

TOWN OF BASSENDEAN

NOTICE OF A SPECIAL COUNCIL MEETING

Dear Council Member

A Special Meeting of the Council will be held on Tuesday 10 September 2019 in the Council Chamber, 48 Old Perth Road, Bassendean, commencing at 6.30pm. The purpose of the meeting is to consider two Grant Applications, Australia Day Event and Differential Rating.

Ms Peta Mabbs
CHIEF EXECUTIVE OFFICER

6 September 2019

A G E N D A

1.0 **DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

The Town of Bassendean acknowledges the past and present traditional owners of the land on which we gather to conduct this meeting, and pays its respects to their Elders, both past and present.

2.0 **PUBLIC QUESTION TIME AND ADDRESS BY MEMBERS OF THE PUBLIC**

3.0 **ATTENDANCES, APOLOGIES & APPLICATIONS FOR LEAVE OF ABSENCE**

Apologies

Cr Melissa Mykytiuk – Leave of Absence

4.0 REPORTS

4.1 Major and Significant Events Sponsorship and Grants Application for 'Spookfest' (Ref: GRSU/PROGM/26 – Salvatore Siciliano, Manager Recreation and Culture)

APPLICATION

This report provides for the assessment of an application for sponsorship from the Old Perth Road Collective (OPRC), for a Halloween Event on 31 October 2019.

ATTACHMENTS

Attachment No. 1:

- Major and Significant Events Sponsorship and Grants Application Form – Spookfest 2019, including proposed Event Budget.

Confidential Attachment No. 1

Grants Assessment Panel Report – Spookfest 2019.

BACKGROUND

On 27 August 2019, Council endorsed a new policy and governance framework for Sponsorship and Grants including guidelines for a specific category of 'Major and Significant Events'.

The OPRC has applied for sponsorship for \$5,600 to hold an event in conjunction with the Town of Bassendean on 31 October 2019.

COMMUNICATION AND ENGAGEMENT

Whilst the OPRC is keen to market the event widely, the Town also has an opportunity to market the event as sponsors. The OPRC has already actively engaged the businesses at the west end of OPR regarding the proposal.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2017-2027:

The application for funding from NFE aligns with the following strategic objectives:

Objectives <i>What we need to achieve</i>	Strategies <i>How we're going to do it</i>	Measures of Success <i>How we will be judged</i>
1.1 Build a sense of place and belonging	1.1.1 Facilitate engagement and empowerment of local communities	Community / Stakeholder Satisfaction Survey (Engagement and Participation)
	1.1.2 Activate neighbourhood spaces to facilitate community gathering	
	1.1.3 Ensure our unique culture and history are shared and celebrated	
	1.1.4 Continue to support and facilitate participation in the arts, community festivals and events	

FINANCIAL CONSIDERATIONS

Please refer to 'Budget Details' in the application form (attached). The total amount sought from the Town is \$5,600 in addition to in-kind resources which has been approximately 20 hours to date. It is estimated that 40 additional hours is required to deliver the event from the time of approval of grant funding to the actual day of staging the event.

OFFICER RECOMMENDATION – ITEM 4.1

That Council:

1. Receives the Major and Significant Events Sponsorship and Grants application lodged by OPRC for Spookfest 2019; and
2. Approves funding in the amount of \$5,600 from the 2019/20 Budget for the Old Perth Road Collective (OPRC) for the staging of the Spookfest Event to be held on Thursday 31 October 2019, on the condition that:
 - a. The Town establishes a joint working party with the OPRC to deliver the event and build the capacity of its members, given that the group is relatively new, and

- b. The above working party develop a program outline for the event by the end of September for approval by the Director Community Planning.

Voting requirements:
Simple Majority – Point 1 and 2
Absolute Majority – Point 3

4.2 Major and Significant Events Sponsorship and Grants Application for WonderRealm Bassendean 2020 (Ref: GRSU/PROGM/26 – Mona Soliman Acting Director Community Planning)

APPLICATION

This report provides for the assessment of an application for sponsorship from Nella Fitzgerald Events (NFE) for funding for WonderRealm Bassendean 2020.

ATTACHMENTS

Confidential Attachment No. 2:

- Major and Significant Events Sponsorship and Grants Application Form – WonderRealm 2020, including proposed event budget; and
- Grants Assessment Panel Report – WonderRealm 2020.

BACKGROUND

On 27 August 2019, Council endorsed a new policy and governance framework for Sponsorship and Grants including guidelines for a specific category of ‘Major and Significant Events’.

Nella Fitzgerald Events (NFE) has applied for funding of \$50,000 to stage WonderRealm 2020 in the Major and Significant Event funding category.

The WonderRealm Bassendean Festival was awarded the Best Free and Community Event Award as part of the 2019 Fringe World Festival, Perth. NFE is proposing to host this event again in 2020 over two weekends, totalling six days, in the Town’s Old Perth Road precinct.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2017-2027:

The application for funding from NFE aligns with the following strategic objectives:

Objectives <i>What we need to achieve</i>	Strategies <i>How we’re going to do it</i>	Measures of Success <i>How we will be judged</i>
1.1 Build a sense of place	1.1.1 Facilitate engagement and empowerment of local communities	Community / Stakeholder

and belonging	1.1.2 Activate neighbourhood spaces to facilitate community gathering	Satisfaction Survey (Engagement and Participation)
	1.1.3 Ensure our unique culture and history are shared and celebrated	
	1.1.4 Continue to support and facilitate participation in the arts, community festivals and events	

Arts and Cultural Plan 2019-2023:

The application for funding from NFE to stage WonderRealm aligns with the newly adopted Arts and Cultural Plan 2019-2023 in developing partnerships to deliver culturally enriching experiences for Town residents and aligns with the Cultural Development Outcomes of:

- Sense of belonging to a shared cultural heritage;
- Bridging of social difference;
- Positive sense of place; and
- Appreciation of diversity of cultural expression.

COMMUNICATION AND ENGAGEMENT

Community development officers provided support and guidance to the applicant regarding the application process.

The event itself will be subject to a well developed promotional campaign.

STATUTORY REQUIREMENTS

Local Government Act 1995

FINANCIAL CONSIDERATIONS

The total cost of the event is proposed to be \$127,985 with \$50,000 sought from the Town as a contribution. Funding is available as per the 2019/2020 adopted budget. Council approved \$200,000 in the 2019/20 Budget for the staging of major and significant events. The impact on internal Town resources will be approximately 60 hours, based on the 2019 event.

OFFICER RECOMMENDATION – ITEM 4.2

That Council:

1. Receives the Major and Significant Events Sponsorship and Grants application lodged by Nella Fitzgerald Events for the 2020 WonderRealm event;
2. Approves funding in the amount of \$50,000 to Nella Fitzgerald Events for the staging of the 2020 WonderRealm event to be held from 8 to 10 and 14 to 16 February 2020;
3. Notes that given the large scale of the event, that an independent evaluation be conducted at the conclusion of the event to review process and outcomes; and
4. Approves waiver of all applicable fees and charges for the use of the Town's Bassendean Community Hall, Bassendean Senior Citizens Centre and the BIC Reserve which are venues for the event.

Voting requirements:

Simple majority: Points 1, 3 and 4:

Absolute majority: Point 2

4.3 Australia Day Celebrations and Fireworks Event – Assessment against the Sponsorship and Grants Policy (Major and Significant Events Sponsorship and Grants Guidelines - Ref: Salvatore Siciliano, Manager Recreation and Culture (Ref: GRSU/PROGM/26)

APPLICATION

The purpose of this report is for Council to reaffirm its commitment, including the released funds, for the staging of the Town's 2020 Australia Day event against the new Sponsorship and Grants Policy (Major and Significant Events Sponsorship and Grant Guidelines).

ATTACHMENTS

Attachment No. 2:

- Draft 2020 Australia Day Event Budget;
- Draft 2020 Australia Day Event Program;
- 2019 Australia Day Event Risk Management Plan.

BACKGROUND

Each year since 2005, the Town of Bassendean has staged an Australia Day Celebrations and Fireworks event on 26 January.

Following the 2016 event, there was considerable discussion on the merits of conducting a review of the event. The review was to give Council the opportunity to measure the overall effectiveness of the Australia Day event, taking into account the current investment by the Town, and the risks associated with the increasing complexity of staging the event.

A Working Group was established in February 2017, and from February 2017 to April 2018, a review was conducted. Findings from the review revealed that the majority of the Town's community wanted for the Town to continue staging the Australia Day event in its current format.

In April 2018, Council resolved (OCM - 28/04/18) to once again stage the Australia Day event in 2019, and that in light of the Arts and Cultural Plan being developed at the time, to review the entire 2020 events calendar once the Arts and Cultural Plan was completed.

Council adopted the Arts and Cultural Plan 2019-2023 in March 2019 (OCM-25/03/19), however, in the absence of a governance framework regarding the staging of events (major/significant/minor events), there was limited time to conduct a review of the Town's events program which included the Australia Day event.

Subsequently, on 27 August 2019, Council endorsed the following:

- A new policy and governance framework for Sponsorship and Grants including guidelines for a specific category of 'Major and Significant Events'; and,
- As part of adopting the 2019/2020 Town of Bassendean budget, quarantined funds of \$200,000 for the staging of Major and Significant Events and \$300, 000 for the provision of other events was also approved by Council.

The staging of the Town's 2020 Australia Day event is classed as a major/significant event with expenditure to be paid from quarantined funds.

The new Sponsorship and Grants Policy (Policy) - Objective 3.1.6 provides direction to leverage from the policy to guide the Town in the planning, assessment and decision-making regarding its own events. In line with the new Policy, the Australia Day event has been assessed against the policy's criteria in order to assess value prior to the release of funds.

In light of the adoption of the new Policy, a framework now exists for a comprehensive review of the Town's events program to be conducted in 2019/2020, which includes the Australia Day event.

COMMUNICATION AND ENGAGEMENT

No direct engagement is required with the community at this stage, however, the event will be heavily promoted.

STRATEGIC IMPLICATIONS

The staging of the Town's Australia Day Celebrations and Fireworks Event, aligns with the following key themes and strategic objectives of the Community Strategic Plan 2017-2027:

Strategic Priority 1: Social

Objectives:

- 1.1 Build a sense of place and belonging
- 1.2 Ensure all community members have the opportunity to be active, socialise and be connected
- 1.3 Plan for a healthy and safe community

Strategic Priority 5: Good Governance

Objectives:

- 5.1 Enhance organisational accountability

5.2 Proactively partner with the community and our stakeholders

5.3 Strive for Improvement and innovation

COMMENT

The draft program for the 2020 Australia Day event includes a Welcome to Country and Official Welcome from 5pm, music and cultural performances until 7.55pm with the Fireworks display from 8pm to 8.15pm. Radio station 98five will provide a live broadcast of the fireworks display featuring a sound track with the event formally concluding at 9pm.

The new Policy outlines a range of assessment criteria in relation to the staging of Major and Significant Events, and Town Officers would like to offer the following comments against each criteria regarding the staging of the Town's Australia Day event:

Sustainability Principles *(Evidence of how the proposal addresses or achieves the One Planet Living principles)*

Health and Happiness: Event survey results from previous Australia Day events has revealed an above average event experience of attendees who enjoy attending the event and the atmosphere generated on the day.

Equity and local economy: Apart from a fee for parking adjacent to Ashfield Reserve where the event is held, accessibility to the event is increased due to the event being free to attend and close to Ashfield Train Station. ACROD parking is also made available. In terms of positively impacting the local economy, apart from shop owners on Colstoun Road adjacent to the event location who remain open for the event, it is difficult to ascertain the impact on other businesses within the Town of Bassendean.

Culture and Community: Whilst the majority of event attendees live outside of the Town, The Town's Australia Day event is often seen as a low cost and accessible event by attendees as an alternative to the Australia Day celebrations conducted in the City of Perth/South Perth foreshore. The event largely attracts families and generates a sense of belonging and community by virtue of the atmosphere generated through attendances of 15,000 plus people, music performances, cultural activities, food vendors and the fireworks display.

Land and Nature: The Town's Australia Day event is held on public open space at Ashfield Reserve. Given the significance of Ashfield Reserve as a key community amenity close to residential housing, the reserve has high usage for both passive and active recreation and the staging of at least two major events per year. Every care is made to manage the impact on the playing surface and trees on Ashfield Reserve when staging the Australia Day event.

Travel and transport: Ashfield Train Station is located adjacent to Ashfield Reserve and the Town obtains permission from the Cyril Jackson Senior Campus to utilise the school oval for parking for attendees. The Town also implements a comprehensive traffic management plan (TMP) to ensure the safety of attendees, local residents and the heavy volume of traffic along Guildford Road and upon egress post event.

Materials and Product: The Town requests that all food vendors make available compostable product packaging and utensils (i.e. no single use plastics) and ensures that a mix of food vendors in regards to menu and health rating are trading at the event. In regards to the fireworks display, although popular with attendees/families, the staging of fireworks is not always seen as environmentally friendly due to gases/smoke being released into the air and close to residential housing. The Town mitigates this issue by staging medium scale fireworks. The Town ensures that the Pyro technician leaves the area in a clean condition.

Zero waste: Whilst it is not possible for the Town to ensure zero waste at the event due to the magnitude of people attending the event, the Town will have in place waste stations to encourage people dispose of their waste appropriately. The Town orders adequate bins and engages community groups for the post event clean up to ensure that Ashfield Reserve is left in a clean condition.

Cultural Outcomes *(The extent to which the proposal will celebrate the cultural diversity of the Town. Proposals including a detailed plan for addressing cultural recognition will be viewed favourably)*

The Town conducts a Welcome to Country, and Aboriginal music performance and storytelling is incorporated in the official proceedings when commencing the event.

The event meets the cultural development outcome of *Belonging* in line with the Town's Arts and Cultural Plan 2019-2023.

Whilst the majority of attendees are from outside the Town, given the nature of Australia Day and a strong sense of national pride of people attending the event, the event generates a strong sense of belonging and identity, where attendees feel a strengthened connection to a shared heritage of what Australia means to them.

Social Outcomes *(The extent to which the proposal will provide opportunities for social outcomes)*

The Town's Australia Day event achieves the following social outcomes of:

- Positively contributing to mental health and well-being as a result of the vibrancy and atmosphere generated at the event and the fireworks display which is popular with families. The event is also recognised as a safe event due to the reduced scale as compared to Australia Day celebrations in the City of Perth/South Perth foreshore;
- Connection of family, friends / relationships given the event is celebrated as a National public holiday and provides the opportunity for people to come together;
- Cultural through welcome to Country and acknowledgement of Aboriginal history, language and culture and music performances at the event.

Civic Outcomes *(The extent to which the proposal will provide and promote experiences that are unique to the Town)*

The Town's 2020 Australia Day event represents 15 consecutive years of staging the event from its inception in 2005 and is only one of two known Perth metropolitan Australia Day celebrations with a fireworks display outside of the City of Perth.

For Town residents, the event presents a once in a year opportunity to be part of a large and popular event with minimal distance to travel and has become the Town's flagship event over time.

Place Outcomes *(The extent to which the proposal will activate private or public spaces with vibrant activity)*

The Town's Australia Day event attracts between 15,000 to 20,000 people and as a green space with some tree canopy, Ashfield Reserve provides an ideal setting for a large scale event that is close to the train station and on Guildford Road.

By virtue of high attendance, cultural and music performances, show rides, food vendors, simulcast radio broadcast and fireworks display, these elements of the Australia Day event contribute to creating a vibrant atmosphere and activating a large public open space.

Economic Outcomes *(The extent to which the proposal will stimulate the local economy and provide opportunities for local business to leverage the event)*

Shop owners on Coulston Street adjacent to Ashfield Reserve remain open for the Australia Day event and generally would increase their turnover due to an increase in foot traffic as well as some local businesses leveraging from the event in providing promotional specials for selling their goods and services. As part of evaluating the event in 2020, it would be beneficial to also assess the economic impact on the local economy.

Safety Outcomes *(Submission of a risk assessment plan and evidence of the patron and community safety strategies that will be implemented. Every sponsorship or grant proposal is to include a detailed risk management plan)*

The Town formulates a comprehensive risk management plan and since 2017 has conducted risk scenario workshops with key stakeholders in the lead up to the event. Consideration is also given to hostile vehicle mitigation with the temporary installation of barriers for the event. In addition to the Town developing a risk management plan, the Pyro technician also develops a risk management plan as part of their approval process. The Town engages up to 40 security officers and receives a strong police presence for the event. A central command centre is set up on Ashfield Reserve to facilitate a coordinated approach for safety and event logistics and houses the event leaders from WA Police, Security, Traffic Management, Event Logistics and Events Officer. A copy of the 2019 risk management plan has been submitted as an attachment to this report to demonstrate the comprehensive approach to managing risk for the event. Town Officers are currently developing the risk management program for the 2020 Australia Day event.

Organisational Competency *(Evidence of, including a detailed implementation plan and budget, of the applicant's demonstrated capacity and financial viability to plan, deliver, manage and coordinate all aspects of the proposal)*

Whilst the Recreation and Culture Business Unit is the project lead for the planning and staging of the Australia Day event through the Town's Events Officer, the delivery of the event is very much a team effort across a range of business units/directorates. The event is a good case study of Town Officers training and developing themselves in staging a large and complex event spanning a 15 year period with continual improvements and modifications being made. The Town annually receives favourable reviews from attendees through event surveys and key stakeholders involved in the delivery of the event and can largely be attributed to the skills and efforts of Town Officers.

In recent years an Events Logistics Coordinator has been contracted to increase the human resource capacity of delivering the event and to manage the increasing complexities of staging large scale events. A detailed event implementation plan has been developed by the Events Officer.

As identified through an earlier review of the Australia Day event, a significant cash contribution is required from the Town to continue staging the event as well as Staff time being spent on the event for at least 4 months of the year. The project cost for 2020 is anticipated to be in excess of \$150,000 with projected income of approximately \$20,000 being raised in external funding through grants, parking income and other fees and charges.

Town Officers will be undertaking market research at the 2020 Australia Day event as part of the evaluation of the Town's events program.

The Town's Australia Day event is subject to the normal events approval process under the Health Act and Town Officers will work collaboratively to achieve a positive outcome.

STATUTORY REQUIREMENTS

Local Government Act 1995

FINANCIAL CONSIDERATIONS

A projected budget has been attached with this report.

The project cost is estimated to be \$154,285 with the projected income estimated at \$20,340. If endorsed by Council, the Town's actual contribution is expected to be \$133,945. Council approved \$200,000 in the 2019/20 Budget for the staging of major and significant events

OFFICER RECOMMENDATION – ITEM 4.3

That Council:

1. Reaffirms its support for the staging of the 2020 Australia Day Celebrations and Fireworks Event on Sunday 26 January 2020 at Ashfield Reserve;
2. Supports the release of \$154,285 and notes a forecast income of \$20,340 for the staging of the 2020 Australia Day event; and

3. Notes a comprehensive evaluation of the event will be undertaken in order to inform future decisions regarding events.

Voting requirement:

Simple majority: Point 1 and 3

Absolute majority: Point 2

4.4 Implementation of Differential Rates for the 2019/20 Financial Year (Ref:LAW/LOCLWS/2 – Paul White, Director Corporate Services)

APPLICATION

The Department of Local Government, Sport and Cultural Industries (DLGSC) recently advised the Town of Bassendean that the differential rates adopted by Council at its Ordinary Council Meeting on 23 July 2019 did not meet the requirements of the *Local Government Act 1995* (LGA) in two respects:

- GRV - Vacant Residential Land minimum payment; and
- Advertising requirements.

ATTACHMENTS

Attachment No. 3:

Covering letters to residents (A and B)

BACKGROUND

The differential rates approved for advertising by Council were:

- GRV – Property – Vacant – Rate in the dollar of 0.145 and minimum rates of \$2,100; and
- GRV – All Other Property – Rate in the dollar of 0.07302 and minimum rates of \$1,106.

The differential rates adopted by Council were:

- GRV – Vacant Industrial, Vacant Commercial, Vacant Non-Residential Land – Rate in the dollar of 0.145 and minimum rates of \$1,800;
- GRV – Vacant Residential Land – Rate in the dollar of 0.08 and minimum rates of \$1,200; and
- GRV – All Other Rateable Property – Rate in the dollar of 0.07302 and minimum rates of \$1,106.

GRV - Vacant Residential Land Minimum Payment

The LGA, section 6.35, requires that a minimum rate not be imposed on more than one half of the properties in each rating category, without the approval of the Minister.

The differential rating adopted for GRV – Vacant Residential Land will impose the minimum rate on more than one half of the properties in that rating category at the Town.

It is worth noting that the differential rates as advertised for GRV – Property – Vacant would have also imposed the minimum rate on more than one half of the properties in that rating category at the Town, had the advertised differential rates been adopted by Council.

Advertising requirements

The Town advertised two differential rating categories, but ultimately adopted three differential rating categories.

The LGA, section 6.36(4), states:

“The local government is required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification”.

The LGA, section 6.36(5) states:

“Where a local government —

...

(b) proposes to modify the proposed rates or minimum payments after considering any submissions under subsection (4), it is not required to give local public notice of that proposed supplementary general rate, specified area rate, modified rate or minimum payment”.

DLGSC is of the view that, whilst the LGA allows Council to amend the rate in the dollar and/or the minimum amount after public advertising, it does not allow for new differential rating categories to be adopted without satisfying the public advertising requirement.

Council deliberations on this matter during a Special Council Meeting on 3 September 2019 concerned whether rescinding the differential rates adopted by Council for GRV – Vacant Residential land would result in the adoption by Council of differential rates consistent with what was advertised and, as a result, would not give rise to an obligation to give local public notice.

Council deferred the meeting to enable staff to seek advice from DLGSC.

DLGSC provided verbal advice on 4 September 2019, summarised by the Director Corporate Services as follows:

The proposed amendment would result in the adoption of a rating category that has not been previously advertised, that is, Vacant Commercial/Industrial land.

Council has no capacity to rescind the motion or to adopt another motion on differential rates. Should Council wish to proceed with differential rating for 2019/20, the only option available is to make application to the State Administrative Tribunal to have the differential rates adopted in the Budget quashed.

Administrative Approach

Council adopted the 2019/20 Annual Budget incorporating differential rates on 20 August 2019.

The LGA, section 6.39, states:

“As soon as practicable after a local government has resolved to impose rates in a financial year it is to ensure that a record is compiled, at the time and in the form and manner prescribed, for that financial year of

-
- (a) all rateable land in its district; and*
 - (b) all land in its district on which a service charge is imposed.”*

The Administration completed the Towns' rate record on 22 August 2019.

The Administration engaged with its service provider to produce rates notices for all rateable properties within the Town. The rates notices were completed and provided to Australia Post for distribution on 30 August 2019.

The Administration sought retrieval of the rates notices issued to the owners of vacant commercial, industrial, non-residential and residential land in the Town prior to distribution by Australia Post. Rates notices for 9 of 16 vacant commercial, industrial and non-residential properties were retrieved and rates notices for 143 of 182 vacant residential properties were retrieved.

The Administration then took the following action:

- For rates notices that were retrieved prior to distribution, interim rates were levied and the resulting combined rates notice was issued, with covering letter A
- For rates notices that were not retrieved prior to distribution, interim rates were levied and a separate interim rates notice was issued, with covering letter B

to apply the standard rate in the dollar of 0.07302 and minimum rates of \$1,106.

Rates notices for all non-vacant were issued and distributed in the normal way.

COMMUNICATION AND ENGAGEMENT

The Town has discussed the administrative action taken with DLGSC and will keep DLGSC informed of any further developments. Informal DLGSC advice is that its priority is to ensure rates are levied lawfully and ratepayers pay the amount they are lawfully obligated to pay.

FINANCIAL CONSIDERATIONS

The Town will not receive the additional budgeted revenue from the implementation of differential rates of around \$90,000.

OFFICER RECOMMENDATION – ITEM 4.4

That Council:

1. Notes the following actions taken by the administration:
 - (a) For rates notices that were retrieved prior to issue, interim rates were levied and the resulting combined rates notice was issued, with covering letter A;
 - (b) For rates notices that were not retrieved prior to issue, interim rates were levied and a separate interim rates notice was issued, with covering Letter B;

to apply the standard rate of 7.302 cents in the dollar and minimum payment of \$1,106; and

2. Requests that a Differential Rating Report be provided for consideration by Council in advance of the 2020/21 Budget workshops.

Voting requirements: Simple majority

5.0 CLOSURE