavioural code) or that it was done without the appropriate transparency within one or more of the entities affected.
- Bribing officials in order to secure a contract for the supply of goods or services.

² Australian Standard AS 8001-2008 Fraud and Corruption Control 1.7.4

1.3.3 Definition of Misconduct

The term "misconduct" has a particular and specific meaning in the *Corruption, Crime and Misconduct Act 2003* (CCM Act) and it is that meaning which the Commission must apply. Section 4 of the CCM Act states:

"Misconduct occurs if –

- (a) a public officer corruptly acts or corruptly fails to act in the performance of the functions of the public officer's office or employment; or*
- (b) a public officer corruptly takes advantage of the public officer's office or employment as a public officer to obtain a benefit for himself or herself or for another person or to cause a detriment to any person; or*
- (c) a public officer whilst acting or purporting to act in his or her official capacity, commits an offence punishable by 2 or more years' imprisonment; or*
- (d) a public officer engages in conduct that –*
 - i. adversely affects, or could adversely affect, directly or indirectly, the honest or impartial performance of the functions of a public authority or public officer whether or not the public officer was acting in their public officer capacity at the time of engaging in the conduct; or*
 - ii. constitutes or involves the performance of his or her functions in a manner that is not honest or impartial; or*
 - iii. constitutes or involves a breach of trust placed in the public officer by reason of his or her office or employment as a public officer; or*
 - iv. involves the misuse of information or material that the public officer has acquired in connection with his or her functions as a public officer, whether the misuse is for the benefit of the public officer or the benefit or detriment of another person,*

and constitutes or could constitute –

- v. a disciplinary offence providing reasonable grounds for the termination of a person's office or employment as a public service officer under the "Public Sector Management Act 1994" (whether or not the public officer to whom the allegation relates is a public service officer or is a person whose office or employment could be terminated on the grounds of such conduct)."*

The definitions within the CCM Act include for minor and serious misconduct the following:

minor misconduct means misconduct of a kind described in section 4(d) that is not any of the following —

- (a) police misconduct;
- (b) conduct engaged in by a member of a House of Parliament or the Clerk of a House of Parliament;
- (c) conduct engaged in by a member of a local government or council of a local government;

serious misconduct means —

- (a) misconduct of a kind described in section 4(a), (b) or (c) by a public officer; or
- (b) police misconduct;

This is further clarified within the joint information resource Notification of Misconduct in Western Australia 1 July 2012:

Serious misconduct

Serious misconduct, as defined in the CCM Act, turns to some extent, on the application of the term 'corruptly' but also includes any offence that is punishable by two or more years imprisonment.

Serious misconduct is when a public officer:

- *acts corruptly or corruptly fails to act in the course of their duties; OR*
- *corruptly takes advantage of their position for the benefit or detriment of any person; OR*
- *commits an offence which carries a penalty of two or more years imprisonment.*

Specific categories of serious misconduct and a schedule of offences are provided for in the notification guidelines issued by the CCC under s.30(1) of the CCM Act.

The main difference between serious and minor misconduct is that serious misconduct must involve corrupt intent and/or criminal conduct. The following are some considerations that can be taken into account in making the determination on whether the misconduct is serious or minor:

- *The 'significance' or 'gravity' of the matter; what is the impact of the action or behaviour on the public authority, on the community's trust in the public authority, the financial position of the State or the advantage gained by the offending individual?*
- *Whether the nature and circumstances of the misconduct suggests a deliberate intention to act corruptly. This could involve determining if the conduct was on the one hand, naïve, ill-informed or careless or on the other negligent or wilful, planned and deliberate.*
- *Whether the conduct may amount to a criminal offence which carries a penalty of two or more years imprisonment.*
- *Whether the nature of the misconduct is largely 'disciplinary' or 'administrative' in character, and therefore potentially minor misconduct, rather than serious.*

Corrupt conduct tends to show a deliberate intent or an improper purpose and motivation and may involve conduct such as the deliberate failure to perform the functions of office properly; the exercise of a power or duty for an improper purpose; or dishonesty. ⁶

Some examples include:

- Abuse of public office
- Blackmail
- Bribery, including bribery in relation to an election
- Deliberately releasing confidential information
- Extortion
- Obtaining or offering a secret commission
- Fraud or Stealing
- Forgery
- Perverting the course of justice
- An offence relating to an electoral donation
- Loss of revenue of the State by Tax evasion

Minor misconduct

Minor misconduct, as defined in the CCM Act, is actually not that minor. To meet the test under the CCM Act definition, the misconduct should be so significant that, if proved, it could reasonably lead to termination of a public officer's employment.

Minor misconduct occurs if a public officer engages in conduct that:

- adversely affects the honest or impartial performance of the functions of a public authority or public officer, whether or not the public officer was acting in their public officer capacity at the time of engaging in the conduct;
- involves the performance of functions in a manner that is not honest or impartial;
- involves a breach of the trust placed in the public officer; or
- involves the misuse of information or material that is in connection with their functions as a public officer, whether the misuse is for the benefit of the public officer or the benefit or detriment of another person;

and

- constitutes, or could constitute, a disciplinary offence providing reasonable grounds for termination of a person's office or employment.

1.3.4 Definition of Misconduct Risk

Misconduct risk is the chance of a perpetrator (or perpetrators) committing misconduct which has negative impacts on the City ranging from financial loss to reputation damage.

1.4 Statement of the City's Approach to Misconduct

The City requires employees at all times to act honestly and with integrity and to safeguard the public resources for which they are responsible. The City will not tolerate any act of misconduct; any case will be thoroughly investigated and dealt with appropriately. The City is committed to ensuring that opportunities for misconduct are reduced to the lowest possible

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level of risk and will seek to recover any losses incurred through misconduct activity.

The Chief Executive Officer will notify the Public Sector Commission, PSC, (in the case of minor misconduct) or the Corruption and Crime Commission, CCC, (in the case of serious misconduct), in accordance with the *Corruption, Crime and Misconduct Act 2003*, all suspicions of misconduct, as defined by the Act. The Chief Executive Officer will also ensure the City complies with the notification and investigation requirements of the *Public Interest Disclosure Act* and Division 9 of the *Local Government Act*.

1.5 Code of Conduct

The City has developed a Code of Conduct which assists and guides Employees to determine what appropriate and acceptable ethical standards of behaviour to apply in various circumstances. The standards set by the Code of Conduct are high and the City expects them to be met.

1.6 Related Policies/Procedures/Legislation

The City of Stirling has a number of policies/procedures/legislation that should be read in conjunction with the Misconduct, Corruption and Fraud Control Plan including:

- Information and Technology Acceptable Use Policy
- Purchasing Policy
- Misconduct, Corruption and Fraud Hotline Management Practice
- Purchasing and Tender Management Practice
- Misconduct, Fraud and Corruption Control Management Practice
- Misconduct Investigations Management Practice
- Public Interest Disclosure Management Practice
- Local Government Act 1995
- Public Interest Disclosure Act 2003
- Corruption, Crime and Misconduct Act 2003

1.7 Roles and Accountabilities for Misconduct Control

The responsibilities for misconduct control are as follows:

Council

- Approve the Code of Conduct.
- Designate a senior employee as complaints officer in accordance with section 5.120 of the *Local Government Act* (currently the Manager Governance and Council Support).
- Receive reports from the Audit Committee in relation to misconduct control activities.

Audit Committee

- Advises Council on all matters relating to the City's risk management framework.

Chief Executive Officer

- Provides leadership in the prevention, detection and response to misconduct.
- Ensures an appropriate misconduct control plan exists and is being followed.
- Notifies the Corruption and Crime Commission, CCC, (in the case of major misconduct) or the Public Sector Commission, PSC (in the case of minor misconduct) of any suspected incidences of misconduct as required by Section 28 of the Corruption and Crime Commission Act 2003.
- Appoints a nominated position as the Public Interest Disclosure Officer (currently these are Manager Human Resources, Coordinator Employee Relations and the Coordinator Learning and Development).
- Ensures the City complies with the *Public Interest Disclosure Act 2003*.
- Ensures the City complies with Division 9 of the *Local Government Act 1995*.
- Chairs the Corporate Risk Management Group meetings.

Corporate Risk Management Group

- Review relevant policies, management practices and procedures
- Receive and consider reports on misconduct risk

Directors

- Demonstrate commitment to the pro-active prevention and detection of misconduct in order to enhance the operation and reputation of the City.
- Reinforce the requirement for ethical conduct by employees and ensure that there are mechanisms in place to:
 - Identify and assess the risk of misconduct;
 - Promote employee awareness of ethical behaviour;
 - Promote the reporting of misconduct.

Human Resources

- Manage the investigation of all reports of misconduct and report the results to the Executive Team.
- Ensure confidentiality is maintained in all investigations and any findings that are made.
- Ensures that appropriate disciplinary action is taken when there is evidence of misconduct in accordance with Human Resources policies and procedures.
- Ensures that appropriate pre-employment screening is carried out for new employees and existing employees who are promoted to positions of trust.

Business Unit Managers/Coordinators/Supervisors/Team Leaders

- Preventing and detecting acts of misconduct and the implementation and operation of controls that minimise such acts within their areas of responsibility by integrating misconduct risk management into all aspects of the Business Unit's functions.
- Provide leadership to their employees.
- Report suspected acts of misconduct in accordance with the City's misconduct reporting processes.
- Ensure that all employees attend misconduct awareness training annually.
- Ensure that all employees are aware of the City's policies and procedures and understand their responsibilities.

All Employees

- Ensure an awareness of misconduct risks that relate to their areas of responsibility.
- Actively support and contribute towards misconduct risk management initiatives.
- Report any instances of misconduct through the City's reporting processes.
- Ensure an awareness of the City's policies and procedures and be aware of their responsibilities.

1.7.1 The Role of Internal Audit in Misconduct Control

While the primary responsibility for the identification of misconduct within the City rests with the Executive and Leadership Teams, the City recognises that internal audit activity can be, in the context of addressing all business risks, an effective part of the overall control environment to identify the indicators of misconduct.

The City's Internal audit function assists in the deterrence of misconduct by examining and evaluating the adequacy and effectiveness of the system of internal control, commensurate with the extent of the potential risk in the various operations of the City. The objective of internal auditing in misconduct detection is to assist the Executive and Leadership Teams in the effective discharge of their responsibilities by furnishing them with analyses, appraisals, recommendations and information concerning the activities reviewed.

In conducting engagements, the internal auditor's responsibilities for detecting misconduct are to:

- Have sufficient knowledge of misconduct to be able to identify indicators that misconduct may have been committed
- Be alert to opportunities, such as control weaknesses, that could 'allow' misconduct
- Evaluate the indicators that misconduct may have been committed and decide whether any further action is necessary or whether an investigation should be recommended
- Provide notification to the Chief Executive Officer if a determination is made that there are sufficient indicators of misconduct to recommend an investigation.

1.8 **Misconduct Risk Management**

Misconduct risk management is an integrated part of the City's overall risk management framework. In line with the City of Stirling Risk Management Framework misconduct risk assessments will be conducted in accordance with AS/NZS ISO 31000:2009 Risk Management – Principles and Guidelines. The most important outcome of the misconduct risk assessment process is the development of treatment plans that specifically address the potential misconduct risks faced by the City.

1.9 **Reporting of Misconduct**

All employees have a duty to report suspected misconduct. The City has developed processes to facilitate the reporting of misconduct. Employees should be aware of the reporting systems, in particular the option of making a Public Interest Disclosure in the manner outlined in the Public Interest Disclosure Act 2003. The Public Interest Disclosure Act offers the employee protection from reprisal when reporting misconduct provided the disclosure is made in accordance with the Act.

The City's internal reporting system can be summarised as follows:

- **Notify the Chief Executive Officer in writing** – you may write confidentially to the Chief Executive officer and post your letter (marked 'PRIVATE AND CONFIDENTIAL' and addressed directly to the Chief Executive Officer) to 25 Cedric Street, Stirling. The confidential correspondence is referred unopened to the Chief Executive Officer. Alternatively, you may email the Chief Executive Officer at jardine.stuart@stirling.wa.gov.au.
- **Make a Public Interest Disclosure to the PID Officer** – the City's PID officers are Manager Human Resources, Coordinator Employee Relations, and the Coordinator Learning and Development...A Public Interest Disclosure must be made in writing but the Public Interest Disclosure Act 2003 protects the person making the disclosure.
- **Notify the Internal Auditor** - contact the Internal Auditor on 9205 8506 or email at auditor@stirling.wa.gov.au.
- **Call the Misconduct Hotline on 9205 8990** – an anonymous complaint may be made to the 'Hotline', or the caller may leave contact details in which case the caller will be advised of the outcome of the investigation, subject to the requirements of the Corruption and Crime Commission or Public Sector Commission and any other relevant investigatory body. The identity of the caller will remain confidential.
- **Report to external agencies** - depending on its nature, complaints may be made to external agencies such as the Ombudsman, Corruption and Crime Commission, Public Sector Commission and Department of Local Government.

1.10 **Dealing with Misconduct**

The City conducts investigations into allegations received that involve alleged misconduct. Depending on the nature of the allegations investigations will be undertaken in accordance with sound investigative practices. An Investigations Management Practice is in place outlining the procedures that will be followed. Where external investigation is required, for example the Corruption and Crime Commission, Public Sector Commission or other independent investigators, they will be in charge of the investigation.

The City has developed a flowchart outlining the reporting and investigation process. (See Appendix 1)

1.11 Review of the Misconduct, Control Plan (The Right Review)

The City's Misconduct Control Plan will be reviewed at least every second year or when there is a change in circumstance.

2. MISCONDUCT CONTROL STRATEGIES

The City has adopted the elements set out in the Australian Standard AS8001-2008 as the key elements of its approach to misconduct control. The elements also closely reflect the Corruption and Crime Commissions outcomes as reflected in the Commissions Misconduct Resistance Guide.

The elements are divided into the following sections:

- Prevention
- Detection
- Response

2.1 Misconduct prevention

The City has identified the following elements as key to its successful prevention of misconduct

<i>Outcomes according to the Standard</i>	<i>Implemented Actions</i>	<i>Planned Actions (if applicable)</i>
Sound Ethical Culture (The Right Values and Workplace Behaviour) A key strategy in managing misconduct risk within the City is the development and maintenance of a sound ethical culture based on a process of benchmarking and continuous monitoring.	The City values honesty, integrity and ethical behaviour and practices and is committed to maintaining a culture of high ethical standards and accountability in all its business activities. • A set of organisational values has been adopted and is clearly articulated in the City's communications. • Employees are required to comply with the City's Code of Conduct. • All users of the City's IT network are required to acknowledge that they have read and understood the Code and other related policies when logging onto the network. Employees that do not utilise the City's IT network are required to sign acknowledgement of the Code of Conduct on an annual basis. • A Statement of Business Ethics has been developed. It outlines the City's ethical standards and expectations that providers of goods and services will comply with the standards in their dealings with the City. The Statement	• Code of Conduct refresher training completed annually

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<i>Outcomes according to the Standard</i>	<i>Implemented Actions</i>	<i>Planned Actions (if applicable)</i>
	also outlines what providers of goods and services can expect of the City. The Statement is available on the City's website. • All purchase orders issued by the City directs Suppliers to the Statement of Business Ethics. • The City's performance review framework and process includes behavioural indicators in respect to developing and promoting a sound ethical culture. • The City has conducted assessments of its ethical culture for comparison of performance. Annual code of conduct refresher training – the eLearning module reinforces the City's values and expectations. •	
Senior Management Commitment (The right leadership and priority) Senior management need to demonstrate a high level of commitment to controlling misconduct risks. A high level of risk consciousness for misconduct risks should be present across the senior management group and, if found to be absent, will be the subject of appropriate awareness training at senior levels.	• The Chief Executive Officer communicates his commitment to developing a culture that recognises the importance of compliance with relevant legislation, policies, management practices and procedures by placing responsibility on Directors to ensure that all Business Unit Managers reinforce the importance of compliance to all employees in their Business Unit. Specific reference being made to the policies regulating the procurement of goods and services at the City of Stirling. • Purchasing Compliance Indicators have been developed and Business Unit Managers sign off on these indicators on a monthly basis which is reported through the City's Performance Planning system. • Briefings and presentations are given to Business Unit Managers on a range of topics at Leadership Team Meetings. • Misconduct Control Plan communicated to Executive Team and Business Unit Managers. • The Corporate Risk Management Group provides	

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<i>Outcomes according to the Standard</i>	<i>Implemented Actions</i>	<i>Planned Actions (if applicable)</i>
	direction and awareness.	
Accountability (The right workplace behaviour and priority) Misconduct control is often seen as a 'corporate' responsibility rather than as a responsibility for line management/supervisors and often misconduct occurs in business operations geographically remote from the central management because the remote business operation is not subject to adequate corporate level scrutiny and line managers do not see the need for misconduct control measures. It is the underlying principle of the standard that no one strategy by itself can be effective in managing misconduct and it follows therefore that no one person or category of person can be fully effective in managing the risks. The City should ensure that line managers/supervisors are aware of their accountabilities for the prevention and detection of misconduct.	- The City has set out the responsibilities and accountabilities of various employees and committees in this document. - Business Unit Managers reinforce the importance of compliance with their employees by keeping them informed of their responsibilities. - Purchasing compliance is incorporated into the Performance Management Review Process. - Risk Management requirements are included in position descriptions in accordance with the City's competency framework.	
Assessing Misconduct Risk (The Right Risks and treatment) Policies and procedures for the systematic identification, analysis and evaluation (risk assessment) of misconduct risk should be adopted and a comprehensive assessment of the risks of misconduct within all business operations should periodically be conducted.	- Misconduct risk assessments undertaken in line with City's Risk Management Framework which is in accordance with AS/NZS 31000:2009 Risk management – Principles and guidelines. - The corporate level 'Misconduct risk' is reviewed two yearly based on underlying risk assessments and in consultation with applicable stakeholders. All Business Units have completed operational misconduct risk assessments.	- Review and update the corporate level misconduct risk assessment by end of December 2016 (after the review of Business Unit operational misconduct risk assessments. - Review of operational misconduct risk assessments by the December 2016

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<i>Outcomes according to the Standard</i>	<i>Implemented Actions</i>	<i>Planned Actions (if applicable)</i>
Communication and Awareness (The Right Understanding) Every staff member (management and non-management) should have general awareness of misconduct and how he or she should respond if this activity is detected or suspected. Management and Employee awareness (The right mindset and communication) An important element of any misconduct control program is awareness in the minds of all management and employees of the various aspects of misconduct risks including early warning signs and how to respond if misconduct is suspected. Experience has shown that one of the most common ways in which misconduct is detected is by observation, investigation and reporting by fellow colleagues of the perpetrator (s). Therefore awareness training is important to assist in the prevention and control of misconduct by raising the general level of awareness amongst all employees.	The City has various communication methods to increase management and employee awareness of misconduct: • Misconduct awareness sessions presented by the Corruption and Crime Commission to management and employees. • Awareness material posted on the intranet. • Misconduct awareness presentation given to members of the Risk Management Working Group. • Articles included in the City's Communications. • Misconduct Hotline promoted regularly in Team brief. • Misconduct communicated to new employees during induction • Misconduct risk included as an agenda item on Corporate Risk Management Group meetings when applicable. • Misconduct Health Checks conducted on an ad hoc basis when required (See Appendix 2 and 3)	
Internal Control (The Right Policies and Business Practices) Internal control may be defined as a coordinated set of policies and procedures used by management to ensure that their organisations, programs or functions operate efficiently and effectively in conformance with applicable laws and regulations, and that the related transactions are	• The City has adopted control processes ranging from corporate governance policies and procedures, management practices management and supervisor oversight to individual controls embedded in the day to day business activities. • All Policies and Management practices are	

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Outcomes according to the Standard	Implemented Actions	Planned Actions (if applicable)
accurate, properly recorded and executed in accordance with management's directives. There is a strong link between the incidence of misconduct and poor internal control systems within an organisation. In many cases where misconduct is detected, it is possible to identify a fundamental internal control weakness or failure that either 'allowed' the incident to occur or failed to detect it quickly after it occurred. It therefore follows that tight internal control is an effective misconduct prevention mechanism.	published on the City's intranet. - Specific Management Practices relating to Misconduct i.e. Misconduct Control Management Practice, Misconduct Investigations Management Practice, Misconduct, Corruption and Fraud Hotline Management Practice. - Good Governance lunchtime forums are held on a variety of compliance topics. - Opportunities are promoted for Employees to attend external conferences, seminars and workshops e.g. CCC/PSC Misconduct forums - In terms of misconduct prevention the identification and subsequent improvement of controls where applicable will be an outcome of the risk assessment process described above.	
Employment Screening (The right business practices and the right treatment) Many employees who have committed workplace fraud are found subsequently to have a history of dishonest conduct with previous employers.³ A thorough employment screening process is considered to be an effective way of reducing an organisation's potential exposure to internally focused misconduct. The objective of the screening process is to obtain a higher level of assurance as to the integrity, identity and credentials of personnel employed by the organisation.	The City's Recruitment processes include pre-employment screening. - A Recruitment and Selection Management Practice has been developed detailing the procedures to follow. - It is a mandatory requirement for all new employees to have National Police Certificates - Requirement for current employees in certain positions to have National Police Certificates every 3 years	

³ Refer to KPMG Fraud survey 2006 that found that 14% of employees involved in fraudulent conduct within the entity had a prior history of dishonest conduct with a previous employer compared with 7% in the 2004 survey.

<i>Outcomes according to the Standard</i>	<i>Implemented Actions</i>	<i>Planned Actions (if applicable)</i>
Supplier Vetting (The right business practices and the right treatment) There is a growing sense that organisations are becoming increasingly susceptible to externally instigated fraud. Corruption typically perpetrated by external parties involves manipulation of the procurement process by paying or offering bribes. The risk of misconduct will be reduced if the City knows who it is dealing with in all significant commercial transactions.	• Manager Finance Services oversees the process for probity checks on suppliers. Internal Auditor reviews the outcomes of the probity checks performed. • Purchasing Policy. • Purchasing and Tender Management Practice.	

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2.2 Misconduct detection

The City has identified the following elements as key to its detection of misconduct.

<i>Outcomes according to the Standard</i>	<i>Implemented Actions</i>	<i>Planned Actions</i>
Detection systems The City should implement systems aimed at detecting misconduct as soon as possible after it has occurred in the event that the preventative systems fail. The systems should include the following: • Post transactional review • Data mining/Data analytics • Analysis of management accounting reports	• Business Unit Managers analyse the monthly management reports . • Internal audits. • Finance Services Business Unit have developed reports to check for purchasing compliance •	• The internal auditor to reintroduce an audit software package for adhoc testing that might indicate fraud or material error. •
Reporting Mechanisms/protected Disclosures (The right understanding) The City should ensure that adequate means for reporting suspicious or known illegal or unethical conduct are available to all personnel. The City should implement a policy for the active protection of whistleblowers and ensure that the policy is well communicated and understood by all personnel.	The City has various reporting channels: • An internal 'Hotline' has been established to provide a confidential means for employees to report suspected misconduct, corruption or fraud. A Misconduct, Corruption and Fraud Hotline Management Practice has been developed to provide information about the hotline. • The City has a summary Reporting Misconduct document which is available on the City's intranet as well as awareness posters on the City's Community Notice Boards. • The City encourages employees who have knowledge of fraudulent or corrupt conduct to come forward through various briefings. • Information about who can make a disclosure, what sort of things should be disclosed and how to do this are included in the Corporate Induction material as well as publicised on the HR SharePoint site/ Misconduct Awareness Education Centre	

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<i>Outcomes according to the Standard</i>	<i>Implemented Actions</i>	<i>Planned Actions</i>
	• All employees are reminded about Public Interest Disclosures through leaflets which are available in break out areas and canteens.	

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2.3 Misconduct Response

The City has identified the following elements as key to its response to misconduct.

Outcomes according to the Standard	Implemented Actions	Planned Actions
Investigating and Reporting The City should install appropriate procedures for dealing with suspected misconduct detected through its detection systems or otherwise coming to their notice, including the development and implementation of: - Appropriate measures for comprehensive investigation of such matters based on the principles of independence, objectivity and the rules of justice; - Systems for internal reporting of all detected incidents; - Protocols for reporting the matters of suspected misconduct to the appropriate law enforcement agency; and - Procedures for the recovery of stolen funds or property	• The City has disciplinary procedures and processes in place which serve to separate the investigation and determination processes in relation to misconduct incidents i.e. the Business Unit Manager is responsible for making the decision as to what disciplinary action is taken . • The Misconduct, Fraud and Corruption Hotline Management Practice sets out the process for reporting alleged misconduct using the hotline facility. • Misconduct Investigations Management Practice sets out the processes to be followed when suspected acts of misconduct are investigated. • The City has developed a flowchart which shows the process to be followed in respect of alleged misconduct that has been reported and subsequent investigations to be made. • The City complies with section 28 of the Corruption and Crime commission Act 2003 which requires the Chief Executive Officer to notify the Commission of any suspected misconduct that may have occurred. • The City seeks to recover any losses incurred through misconduct activity. • Where weaknesses are identified in the City's internal controls following the detection of an instance of misconduct, the relevant policy, procedure or process is reviewed and recommendations for improvement and implementation are made. • The City has Fidelity Guarantee Insurance included in the City's insurance portfolio. • A register of calls made to the 'Hotline' is maintained by the Internal Auditor	

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Appendix 2: Misconduct Health Check Questionnaire

<i>Please put a tick in the most appropriate box</i>	<i>Strongly Disagree</i>	<i>Disagree</i>	<i>Agree</i>	<i>Strongly Agree</i>
1. The City consistently communicates the importance of acting in the public interest.				
2. The City's Directors and Business Unit Managers act with integrity.				
3. Most employees in my area know they should act in accordance with the City's values.				
4. The City's policies and procedures help us to deal with misconduct issues that we face.				
5. The functions of my work area are regularly assessed to identify and address the misconduct risks we face.				
6. The City conducts regular training in misconduct control.				
7. Most employees in my work area know what misconduct is and understand their responsibility to report it.				
8. The City has effective strategies to manage misconduct risks that arise.				
9. I believe our customers/contractors understand the City's no tolerance approach to dishonest and unethical dealings.				
10. The City treats dealing with misconduct as a top priority.				
11. Acting with integrity is the way we do things in the City				
12. I am confident that the City would report misconduct to external organisations where it is required to do so.				

Have you any general comments about the misconduct control environment in your work area?.....

Name of your work area (NOT YOUR NAME – your response is anonymous)

Thank you for your feedback, please send your completed form to.....

Appendix 3 Ethical Culture Questionnaire

<i>Please tick the most appropriate box</i>	Strongly Disagree	Disagree	Agree	Strongly Agree
1. Our Code of Conduct and associated policies and procedures tell us how to deal effectively with the ethical risks we face				
2. Most employees in my work area are aware of the Code of Conduct and understand what it requires				
3. The City conducts regular training in Code of Conduct and related issues				
4. Employees know and are committed to the values adopted by the City				
5. Employees are encouraged to report alleged misconduct in the City				
6. Employees are aware of the procedures for making public interest disclosures				
7. I am confident that internal investigations of alleged misconduct would be carried out to high standards in the City				
8. I am confident that employees understand what a conflict of interest is and would declare any conflict				
9. Employees are encouraged to declare any gifts or benefits that are offered in the process of their work				
10. Most employees in my work area understand that employees will be disciplined for misconduct, and for breaches of our Code of Conduct				

Have you any general comments about the ethical environment in your work area?

Name of your work area (NOT YOUR NAME – your response is anonymous)

Thank you for your feedback, please return the completed form to

VERSION HISTORY

Date	Reviewed / Modified	By whom
17.06.11	Initial Draft Complete	Coordinator Risk Management - B Black
17.06.11	Reviewed	Coordinator Compliance – J Beaton Manager Human Resources – A Wolstencroft Chief Executive Officer – S Jardine
20.06.11	Reviewed	Aon Risk Services
07.07.11	Modified	Coordinator Risk Management - B Black
30.08.11	Reviewed	Director Corporate Services – E Herne
14.11.11	Reviewed	Executive Team
28.11.11	Reviewed	Business Unit Managers, Internal Auditor
14.12.11	Modified	Coordinator Risk Management - B Black
20.03.12	Modified	Coordinator Risk Management - B Black
31.07.12	Reviewed/Modified	Manager Human Resources – A Wolstencroft Coordinator Risk Management - B Black
06.08.12	Reviewed/Endorsed	Executive Team
28.12.12	Modified	Coordinator Risk Management - B Black
24.07.13	Modified	Coordinator Risk Management - B Black
23.04.14	Modified	HR Project Officer – H Kemp
12.08.14	Modified	Coordinator Risk Management - B Black
01.09.14	Reviewed	Manager Human Resources – A Wolstencroft
02.09.14	Modified	Coordinator Risk Management - B Black
17.09.14	Reviewed	CRMG
30.09.14	Modified	Coordinator Risk Management - B Black
21.10.14	Endorsed	Executive Team
07.07.2016	Two yearly review	Coordinator Corporate Risk Management – K Thrush
13.07.2016	Reviewed	A/Manager Human Resources – P Phillips
18.07.2016	Modified	Coordinator Corporate Risk Management – K Thrush
29.07.2016	Reviewed	Corporate Risk Management Group
01.08.2016	Modified to correct name of Act	Coordinator Corporate Risk Management – K Thrush
23.08.2016	Endorsed	Executive Team
25.08.2016	Track changes removed	Coordinator Corporate Risk Management – K Thrush

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City of Stirling

Integrity Strategy



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Commitment to Integrity

The City of Stirling ('City') understands that earning and maintaining community trust is essential for the good governance of our community. The City adopts a zero-tolerance attitude towards fraud, misconduct and corruption. The City's Code of Conduct guides Elected Members and employees to determine the appropriate and acceptable ethical standards of behaviour in various circumstances.

This strategy outlines the City's approach to ensuring it acts with integrity, honesty and transparency; making reasoned decisions without bias by following fair and objective processes. This strategy applies to all employees and elected members at the City.

The City recognises the work of the WA Government in developing and implementing the Integrity Strategy for WA Public Authorities 2020-2023.

The City has adopted the WA Government Integrity Strategy (Appendix 1) in developing the City of Stirling Integrity Strategy, utilizing the Integrity Snapshot Tool to assess its approach to integrity and identify areas of improvement (Appendix 2: The City's Integrity Snapshot and Appendix 3: Integrity Action Plan).

Objectives

The main objectives of the Integrity Strategy are to:

1. Model and embody a culture of integrity.
2. Be accountable for integrity.
3. Learn and develop integrity knowledge and skills.
4. Plan and act to continually improve integrity.

Review

The City's Integrity Strategy will be reviewed as follows:

- A minor review in 2022 at the midpoint of the Integrity Strategy for WA Public Authorities 2020-2023; and
- A major review following the release of the follow up to the Integrity Strategy for WA Public Authorities 2020 -2023.



Roles and Responsibilities

Every employee and elected member is responsible for integrity and has a role to play. The table below details the specific roles and responsibilities.

Roles	Responsibilities
Council	1. Adopt and review the City's Integrity Strategy. 2. Approve the City's Code of Conduct. 3. Designate a senior employee as complaints officer in accordance with section 5.120 of the <i>Local Government Act 1995</i> (currently the Manager of Governance). 4. Receive reports from the Audit Committee in relation to integrity risks, audit activities and other integrity controls.
Audit Committee	1. Advise Council on all matters relating to the City's strategic integrity risks. 2. Receive and review regular reports on integrity risk performances. 3. Receive and review internal audits including risks associated with integrity risks. 4. Oversee the implementation of the City's Integrity Strategy.
Elected Members	1. Model leadership and conduct that align with the City's commitment to integrity.
Chief Executive Officer	1. Provide leadership in the prevention, detection and response to misconduct. 2. Notify the Corruption and Crime Commission (for major misconduct) or the Public Sector Commission (for minor misconduct) of any suspected incidences of misconduct as required by section 28 of the <i>Corruption and Crime Commission Act 2003</i>. 3. Ensure the City complies with the <i>Public Interest Disclosure Act 2003</i>. 4. Ensure the City complies with Division 9 of the <i>Local Government Act 1995</i>. 5. Provide report and advice to the Audit Committee and Council on integrity matters. 6. Drive a culture of integrity through the active demonstration of City values and by communicating the importance of meeting integrity standards.
Corporate Risk Management Group	1. Review relevant policies, management practices and procedures. 2. Receive and consider reports on operational integrity risks.
Directors	1. Demonstrate commitment to integrity through the active demonstration of City values and by building an accountable workplace culture. 2. Reinforce the requirement for integrity by employees and ensure that there are mechanism in place to:



Roles	Responsibilities
	- Identify and assess integrity risks. - Pro-active identification and communication of business unit specific risks. - Promote employee awareness of integrity. - Ensure that reports of misconduct are dealt with appropriately. - Actively participate in integrity reporting at Leadership meetings.
Governance Business Unit	- Oversee the development and review of the Integrity Strategy. - Manage strategic and operational risk registers that include integrity risks. - Promote a culture of integrity through collaboration, training and other activities. - Conduct activities that promote integrity awareness such as International Corruption Day. - Act as the City's Complaints Officer and Public Interest Disclosure Officer. - Manage the investigation of all reports of misconduct relating to Elected Members.
Human Resources Business Unit	- Ensure appropriate training on Code of Conduct. - Manage the investigation of all reports of misconduct relating to employees. - Ensure confidentiality is maintained in all investigations and any findings that are made. - Ensure that appropriate disciplinary action is taken when there is evidence of misconduct in accordance with the City's policies and procedures. - Ensure that appropriate pre-employment screening is carried out for new employees and existing employees who are promoted to positions of trust.
Internal Audit	- Plan and conduct audits that address integrity risks. - Receive reports of alleged misconduct. - Report in writing any suspected fraudulent activities or corrupt practices identified during an internal audit function to the Chief Executive Officer and possible investigation or referral to the appropriate external agency. - Monitor and report on the status of implementation of management actions to address audit findings.
Business Unit Managers/ Coordinators/ Supervisors/ Team Leaders	- Demonstrate commitment to integrity through the active demonstration of City values and by building an accountable workplace culture. - Commit to follow a robust and unbiased recruitment and selection process and only to recruit and engage individuals who are closely aligned with our City values. - Report any suspected act of misconduct in accordance with the City's misconduct reporting process. - Ensure specific behaviours relating to integrity is addressed in



Roles	Responsibilities
	the annual performance review 5. Ensure that all employees complete the Code of Conduct training annually. 6. Ensure that all employees are aware of the City's policies and procedures and understand their responsibilities. 7. Implement controls to minimize acts of misconduct and integrate integrity risk management into all aspects of the Business Unit's functions.
All Employees	1. Ensure an awareness and understanding of City Integrity Strategy and the employee's role within this framework. 2. Abide by the Integrity Strategy and any misconduct controls. 3. Actively support and contribute towards integrity risk management initiatives. 4. Report any instances of misconduct through the City's reporting processes. 5. Ensure awareness, understanding and support of all City policies, management practices and procedures.

Reporting of Misconduct

All employees have a duty to report suspected misconduct. The City has developed processes to facilitate reporting of misconduct.

The City's internal reporting system can be summarised as follows:

- 1. Notify your supervisor** – Employees should report any suspected misconduct to their supervisor, coordinator, team leader, manager or director. All reports of misconduct are investigated accordingly.
- 2. Notify the Chief Executive Officer** – Notifications of the alleged misconduct may be made to the Chief Executive Officer via email or in writing and posted to the City of Stirling Main Administration Centre, 25 Cedric Street, Stirling. The correspondence may be marked 'PRIVATE and CONFIDENTIAL' and addressed directly to the Chief Executive Officer. The confidential correspondence is referred unopened to the Chief Executive Officer.
- 3. Make a Public Interest Disclosure to the Public Interest Disclosure (PID) Officer**
 - The City's PID Officer is the Manager Governance. A Public Interest Disclosure must be made in writing. The *Public Interest Disclosure Act 2003* offers the employee protection from reprisal when reporting misconduct provided the disclosure is made in accordance with the Act.
- 4. Notify the Internal Auditor** on 08 9205 8506 or via email at auditor@stirling.wa.gov.au.
- 5. Call the Misconduct Hotline on 08 9205 8990** – an anonymous complaint may be made to the 'Hotline.' The caller may leave their contact details, in which case the caller will be advised of the outcome of the investigation, subject to the requirements



of the Public Sector Commission or Corruption and Crime Commission and any other relevant investigatory body. The identity of the caller will remain confidential.

6. **Report to external agencies** – Depending on the nature of the alleged misconduct, the matter may be reported to external agencies such as the Ombudsman, Public Sector Commission, Corruption and Crime Commission and the Department of Local Government, Sport and Cultural Industries.

Dealing with Misconduct

The City's Misconduct Investigations Management Practice outlines the processes that will be followed when conducting investigations into allegations received that involve alleged misconduct.

In accordance with the requirements in the Management Practice, the following broad process is followed:

1. **Initial Assessment** – Determine if an investigation is required and by whom:
 - Alleged misconduct by employee – Refer to the City's Grievance Management Practice and Procedures.
 - Alleged misconduct by Elected Member – Refer to Manager Governance.
 - No evidence of misconduct – Investigation not required.
 - Notify the Public Sector Commission or the Corruption and Crime Commission as required.
 - Investigate as required.
2. **Investigation** – Conduct an investigation to determine if misconduct has occurred:
 - Under the direction of the Public Sector Commission or the Corruption and Crime Commission if they have been notified.
 - Minor alleged misconduct – Investigation is conducted internally. Investigation may be conducted by an external investigator if required.
 - Major alleged misconduct – Investigation is conducted by an external investigator.
3. **Reporting and Action** – Respond to the outcome of the investigation including any actions required:
 - Under the direction of the Public Sector Commission or the Corruption and Crime Commission if they have been notified.
 - Respond to any investigation recommendations made through appropriate processes.



Appendix 1

Integrity Strategy for WA Public Authorities

2020-2023



Public Sector
Commission

*We're working for
Western Australia.*

Integrity *Strategy*



FOR WA PUBLIC
AUTHORITIES
2020-2023





Public Sector Commission
2 Havelock Street WEST PERTH WA 6005
T: 6552 8888 E: integrity@psc.wa.gov.au
W: publicsector.wa.gov.au

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part with due acknowledgement.

It is on wa.gov.au.

Copies are available in alternative formats
on request.

PSC1960067

From the Commissioner



Integrity is a non-negotiable to assure Western Australians that public authorities act in the interest of the community each and every day through the decisions we make and the actions we take.

Operating with integrity means using our powers responsibly for the purpose and in the manner for which they were intended. It means acting with honesty and transparency; and making reasoned decisions without bias by following fair and objective processes.

It also means preventing and addressing improper conduct, disclosing facts without hiding or distorting them, and not allowing decisions or actions to be influenced by personal or private interests.

Earning and maintaining community trust is essential for us to deliver the services that families, individuals, businesses and industry need for them to prosper – and for the State to grow.

We know that any breach of that trust has wide implications. The impact on our work and reputation affects us all. We also know that integrity goes beyond just legislative compliance – it is about doing the right thing because it is the right thing to do.

Two things are critical for us to understand to see improvement – first, integrity does not happen by chance; and second, we are all responsible for protecting the integrity of public authorities.

That is why a clear and focused approach to integrity must be at the core of our work. When integrity is a common frame of reference, it becomes a unifying force across different functions, different services and different employee groups.

Improved integrity helps minimise the incidence and impact of misconduct, including fraud and corruption. It also brings benefits in relation to performance, productivity and employee engagement.

To ensure our work translates into exceptional public value and high community trust, I expect every public authority – and those within – to commit to implementing this strategy.

Sharyn O'Neill

PUBLIC SECTOR COMMISSIONER

Commitment to improve integrity

Improved integrity requires sustained effort which is why all public authorities are expected to commit to implementing this strategy and taking action.

Integrity has to be embedded in all aspects of our work – in governance and administration; systems and controls; culture and attitude; and accountabilities and responses.

Every day. By everyone.

All public authorities and individuals must take an interest in promoting integrity and preventing misconduct and corruption.

While the Commission has a significant role to play, the primary responsibility for preventing misconduct and corruption – and operating with integrity – lies with leaders and individuals in public authorities.

In this strategy, 'public authorities' refer to WA public sector bodies (including government boards and committees), local governments, public universities and government trading enterprises.

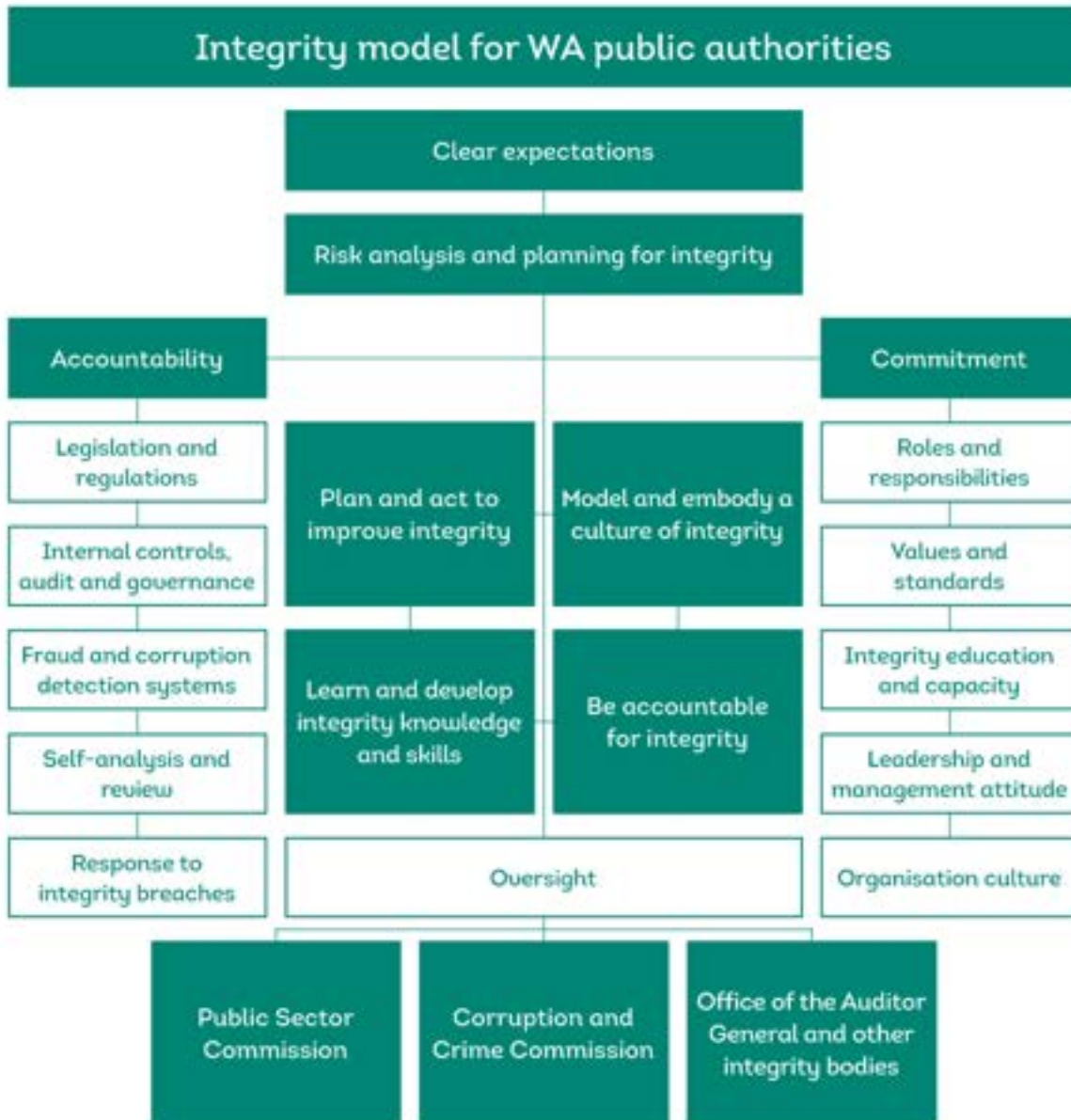
Those appointed to, employed in and contracted to public authorities are all covered by this strategy.

Public authorities should see this strategy as an opportunity to demonstrate to the community that they are serious about integrity.

While there are no additional compliance obligations for public authorities arising from this strategy, changes may be made to the compliance framework to ensure it is contemporary and fit-for-purpose.

Over the life of the strategy, the Commission and its integrity partners will continue to ask leaders to report if and how integrity is improving. This may be through surveys, audits or reviews. Leaders of public authorities should consider how they monitor and evaluate integrity as a priority.





Key actions to achieve our goals

There are many well-documented dimensions needed to ensure strong integrity in public authorities.

This strategy focuses on four key improvement areas with actions and controls to promote integrity and help prevent misconduct and corruption.

Under each of the key improvement areas are actions for the Commission to implement and provide leadership and support to public authorities.

There is also a cohesive suite of practical and achievable actions for public authorities to put in place, and for individuals – those appointed to, employed by and contracted to public authorities – to do.

This three tiered approach across the four improvement areas reflects the responsibilities that every aspect of the government sector has in relation to integrity. Actions at any one tier – or actions in only one area – are not enough. The strength is in the three tiers working together across the four improvement areas.

As public authorities have differing needs and contexts, they should adopt those actions appropriate for their circumstances in a way best suited to their needs.

The strategy also provides a common language for how we talk about integrity across public authorities.

This integrity strategy has four key areas for improvement.

01

PLAN AND ACT TO IMPROVE INTEGRITY

Effective governance systems and frameworks are established.

02

MODEL AND EMBODY A CULTURE OF INTEGRITY

A culture of integrity exists and is reinforced and communicated by leaders.

03

LEARN AND DEVELOP INTEGRITY KNOWLEDGE AND SKILLS

Individual and authority integrity knowledge, skills and competence are grown.

04

BE ACCOUNTABLE FOR INTEGRITY

Prevention, detection and response to integrity matters are everyone's personal and professional responsibilities.

01

Plan and act to improve integrity

Effective governance systems and frameworks are established.

Actions for the Commission

1.1 PUBLISH FRAMEWORK

Publish an integrity framework which includes instruments, processes, conditions, systems and control requirements that public authorities should have in place to support integrity; and detect, respond to and prevent misconduct, including fraud and corruption.

1.2 ENCOURAGE SELF-ASSESSMENT

Develop a self-assessment tool for public authorities to assess the maturity of their integrity framework to assist in improvement planning.

1.3 USE DATA TO DRIVE CHANGE

Use data collected from public authorities to create an online dashboard with analytics for public authorities to use in planning, including to benchmark their integrity environment against like public authorities.

1.4 PROVIDE PLANNING GUIDANCE

Make exemplar misconduct prevention plans available for use by public authorities.

1.5 INVESTIGATE DETECTION SYSTEMS

Examine detection approaches that identify irregularities and provide early warning including, software to monitor and evaluate data; systems to share intelligence, and a central register of individuals subject to adverse findings to assist with pre-employment screening.

1.6 LINK TO AUDIT AND RISK

Assist public authorities to assess governance controls which help identify, monitor and report on integrity matters.



01 - PLAN AND ACT TO IMPROVE INTEGRITY



Actions for public authorities

- 1.1 IMPROVE INTEGRITY FRAMEWORK**
Align approach to the integrity framework (as a minimum).
- 1.2 CONTINUE TO IMPROVE**
Use the integrity framework maturity self-assessment tool to assist in improvement planning.
- 1.3 USE DATA TO DRIVE CHANGE**
Use tools such as the online data dashboard to benchmark against like public authorities, and use data to assist planning.
- 1.4 REASSESS APPROACH**
Review regularly approaches to prevention and develop initiatives for improving integrity.
- 1.5 EVALUATE DETECTION SYSTEMS**
Evaluate current systems, including pre-employment checks, and data to inform detection and prevention of irregularities and corrupt practice.
- 1.6 AUDIT AND RISK CONTROLS**
Ensure audit and risk controls are in place and aligned to identify integrity vulnerabilities and risks.

Actions for individuals

- 1.1 UNDERSTAND AND ACT**
Ensure you understand your public authority's code of conduct, policies and procedures; and act accordingly.
- 1.2 IDENTIFY RISKS AND OPPORTUNITIES**
Alert managers/supervisors of any gaps in your public authority's code of conduct, policies and procedures that may provide opportunities for misconduct.
- 1.3 BE ACCOUNTABLE**
Take responsibility for the decisions you make and the actions you take to ensure they are in the public interest.



02

Model and embody a culture of integrity

A culture of integrity
exists and is reinforced
and communicated
by leaders.

Actions for the Commission

2.1 PRIORITISE INTEGRITY Promote and prioritise integrity as a key value across public authorities. 2.2 ENSURE A CONTEMPORARY APPROACH Review integrity instruments and products to support contemporary approaches to integrity and guide conduct in public authorities. 2.3 LISTEN AND RESPOND Develop resources to assist public authorities to seek and act on staff perceptions about their public authority's integrity culture. 2.4 GIVE FEEDBACK Build skills of leaders to set behaviour expectations for their staff, give feedback, manage conduct and have difficult conversations.	2.5 SET CLEAR EXPECTATIONS Support public authorities to set clear behaviour expectations through codes of conduct, recruitment and performance processes. 2.6 PROMOTE A SPEAK UP CULTURE Share good practice in managing reporting to facilitate positive outcomes for those who speak up. 2.7 PROMOTE AN INTEGRITY MINDSET Conduct campaigns to promote an integrity mindset such as "All in a day's work" related to gifts and benefits.



02 – MODEL AND EMBODY A CULTURE OF INTEGRITY

Actions for public authorities

- 2.1 PRIORITISE INTEGRITY**
Review corporate values to ensure integrity is included and promote these values internally and externally.
- 2.2 DEVELOP TOGETHER**
Involve staff in reviewing ethical codes, values, integrity policies and procedures so shared understanding is achieved.
- 2.3 EVALUATE AND BUILD**
Use Commission and other high quality resources to evaluate and build an integrity culture.
- 2.4 BUILD CAPABILITY**
Support leaders to promote a high integrity culture through professional learning, setting expectations for behaviour and building skills in having difficult conversations about conduct.
- 2.5 SET CLEAR EXPECTATIONS**
Recruit for values alignment and ensure behaviour expectations are clear in codes of conduct and staff performance agreements.
- 2.6 EMBED PRACTICE**
Embed good practices and mechanisms to encourage and support staff who speak up.
- 2.7 ADOPT THE MINDSET**
Use campaign materials to ensure staff are conscious of misconduct risk areas and how they should respond.

Actions for individuals

- 2.1 MODEL VALUES**
Ensure your daily behaviours, actions and decisions demonstrate your public authority's values.
- 2.2 CONTRIBUTE TO CULTURAL HEALTH**
Respectfully challenge conduct that is not in accordance with your public authority's values and code of conduct.
- 2.3 TAKE ACTION EARLY TO ADDRESS MATTERS**
Speak up to ensure conduct that does not align with your public authority's values is addressed early and, where possible, take action to avoid escalation or repetition.



03

Learn and develop integrity knowledge and skills

Individual and authority integrity knowledge, skills and competence are grown.

Actions for the Commission

3.1 SHARE AND COLLABORATE

Establish an integrity practitioners' group to collaborate on strategic approaches to detecting and preventing misconduct, and promoting integrity.

3.2 BE A FUNCTIONAL AREA LEADER

Provide practical advice and information to public authorities, including forums and community of practice sessions on integrity matters.

3.3 OFFER ONLINE TRAINING

Introduce online integrity learning modules for use by public authorities.

3.4 INDUCT NEW STAFF

Work with other integrity agencies to develop an online integrity induction program for public authorities to use with their staff.

3.5 SHARE INFORMATION

Publish insights from data and the work of integrity partners to inform public authorities about current and emerging integrity risks and strategies.

3.6 SHARE RESOURCES

Establish an integrity section on wa.gov.au with accessible, practical and up-to-date information and resources.



03 – LEARN AND DEVELOP INTEGRITY KNOWLEDGE AND SKILLS

Actions for public authorities

- 3.1 PARTICIPATE ACTIVELY
Participate in integrity promotion and misconduct prevention initiatives and share learnings with staff.
- 3.2 INDUCT AND TRAIN STAFF
Deliver integrity training to new staff early in their employment and implement regular integrity training for all staff.
- 3.3 EDUCATE FOR PREVENTION
Inform staff about misconduct and their role in reporting and preventing it.
- 3.4 IMPROVE CONTINUOUSLY
Be proactive in looking for integrity improvements and learning by completing the Integrity Snapshot tool.
- 3.5 CAPABILITY GAPS
Evaluate the capability of key integrity staff, and identify knowledge and skill gaps that require further training or development.
- 3.6 USE INSIGHTS
Learn from Commission and other integrity agency insights; and use them to review and reassess the approach to integrity risks, areas of vulnerability and prevention.
- 3.7 ADOPT CONTEMPORARY PRACTICE
Keep up to date by referring to the Integrity section on wa.gov.au when developing and reviewing integrity policies and systems.

Actions for individuals

- 3.1 PARTICIPATE ACTIVELY
Participate actively in integrity learning opportunities provided by your public authority.
- 3.2 SUPPORT NEW STAFF
Inform new colleagues about your public authority's code of conduct, policies and procedures associated with their work.
- 3.3 INFORM YOURSELF
Seek information about, and advice on, situations where integrity matters arise.



04

Be accountable for integrity

Prevention, detection and response to integrity matters are everyone's personal and professional responsibilities.

Actions for the Commission

4.1 CLARIFY ACCOUNTABILITY

Ensure public authority leaders understand their responsibilities for preventing, detecting and responding to integrity matters; and take proactive action.

4.2 PROVIDE AUTHORITY

Investigate models of misconduct management that enable more local decision making while maintaining appropriate oversight.

4.3 IMPROVE ONLINE REPORTING

Redevelop existing online misconduct reporting tools to improve the quality and types of notifications and reports made.

4.4 REVIEW FOR PERFORMANCE

Conduct specific and thematic reviews, and use information from capability reviews to identify areas of good practice and those requiring improvement.

4.5 COLLABORATE FOR IMPROVEMENT

Partner with external experts to participate in research and projects that identify contemporary approaches, including behavioural insights and technology to enhance detection and prevent misconduct and corruption.

4.6 LEVERAGE EXPERTISE

Pursue methods that enable greater shared use of expertise and trained investigators across public authorities.



04 - BE ACCOUNTABLE FOR INTEGRITY

Actions for public authorities

- 4.1 **REPORT MISCONDUCT ONLINE**
Use Commission and Corruption and Crime Commission online reporting tools to notify of misconduct in a timely manner.
- 4.2 **OVERSEE INTEGRITY**
Have leadership teams lead, own and oversee processes for identifying, detecting, managing and preventing misconduct.
- 4.3 **REVIEW FOR LEARNING**
Use learnings from Commission reviews to evaluate current practices and make changes.
- 4.4 **RESPOND TO RISKS**
Understand that specific risks change over time and take steps to ensure these are responded to and addressed.
- 4.5 **TAKE ACTION**
Put processes in place to support staff and community reporting, and empower leaders to act on reports of misconduct.
- 4.6 **BE ACCOUNTABLE**
Ensure integrity is a standing agenda item at leadership meetings to provide a forum to interrogate data, and identify and respond to emerging trends.

Actions for individuals

- 4.1 **REPORT ISSUES**
Assist your authority to detect misconduct by reporting suspected misconduct either through internal or external reporting processes.
- 4.2 **LEAD AT ALL LEVELS**
Contribute to creating an environment where everyone is comfortable with and confident to report any suspicions of misconduct.
- 4.3 **RESPONSIBLE TEAMS**
Take responsibility for operating with integrity in your team and encourage others to do the same.



Measures of success



To know how we are progressing towards building and sustaining a high integrity culture across public authorities, we need ongoing evaluation of our success. The ultimate success is stamping out misconduct, including fraud and corruption.

COMMISSION SIGNS OF SUCCESS

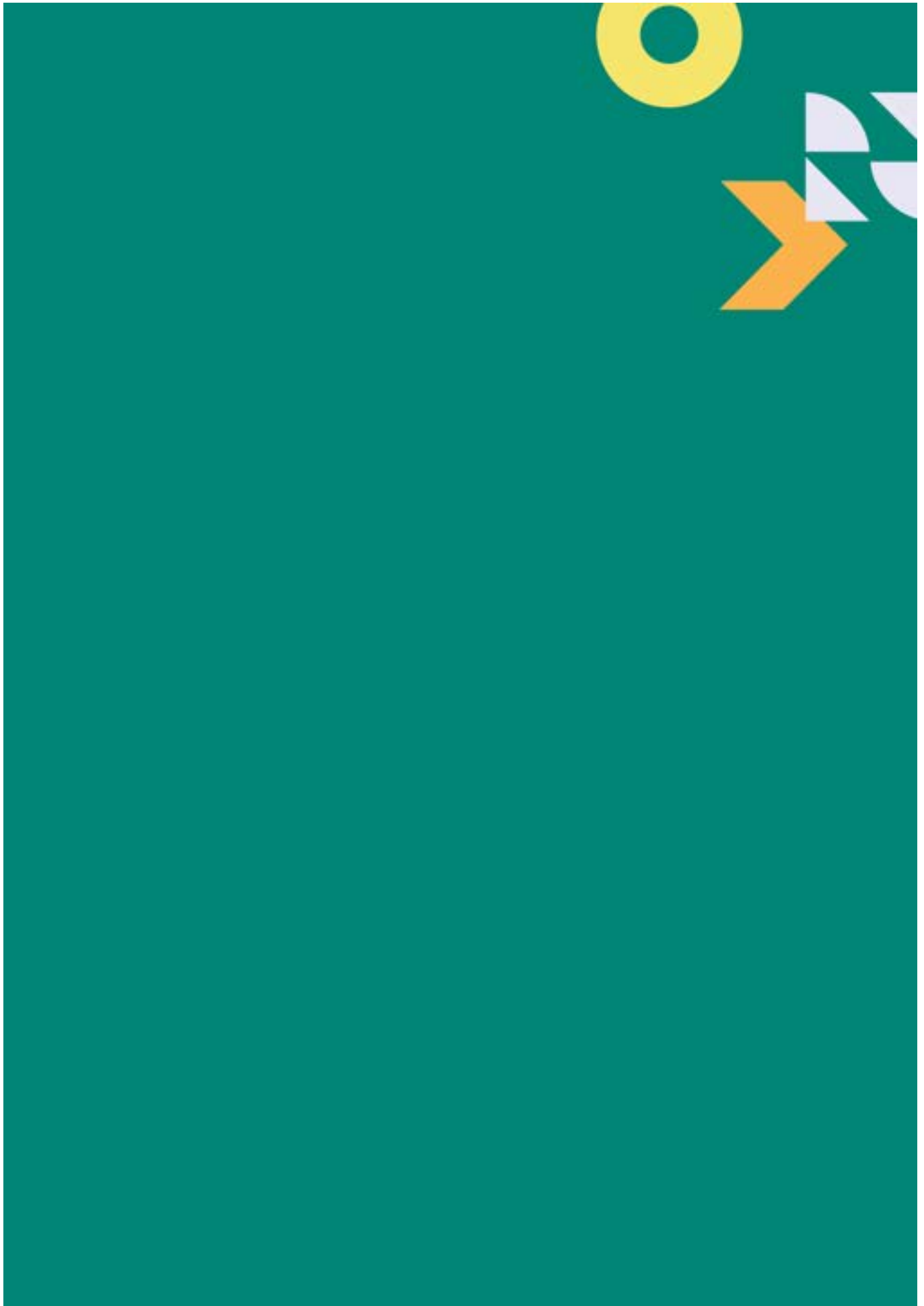
- ▶ Approaches to integrity are maturing across public authorities over time, as demonstrated by reviews conducted by the Commission.
- ▶ Public authority leaders acknowledge the value of assistance provided by the Commission and seek to collaborate with the Commission on integrity matters.
- ▶ In surveys conducted by the Commission, staff report perceptions that public authorities and leaders operate in a high integrity culture.
- ▶ There is increased usage of the Commission's products and tools, including online learning modules.
- ▶ Commission forums/sessions are well attended and evaluations indicate knowledge has increased as a result of attendance.
- ▶ Amendments to online reporting tools assist reporting and notification processes, and the quality of reports to the Commission improves over time.

Monitoring signs of success are commenced from the start of this strategy and reviewed each year. Progress against these measures will be reported periodically over the next four years.

PUBLIC AUTHORITY SIGNS OF SUCCESS

- ▶ Public authority has implemented or exceeded the requirements of the integrity framework.
- ▶ Commission evaluation and benchmarking tools indicate the public authority is well positioned in regards to governance, culture, education and accountability.
- ▶ Survey data shows high staff perception of integrity in the public authority.
- ▶ Survey data shows staff have a good understanding of policies, procedures and ethical codes.
- ▶ Training and information sessions related to integrity are well attended.
- ▶ Time taken to resolve integrity matters is reasonable and results in improvements where necessary.
- ▶ Evaluations of reports to integrity bodies indicates reports are timely.
- ▶ Responses to integrity matters and results of reviews and audits are considered and implemented.

Consider what other internal measures may indicate integrity is improving. Evaluations should be shared with staff.





Appendix 2

City of Stirling Integrity Snapshot



*We're working for
Western Australia.*

Integrity Snapshot Tool



FOR WA PUBLIC
AUTHORITIES



Integrity Snapshot Tool

The snapshot tool supports the [Integrity Strategy](#) for WA Public Authorities 2020-23. It gives public authorities a clear view of what they have in place to support integrity, and can help them identify areas for development or more focus that should feature in their planning. The snapshot tool is not meant to be an exhaustive list of things to consider and should be used by public authorities in a manner that best suits their contexts. It is not intended to replace more detailed or specific risk management activities.

The tool can:

- help public authorities evaluate their approaches to promoting integrity and reducing misconduct risks
- identify any gaps in the current approaches to integrity by public authorities that could be actioned.

How to use the snapshot tool

As this is a self-assessment tool, public authorities can benefit by using it to review the status of their approach to integrity and make decisions about where further or additional work is needed.

Public authorities are encouraged to update their assessments as they progress with actioning items. In this way they capture their assessments on an ongoing basis. It is acknowledged that each public authority has a different risk profile and operating context, and is at varying points of progress in managing integrity risks.

Assessment guide	
Activity	Description
In place	Suggested activity has been addressed or is subject to review.
In progress	Steps are in place to address suggested activity.
Not in place	Steps may be required to address suggested activity.

PSC1956726

01 Model and embody a culture of integrity

A culture of integrity exists, and is reinforced and communicated by leaders.

	In place	In progress	Not in place	Proposed actions and comments
Assess if your authority:				
has values that include integrity integrated into all aspects of its business (e.g. in policies, processes and systems)	☒	☐	☐	The City's values are as follows: The City is committed to serve its diverse community through delivering efficient, responsive and sustainable service through the adoption and document integration of the following values : • Integrity • Community Participation • Accountability • Respect • Environment • Diversity The City's values drive its Code of Conduct and organisational culture approach.



	In place	In progress	Not in place	Proposed actions and comments
promotes integrity in and outside the authority (e.g. website, publications, staff newsletters, division meetings, annual reports and everyday practices)	☒	☐	☐	The City's commitment to mitigating misconduct or wrong doing is promoted Monthly Team brief, Anti-Corruption Activation Day, Tool Box sessions, Good Governance Forum and through Human Resources, policies, management practices and Business Unit procedures.
has leaders who role model integrity and demonstrate zero tolerance for breaches of ethical codes and misconduct	☐	☒	☐	The City's leaders continue to build organisation cultures by: • Having robust policies, management practices and procedures • Ensuring regular training and educational awareness programmes are implemented. • Help employees with a clear understanding not to behave unethically ACTION: The City will consider introducing a Key Performance Indicator and clearer defined behaviour example against the most relevant value.

City of Stirling Integrity Strategy 

	In place	In progress	Not in place	Proposed actions and comments
has a consultation mechanism to engage with and involve staff when reviewing integrity policies, procedures and information to gain shared commitment and understanding	☒	☐	☐	All principle documents including code of conduct, policies, management practices and misconduct control plans and frameworks are reviewed across the organisation in keeping with legislation or Council's decision. The frequent review of the Human Resource Management Practices allows the City to have values-driven people practices in place. All key documents are provided in draft to Executives, Business Unit Managers and Elected Member for comment before consideration and final adoption.
has human resource policies and practices that reflect a commitment to recruiting staff who demonstrate a strong alignment to its values	☒	☐	☐	The City of Stirling Recruitment and Selection Management Practice establishes the minimum standards of merit, equity and probity that must be applied when filling a vacancy. All employees involved in the recruitment and selection process are expected to practice the

City of Stirling Integrity Strategy 

	In place	In progress	Not in place	Proposed actions and comments
				principles of equal opportunity and anti-discrimination, consistent with the City's Equal employment Opportunity Policy and the City's values and Code of Conduct.
ensures recruitment materials include information on values and conduct expectations	☒	☐	☐	Each position description includes the expected corporate responsibilities and values. A copy of the City of Stirling Code of Conduct is provided to all new appointed employees. There is a strong focus on both technical and behavioural competency assessment during the interview process to ensure values alignment
conducts integrity checking, including qualification and employment history checks, as a normal part of selection and recruitment practices, particularly for positions of trust (e.g. integrity officers, finance and procurement staff)	☒	☐	☐	The City's Recruitment processes include pre-employment screening with appointments conditional on an accredited National Criminal History Check being undertaken in accordance with the City of Stirling Criminal Records Screening Procedure. All due diligence is assessed and completed prior to the commencement of employment with the City. All Human Resource Management Practices and

City of Stirling Integrity Strategy 

	In place	In progress	Not in place	Proposed actions and comments
				procedures outline the importance of all conditions of employment to be upheld by the employee, including but not limited to those individuals already employed.
				The employee Annual Performance Review forms part of the process for management to consider initiatives and reinforce the City's values and conduct expectations.
				Specific behaviours relating to Integrity are required to be addressed in each Performance Review.
uses staff performance processes to discuss and reinforce its values and conduct expectations	☒	☐	☐	There is an expectation of employees being technically competent to perform at a required level in their substantive role, whilst demonstrating and living City values. The emphasis of the City annual performance management process is on having ongoing conversations and providing regular feedback. All City Managers have access to support, such as Human Resources and leadership



	In place	In progress	Not in place	Proposed actions and comments
				coaching, where identified and required.
measures staff confidence and attitudes about its integrity, including confidence in speaking up about misconduct and integrity matters (e.g. through staff perception surveys) and identifies steps to address any findings	☐	☒	☐	As part of the City's ongoing commitment to improving the workplace culture, employees are encouraged to participate in the Culture audit and bi-annual Employee Engagement Pulse Survey which includes assessing the City's values. The Culture audit is extensive and provides insights to employee confidence and also identifies areas for focus to address gaps.
has staff formally acknowledge that they have read its code of conduct at appointment/induction	☒	☐	☐	The City of Stirling Code of Conduct is a mandatory eLearning module for all employees to complete annually.
encourages staff to report misconduct (e.g. in policies, codes of conduct, staff communication)	☒	☐	☐	Employees are at all times to act honestly and with integrity and to safeguard public resources for which they are responsible. The City will not tolerate any act of misconduct and any case will be thoroughly investigated. Reporting



	In place	In progress	Not in place	Proposed actions and comments
				alleged misconduct on the "Hotline" or in person will be kept strictly confidential.
				The City's International Anti-Corruption Day activities, Team Brief and Corporate orientation encourage misconduct reporting.
makes information available about public interest disclosure processes and other reporting mechanisms to staff and stakeholders	☒	☐	☐	The Public Interest Disclosure Management Practice and Procedures and the Guide to Managing Misconduct are available on the City's intranet site.
has reporting policies or codes in place that includes a statement that reprisal action is not tolerated against those who speak up about misconduct and integrity matters	☒	☐	☐	Public Interest Disclosure Management Practice states that protection is provided for any person that makes a disclosure.

02 Be accountable for integrity

Prevention, detection and response to integrity matters are everyone's personal and professional responsibilities.

	In place	In progress	Not in place	Proposed actions and comments
Assess if your authority:				
has a clear and documented process to assess potential misconduct that guides decision making about when to notify the Public Sector Commission and Corruption and Crime Commission of minor misconduct and serious misconduct (respectively), using their online reporting tools	☒	☐	☐	Investigations of alleged misconduct are undertaken in accordance with Investigations Management Practice.
articulates the roles and responsibilities of the leadership team in overseeing integrity	☒	☐	☐	The roles and responsibilities are determined in the <i>Local Government Act 1995</i> and the City of Stirling Integrity Strategy.
has a documented and active process to review and learn from internal and external reports, including focusing on individual conduct as well as system, cultural and capability weaknesses that may have provided the opportunity for misconduct to occur	☒	☐	☐	Reports and recommendations on any gaps in processes are referred to the Executive Team for action. The City actively learns from the Corruption and Crime Commission, Public Sector Commission, Auditor-General and Department of Local Government reports on activities in other agencies.
monitors, reviews and addresses its approach to changing and emerging risks (e.g. due to restructure, introduction of	☒	☐	☐	The City of Stirling Information Security Framework provides the



	In place	In progress	Not in place	Proposed actions and comments
technology and legislative change) and ensures: - a new integrity risk assessment is completed - its risk register is updated - internal policies, processes and systems are updated to reflect the new operating context				guidelines to protect confidentiality and integrity of information systems. Regular review of the City of Stirling Corporate Risk Register assists with mitigating the level of risk or gaps in systems and processes. This review process will continue to evolve as the City reviews its Risk Management Framework.
collected data is analysed and reported to the leadership team (e.g. reports of integrity breaches, complaints, grievances, staff survey results, training records, conflicts of interest, gifts and benefits register)	☐	☒	☐	The City collects data some of which is reported to the leadership team, for example staff survey results. ACTION: To consider developing a reporting process for integrity issues following completion of the operational risk register review.
has integrity as a standing agenda item for its leadership team to provide a forum to interrogate data, and identify and	☒	☐	☐	Recommendations and business improvement opportunities from



	In place	In progress	Not in place	Proposed actions and comments
respond to emerging trends (e.g. data about breaches of Code of Conduct or policy, allegations of misconduct, complaints received, and recommendations from self-assessments and audits)				self-assessments and audits performed are reported to the Executive Team, relevant Business Unit Managers and Corporate Risk Management Group for action. ACTION: To consider integrity as a standing agenda item following development of a reporting process.

03 Learn and develop integrity knowledge and skills

Individual and authority integrity knowledge, skills and competence are grown.

	In place	In progress	Not in place	Proposed actions and comments
Assess if your authority:				
ensures integrity training programs are up to date (e.g. reflects its code, legislative and policy requirements)	☒	☐	☐	The Code of Conduct e-Learning module is conducted annually for all employees. In addition, employees are provided with the opportunity to attend external seminars, conferences, Good Governance Forums and forums to upskill and improve knowledge.
maintains records of staff who attend induction and integrity training	☒	☐	☐	"My Development" tool maintains a record of employees that have completed the online part of the induction. It is anticipated that all component of orientation will be captured in "My Development" towards the end of 2020.
follows up with staff where necessary to ensure learnings from integrity training are embedded	☐	☒	☐	Overview of the training session is provided to the supervisor and/or Business Unit Manager by the employee and where possible, embedded into the Business Unit's processes.



	In place	In progress	Not in place	Proposed actions and comments
has a process for communicating with staff about integrity matters including updating them about changes to policies, processes and systems (e.g. through newsletters, emails, meetings)	☒	☐	☐	New, amended or revoked policies, management practices or procedures are communicated to employees via the City's intranet site and Business Unit team meetings. Integrity issues are also communicated through Good Governance Forums, Team Brief, intranet site, Leadership Meetings and International Anti-Corruption Day promotions.
has a formal induction process in place for all new staff and contractors that includes a clear focus on integrity	☒	☐	☐	The City's Code of Conduct is included in each new starter welcome pack. All employees, regardless of position or employment status, participate in an employee orientation programme during their first three months of employment. Managers are responsible for completing the Business Unit Orientation Checklist (including eLearning components) during the employee's probation period. Completion is monitored by Human



	In place	In progress	Not in place	Proposed actions and comments
				Resources. Agency temporary employees, regardless of position or employment status also participate in an employee orientation programme.
				The City of Stirling Statement of Business Ethics is provided to all contractors through the City's Tender and Quotation document.
delivers Accountable and Ethical Decision Making (AEDM) training (or equivalent) and refresher training to staff that:				
• is aligned to its Code of Conduct	☒	☐	☐	All employees are required to complete the Code of Conduct refresher training annually. ACTION: The content and structure of the refresher training will be considered following the review of the Codes of Conduct.
• is customised to its context and business, and covers its specific integrity risks	☒	☐	☐	
• is up to date and reflects changes to systems and processes	☒	☐	☐	
• includes information on its integrity framework, policies, processes and systems	☒	☐	☐	
• includes information on how to recognise, respond to and report misconduct	☒	☐	☐	
• records attendance and completion rates which can be provided to the Commission and other integrity bodies as required	☒	☐	☐	

	In place	In progress	Not in place	Proposed actions and comments
provides specific integrity training to staff working in high risk roles (e.g. finance, procurement, integrity) in relation to fraud and corruption, accountability requirements and reporting suspected misconduct	☐	☒	☐	Employees with delegated authority to approve purchase orders must complete the Procurement e-Learning course which includes reference to fraud and misconduct covered in the mandatory annual Code of Conduct training. ACTION: Identify position/service areas that are at risk and provide additional training. The provision of training for high risk roles will be considered following the review of the Codes of Conduct.
evaluates staff awareness of its integrity requirements (e.g. through staff perception surveys) and acts on any knowledge deficits	☐	☐	☒	The employee engagement or audit culture survey does not evaluate staff awareness on integrity requirements. ACTION: Consider the incorporating staff awareness of integrity requirements into existing survey (i.e. on boarding survey).

City of Stirling Integrity Strategy 

	In place	In progress	Not in place	Proposed actions and comments
encourages, supports and provides a mechanism for staff to seek advice on integrity matters when they are unsure	☒	☐	☐	Employees are encouraged to consult with their Business Unit Managers, supervisor, Governance or Human Resources if they are unsure about integrity matters.
makes staff aware of the process of identifying integrity risks and contributing to the risk register	☐	☐	☒	ACTION: Comprehensive review of the City's Operational Risk Register to include integrity risk will be conducted in 2020 along with the City of Stirling Integrity Strategy. This action will be undertaken as part of the City of Stirling Operational Risk Register review.
ensures staff who respond to and investigate integrity matters are suitably skilled (e.g. have Certificate IV in Government Investigations or higher qualification and/or relevant experience)	☒	☐	☐	Investigation of alleged or suspected misconduct is conducted by following the relevant Management Practice and Procedure with support and guidance from Human Resources, Governance, independent investigators and Internal Auditor. All of these staff have relevant qualifications or experience.



	In place	In progress	Not in place	Proposed actions and comments
exercises due diligence when engaging contractors to deal with integrity matters to ensure they have the necessary qualifications, skills and/or experience (e.g. through reference and qualification checks)	☒	☐	☐	Probity check is undertaken as part of the appointment criteria.
seeks opportunities for further learning about integrity matters by identifying key staff to attend events and forums provided by the Commission and other bodies	☒	☐	☐	Employees are encouraged to attend or broaden their knowledge at integrity training sessions and relevant conferences. Recent examples include: • 2019 APSACC Conference • 2019 Risk Management in Government Congress • 2019 CCC Law Week Seminar
establishes networks with other integrity practitioners	☒	☐	☐	City strongly supports advocacy with the public sector including Public Sector Commission, Department of Local Government and Professional Associations.

04 Plan and act to continually improve integrity

Effective governance systems and frameworks are established.

	In place	In progress	Not in place	Proposed actions and comments
Assess if your authority:				
has developed and implemented a Code of Conduct that sets out its standards of conduct and integrity, and incorporates code requirements into policies and procedures to reinforce conduct expectations	☒	☐	☐	The City of Stirling Code of Conduct has been adopted to be observed by elected members, employees and the City's consultants and contractors.
<i>For public sector agencies, the Code of Conduct should reflect Commissioner's Instruction No. 7: Code of Ethics, and comply with Commissioner's Instruction No.8: Codes of Conduct and Integrity Training.</i>				ACTION: The City will review its Code of Conduct.
has identified its integrity risks considering its work and operating context, and records those risks (e.g. in a risk register, fraud and corruption control plan)	☐	☒	☐	The City has identified misconduct risk as one of its 18 Strategic Risks. This risk has been assessed and a risk appetite set along with Key Risk Indicators.
				ACTION: Comprehensive review of the City's Operational Risk Register to include integrity risk will be conducted in 2020 along with the City of Stirling Integrity Strategy.

	In place	In progress	Not in place	Proposed actions and comments
enacts controls to address identified risks	☐	☒	☐	Controls in place have been identified at the strategic level for the City's strategic risk relating to misconduct. ACTION: Following completion of the operational risk review identified above, further controls identified will be documented.
identifies and links policies that relate to risks to ensure they have consistent principles and objectives, and are clear and easy to follow (e.g. fraud and corruption, use of public resources, record keeping and use of information, conflicts of interest, gifts and benefits)	☒	☐	☐	The following documents have been used in the development of an effective governance framework: • Code of Conduct • Conflict of Interests • Gifts, Benefits and Hospitality Policy • City of Stirling Integrity Strategy • Misconduct Investigations Management Practice • Misconduct Brochure • Procurement Policy • Purchasing and Tender Management Practice

	In place	In progress	Not in place	Proposed actions and comments
				- Public Interest Disclosure Management Practice - Information Security Management Practice and Framework - Risk Management Policy and Framework
has an organisation structure that provides clear lines of accountability and responsibility for integrity and misconduct functions (including the role of leaders and managers)	☒	☐	☐	The City is committed to a culture of integrity characterised by ethical behaviour and decision making. The role and responsibilities of the Elected Members, and employees are clearly set out in the <i>Local Government Act 1995</i>, <i>City of Stirling Code of Conduct</i> and the <i>City of Stirling Integrity Strategy</i>.
has documented delegation schedules in place that align to organisation structure and legislative obligations	☒	☐	☐	Delegation of authority entrust certain types of decisions, functions and duties to the Chief Executive Officer, employees or committees to be discharged.

	In place	In progress	Not in place	Proposed actions and comments
reviews delegation schedules regularly to ensure they remain current and operate with appropriate levels of authority	☒	☐	☐	A review of delegation of authority is required to be reviewed annually.
has a position, team or committee with documented responsibility to consider findings and recommendations from integrity audits, assessments, reviews and investigations	☒	☐	☐	The Audit Committee oversees and makes recommendations to Council on internal and external audit matters, corporate governance and risk management.
assigns accountability and responsibility for monitoring and overseeing risks and controls (e.g. in authority's structure, job descriptions)	☒	☐	☐	The Risk Management Framework provides the mechanism for each Business Unit to monitor and ensure controls are in place to mitigate the risks. The Corporate Risk Management Group oversees risk management and provides guidance to the Executive Team on risk management matters. Reporting on risk through to the Audit Committee occurs quarterly.
has an internal audit committee with an independent chair	☒	☐	☐	The Audit Committee meets quarterly. The Audit Committee has an independent member. The Audit Committee determined that a

	In place	In progress	Not in place	Proposed actions and comments
				Councillor is the presiding member.
uses tools and templates provided by the Commission or other sources to support its approach to managing integrity risks	☒	☐	☐	The elements set out in the City's Integrity Strategy are closely aligned with the Public Sector Commission's Integrity Strategy for Public Authorities 2020-2023.
has a process to review regularly its integrity risk profile to ensure it is responsive to emerging risks and recommendations made by integrity bodies (e.g. policy and practice review, process improvements)	☒	☐	☐	A comprehensive review is conducted of all integrity risks annually or earlier if circumstances arise.
evaluates and refines any processes, systems and controls that are in place or may be introduced to inform its detection and prevention of irregularities and corrupt practice (e.g. detection software, data analytics)	☒	☐	☐	The internal audit plan is risk based including coverage of fraud and misconduct. In addition, the Internal Auditor conducts a financial management review and a risk, compliance and controls review every three years in accordance with legislative requirements.
conducts regular assessments of business areas and functions that are, or may be, vulnerable to integrity risks (e.g. procurement and contracting; use of and access to confidential information; recruitment)	☒	☐	☐	Compliance audits of statutory and operations are conducted by the Internal Auditor in accordance with the City's Strategic Audit Plan.



	In place	In progress	Not in place	Proposed actions and comments
connects and collaborates with other authorities to seek or share expertise and advice on integrity matters (e.g. conducting investigations, policy development and process improvements)	☒	☐	☐	The City maintains strong links and regular communication with the Public Sector Commission, Corruption and Crime Commission, Auditor-General and Department of Local Government. The City is an active participant in the WA Local Government Authority and LG Professionals WA which foster collaboration at both officer and elected member levels.



Appendix 3

City of Stirling Integrity Action Plan



01 Model and embody a culture of integrity

A culture of integrity exists, and is reinforced and communicated by leaders.

#	Action Plan	Due Date	Responsibility
1.	The City will consider introducing a Key Performance Indicator and clearer defined behaviour example against the most relevant value.	January 2021	Manager Human Resources
2.	Consider incorporating staff awareness of integrity requirements into existing survey (i.e. on boarding survey).	January 2021	Manager Human Resources

02 Be accountable for integrity

Prevention, detection and response to integrity matters are everyone's personal and professional responsibilities.

#	Action Plan	Due Date	Responsibility
1.	To consider developing a reporting process for integrity issues following completion of the operational risk register review.	March 2021	Manager Governance
2.	To consider integrity as a standing agenda item following development of a reporting process.	May 2021	All Business Unit Managers



03 Learn and develop integrity knowledge and skills

Individual and authority integrity knowledge, skills and competence are grown.

#	Action Plan	Due Date	Responsibility
1.	The content and structure of the refresher training will be considered following the review of the Codes of Conduct.	December 2020	Manager Human Resources
2.	Identify positions/service areas that are at risk and provide additional training. The provision of training for high risk roles will be considered following the review of the Codes of Conduct.	March 2021	All Business Unit Managers Manager Governance/ Manager Human Resources

04 Plan and act to continually improve integrity

Effective governance systems and frameworks are established

#	Action Plan	Due Date	Responsibility
1.	The City will review its Code of Conduct.	June 2020	Manager Human Resources Manager Governance
2.	Comprehensive review of the City's Operational Risk Register to include integrity risk will be conducted in 2020 along with the City of Stirling Integrity Strategy.	November 2020	Manager Governance
3.	Following completion of the operational risk review identified above, further controls identified will be documented.	November 2020	All Business Unit Managers

Council Resolution**0220/050****Moved Councillor Lagan, seconded Councillor Hatton**

That the balance of the Audit Committee recommendations be ADOPTED by exception resolution in accordance with Clause 4.7 of the City of Stirling Meeting Procedures Local Law 2009.

The motion was put and declared CARRIED (12/1).

For: Councillors Boothman, Caddy, Farrelly, Hatton, Lagan, Perkov, Proud, Sandri, Sargent, Spagnolo, Thornton and Mayor Irwin.

Against: Councillor Re.

12.2/A1 CREDIT CARD USAGE**Report Information**

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Manager Finance
Business Unit: Finance Services
Ward: Not Applicable
Suburb: Not Applicable

Authority/Discretion**Definition**

- ☐ Advocacy *when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- ☐ Executive *the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- ☐ Legislative *includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.*
- ☐ Quasi-Judicial *when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*
- ☒ Information Purposes *includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').*

Council Resolution**0220/051****Moved Councillor Lagan, seconded Councillor Hatton****That Council NOTES the usage of the City's corporate credit cards by officers from 28 June 2019 to 29 December 2019.****The motion was put and declared CARRIED (12/1) by exception resolution.****For:** Councillors Boothman, Caddy, Farrelly, Hatton, Lagan, Perkov, Proud, Sandri, Sargent, Spagnolo, Thornton and Mayor Irwin.**Against:** Councillor Re.

Committee Recommendation

That Council NOTES the usage of the City's corporate credit cards by officers from 28 June 2019 to 29 December 2019.

Officer's Recommendation

That Council NOTES the usage of the City's corporate credit cards by officers from 28 June 2019 to 29 December 2019.

Report Purpose

To provide Council with the usage of the City's corporate credit cards which is to be reported to the Audit Committee bi-annually in arrears.

Relevant Documents

Attachments

Attachment 1 - Corporate Credit Cards Usage 28 June 2019 to 29 December 2019

Available for viewing at meeting

Nil

Background

At its meeting held 17 November 2015, Council resolved in part (Council Resolution Number 1115/045) as follows:-

- "3. That the usage of the City's Corporate Credit Cards by Officers to be reported to the Audit Committee bi-annually, with the first reporting period commencing 1 January 2016."*

Comment

The attachment provides detail of the corporate credit card usage from 28 June 2019 to 29 December 2019 for all officers. The dates reported are in line with the credit card statements acquitted for the period.

Consultation/Communication Implications

Nil.

Policy and Legislative Implications

Nil.

Financial Implications

All expenses charged to the corporate credit cards were included in the 2019/2020 Annual Budget adopted by Council at its meeting held 2 July 2019.

Strategic Implications

Governance: Making it happen

Outcome G1: Good governance

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:-

ENVIRONMENTAL	
Issue	Comment
Nil.	

SOCIAL	
Issue	Comment
Nil.	

ECONOMIC	
Issue	Comment
Nil.	

Conclusion

Council requested that the usage of the City's corporate credit cards by officers be reported to the Audit Committee bi-annually in arrears. This report covers the period from 28 June 2019 to 29 December 2019.

12.2/IA1 INTERNAL AUDITOR'S REPORT**Report Information**

Location:	Not applicable
Applicant:	Not applicable
Reporting Officer:	Internal Auditor
Business Unit:	Executive Services
Ward:	Not applicable
Suburb:	Not applicable

Authority/Discretion**Definition**

☐	Advocacy	<i>when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
☐	Executive	<i>the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
☐	Legislative	<i>includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.</i>
☐	Quasi-Judicial	<i>when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
☒	Information Purposes	<i>includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').</i>

Council Resolution

0220/052

Moved Councillor Lagan, seconded Councillor Hatton

1. That Council RECEIVES the Internal Audit Report and ENDORSES the update.
2. That Council NOTES the current status of the Management Action Plans for past audits and reviews.
3. That Management Action Plan tasks currently under review REMAINS on this report until complete.
4. That Council NOTES the current status of the Internal Audit Plan.

The motion was put and declared **CARRIED (12/1)** by exception resolution.

For: Councillors Boothman, Caddy, Farrelly, Hatton, Lagan, Perkov, Proud, Sandri, Sargent, Spagnolo, Thornton and Mayor Irwin.

Against: Councillor Re.

Committee Recommendation

1. That Council RECEIVES the Internal Audit Report and ENDORSES the update.
2. That Council NOTES the current status of the Management Action Plans for past audits and reviews.
3. That Management Action Plan tasks currently under review REMAINS on this report until complete.
4. That Council NOTES the current status of the Internal Audit Plan.

Officer's Recommendation

1. That Council RECEIVES the Internal Audit Report and ENDORSES the update.
2. That Council NOTES the current status of the Management Action Plans for past audits and reviews.
3. That Management Action Plan tasks currently under review REMAINS on this report until complete.
4. That Council NOTES the current status of the Internal Audit Plan.

Report Purpose

To provide Council with updates on a range of internal audit activity.

Relevant Documents

Attachments

Attachment 1 - Internal Audit Activity Report

Attachment 2 - Management Action Plans

Available for viewing at meeting

Nil

Background

Under its Terms of Reference, the Audit Committee assists Council in overseeing the City's internal audit program.

Comment

The Internal Audit Activity Report table (refer to Attachment 1) summarises the current status of the internal audit program.

Consultation and Other Activity

Regular meetings are held with the Senior Coordinator Corporate Compliance and the Risk Management and Information Officer. This helps ensure coordination between the audit, compliance and risk management functions.

In addition, the Internal Auditor has reviewed and sample tested the Compliance Audit Return and the Compliance Self-Assessment.

The Internal Auditor has also been involved in the reporting of the Building Services Levy performed by William Buck Chartered Accountants on behalf of the Department of Mines, Industry Regulation and Safety (Building and Energy).

Tender Conflict Checks

The Internal Auditor has reviewed the results of seven tender conflict checks (numbers 458 - 472) since the Audit Committee meeting held 25 November 2019. There were no issues arising from these checks.

Annual Internal Audit Plan

The Internal Audit Activity Report (refer to Attachment 1) summarises the current status of the 2018/2019 and 2019/2020 Internal Audit Plans as at 5 February 2020. One internal audit review has been completed since the Audit Committee meeting held 25 November 2019.

Misconduct, Corruption and Fraud Hotline

Since the Audit Committee meeting held 25 November 2019, one call has been received through the Misconduct and Fraud Hotline. The Business Unit had already been notified of this, and it has since been resolved in conjunction with Governance.

Management Action Plan Updates

At the time of reporting to the November 2019 Audit Committee, there were 22 action plans which were open. Since then, 12 actions have been closed and nine new action plans have been added. As at 5 February 2020 there are 19 action plans which are open. Of these, five are not yet due and 14 are overdue, compared to 15 overdue in November 2019.

Audit Name	Original Actions	Previously closed	Closed This Quarter	Open	Overdue	Not Yet Due
Environmental Health & Pools	18	16	0	2	2	0
Fleet Services	6	5	0	1	1	0
Procurement & Contract Mgmt	4	3	0	1	1	0
Project Management	3	1	0	2	2	0
Events	11	9	0	2	2	0
Waste Management	3	1	0	2	2	0
Risk, Control & Compliance	5	1	3	1	0	1
Parking Services	2	1	1	0	0	0
Asbestos & Pesticides	10	3	3	4	3	1
OAG Annual Report 18/19	3	0	3	0	0	0
Customer Service	5	0	2	3	1	2
Engineering Services	1	0	0	1	0	1
Total	71	40	12	19	14	5

The overdue action plans are summarised below along with an update status (for more detail refer to Attachment 2).

Audit Name & Date of Review	Area	Rating
Environmental Health & Pools – August 2017	Review of the verge and tree bond processes	Medium
Environmental Health & Pools – August 2017	E-lodgement and work-flowing of inspections processes	Medium
Fleet Services – October 2017	Review of Fleet Policy and Management Practice	Medium
Procurement & Contract Management – October 2017	Contract Management training	Medium
Project Management – February 2018	Establish Project Management Office and update internal guidance	Medium
Project Management – February 2018	Provide training	Medium
Events – February 2018	Process and system review for events planning	High

Audit Name & Date of Review	Area	Rating
Events – February 2018	Document storage on planning system	High
Waste Management – July 2018	Update of waste management plan	Medium
Waste Management – July 2018	Development of contract management plans for major contracts	Medium
Asbestos & Pesticide – October 2018	Drainage pipe risk assessment	Medium
Asbestos & Pesticide – October 2018	Develop Engineering Services Asbestos Management Plan	Medium
Asbestos & Pesticide – October 2018	Asbestos and pesticide training – Facilities, Projects & Assets and Engineering Services	Medium
Customer Service Review – November 2019	Update to Employee Guide to Customer Service	Medium

Policy and Legislative Implications

Nil.

Financial Implications

Nil.

Strategic Implications

Governance: Making it happen

Outcome G1: Good governance

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:-

ENVIRONMENTAL	
Issue	Comment
Nil.	

SOCIAL	
Issue	Comment
Nil.	

ECONOMIC	
Issue	Comment
Nil.	

Conclusion

The Internal Audit Activity Report updates Council on the City's internal audit program.

**12.2/IA2 OCCUPATIONAL SAFETY AND HEALTH LGIS FOLLOW-UP
INTERNAL AUDIT REPORT****Report Information**

Location:	Not Applicable
Applicant:	Not Applicable
Reporting Officer:	Internal Auditor
Business Unit:	Executive Services
Ward:	Not Applicable
Suburb:	Not Applicable

Authority/Discretion**Definition**

☐	Advocacy	<i>when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
☐	Executive	<i>the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
☐	Legislative	<i>includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.</i>
☐	Quasi-Judicial	<i>when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
☒	Information Purposes	<i>includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').</i>

Council Resolution**0220/053****Moved Councillor Lagan, seconded Councillor Hatton**

- 1. That Council RECEIVES the Occupational Safety and Health LGIS Follow-up Internal Audit Report.**
- 2. That the 'medium' rated observation BE LISTED on the Management Action Plan for Audit Committee review until completed.**

The motion was put and declared CARRIED (12/1) by exception resolution.**For:** Councillors Boothman, Caddy, Farrelly, Hatton, Lagan, Perkov, Proud, Sandri, Sargent, Spagnolo, Thornton and Mayor Irwin.**Against:** Councillor Re.

Committee Recommendation

1. That Council RECEIVES the Occupational Safety and Health LGIS Follow-up Internal Audit Report.
2. That the 'medium' rated observation BE LISTED on the Management Action Plan for Audit Committee review until completed.

Officer's Recommendation

1. That Council RECEIVES the Occupational Safety and Health LGIS Follow-up Internal Audit Report.
2. That the 'medium' rated observation BE LISTED on the Management Action Plan for Audit Committee review until completed.

Report Purpose

To inform Council on the outcome of the Occupational Safety and Health LGIS Follow-up Internal Audit Review.

Relevant Documents

Attachments

Attachment 1 - Occupational Safety and Health LGIS Follow-up Report

Available for viewing at meeting

Nil

Background

The Occupational Safety and Health LGIS Follow-up Internal Audit Review was approved as part of the 2018/2019 Annual Internal Audit Plan by the Audit Committee, and subsequently by Council at its meeting held 22 May 2018 (Council Resolution Number 0518/038).

The review was performed by the Internal Auditor. It was conducted in accordance with the Institute of Internal Auditors' International Standards for Professional Practice Internal Auditing.

Comment

The objective for the review was to assess the status of implementation of the findings raised within the LGIS March 2018 report.

One 'medium' risk rated finding was identified and is documented in the Internal Audit Report (refer to Attachment 1).

Consultation/Communication Implications

Nil.

Policy and Legislative Implications

Nil.

Financial Implications

Nil.

Strategic Implications

Governance: Making it happen

Outcome G1: Good governance

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:-

ENVIRONMENTAL

Issue	Comment
Nil.	

SOCIAL

Issue	Comment
Nil.	

ECONOMIC

Issue	Comment
Nil.	

Conclusion

The Occupational Safety and Health LGIS Follow-up Internal Audit Review has been completed in accordance with the Strategic Audit Plan. One 'medium' rated finding was identified and is documented in the Internal Audit Report (refer to Attachment 1).

12.2/CG3 CITY OF STIRLING STRATEGIC RISKS REPORT**Report Information**

Location:	Not Applicable
Applicant:	Not Applicable
Reporting Officer:	Manager Governance
Business Unit:	Governance
Ward:	Not Applicable
Suburb:	Not Applicable

Authority/Discretion**Definition**

☐	Advocacy	<i>when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
☒	Executive	<i>the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
☐	Legislative	<i>includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.</i>
☐	Quasi-Judicial	<i>when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
☐	Information Purposes	<i>includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').</i>

Council Resolution**0220/054****Moved Councillor Lagan, seconded Councillor Hatton**

- 1. That Council RECEIVES the City of Stirling Strategic Risks Details and Strategic Risks Key Risk Indicators Report.**
- 2. That the Strategic Risks Details Report be PRESENTED to the Audit Committee quarterly.**
- 3. That the Strategic Risks Key Risk Indicators Report be PRESENTED to the Audit Committee in August each year.**
- 4. That on an annual basis the Business Continuity Plan and the Emergency Management Plan be PRESENTED to the Audit Committee.**

The motion was put and declared CARRIED (12/1) by exception resolution.**For:** Councillors Boothman, Caddy, Farrelly, Hatton, Lagan, Perkov, Proud, Sandri, Sargent, Spagnolo, Thornton and Mayor Irwin.**Against:** Councillor Re.**Committee Recommendation**

1. That Council RECEIVES the City of Stirling Strategic Risks Details and Strategic Risks Key Risk Indicators Report.
2. That the Strategic Risks Details Report be PRESENTED to the Audit Committee quarterly.
3. That the Strategic Risks Key Risk Indicators Report be PRESENTED to the Audit Committee in August each year.
4. That on an annual basis the Business Continuity Plan and the Emergency Management Plan be PRESENTED to the Audit Committee.

Officer's Recommendation

1. That Council RECEIVES the City of Stirling Strategic Risks Details and Strategic Risks Key Risk Indicators Report.
2. That the Strategic Risks Details Report be PRESENTED to the Audit Committee quarterly.
3. That the Strategic Risks Key Risk Indicators Report be PRESENTED to the Audit Committee in August each year.

Report Purpose

To accept and implement the recommendations on the risk reporting process to the Audit Committee.

Relevant Documents

Attachments

Attachment 1 - City of Stirling Strategic Risks Details Report [↓](#)

Attachment 2 - City of Stirling Strategic Risks Key Risk Indicators Report [↓](#)

Available for viewing at meeting

Nil

Background

At its meeting held 10 September 2019, Council resolved in part (Council Resolution Number 0919/009) as follows:-

- “2. That the City further DEVELOPS the Strategic Risk Register to include risk ratings, controls and future treatments.*
- 4. That the City DEVELOPS a risk reporting process to the Audit Committee and Council.”*

The review of the City's Strategic Risk Register and risk reporting are actions arising from the Risk Management Action Plan (Risk Plan). The Risk Plan was developed to improve risk management at the City and to determine future actions to address the business improvement opportunities. The Risk Plan is a planned approach over three years, comprising of four phases:-

- Phase 1: Review of the City's Strategic Risk Register and Risk Appetite;
- Phase 2: Implementation of recommendations from Phase 1, risk reporting to the Audit Committee and Council, and review of the City's Risk Management Framework, Management Practice and risk training;
- Phase 3: Review of the City's Operational Risk Register; and
- Phase 4: Reporting and review of Strategic Risks, Key Performance Indicators and data in line with the strategic planning process.

The Strategic Risks Details Report (SRD Report) details the City's 18 strategic risks and includes risk ratings, controls and future treatments in line with the City's risk appetite.

The City of Stirling Strategic Risks Key Risk Indicators Report (KRI Report) outlines the indicators identified against each key risk and the assigned accountability in the provision of the data. The KRI Report monitors and tracks the City's strategic risks against the determined risk appetite and tolerance with the monitoring process involving a continuous gathering of metrics relating to each key risk indicator.

Comment

Acceptance of the SRD Report and KRI Report is the first step in the Risk Plan. Adoption of the risk reporting process to the Audit Committee then drives the next step of the Risk Plan.

Following these steps, the Audit Committee will receive the SRD Report quarterly with the next report presented in May 2020, and the KRI Report presented in August 2020 with subsequent reports presented in August each year.

Consultation/Communication Implications

Consultations were held with the Executive Team, Business Unit Managers and Corporate Risk Management Group to review and determine risk ratings, controls and future treatments for the strategic risks.

Policy and Legislative Implications

The review of the Risk Management Practice and Risk Management Framework will be conducted in March 2020.

Financial Implications

Nil.

Strategic Implications

Governance: Making it happen

Outcome G1: Good governance

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:-

ENVIRONMENTAL	
Issue	Comment
Nil.	

SOCIAL	
Issue	Comment
Nil.	

ECONOMIC	
Issue	Comment
Nil.	

Conclusion

The SRD Report outlines the City's strategic risks that have the highest potential to prevent the achievement of the City's strategic objectives and the KRI Report measures the performance of the City against the determined risk appetite. It is crucial the results of the report align business processes and behaviour. Importantly, risks must be carefully monitored and controlled to support the City's vision and objectives. The register will be continually broadened and enhanced to ensure related processes are operating effectively and reporting provided to the Audit Committee.

Details of Risks

Risk ID: 624					
Business Function:		City of Stirling			
Business Objective:		Governance: Making It Happen - Customer Focused Organisation			
Category Impacted:		Performance (objectives not achieved), Reputation, Service Delivery/ Business Disruption			
Risk Owner:		Michael Quirk			
Risk Description:		Adverse social media, media commentary or campaigns impact on stakeholder and community trust in the City's ability to meet its strategic outcomes.			
Consequence:		Risk Appetite: Low/Medium Communications to stakeholders will be undertaken across a number of platforms to build community trust. Significant impacts on stakeholder and community trust in the City must be escalated.			
Risk Rating					
Inherent		Residual		Target	
High		Medium		Medium	
Consequence	Likelihood	Consequence	Likelihood	Consequence	Likelihood
Moderate	Likely	Moderate	Unlikely	Moderate	Unlikely
Assess					
Source/Causal			Existing Control		
Operational Risk - Risk 126: Adverse media/public relations as a result of the introduction or amendment to a Planning Strategy or Policy - Risk 450: Unauthorised media releases and comments being published on behalf of the			- City of Stirling Stakeholder Engagement Policy - Customer Service Strategy - Relationship Management System (RMS) - City of Stirling Customer and Communications Team		

City. • Risk 451: Information within City media releases and comments being inaccurate, inappropriate/offensive, out of date or non-compliant with policy, procedures, management practice and legislation.	
Risk Treatment Plan	
Treatment Option:	7. Accept the Risk
Reason for Accepting:	Appropriate measures in place. Risk rating is within the City's risk appetite.

Risk ID: 623					
Business Function:		City of Stirling			
Business Objective:		Social: Thriving Local Communities - Inclusive and Harmonious City			
Category Impacted:		Performance (objectives not achieved), Service Delivery/ Business Disruption			
Risk Owner:		Michael Quirk			
Risk Description:		The City does not effectively contribute to the maintenance of a cohesive and integrated community			
Consequence:		Risk Appetite: Low/Medium			
		The City must consider diversity and community inclusion as part of its decision making process.			
Risk Rating					
Inherent		Residual		Target	
High		Medium		Medium	
Consequence	Likelihood	Consequence	Likelihood	Consequence	Likelihood
Major	Possible	Major	Unlikely	Major	Unlikely
Assess					
Source/Causal			Existing Control		
• The City's operational risk register will be reviewed and linked to the Strategic Risk.			• City of Stirling Innovate Reconciliation Action Plan (RAP) • Kaleidoscope Initiative • Age-Friendly Communities Plan • Youth Engagement Framework		
Risk Treatment Plan					
Treatment Option:		7. Accept the Risk			
Reason for Accepting:		Appropriate measures in place. Risk rating is within the City's risk appetite.			

Risk ID: 622					
Business Function:		City of Stirling			
Business Objective:		Social: Thriving Local Communities - Inclusive and Harmonious City			
Category Impacted:		Performance (objectives not achieved), Service Delivery/ Business Disruption			
Risk Owner:		Michael Quirk			
Risk Description:		The City's ability to respond to service delivery expectations is limited by a failure to effectively engage all of its diverse community and stakeholders.			
Consequence:		Risk Appetite: Low/Medium			
		The City must engage with its customers and stakeholders on decisions that will impact them. Business Units are empowered to engage as required, in line with the City's Stakeholder Engagement Policy.			
Risk Rating					
Inherent		Residual		Target	
High		Medium		Medium	
Consequence	Likelihood	Consequence	Likelihood	Consequence	Likelihood
Major	Likely	Major	Unlikely	Major	Unlikely
Assess					
Source/Causal			Existing Control		
• The City's operational risk register will be reviewed and linked to the Strategic Risk.			• City of Stirling Stakeholder Engagement Policy • Customer Service Strategy • Relationship Management System		
Risk Treatment Plan					
Treatment Option:		7. Accept the Risk			
Reason for Accepting:		Appropriate measures in place. Risk rating is within the City's risk appetite.			

Risk ID: 621					
Business Function:		City of Stirling			
Business Objective:		Social: Thriving Local Communities - Safer City			
Category Impacted:		Occupational Safety & Health, Performance (objectives not achieved), Service Delivery Business Disruption			
Risk Owner:		Michael Quirk			
Risk Description:		The City does not maintain safe and accessible places, facilities and events for the community.			
Consequence:		Risk Appetite: Medium The City will assess the risks and implement appropriate control measures when providing places, facilities and events for the community. The City will have continuity plans in place for key events, services and facilities.			
Risk Rating					
Inherent		Residual		Target	
High		Medium		Medium	
Consequence	Likelihood	Consequence	Likelihood	Consequence	Likelihood
Major	Likely	Major	Unlikely	Major	Unlikely
Assess					
Source/Causal			Existing Control		
Operational Risk - Risk 12: Managing the health and safety of high risk customers (home and community care, food services(from food borne contaminants). - Risk 42: Inadequate event management - Risk 170: Community impacts associated with fireworks display approved by the City within			- City of Stirling Event Management Framework - City of Stirling Ranger and Security Services - City of Stirling Emergency Management Plans		

the City of Stirling district. Risk 456: Managing the health and safety of employees, suppliers and the community when staging an event • Risk 546: Critical incident (drowning) in one of the Aquatic Centres • Risk 571: Managing the safety and security of clients/customers using City of Stirling services (i.e. women refuge, community and home care, transport services, library).	
Risk Treatment Plan	
Treatment Option:	7. Accept the Risk
Reason for Accepting:	Appropriate measures are in place. Risk rating is within the City's risk appetite.

Risk ID: 620					
Business Function:		City of Stirling			
Business Objective:		Built Environment: Liveable and Accessible City - Built Infrastructure that meets Community Needs			
Category Impacted:		Performance (objectives not achieved), Service Delivery/ Business Disruption			
Risk Owner:		Michael Littleton			
Risk Description:		The City does not efficiently deliver services and programs in a manner consistent with community needs.			
Consequence:		Risk Appetite: Medium The City will meet service quality targets as outlined in the service delivery plan without a decrease in financial efficiency.			
Risk Rating					
Inherent		Residual		Target	
High		Medium		Medium	
Consequence	Likelihood	Consequence	Likelihood	Consequence	Likelihood
Major	Likely	Major	Unlikely	Major	Unlikely
Assess					
Source/Causal			Existing Control		
Operational Risk - Risk 145: User parking demands and ratio of car parking bays allocated are not aligned with facilities provided in high activities area resulting in increased demands on parking and Community Safety services. - Risk 218: Implementation of the Footpath Design Program not delivered to schedule. Risk 202: Unable to complete the Engineering Capital Works Program.			- City of Stirling Stakeholder Engagement Policy - City of Stirling Annual Customer Satisfaction Survey - Customer Service Strategy - Rights of Way Management Strategy - Engineering Capital Works Program - Footpath Design Program		

- Risk 205: Inadequate implementation of traffic management/infrastructure treatment and measures.
- Risk 212: Failure to address deficiencies in the Minor Pedestrian Improvement Program/Footpath Network.
- Risk 243: Footpath design program not delivered as scheduled in accordance with City of Stirling Integrated Cycling Strategy and Bike Route Development Plan.
- Risk 250: Implementation of Rights of Way Management Strategy not undertaken within agreed time frames.

Risk Treatment Plan

Treatment Option: 7. Accept the Risk

Reason for Accepting: Appropriate measures in place. Risk rating is within the City's risk appetite.

Risk ID: 619					
Business Function:		City of Stirling			
Business Objective:		Built Environment: Liveable and Accessible City - Built Infrastructure that meets Community Needs			
Category Impacted:		Performance (objectives not achieved), Reputation, Service Delivery/ Business Disruption			
Risk Owner:		Michael Littleton			
Risk Description:		The City does not plan for and deliver the assets required as a result of urban intensification, demographic change or changing community needs.			
Consequence:		Risk Appetite: Medium The City will provide assets needed for future community needs according to growth targets and forecast demographic change.			
Risk Rating					
Inherent		Residual		Target	
High		Medium		Medium	
Consequence	Likelihood	Consequence	Likelihood	Consequence	Likelihood
Major	Likely	Major	Unlikely	Major	Unlikely
Assess					
Source/Causal			Existing Control		
• The City's operational risk register will be reviewed and linked to the Strategic Risk.			• City of Stirling Asset Management Strategy • City of Stirling Asset Management Framework • City of Stirling Asset Management Plan • Parks and Sustainability Capital Works Program		
Risk Treatment Plan					
Treatment Option:		7. Accept the Risk			
Reason for Accepting:		Appropriate measures in place. Risk rating is within the City's risk appetite.			

Risk ID: 618					
Business Function:		City of Stirling			
Business Objective:		Built Environment: Liveable and Accessible City - Built Infrastructure that meets Community Needs			
Category Impacted:		Performance (objectives not achieved), Reputation, Service Delivery/ Business Disruption			
Risk Owner:		Michael Littleton			
Risk Description:		The City does not procure, maintain and renew assets in a manner that enables the City to achieve its strategic outcomes and meet community needs.			
Consequence:		Risk Appetite: Medium The City will operate fit for purpose assets to provide agreed level of services to the community to optimise the balance between community need and assets' whole life cost.			
Risk Rating					
Inherent		Residual		Target	
High		Medium		Medium	
Consequence	Likelihood	Consequence	Likelihood	Consequence	Likelihood
Moderate	Likely	Moderate	Unlikely	Moderate	Unlikely
Assess					
Source/Causal			Existing Control		
Operational Risk - Risk 74: Inspection, maintenance and audit of playgrounds - AS/NZS 4486 are not adhered to. - Risk 75: Timely replacement of irrigation systems. - Risk 76: Assets are not replaced in accordance with the 25 year rolling replacement program.			- City of Stirling Asset Management Strategy - City of Stirling Asset Management Framework - City of Stirling Asset Management Plan		

• Risk 548: Management and maintenance of recreational and leisure facilities to satisfactory standards. • Risk 549: Failure to maintain equipment to a safe and acceptable standards (equipment failure) leading to the potential of a critical incident.	
Risk Treatment Plan	
Treatment Option:	7. Accept the Risk
Reason for Accepting:	Appropriate measures in place. Risk rating is within the City's risk appetite.

Risk ID: 617					
Business Function:		City of Stirling			
Business Objective:		Natural Environment: Sustainable Natural Environment - Sustainable Natural Resources			
Category Impacted:		Environmental, Performance (objectives not achieved), Reputation			
Risk Owner:		Michael Littleton			
Risk Description:		The City does not effectively plan for or respond to changes in, or impacts on the natural environment.			
Consequence:		Risk Appetite: Low/Medium The City will invest in protection and retention of the current natural environment and respond to changes in the natural environment in accordance with accepted environmental practice in the WA local government sector.			
Risk Rating					
Inherent		Residual		Target	
High		Medium		Low	
Consequence	Likelihood	Consequence	Likelihood	Consequence	Likelihood
Moderate	Likely	Moderate	Possible	Moderate	Rare
Assess					
Source/Causal			Existing Control		
Operational Risk • Risk 80: Damage to areas under rehabilitation. • Risk 81: Natural systems do not meet conservation efforts objectives. • Risk 83: Breach of Environmental legislation, regulations and licenses. • Risk 87: Development and implementation of planting of Tree Plans - sustainable processes,			• Improve waste services provided to increase customer satisfaction - Pilot programme in conjunction with WALGA on increasing awareness and diversion rates from Multi Unit Dwellings • City of Stirling Strategic Community Plan • City of Stirling Corporate Business Plan • City of Stirling Public Open Space Strategy • City of Stirling Urban Forest Strategy		

programs, targets and support not achieved.	• Risk 88: Poor and/or reduced tree canopy within the City. • Risk 466: Deterioration of the Recycling Centre Balcatta. • Risk 566: Management of the Waste Transfer Station (General Waste Disposal Site). • Risk 567: Fleet Management	• City of Stirling Million Trees Program • City of Stirling Sustainability Strategy - Energywise • Integrated Pest Management Framework • City of Stirling Energy Management Plan • Community Energy Efficiency Program • Fleet Emissions Reduction Action Plan • Local Biodiversity Strategy	
Risk Treatment Plan			
Treatment Option:	2. Reduce the Likelihood		
Treatment	Date Due	Responsibility	% Complete
Implementation of Fleet Emissions Reduction Action Plan - to achieve 25% reduction by 2020	01/01/2021	Richard Bryant	0%
Recycling Centre Redevelopment	01/01/2021	Richard Bryant	0%
Tree planting and natural areas	30/06/2020	Ian Hunter	0%

Risk ID: 616					
Business Function:		City of Stirling			
Business Objective:		Built Environment: Liveable and Accessible City - Built Infrastructure that meets Community Needs			
Category Impacted:		Performance (objectives not achieved), Service Delivery/ Business Disruption			
Risk Owner:		Stevan Rodic			
Risk Description:		The City does not effectively plan for or respond to changes to the built environment arising from urban intensification, demographic change or changing community needs.			
Consequence:		Risk Appetite: Medium The City will meet current urban-growth targets in a way that balances with community expectations.			
Risk Rating					
Inherent		Residual		Target	
High		Medium		Medium	
Consequence	Likelihood	Consequence	Likelihood	Consequence	Likelihood
Major	Likely	Major	Rare	Major	Rare
Assess					
Source/Causal			Existing Control		
Operational Risk Risk 552: Failure to adequately research and develop a strategic plan to address potential changes in demographic profiles and social trends in the development of projects.			- Include community consultation and engagement program as part of projects that development planning frameworks. - City of Stirling Local Planning Strategy - Heritage Conservation Program - Better Suburbs Planning Framework - Design Review Panel		

Risk Treatment Plan**Treatment Option:** 7. Accept the risk

Appropriate measures in place. Risk rating is within the City's risk appetite.

Risk ID: 615					
Business Function:		City of Stirling			
Business Objective:		Built Environment: Liveable and Accessible City - Built Infrastructure that meets Community Needs			
Category Impacted:		Performance (objectives not achieved), Service Delivery/ Business Disruption			
Risk Owner:		Michael Littleton			
Risk Description:		The City does not have the capability to effectively manage its asset renewal obligations, community service obligations or commercial undertakings.			
Consequence:		Risk Appetite: Medium The City will maintain sufficient commercial capability to allow it to both pursue innovation and ensure continued delivery of commercial, asset renewal and community service obligations.			
Risk Rating					
Inherent		Residual		Target	
High		Medium		Medium	
Consequence	Likelihood	Consequence	Likelihood	Consequence	Likelihood
Major	Likely	Major	Unlikely	Major	Unlikely
Assess					
Source/Causal			Existing Control		
Operational Risk - Risk 13: Asset (building/library infrastructure) not managed/maintained and replaced in accordance with the Asset Replacement Program. - Risk 76: Assets are not replaced in accordance with the 25 year rolling replacement program.			- City of Stirling Asset Management Strategy - City of Stirling Asset Management Framework - City of Stirling Asset Management Plan		

Risk Treatment Plan	
Treatment Option:	7. Accept the Risk
Reason for Accepting:	Appropriate measures in place. Risk rating is within the City's risk appetite.

Risk ID: 614					
Business Function:		City of Stirling			
Business Objective:		Governance: Making It Happen - Sustainable Organization			
Category Impacted:		Financial, Performance (objectives not achieved), Service Delivery/ Business Disruption			
Risk Owner:		Ingrid Hawkins			
Risk Description:		The City is not financially viable or sustainable into the future as a result of internal, economic or external factors.			
Consequence:		Risk Appetite: Low/Medium The City will deliver its service objectives in a manner that does not significantly impact on future financial sustainability.			
Risk Rating					
Inherent		Residual		Target	
High		Medium		Medium	
Consequence	Likelihood	Consequence	Likelihood	Consequence	Likelihood
Major	Possible	Major	Rare	Major	Rare
Assess					
Source/Causal			Existing Control		
• The City's operational risk register will be reviewed and linked to the Strategic Risk.			• City of Stirling Long Term Financial Plan • Budget Control Group • Financial Controls Framework • City of Stirling Annual Budget • City of Stirling 4 year Annual Integrated Planning Cycle.		

Risk Treatment Plan	
Treatment Option:	7. Accept the Risk
Reason for Accepting:	The City has strong financial controls in place to manage financial risk. Reporting and analysis of financial results is provided to Council, the Executive Team and Business Unit Managers monthly.

Risk ID: 613					
Business Function:		City of Stirling			
Business Objective:		Governance: Making It Happen - Good Governance			
Category Impacted:		Performance (objectives not achieved), Reputation, Service Delivery/ Business Disruption			
Risk Owner:		Stuart Jardine			
Risk Description:		Political pressures influence the City's commitment and ability to meet its strategic outcomes.			
Consequence:		Risk Appetite: Low/Medium The City will prioritise strategic outcomes over political pressure where the impact is important for community and stakeholder relations.			
Risk Rating					
Inherent		Residual		Target	
High		Medium		Medium	
Consequence	Likelihood	Consequence	Likelihood	Consequence	Likelihood
Major	Likely	Major	Unlikely	Major	Unlikely
Assess					
Source/Causal			Existing Control		
• The City's operational risk register will be reviewed and linked to the Strategic Risk.			• Change of direction or implementation of initiatives by decision of Council.		
Risk Treatment Plan					
Treatment Option:		7. Accept the Risk			
Reason for Accepting:		Appropriate measures in place. Risk rating is within the City's risk appetite.			

Risk ID: 612					
Business Function:		City of Stirling			
Business Objective:		Governance: Making It Happen - Good Governance			
Category Impacted:		Legislative/ Regulatory/ Policy, Performance (objectives not achieved), Reputation, Service Delivery/ Business Disruption			
Risk Owner:		Stuart Jardine			
Risk Description:		Policy, funding or legislative changes by State or Federal Governments have an unexpected material impact on the City's operations or objectives.			
Consequence:		Risk Appetite: Low/Medium The City will forecast and manage the impact of State or Federal Government policy, funding or legislative change and lobby for changes that support its strategic outcomes.			
Risk Rating					
Inherent		Residual		Target	
High		Medium		Medium	
Consequence	Likelihood	Consequence	Likelihood	Consequence	Likelihood
Major	Possible	Major	Unlikely	Major	Unlikely
Assess					
Source/Causal			Existing Control		
Operational Risk Risk 128: Establishing and improving communication strategy with the State Government and key stakeholders to ensure project objectives are met and delivered.			Advocate, lobby and partner with stakeholders to benefit the community.		
Risk Treatment Plan					
Treatment Option:		7. Accept the Risk			
Reason for Accepting:		Appropriate measures in place. Risk rating is within the City's risk appetite.			

Risk ID: 611					
Business Function:		City of Stirling			
Business Objective:		Governance: Making It Happen - Good Governance			
Category Impacted:		Legislative/ Regulatory/ Policy, Performance (objectives not achieved)			
Risk Owner:		Stuart Jardine			
Risk Description:		The City's approach to imposing and enforcing regulations does not meet community needs or expectations.			
Consequence:		Risk Appetite: Medium They City will undertake a public interest test prior to changing or reviewing its regulatory approach or commencing enforcement activities.			
Risk Rating					
Inherent		Residual		Target	
High		Medium		Medium	
Consequence	Likelihood	Consequence	Likelihood	Consequence	Likelihood
Moderate	Likely	Moderate	Unlikely	Moderate	Unlikely
Assess					
Source/Causal			Existing Control		
Operational Risk Risk 27: Failure to comply with new/amended/existing legislation/statutory requirements.			• City of Stirling Stakeholder Engagement Policy		
Risk Treatment Plan					
Treatment Option:		7. Accept the Risk			
Reason for Accepting:		Appropriate measures in place. Risk rating is within the City's risk appetite.			

Risk ID: 610					
Business Function:		City of Stirling			
Business Objective:		Governance: Making It Happen - Good Governance			
Category Impacted:		Legislative/ Regulatory/ Policy, Performance (objectives not achieved), Reputation			
Risk Owner:		Stuart Jardine			
Risk Description:		Poor governance practices and conduct result in an inquiry, authorised investigation or adverse findings.			
Consequence:		Risk Appetite: Low/Medium All instances where there is a reasonable suspicion of misconduct must be escalated or reported.			
Risk Rating					
Inherent		Residual		Target	
High		Medium		Low	
Consequence	Likelihood	Consequence	Likelihood	Consequence	Likelihood
Major	Possible	Moderate	Unlikely	Moderate	Rare
Assess					
Source/Causal			Existing Control		
Operational Risk - Risk 39: Failure to manage records in accordance with statutory requirements (Freedom of Information Act 1992, State Records Act 2000). - Risk 505: Failure to ensure the City's Delegation register accurately reflects the power and functions of the delegation authority assigned to delegated employee.			- City of Stirling Governance Framework - City of Stirling Misconduct Control Plan - City of Stirling Code of Conduct - Compliance Audit Return - Risk Management Framework and Policy - Misconduct Control Plan		

Risk Treatment Plan			
Treatment Option:	2. Reduce the Likelihood		
Treatment	Date Due	Responsibility	% Complete
Review of the City's maturity on integrity using the Integrity Snapshot Tool	29/02/2020	Jamie Blanchard	80%
Review of City's Misconduct Control Plan against the Public Sector Commission Integrity Strategy	29/02/2020	Jamie Blanchard	80%
Anti-corruption day activation	09/12/2020	Jamie Blanchard	0%

Risk ID: 609					
Business Function:		City of Stirling			
Business Objective:		Governance: Making It Happen - Good Governance			
Category Impacted:		Legislative/ Regulatory/ Policy, Performance (objectives not achieved), Reputation			
Risk Owner:		Stuart Jardine			
Risk Description:		City's decisions or actions are not lawful, effective, accountable or transparent.			
Consequence:		Risk Appetite: Low The City must make decisions that are lawful and will only act on external advice where there is a risk of unlawful activity.			
Risk Rating					
Inherent		Residual		Target	
High		Medium		Low	
Consequence	Likelihood	Consequence	Likelihood	Consequence	Likelihood
Major	Possible	Major	Unlikely	Moderate	Rare
Assess					
Source/Causal			Existing Control		
The City's operational risk register will be reviewed and linked to the Strategic Risk.			- City of Stirling Code of Conduct - City of Stirling Governance Framework - Panel of legal services provider		
Risk Treatment Plan					
Treatment Option:		6. Reduce Likelihood & Consequence			

Treatment	Date Due	Responsibility	% Complete
Complete Annual Compliance Audit Return	31/03/2020	Jamie Blanchard	80%
Complete Executive and Manager Local Government Act key compliance obligations training	30/09/2020	Jamie Blanchard	0%
Review Delegations Register	30/06/2020	Jamie Blanchard	0%

Risk ID: 608					
Business Function:		City of Stirling			
Business Objective:		Governance: Making It Happen - Sustainable Organisation			
Category Impacted:		Performance (objectives not achieved), Service Delivery/ Business Disruption			
Risk Owner:		Ingrid Hawkins			
Risk Description:		The City does not have the workforce or culture to support the City to achieve its strategic outcomes.			
Consequence:		Risk Appetite: Low/Medium			
		The City will maintain a workforce at local government sector benchmarks for both capability and resourcing.			
		The City will promote a culture of empowerment and accountability.			
Risk Rating					
Inherent		Residual		Target	
High		Medium		Medium	
Consequence	Likelihood	Consequence	Likelihood	Consequence	Likelihood
Moderate	Likely	Moderate	Possible	Moderate	Unlikely
Assess					
Source/Causal			Existing Control		
Operational Risk Risk 35: Failure to attract quality applicants and or retain employee's key knowledge, skills and experience.			- Corporate HR Policies and Management Practices - Reward and Recognition Programmes. - Robust Performance Review System - City of Stirling Workforce Plan 2018-2022 - Culture and Leadership Development Program - Remuneration Strategy		

Risk Treatment Plan			
Treatment Option:	2. Reduce the Likelihood		
Treatment	Date Due	Responsibility	% Complete
Develop an Industrial Relations Strategy	30/06/2020	Natalia Smith	50%

Risk ID: 607					
Business Function:		City of Stirling			
Business Objective:		Governance: Making It Happen - Good Governance			
Category Impacted:		Legislative/ Regulatory/ Policy, Occupational Safety & Health, Reputation			
Risk Owner:		Ingrid Hawkins			
Risk Description:		Injury or death from an unsafe work environment or systems of work.			
Consequence:		Risk Appetite: Low The City does not tolerate uncontrolled risks to injuries or deaths. The City must not operate where there are uncontrolled risks that have not been risk assessed and any required controls implemented. The City must maintain and implements continuity plans for all business units.			
Risk Rating					
Inherent		Residual		Target	
High		Medium		Low	
Consequence	Likelihood	Consequence	Likelihood	Consequence	Likelihood
Catastrophic	Possible	Moderate	Unlikely	Minor	Unlikely
Assess					
Source/Causal			Existing Control		
- City of Stirling OSH Risk Register Operational Risks - Risk 57: Failure to safely managed asbestos containing material (ACM) - Risk 105: Injury or death caused by asset failure. - Risk 157: Managing staff personal safety and security while on the field (staff assault)			- Occupational Safety and Health Policy - City of Stirling Occupational Safety and Health Management Pan - Risk Management Information System (ROSS) - Asbestos Management Practice and Plan		

• Risk 376: Entering and working in confined space (drainage) • Risk 456: Managing the health and safety of employees, suppliers and the community when staging an event	• City of Stirling Business Continuity Framework and Plan • Asset Management Practice		
Risk Treatment Plan			
Treatment Option:	5. Reduce the Consequence		
Treatment	Date Due	Responsibility	% Complete
Continual development of OSH Management System (aligned with AS 4801) including: Development of elements of Safety Management Plan -75% Continuation of SWMS and SOP development across the organisation - utilizing the JSEasy tool Delivery of HIRAC training	31/12/2020	Peter Andree	90%

City of Stirling Strategic Risks Key Risk Indicators

#	Strategic Risks	Key Risk Indicators	Business Unit
1	The City does not efficiently deliver services and programs in a manner consistent with community needs	Service delivery cost by resident (\$)	Strategy and Policy
		Overall Community service satisfaction surveys (%)	Strategy and Policy
2	The City does not maintain safe and accessible places, facilities and events for staff and the community	Total recordable incident frequency rate (% to target)	Human Resources
		Days lost to business continuity events	Governance
3	The City's ability to respond to service delivery expectations is limited by a failure to effectively engage all of its diverse community and stakeholders	Project delays days (#)	Infrastructure Community Development
4	The City does not effectively contribute to the maintenance of a cohesive and integrated community	Evidence of community inputs in investment decisions (#)	Finance Services
5	Adverse social media, media commentary or campaigns impact on stakeholder and community trust in the City's ability to meet its strategic outcomes	Overall Community service satisfaction surveys (%)	Strategy and Policy
6	City decisions or actions are not lawful, effective, accountable or lack transparency	Adverse audit findings (#)	Internal Audit
7	Poor governance practices and conduct result in an inquiry, authorised investigation and adverse findings	Number of inquiry, authorised investigation or adverse findings	Governance
8	The City's approach to imposing and enforcing regulations does not meet community needs or expectations	Ratio of cautions sent, notices issued and prosecutions undertaken	Development Services Community Safety
9	Policy, funding or legislative changes by State or Federal Governments have an unexpected material impact on the City's operations or objectives	Amount of time spent engaging with state and federal government by CEO and executive management	Office of CEO
10	Political pressures influence the City's commitment and ability to meet its strategic outcomes	Success ratio of key lobbying initiatives	Strategy and Policy
11	The City is not financially viable or sustainable into the future as a result of internal, economic or other external factors	Financial health indicator variance to metro target (%)	Finance
12	The City does not have the capability to effectively manage its asset renewal obligations, community service obligations or commercial undertakings	Salary variance to sector standard (%)	Human Resources
		Resourcing levels and positions to sector standards	Human Resources
13	The City does not effectively plan for or respond to changes to the built environment arising from urban intensification, demographic change or changing community needs	Future development planning alignment to population growth targets (%)	City Planning
14	The City does not effectively plan for or respond to changes in, or impacts on the natural environment	Urban canopy cover (%)	Parks and Sustainability
		Investment in the environment compared to sector standards and prior year (\$)	Parks and Sustainability
15	The City does not procure, maintain and renew assets in a manner that enables the City to achieve its strategic outcomes and meet community needs	Asset consumption ratio (*standard as per WA Department of Local Government, Sports and Cultural Industries)	Finance Services
		Asset sustainability ratio (*standard as per WA Department of Local Government, Sports and Cultural Industries)	Finance Services
		Asset renewal ratio (*standard as per WA Department of Local Government, Sports and Cultural Industries)	Finance Services
16	The City does not plan for and deliver the assets required as a result of urban intensification, demographic changes or changing community needs	Total assets value per resident (\$)	Facilities, Projects and Assets
		Ten year plan assets value per resident (\$)	Facilities, Projects and Assets
17	The City does not have workforce or culture to support the City to achieve its strategic outcome	Resourcing levels, salary and positions to sector standard	Human Resources
		Staff culture survey	Human Resources
18	Injury or death from an unsafe work environment or systems of work	Total recordable incident frequency rate (% to target)	Human Resources

13. REPORTS FOR CONSIDERATION IN ACCORDANCE WITH CLAUSE 4.2(4) OF THE MEETING PROCEDURES LOCAL LAW 2009

In accordance with Clause 4.2(4) of the City of Stirling Meeting Procedures Local Law 2009, the Chief Executive Officer may include on the agenda of a Council meeting; in an appropriate place within the order of business; any matter which must be decided, or which he considers is appropriate to be decided, by that meeting.

13.1 'ITS WORLD CONGRESS' 2020 FROM 4 OCTOBER 2020 TO 8 OCTOBER 2020, LOS ANGELES, USA

Report Information

Location: Not Applicable
 Applicant: Not Applicable
 Reporting Officer: Manager Governance
 Business Unit: Governance
 Ward: Not Applicable
 Suburb: Not Applicable

Authority/Discretion

Definition

☐	Advocacy	<i>when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
☒	Executive	<i>the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
☐	Legislative	<i>includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.</i>
☐	Quasi-Judicial	<i>when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
☐	Information Purposes	<i>includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').</i>

Council Resolution

0220/055

Moved Councillor Caddy, seconded Councillor Perkov

That Council **APPROVES** the attendance of Councillor Keith Sargent at the 'ITS World Congress' 2020 to be held in Los Angeles, USA from 4 October 2020 to 8 October 2020.

The motion was put and declared **CARRIED (13/0)**.

For: Councillors Boothman, Caddy, Farrelly, Hatton, Lagan, Perkov, Proud, Re, Sandri, Sargent, Spagnolo, Thornton and Mayor Irwin.

Against: Nil.

Recommendation

That Council **APPROVES** the attendance of Councillor Keith Sargent at the 'ITS World Congress' 2020 to be held in Los Angeles, USA from 4 October 2020 to 8 October 2020.

Report Purpose

To seek Council's approval for the attendance of Councillor Keith Sargent at the 'ITS World Congress' 2020 to be held in Los Angeles, United States of America from 4 October 2020 to 8 October 2020.

Relevant Documents

Attachments

Nil.

Available for viewing at the meeting

Nil.

Background

Councillor Keith Sargent has requested to attend the 'ITS World Congress' 2020 to assist him in his role as an Elected Member at the City of Stirling.

Comment

Benefit of attendance to the City of Stirling and Elected Member, provided by Councillor Keith Sargent

“The ITS (Intelligent Transport Systems) World Congress rotates between Europe, the Asia Pacific region and the Americas, over a three year period.

The ITS World Congress is held in Los Angeles this year and the Congress provides the ideal opportunity for all stakeholders to come together, to discuss and make the necessary contacts to move initiatives forward and to develop their business by exhibiting and demonstrating state of the art ITS solutions. The Congress also showcases the latest ITS achievements from the City and region hosting the Congress, and can help increase awareness of ITS in the Host region itself.

The ITS Congresses consist of three main areas:-

- *Congress programme sessions and presentations of the latest developments in ITS.*
- *Demonstrations – showcases of current ITS technology being developed and deployed throughout the world.*
- *Exhibition – exhibition booths and dedicated sessions/events.*

Participating in these three areas offers a unique opportunity to show and explain the latest technologies and services, with a slightly different focus for each.

During the Congress, IPS Partners also have the opportunity to arrange more focussed ancillary events before, during and after the Congress. IPS Partners develop specific mobile applications, networking facilities, webinars, videos, interviews and articles on both topics in focus at the Congress but also on the different companies participating. This provides the ERTICO Partners with another means to promote their technologies and services.

The venue this year is the City of Los Angeles where west meets east and it truly defines the conference theme, ‘The New Age of Mobility’. It is the hub of moving people, data and freight.

Los Angeles takes the long view when making transportation decisions by developing innovative ways for people to move around the City. Just as it did for the 1984 Olympics, the City is making infrastructure improvements in advance of the 2028 games that will benefit residents for decades to come.

The ports of Los Angeles and Long Beach are the two largest in the nation and combined are the 10th largest in the world. Together, they move roughly 40% of the nation’s total containerised imports and 30% of exports. The modernisation through technology at these ports is an example of how to move the 21st century economy.

In addition, Los Angeles is the leader in using data to improve its transportation system, which is key to improving safety, managing congestion, and reducing greenhouse gas emissions.

The world is changing at a breakneck pace and 27th ‘ITS World Congress’ will capture those changes and showcase the future by featuring the best and latest transportation technology.

By attending this conference, I will be able to see best-practice on current and emerging technologies and better understand how other cities across the world have combated the current issue of transport and more importantly Transport Solutions that currently affect the City of Stirling."

As a current member of the Community and Resources Committee and Road Safety Committee, Councillor Keith Sargent will find many of the topics covered by the congress to be of great benefit to the City of Stirling.

Consultation/Communication Implications

Nil.

Policy and Legislative Implications

Elected Members' Conference and Training Development Policy
 Elected Member and Chief Executive Officer Attendance at Events Policy

Financial Implications

Below is an estimated cost for Councillor Keith Sargent to attend the conference in AUD.

Registration Fee	\$1,890.00
Accommodation (8 nights)	\$4,985.00
Airfare (Economy)	\$2,047.00
Estimated Total	\$8,922.00

Councillor Keith Sargent has sufficient funds available from the Elected Members' Conference Allowance (cost centre A0105-A-3949-9568) to meet the conference costs. Reimbursement for any additional costs will be completed on return.

Strategic Implications

Built Environment: Liveable and accessible City

Outcome B2: Accessible and connected City

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:-

ENVIRONMENTAL	
Issue	Comment
Greenhouse emissions	The technologies that make our roads safer will also reduce congestion and greenhouse gas emissions, and move the City closer to a future of seamless mobility, one that is safer, greener and smarter.

SOCIAL

Issue	Comment
Nil.	

ECONOMIC

Issue	Comment
Transport and infrastructure	The future concept of potential shared car use is a creative innovation for the City to explore.

Conclusion

The 'ITS World Congress' 2020 will provide Councillor Keith Sargent with a valuable opportunity to gain knowledge for the City of Stirling in relation to sustainable mobility, transport and innovation.

The conference will allow Councillor Keith Sargent the opportunity to network with experts from around the world. It is therefore recommended that approval is granted for his attendance at the 'ITS World Congress' 2020 to be held in Los Angeles, USA from 4 October 2020 to 8 October 2020.

13.2 ALLIANCE FOR INNOVATION - TRANSFORMING LOCAL GOVERNMENT 2020 ANNUAL CONFERENCE - PHOENIX, USA FROM 5 MAY 2020 TO 8 MAY 2020

Report Information

Location:	Not Applicable
Applicant:	Not Applicable
Reporting Officer:	Executive Assistant to the CEO
Business Unit:	Executive Services
Ward:	Not Applicable
Suburb:	Not Applicable

Authority/Discretion

Definition

☐	Advocacy	<i>when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
☒	Executive	<i>the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
☐	Legislative	<i>includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.</i>
☐	Quasi-Judicial	<i>when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
☐	Information Purposes	<i>includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').</i>

Council Resolution

0220/056

Moved Councillor Caddy, seconded Councillor Sargent

That Council APPROVES the attendance of the Chief Executive Officer at the Alliance for Innovation - Transforming Local Government 2020 Annual Conference, to be held in Phoenix, USA from 5 May 2020 to 8 May 2020.

The motion was put and declared CARRIED (13/0).

For: Councillors Boothman, Caddy, Farrelly, Hatton, Lagan, Perkov, Proud, Re, Sandri, Sargent, Spagnolo, Thornton and Mayor Irwin.

Against: Nil.

Recommendation

That Council APPROVES the attendance of the Chief Executive Officer at the Alliance for Innovation - Transforming Local Government 2020 Annual Conference, to be held in Phoenix, USA from 5 May 2020 to 8 May 2020.

Report Purpose

To seek Council's approval for the Chief Executive Officer to attend the Alliance for Innovation - Transforming Local Government 2020 Annual Conference, to be held in Phoenix, USA from 5 May to 8 May 2020.

Relevant Documents

Attachments

Attachment 1 - Transforming Local Government Schedule 2020 [↓](#)

Available for viewing at meeting

Nil

Background

The Alliance for Innovation, which began in 1979, inspires innovation in local government and connects a network of local government professionals and leaders. The Transforming Local Government (TLG) annual conference is considered a premier conference for local government. It is attended by local government professionals worldwide that are seeking new and innovative ways to actively transform their organisations and communities, and lead a movement of positive, sustainable innovation.

Comment

Expected to attract over 600 attendees, the TLG 2020 Annual Conference, through its dynamic content, encourages team building, free thinking and fosters unprecedented ideas to enable local government leaders to network and discuss emerging practices.

There is a clear push by local government leaders to respond to today's needs, to manage their organisations and teams better, and to improve their efficiency. At the same time, there is impetus to prove that interventions, as a result of data-driven decisions, lead to lasting change. The TLG 2020 Annual Conference is specifically designed to provide opportunities for senior leaders in the sector to share ideas and innovative practices that are emerging from local government.

The TLG 2020 Annual Conference offers curated workshops, presentations and tours demonstrating real world examples of civic innovations that can be translated into other communities. There are formal and informal activities that facilitate networking and exchanges among attendees. Participants will hear presentations directly from the teams that have created some of the most innovative programs and projects in local government.

The scale of the conference allows local government professionals to participate in highly interactive conversations, to network directly with the presenters and to establish new and long lasting peer-to-peer contacts. Interactive keynote presenters who are reshaping local governments at every level include:-

- Ed Zuercher, Phoenix City Manager, oversees the largest council-manager form of government in the United States, with 15,000 City employees, including seven employee unions and associations. Working with the Mayor and City Council, he is responsible for a budget of \$4 billion, including airport, water/wastewater, solid waste, convention centre, transit system and general city services. He encourages City employees to focus on working smart, spending wisely and being kind to customers in order to provide outstanding, innovative, and effective services at an affordable cost. In 2017, Phoenix was recognized by Governing Magazine and Living Cities as the top city in their inaugural Equipt to Innovate survey, acknowledging Phoenix's capacity and compliance in high performing governance.
- Joel Carnes, Chief Executive Officer, Alliance for Innovation has spent his career driving innovation at every level — from developing products, to managing teams, leading organisations, and ultimately impacting entire systems. Joel has held executive leadership positions with some of the most innovative organisations in the world, including XPRIZE, SecondMuse, Activision, and Disney Imagineering. He is currently the CEO of Alliance for Innovation, a social impact organization dedicated to building innovation in local government strategy, operations, culture, and ecosystems supporting hundreds of local government organisations across North America as they undertake their own innovation journeys.
- Pam Davis, Senior Management Analyst, City of Boulder, Colorado believes we accomplish more working together than separately. For the past eight years, she has worked on behalf of communities to promote equity, partnership, and innovation. Pam works with an incredible team to address adaptive challenges. Pam's local government service began as the Management Assistant in Fort Collins, Colorado. During that time, she also served on a temporary assignment with the town of Estes Park, Colorado, assisting the town with disaster recovery efforts from the autumn floods of 2013.
- Dr Marie Peoples, Deputy County Manager Coconino County, is charged with leading justice and human service related departments and County-wide initiatives. She strives to provide visionary leadership, develop strategies to further the County's mission and to collaborate with leaders across the County. Her career began as a substance abuse therapist within Missouri's correctional system and she has worked within several of Missouri's prisons with a variety of demographics and rehabilitative programs. Dr Peoples strives to develop innovative approaches to address social justice issues and works to empower women, minorities, and disenfranchised populations to advocate for equality with a goal of eliminating disparities between populations.

"TLG wasn't just good—it was probably the best conference I've ever attended. The experience gained and connections made were invaluable, and it was exhaustive without being exhausting. I absolutely plan to attend again, and I would encourage all others to do so as well."

Consultation/Communication Implications

The TLG 2020 Annual Conference provides an opportunity to network with officials and experts from around the world in areas of key importance to local governments.

Policy and Legislative Implications

In accordance with Clause 5.2: Professional Development of the Chief Executive Officer's Contract of Employment, Council may authorise one relevant overseas conference per anniversary year.

Financial Implications

Below is an estimated cost for the Chief Executive Officer to attend the conference, which would be met from Account A0107-A-3062-0000.

Airfare	\$1,571.38
Conference Registration (\$900 US, early bird registration)	\$1,287.72
Accommodation (six nights)	\$1,626.00
Total	\$4,485.10

Strategic Implications

Governance: Making it happen

Outcome G1: Good governance

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:-

ENVIRONMENTAL	
Issue	Comment
Pollution	Conference presentations offer new and innovative ways to actively transform organisations and communities and lead a movement of positive and sustainable.

SOCIAL	
Issue	Comment
Community services	Conference presentations will help inform the City's response to the needs of our diverse community. In addition, the conference will continue to build the profile of the City of Stirling as a leading Council in the migration/cultural diversity policy space.

ECONOMIC

Issue	Comment
Communications infrastructure	Demonstrations will be provided by local government teams that deliver innovative technological solutions that are accessible to employees and the community, making the sharing of information simpler and more transparent.

Conclusion

It is recommended that Council approves the attendance of the Chief Executive Officer at the Alliance for Innovation - Transforming Local Government 2020 Annual Conference, to be held in Phoenix, USA from 5 May 2020 to 8 May 2020.



PROGRAM OVERVIEW

NOTE: program below is not final – continue to check transformgov.org/tlg2020 for updates

Tuesday May 5

12:30 – 5:00 PM	Registration Open
1:30 – 4:30 PM	Pre-Conference Workshop 1: The Essential Skills of Effective Change Makers
1:30 – 4:30 PM	Maryvale: Neighborhood-Level Community Solutions Tour
1:30 – 5:00 PM	Scottsdale Stadium Tour
5:00 – 6:00 PM	President and Board of Director's Reception for Sponsors, Corporate Partners and Presenters

Wednesday May 6

8:00 – 8:45 AM	nextERA
8:00 – 5:00 PM	Registration Open
8:00 – 9:00 AM	Coffee, tea, juice
9:00 – 10:30 AM	Opening Ceremonies, Award Presentations and Keynote
10:30 – 6:30 PM	Exhibit Hall Open
11:00 – 12:00PM	It's Not the Process, It's the People: creating a culture of continuous improvement — City of Goodyear, AZ
11:00 – 12:00PM	Housing Solutions for Counties — Botetourt County and Loudoun Counties, VA and San Mateo County, CA
11:00 – 12:00PM	eServices: Anywhere. Anytime. Any Device. Placer County, CA How Gainesville Transformed the Customer Experience (CX) by Focusing on Culture — City of Gainesville, FL
11:00 – 12:00PM	Community Paramedicine: Changing the Paradigm for Helping People — City of Gainesville, FL
11:00 – 12:00PM	Voting Solutions for All People: Los Angeles County transforms the Voting Experience — Los Angeles County, CA
12:00 – 1:30 PM	Lunch
1:30 – 5:00 PM	TLG Innovation Academy





Wednesday May 6 *continued*

1:00 – 2:30 PM	Wexford Science + Technology Tour
1:00 – 2:30 PM	What's Mentoring Got to Do, Got to Do With it City of Hillsboro, OR
1:00 – 2:30 PM	Taking Action on Inclusive Public Engagement: Neighborhood grants and community connectors City of Boulder, CO
1:00 – 2:30 PM	Sustainability Solutions: What would you do if you found you could change the world? — Santa Cruz County, CA Open4Business Hurricane Map — Leon County, FL
1:00 – 2:30 PM	A Way Home: Cultivating multi-sector partnerships and focusing on individual needs of the homeless City of Glendale, AZ
3:00 – 4:00 PM	Kids, asthma, sensors oh my! Walking the yellow brick road of health and air monitoring — City & County of Denver, CO
3:00 – 4:00 PM	Power to the People, Right On! Participatory Budgeting through The People's Project! – Your Money – Your Power – Your Project – City of Sequim, WA
3:00 – 4:00 PM	Transforming Open Data into Housing Opportunity – Innovating affordable housing investment City of Charlotte, NC
3:00 – 4:00 PM	Where is Officer Waldo's Car? — City of Arvada, CO
3:00 – 4:00 PM	Let's Talk Tech — Manatee County, FL
4:30 – 5:00 PM	PowerUp! Expanding the power of cultural experiences to those in poverty — City of Norfolk, VA
4:30 – 5:00 PM	Thinking Outside the Spot: Park yourself here to learn more about an innovation in municipal parking Town of Innisfil, ON
4:30 – 5:00 PM	How I Lead, A Conversation with Alliance for Innovation Board of Directors
5:00 – 6:00 PM	Welcome Reception





Thursday May 7

9:00 – 10:00 AM	Getting from How? To Wow! Building a Culture of Innovation Jefferson County, CO
9:00 – 10:00 AM	University of Arizona College of Medicine Bio Medical Campus Tour
9:00 – 10:00 AM	Innovating without Aggravating: Breaking down barriers within Manatee County's capital improvements planning process - Manatee County, FL
9:00 – 10:00 AM	Designing Future City Business Models Auckland, New Zealand
9:00 – 10:00 AM	Winner Winner Chicken Dinner! Overcoming Stacked Decks in Jail Transition – Polk County, FL
9:00 – 10:00 AM	Diversity = A Beautiful Mosaic - City of Montgomery, OH
11:00 – 12:00 PM	Encouraging Sustainability- Smart Business Growth Avondale, AZ
10:30 – 11:30 AM	We Will Rock You (Sing It!) - City of Olathe, KS
10:30 – 11:30 AM	What If THAT Didn't Happen? - City of Shawnee, KS
10:30 – 11:30 AM	Quarterly Promotion Programs - City of Colleyville, TX
10:30 – 11:30 AM	Meet Kansas City, Missouri's 311 TrashBot City of Kansas City, MO
10:30 – 11:30 AM	Driving Change Through Employee Empowerment: How the Town of Leesburg, Virginia Used the Lean Six Sigma Kaizen Approach to Improve Leaf & Brush Collection Town of Leesburg, VA
11:30 – 1:15 PM	Innovation Awards Luncheon
1:30 – 2:30 PM	Prototyping in Public Service Hennepin County, MN & City of Tacoma, WA
1:30 – 2:30 PM	"Connect. Support. House." San Diego's Strategy to Reduce Homelessness - City of San Diego, CA
1:30 – 2:30 PM	Criminal Justice Reform at the Local Level, Unified Government of Athens-Clarke County
1:30 – 2:30 PM	Automated Vehicles: Lessons learned from a real-world pilot City of Grand Rapids, MI
1:30 – 2:30 PM	Change Management as a City Service - City of Palo Alto, CA
1:30 – 5:00 PM	Disruptive Innovation Lab: A Fast-Paced, Hands-On Workshop to Tackle Your Organizational Problems and Create Opportunities



Thursday May 7 *continued*

3:00 – 4:00 PM	Through the Looking Glass: Transparency in a Digital Age Manatee County, FL
3:00 – 4:00 PM	Stormwater? More like Score-water! Learn how to get residents to take an active role in stormwater management — City of Harrisonburg, VA
3:00 – 4:00 PM	myBlue — Village of Bayside, WI
3:00 – 4:00 PM	Opportunity is knocking, but what if you don't have a door? Creating Opportunities for All: paid work experiences for youth — City & County of San Francisco, CA
3:00 – 4:00 PM	Galvanize Tour
3:00 – 4:00 PM	Diversity Challenges in Public Safety? Camp 911 to the Rescue! — City of Virginia Beach, VA
4:30 – 5:00 PM	How I Lead, a Conversation with Alliance for Innovation Board of Directors

Friday May 8

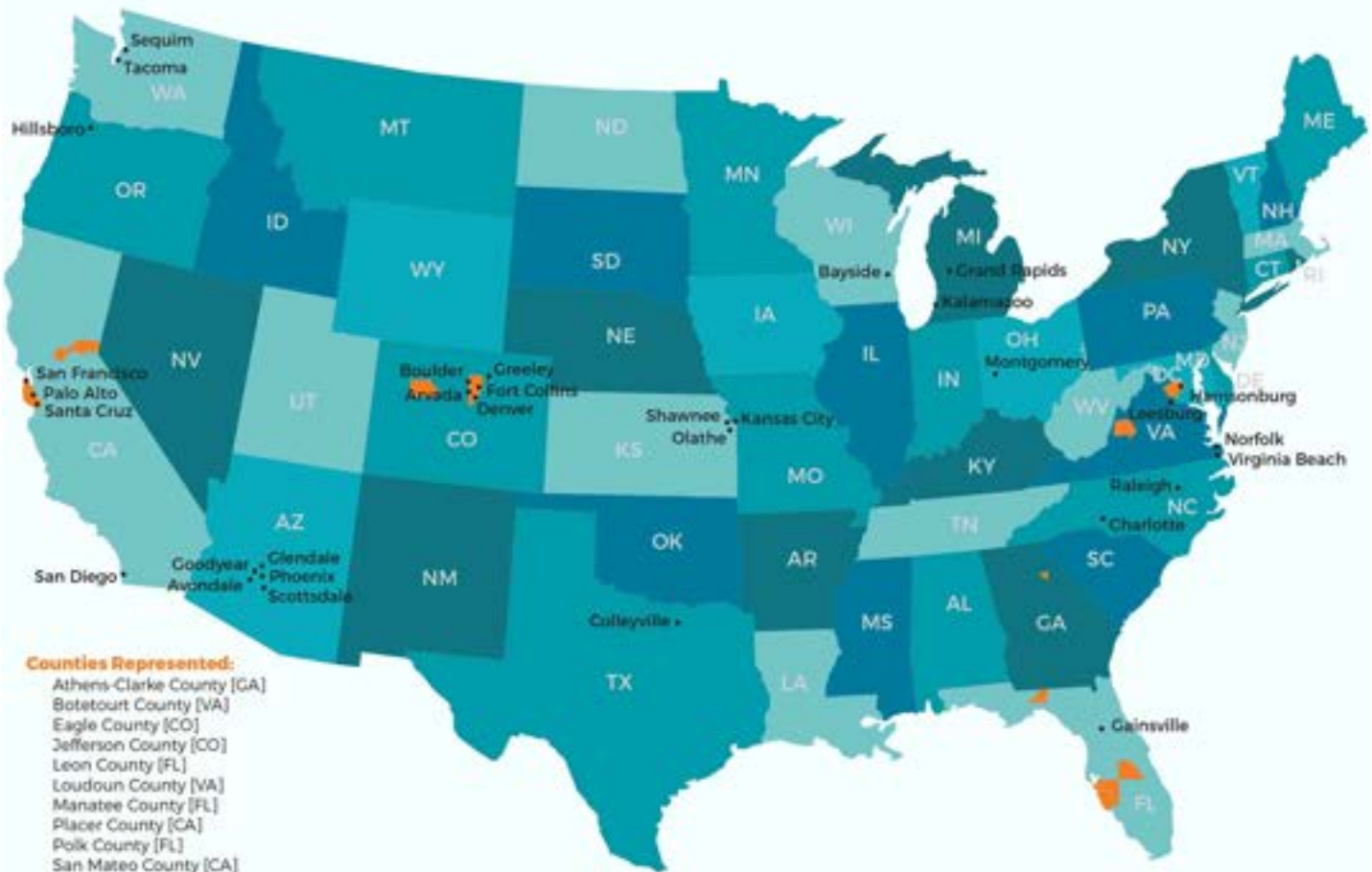
8:30 – 12:00 PM	Registration Open
8:30 – 9:00 AM	Coffee
9:00 – 10:00 AM	Taking Control of Your Shared Micromobility Program Through Innovation — City of Phoenix, AZ
9:00 – 10:00 AM	Not just coffee runners: Rethinking internships to battle regional brain drain — Manatee County & Sarasota County
9:00 – 10:00 AM	Arizona Government Facilities Alliance City of Scottsdale, AZ
9:00 – 10:00 AM	A Way Home: Cultivating Multi-Sector Partnerships and Focusing on Individual Needs of the Homeless Cities of Glendale & Goodyear, AZ
9:00 – 10:00 AM	Transforming Community Through Partnership City of Greeley, CO and Kalamazoo, MI
9:00 – 10:00 AM	Flipping the Service Provision Model: MIRA Mobile Intercultural Resource Alliance — Eagle County, CO
10:30 – 12:00 PM	Closing Ceremonies and Keynote





**Transforming
Local Government**
May 5-8 2020 Phoenix, AZ

**The following Cities + Counties will
Be presenting at #TLG2020:**



Counties Represented:

- Athens-Clarke County [GA]
- Botetourt County [VA]
- Eagle County [CO]
- Jefferson County [CO]
- Leon County [FL]
- Loudoun County [VA]
- Manatee County [FL]
- Placer County [CA]
- Polk County [FL]
- San Mateo County [CA]
- Sarasota County [FL]



**Alliance
for Innovation**

Program as of February 7, 2020

14. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

14.1 NOTICE OF MOTION - COUNCILLOR STEPHANIE PROUD - BULK VERGE GREEN WASTE OPTIONS

Councillor Stephanie Proud submitted the following Notice of Motion at the Council Meeting held 11 February 2020:-

“That a report be PRESENTED to the Community and Resources Committee meeting to be held 5 May 2020 providing alternative options for the collection of bulk verge green waste including an On-Demand Green Skip Bin service.”

Background Information/Reason for Motion (provided by Councillor Stephanie Proud)

“To examine alternative options available for the provision of a superior customised collection service to City of Stirling residents and ratepayers.

The City currently undertakes the green waste collection service on a 9-month cycle by an in-house team which negates the requirement for contractual consideration(s).”

Report Information

Location: City Wide
 Applicant: Not applicable
 Reporting Officer: Manager Waste and Fleet
 Business Unit: Waste and Fleet
 Ward: City Wide
 Suburb: City Wide

Authority/Discretion

Definition

- ☐ Advocacy *when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- ☒ Executive *the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- ☐ Legislative *includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.*
- ☐ Quasi-Judicial *when Council determines an application/matter that directly affects a person’s right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*
- ☐ Information Purposes *includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').*

Council Resolution

0220/057

Moved Councillor Proud, seconded Councillor Sandri

That a report be PRESENTED to the Community and Resources Committee meeting to be held 5 May 2020 providing alternative options for the collection of bulk verge green waste including an On-Demand Green Skip Bin service.

The motion was put and declared CARRIED (13/0).

For: Councillors Boothman, Caddy, Farrelly, Hatton, Lagan, Perkov, Proud, Re, Sandri, Sargent, Spagnolo, Thornton and Mayor Irwin.

Against: Nil.

Notice of Motion Recommendation

That a report be PRESENTED to the Community and Resources Committee meeting to be held 5 May 2020 providing alternative options for the collection of bulk verge green waste including an On-Demand Green Skip Bin service.

Report Purpose

To respond to the Notice of Motion submitted by Councillor Stephanie Proud.

Relevant Documents

Attachments

Nil.

Available for viewing at the meeting

Nil.

Background

One of the services provided by the City is the collection of bulk green organic waste from residential verges. This service is provided by a dedicated team of officers and equipment on a nine month cycle across the City, and has been in place in the current manner for approximately five years, but has been an ongoing service for many years prior.

The City currently collects approximately 3,400 tonnes of mostly uncontaminated green waste from the bulk green verge collection each year, which is in turn aggregated at the Recycling Centre Balcatta and transported for processing at the Purearth facility in Woottating.

Comment

The current collection system has been established for many years. A number of alternatives are available to the current schedule, including the provision of an on-demand skip bin service for green waste.

A report can be presented to the Community and Resources Committee meeting to be held 5 May 2020 detailing the options for managing bulk verge green waste.

Consultation/Communication Implications

Nil.

Policy and Legislative Implications

Waste Avoidance and Resource Recovery Act 2007

Financial Implications

Nil

Strategic Implications

Natural Environment: Sustainable natural environment

Outcome N1: Sustainable natural resources

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:-

ENVIRONMENTAL	
Issue	Comment
Waste generation	Verge collections have been a core service provided by the City for many years and assist with responsible management of garden organics away from landfill.

SOCIAL	
Issue	Comment
Nil.	

ECONOMIC	
Issue	Comment
Nil.	

Conclusion

For approximately five years, the City has provided a bulk green organic waste collection service on a nine-month cycle.

It is anticipated that a report will be provided to the Community and Resources Committee meeting to be held 5 May 2020, providing details of alternative options for collection of bulk verge green waste.

14.2 NOTICE OF MOTION - COUNCILLOR STEPHANIE PROUD - BICYCLE EDUCATION FACILITY IN THE DOUBLEVIEW WARD

Councillor Stephanie Proud submitted the following Notice of Motion at the Council Meeting held 11 February 2020:-

“That a report is PRESENTED to a future Community and Resources Committee meeting in 2020 identifying suitable locations within Doubleview Ward for a bicycle education facility (track).”

Background Information/Reason for Motion (provided by Councillor Stephanie Proud)

“To ensure that a small scale facility similar to the facility in Kingsley is delivered for the Doubleview community and provides a unique and safe opportunity for young people to learn road safety rules and etiquette in a safe environment. Such a facility would provide a unique opportunity that does not currently exist anywhere within the City of Stirling.”

Report Information

Location: City of Stirling - Doubleview Ward
Applicant: Not Applicable
Reporting Officer: Manager Recreation and Leisure Services
Business Unit: Recreation and Leisure Services
Ward: Doubleview
Suburb: Not Applicable

Authority/Discretion

Definition

☐	Advocacy	<i>when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
☒	Executive	<i>the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
☐	Legislative	<i>includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.</i>
☐	Quasi-Judicial	<i>when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
☐	Information Purposes	<i>includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').</i>

Council Resolution

0220/058

Moved Councillor Proud, seconded Councillor Farrelly

That a report be PRESENTED to the Community and Resources Committee meeting held 6 October 2020 identifying suitable locations within the Doubleview Ward for a bicycle education facility (track).

The motion was put and declared CARRIED (13/0).

For: Councillors Boothman, Caddy, Farrelly, Hatton, Lagan, Perkov, Proud, Re, Sandri, Sargent, Spagnolo, Thornton and Mayor Irwin.

Against: Nil.

Notice of Motion Recommendation

That a report is PRESENTED to a future Community and Resources Committee meeting in 2020 identifying suitable locations within Doubleview Ward for a bicycle education facility (track).

(Suggested Alternative Recommendation – refer to Conclusion)

Report Purpose

To respond to a Notice of Motion submitted by Councillor Stephanie Proud.

Relevant Documents

Attachments

Nil.

Available for viewing at the meeting

Nil.

Background

The City provides a wide range of sport and recreation amenities to support increased community participation in activities that improve physical health and well-being, and encourage a well-connected and engaged community.

The City's Public Open Space Strategy and Playground Policy provides the overarching direction for the provision of public open space, playgrounds and play related opportunities. The City's Skate and BMX Strategy, adopted by Council at its meeting held 3 September 2013 (Council Resolution Number 0913/005), provides the vision and priorities for delivering skate and BMX facility opportunities. The Strategy identifies that the number of children participating in bike riding, skateboarding and scootering related activities continues to grow. As such, the City continues to receive requests for the consideration of local level facilities such as incidental BMX tracks and bicycle education style amenities.

Comment

The City has recently completed and continues to progress a number of skate and BMX facilities including the Scarborough Beach Foreshore Intergenerational Plaza (completed), Robinson Reserve skate and scooter amenities (completed), Princess Wallington Parkland Skate and BMX facility (construction commenced) and Dianella Regional Open Space BMX facility (community consultation). However there remains a need to also deliver smaller scale, localised facilities such as bicycle education tracks that provide a different experience for families and children.

On that basis, the City will undertake a needs assessment including the identification of potential site/s for a small scale children's bicycle education track in the Doubleview Ward. As part of that assessment the City will consider key criteria within the Skate and BMX Strategy, Playground Policy and Public Open Space Strategy (where relevant).

Consultation/Communication Implications

The City will consult with the Department of Local Government, Sport and Cultural Industries and the Department of Education as well as other Local Government Authorities to understand best practice approaches to local bicycle education tracks.

Upon completion of the needs assessment, and following consideration of possible locations by Council, the City will consult with the local community and any relevant stakeholders to ensure they have an opportunity to have their say and provide feedback.

Policy and Legislative Implications

The City's Skate and BMX Strategy, Public Open Space Strategy and Playground Policy will be considered, where relevant, to assist with identifying community needs and possible site/s for further Council consideration.

Financial Implications

The assessment will be undertaken using existing Recreation and Leisure Services resources. The subsequent Council report will identify any relevant financial implications, including capital and operational costs.

Strategic Implications

Social: Thriving local communities

Outcome S2: Active and healthy City

Promote active and healthy lifestyle choices. Facilitate and partner for a range of recreation and leisure opportunities for everyone in the City.

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:-

ENVIRONMENTAL	
Issue	Comment
Vegetation impact	As part of the location and site assessment the City will consider impacts and potential integration with the natural environment.

SOCIAL	
Issue	Comment
Amenity	The assessment will consider and identify the community benefit and value that could be delivered based on the type of amenity proposed.

ECONOMIC	
Issue	Comment
Transport and infrastructure	The assessment will consider the positive impacts that a bicycle education track may have on cycling participation and use of cycleways.

Conclusion

Recreation participation trends continue to change and there is a need for the City to continually consider new opportunities that align with community needs and demands. Improved recreational choice and community participation will lead to improved health and well-being outcomes.

An assessment will be undertaken to more closely consider the merits of local bicycle education track and possible location/s within the Doubleview Ward. It is anticipated that the outcomes of this assessment will be presented to the Community and Resources Committee meeting to be held 6 October 2020 for further consideration.

Suggested Alternative Recommendation

That a report be PRESENTED to the Community and Resources Committee meeting held 6 October 2020 identifying suitable locations within the Doubleview Ward for a bicycle education facility (track).

Reason for Alternative Recommendation

The City will assess the merits of, and include options for, possible locations within the Doubleview Ward for a bicycle education track.

14.3 NOTICE OF MOTION - COUNCILLOR JOE FERRANTE - SECURITY SERVICE BUDGET ESTIMATES

Councillor Joe Ferrante submitted the following Notice of Motion at the Council Meeting held 11 February 2020:-

“That a report be PRESENTED to the March 2020 Community and Resources Committee meeting providing budget estimates for:-

- a. *An additional Security Service / Vehicle for patrolling and responding to emergency call outs; and*
- b. *Body cameras for security officers recording and providing information for WA Police with quarterly updates released for public knowledge of areas with high crime rates in the City of Stirling.”*

Background Information/Reason for Motion (provided by Councillor Joe Ferrante)

“Due to the continuous increase of crime reported on social media, phone reports, ratepayers feeling afraid and the inaction of the State Government in providing safety and protection for their residents.”

Report Information

Location: Not Applicable
 Applicant: Not Applicable
 Reporting Officer: Manager Community Safety
 Business Unit: Community Safety
 Ward: City Wide
 Suburb: City Wide

Authority/Discretion

Definition

☐	Advocacy	<i>when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
☒	Executive	<i>the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
☐	Legislative	<i>includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.</i>
☐	Quasi-Judicial	<i>when Council determines an application/matter that directly affects a person’s right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
☐	Information Purposes	<i>includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for ‘noting’).</i>

Council Resolution

0220/059

Moved Councillor Lagan, seconded Councillor Perkov

That a report be PRESENTED to the Community and Resources Committee meeting to be held 31 March 2020, providing budget estimates for:-

- a. Options to improve the responsiveness of the City's Security Service including an increase of security vehicles and patrol officers;
- b. Body cameras for all Security Patrol Officers to record and provide footage to WA Police; and
- c. Opportunities to improve public knowledge of key community safety and crime statistics.

The motion was put and declared **CARRIED (13/0)**.

For: Councillors Boothman, Caddy, Farrelly, Hatton, Lagan, Perkov, Proud, Re, Sandri, Sargent, Spagnolo, Thornton and Mayor Irwin.

Against: Nil.

Notice of Motion Recommendation

That a report be PRESENTED to the March 2020 Community and Resources Committee meeting providing budget estimates for:-

- a. An additional Security Service / Vehicle for patrolling and responding to emergency call outs; and
- b. Body cameras for security officers recording and providing information for WA Police, with quarterly updates released for public knowledge of areas with high crime rates in the City of Stirling.

(Suggested Alternative Recommendation – refer to Conclusion)

Report Purpose

To respond to the Notice of Motion submitted by Councillor Joe Ferrante.

Relevant Documents

Attachments

Nil.

Available for viewing at the meeting

Nil.

Background

The City's Security Service was introduced in 1998 and operates 24 hours per day, seven days per week, 365 days per year. The service aims to deter, identify and report criminal and anti-social behaviour throughout Stirling through security vehicle patrols, attendance and intervention. Key tasks include monitoring and reporting suspicious activity and anti-social behaviour, attending community disturbances, conducting regular patrols of crime hot spots, and reporting damage/vandalism in our streets.

Comment

Requests for security attendance are prioritised with high priority requests having an average response time during the January 2019 – December 2019 period of approximately eight minutes. Although Security Patrol Officers will attend to locations of reported criminal and anti-social behaviour, it is noted that under State Legislation, Security Patrol Officers do not have the same authorisations as WA Police Officers to action criminal behaviour or detain offenders. Importantly, the Security Service does not aim to replace or replicate the role of WA Police. The Security Service works in conjunction with WA Police by exchanging crime intelligence and responding to community safety concerns.

Current resources, shift patterns, average response times and overall performance have proven the effectiveness of the City's Security Service and its value for money for the community. Notwithstanding, options will be investigated to improve the service's responsiveness to community concerns. This will include a review of City and WA Police data that may be appropriate to release for community information purposes.

To assist with the protection of Security Patrol Officers and to assist with any City or WA Police investigations, the City has recently procured five body cameras to trial within the Community Safety Team. Load bearing vests are currently being acquired to mount the body cameras, and it is expected that the trial will commence in March 2020, primarily when field officers are attending high risk incidents. The need for any additional body cameras will also be investigated.

Consultation/Communication Implications

Nil.

Policy and Legislative Implications

Nil.

Financial Implications

Any financial implications associated with this Notice of Motion will be included within the subsequent Council report.

Strategic Implications

Social: Thriving local communities

Outcome S4: Safer City

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:-

ENVIRONMENTAL	
Issue	Comment
Nil.	

SOCIAL	
Issue	Comment
Amenity	Any improvements to the City's Security Service will likely lead to an increased sense of community safety and positively contribute to the amenity of the public environment.
Community engagement	Patrols and attendance by the City's Security Services provide opportunities for direct community engagement, particularly in response to disturbances or reported concerns. The implementation of body cameras will assist with community engagement particularly when dealing with high risk incidents.
Health, wellbeing and safety	Any improvements to the City's Security Service will likely lead to an increased sense of community safety and positively contribute to community health and wellbeing.

ECONOMIC	
Issue	Comment
Nil.	

Conclusion

The City will review any additional resources or services, including budget estimates, which may further improve current performance and in particular responsiveness to high priority requests. It is anticipated that a report will be presented to the Community and Resources Committee meeting to be held 31 March 2020.

Suggested Alternative Recommendation

That a report be PRESENTED to Community and Resources Committee meeting to be held 31 March 2020, providing budget estimates for:-

- a. Options to improve the responsiveness of the City's Security Service including an increase of security vehicles and patrol officers;**
- b. Body cameras for all Security Patrol Officers to record and provide footage to WA Police; and**
- c. Opportunities to improve public knowledge of key community safety and crime statistics.**

Reason for Alternative Recommendation

While vehicles and patrol officers are core components of the City's Security Service, it is likely that other options will further improve responsiveness. As such, an alternative recommendation allowing a broader review of options to improve the Service has been provided for Council's consideration.

15. NOTICE OF MOTION FOR CONSIDERATION AT THE NEXT MEETING

Nil.

16. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

17. NEW BUSINESS OF AN URGENT NATURE

Nil.

18. MATTERS BEHIND CLOSED DOORS

Nil.

19. CLOSURE

The Presiding Member declared the meeting closed at 7.57pm.

These minutes were confirmed as a true and correct record of proceedings on:-

...../...../ 2020

SIGNED:-

Councillor Name:

PRESIDING MEMBER