



**ORDINARY COUNCIL MEETING  
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## **ORDINARY COUNCIL MEETING AGENDA**

1. **DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**  
*Chairperson to open the meeting*
2. **DISCLAIMER**  
*Chairperson to read the City's Disclaimer*
3. **ANNOUNCEMENTS FROM THE PRESIDING MEMBER**
  - 3.1 **Activities Report Mayor Best / Council Representatives** (*Attached to Agenda paper*)
  - 3.2 **Public Question Time**
  - 3.3 **Audio Recording of Council meeting**
4. **ATTENDANCE**
  - 4.1 **Apologies**
  - 4.2 **Approved Leave of Absence**
5. **DECLARATION OF INTEREST**
6. **PUBLIC QUESTION TIME**
  - 6.1 **RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**  
At the Council meeting held 22 February 2011 there were no questions taken on notice:
  - 6.2 **PUBLIC QUESTION TIME : 22.3.2011**
7. **CONFIRMATION OF MINUTES AND TABLING OF NOTES OF BRIEFINGS AND OTHER MEETINGS UNDER CLAUSE 19.1**
  - 7.1 **MINUTES**
    - 7.1.1 **Ordinary Council Meeting Held: 22.2.2011**
  - 7.2 **BRIEFINGS**

The following Briefings which have taken place since the last Ordinary Council meeting, are in line with the 'Best Practice' approach to Council Policy P672 "Agenda Briefings, Concept Forums and Workshops", and document to the public the subject of each Briefing. The practice of listing and commenting on briefing sessions, is recommended by the Department of Local Government and Regional Development's "Council Forums Paper" as a way of advising the public and being on public record.

    - 7.2.1 **Agenda Briefing - February Ordinary Council Meeting Held: 15.2.2011**  
Officers of the City presented background information and answered questions on items identified from the February Council Agenda. Notes from the Agenda Briefing are included as **Attachment 7.2.1.**
    - 7.2.2 **Dogs Local Law Workshop and Review Policy P504 Meeting Held: 8.3.2011**  
Consultant, Chris Liversage 'workshopped' with Members the Dogs Local Law following the input from the Public Forum held 1 march 2011. The Director Infrastructure Services and Manager City Environment gave a presentation on the review of Policy P504 'Street Verges'. Notes from the Concept Briefing are included as **Attachment 7.2.2.**

**7.2.3 Joint Briefing with Town of Victoria Park – Canning Highway Road Reserve and Public Transport and East Perth Redevelopment Authority Meeting Held at the Town of Victoria Park : 8.3.2011**

Representatives from the Departments of Transport and Planning and Consultants from Worley Parsons gave presentations on the Canning Highway Road Reserve and Public Transport and the transport corridor between Canning Bridge and the Causeway. The East Perth Redevelopment Authority gave a presentation on major developments within 5 kilometres of the City. Notes from the Concept Briefing are included as **Attachment 7.2.3**.

**8. PRESENTATIONS**

**8.1 PETITIONS** - A formal process where members of the community present a written request to the Council

**8.1.1. Petition dated 1 March 2011 (received 14 March) from Craig Boulton, 1/47 Monash Avenue, Como, together with 166 signatures in relation to the small retail precinct at the corner of Murray Street and Monash Avenue, Como.**

**Text of Petition reads** (in part):

*“We the undersigned electors of the City of South Perth request that the City of South Perth Council...*

- *recognise that the Local Commercial Centre at the intersection of Murray Street and Monash Avenue, Como is significant in the provision of retail and commercial services to the residents of the Moresby Ward; and*
- *undertake a review of the retail and commercial facilities provided at the intersection of Murray Street and Monash Avenue, noting:*
  - *the tired and rundown appearance of the centre*
  - *a limited range of businesses....*
  - *lack of landscaping or other streetscape improvements*
  - *limited street car parking (32 parking bays at the rear of the centre)*
  - *public transport access via bus stops on Murray Street adjoining the centre.*

**RECOMMENDATION**

That the Petition dated 1 March 2011 (received 14 March) from Craig Boulton, 1/47 Monash Avenue, Como together with 166 signatures in relation to the small retail precinct at the corner of Murray Street and Monash Avenue, Como be received and forwarded to the Development and Community Services Directorate for investigation.

**8.1.2. Petition dated 14 March 2011 received from Shona Reid and Sandra Watson, Proprietors “Labels” Boutique, 84 Angelo Street, South Perth together with approximately 310 signatures in relation to ‘small bar licences’ in Angelo Street, South Perth.**

**Text of Petition reads:**

*“We the undersigned urge the City of South Perth to reconsider and relax its position on small bar licences in Angelo Street, South Perth.*

**RECOMMENDATION**

That the Petition dated 14 March 2011 received from Shona Reid and Sandra Wilson, Proprietors “Labels” Boutique, 84 Angelo Street, South Perth together with approximately 310 signatures in relation to ‘small bar licences’ in Angelo Street be received and forwarded to the Development and Community Services Directorate for consideration as part of the application lodged 15.2.2011 for a ‘Change of Use’ (shop to café/restaurant) at 84 – 86 Angelo Street, South Perth.

- 8.1.3. Petition dated 14 March 2011 received from June Davis, 123/43 McNabb Loop, Como together with 94 signatures in relation to Amendment No. 26 to the City of South Perth town Planning Scheme re the Proposed Rezoning by Lifestreams Christian Church.**

**Text of Petition (in part) reads:**

*"We the undersigned residents of the Collier Park Village, disagree with the report conclusions on Amendment No. 26 in Sections 7.5 and 7.7 that the character and local amenity will be unaffected" .....*

**RECOMMENDATION**

That the Petition dated 14 March 2011 received from June Davis, 123/43 McNabb Loop, Como together with 93 signatures in relation to Amendment No. 26 to the City of South Perth Town Planning Scheme – re Proposed Rezoning by Lifestreams Christian Church, be received and that it be considered together with other Submissions on Amendment No. 26 as part of a Report to be presented to Council.

**8.2 PRESENTATIONS** -Occasions where Awards/Gifts may be Accepted by Council on behalf of Community.

**8.3 DEPUTATIONS** - A formal process where members of the community may, **with prior permission**, address the Council on Agenda items where they have a **direct** interest in the Agenda item.

**8.4 COUNCIL DELEGATES REPORTS**

- 8.4.1. Council Delegate: WALGA South East Metropolitan Zone: 9 February 2011**

A report from Mayor Best and Cr Trent summarising their attendance at the WALGA South East Metropolitan Zone Meeting held 9 February 2011 at the City of Gosnells is at **Attachment 8.4.1**.

The Minutes of the WALGA South East Metropolitan Zone meeting of 9 February 2011 have also been received and are available on the *iCouncil* website.

**RECOMMENDATION**

That the Delegate's Reports in relation to the WALGA South East Metropolitan Zone Meeting held 9 February 2011 at **Attachment 8.4.1** be received.

- 8.4.2. Council Delegate: Rivers Regional Council (RRC) : 17 February 2011**

A report summarising the attendance of Crs Cala and Trent at the RRC Ordinary General Meeting held at the Shire of Serpentine Jarrahdale on 17 February 2011 is at **Attachment 8.4.2**.

**RECOMMENDATION**

That the Delegate's Report in relation to the Rivers Regional Council Ordinary General Meeting held 17 February 2011 at the Shire of Serpentine Jarrahdale at **Attachment 8.4.2** be received.

**8.5 CONFERENCE DELEGATES REPORTS**

- 8.5.1. Council Delegate: WALGA Office of Road Wise : 2 March 2011**

A report summarising Cr Trent's attendance at the WALGA Office of Road Wise, Forum on the topic of "Towards Zero" aimed at raising awareness and creating a safer environment on our roads, is at **Attachment 8.5.1**.

**9. METHOD OF DEALING WITH AGENDA BUSINESS**

## 10. REPORTS

### 10.0 MATTERS REFERRED FROM PREVIOUS COUNCIL MEETINGS

<b>10.0.1 Potential new names for Public Roads within the City of South Perth</b> <i>(Item 10.0.2 October 2010 Council meeting refers)</i>
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Applicant:	City of South Perth
Date:	1 March 2011
File Ref:	RO/801
Author:	Patricia Wojcik, Planning Officer
Reporting Officer:	Vicki Lummer, Director Development & Community Services

#### Summary

To adopt an additional list of names, drawn from the names of former prominent Chinese market gardeners, for consideration when naming new public roads within the City of South Perth.

#### Background

##### Previous Council Resolution

At the October 2010 Council meeting, the following resolution was adopted:

*“That ...*

- (a) the recommended list of names for future naming of public roads and rights-of-way within the City of South Perth, as contained in Report Item 10.0.2 of the October 2010 Council Agenda, be adopted;*
- (b) on all future occasions when a new name is required for a public road or right-of-way, the Council will select a name from the adopted list referred to in part (a) above, for recommendation to the Geographic Names Committee; and*
- (c) a further report be submitted to the March 2011 Council meeting recommending an additional list of names drawn from the names of the prominent Chinese market gardeners who provided a vital source of horticulture and fresh produce along the South Perth foreshore between the 1890s and the 1950s.”*

In response to that resolution, this report presents an additional list of names for future public roads drawn from the names of early Chinese market gardeners on the South Perth foreshore.

#### Comment

##### Public Roads

In numerous locations, public road names within the City of South Perth already follow a naming theme as shown in **Attachment 10.0.1**. These themes include, among others:

- Western Australian governors, premiers and other politicians;
- Government officials;
- Chairmen / Mayors and Board / Council members;
- City officers;
- Early explorers / ships;
- Early settlers / local families;
- Early developers / estate agents / surveyors;
- Aboriginal names;
- Mount Henry Hospital benefactors;
- War heroes;
- British royals and statesmen;
- Irish / Christian Brothers names; and
- Local land features.

While these themes are well established for local street and place names, in most cases streets within particular naming themes are dispersed throughout the City. Many of the established themes are relevant to the City's heritage, and should still be considered for new street names. For example, if a new road was created in Karawara, an Aboriginal word should be chosen to follow the existing theme. At the May 2010 meeting, a Council Member commented that some new street names do not appear to relate to the City of South Perth and in October 2010 it was reiterated that new street names need to recognise all aspects of South Perth. It would therefore be appropriate for the Council to continue to use any name relevant to the long-established name themes for future streets, particularly those which reflect the history of the City, as appropriate in each instance.

The Council has requested that the list of naming themes be expanded to include new themes. In October 2010, the theme of local "Marine Species" was endorsed and a list of appropriate names was approved. At the same meeting, the theme of "Early Chinese Market Gardeners" was suggested. The proposed Chinese names are listed below in the "Consultation" section of this report.

#### Rights-of-Way

The naming of rights-of-way within the City of South Perth already follows a native floral theme and it is considered that this theme should continue.

#### **Consultation**

The City's Local Studies Library Officer was helpful in suggesting names that would fit into the new theme. The Chung Wah Association of Australia was also consulted to determine if there are any special cultural issues the City would need to be aware of in using the name of a deceased Chinese person. They have advised there are none, except that traditionally the family name is placed before the first name. The suitability of the suggested names was then tested through consultation with Landgate's Geographic Names Committee, which has responsibility for approval of names recommended by the Council.

#### Naming of Public Roads

According to the Geographic Names Committee's policy document for naming roads, titled *Principles, Guidelines and Procedures*, the following provisions apply for any proposed new public road names:

**(a) Suitable names**

Preferred sources of names include names from Aboriginal languages currently or formerly identified with the general area, pioneers of the state or area, citizens who have made a significant community contribution, war casualty lists and thematic names (e.g. nautical, sporting etc). Ethnic and gender diversity is encouraged. Given / first and surname combinations are suitable only if the surname alone cannot be used because of duplication. All name proposals must clearly identify the origin of the name and provide relevant references to allow for the verification of the name.

**(b) Unsuitable names**

Names characterised as follows are to be avoided - Given / first names, corrupted, unduly cumbersome or difficult to pronounce names, obscene, derogatory, racist or discriminating names, company or commercialised names (unless in an historical context).



**(c) Name duplication**

Name duplication within local governments or adjoining local governments shall be avoided. When a duplicated name is proposed elsewhere, it must not be duplicated more than five times in the metropolitan region, must be at least 10 km from the existing duplication and must have a different road type. These exclusions apply to similar sounding or written names, and also apply to those within similar sounding suburbs even if more than 10 km away. In rural areas the distance should be at least 50 km away.

**(d) Names of living persons**

The names of living persons are not normally suitable for road names, and if proposed will be subject to a more rigorous selection process. The proposal must be accompanied by comprehensive biographical details including details of community involvement, and also an indication of strong community support for the proposed name.

Naming of Rights-of-Way

According to the Geographic Names Committee's naming guidelines for a right-of-way, a suitable name would:

- (a) not have similar sounding names within a 10 km radius;
- (b) not be duplicated more than five times within the metropolitan area;
- (c) not be a double-barrelled name or be too long;
- (d) be a native floral name consistent with previously named rights-of-way in the City; and
- (e) if at all possible, have some relevance to the right-of-way being named.

The "road type" usually used for a right-of-way is "Lane".

Names on which advice was sought

In relation to the new "Early Chinese Market Gardeners" theme, nine potential new public road names were sent to the Geographic Names Committee for preliminary advice. It is important to note that all advice received from the Geographic Names Committee at this stage is preliminary and that final approval of any of these names is not guaranteed. The Geographic Names Committee is the approval body for the naming of any new public roads and rights-of-way and they have strict guidelines that need to be followed. The complete names (family and "given" names) were sent originally, however the Geographic Names Committee has advised that they don't generally accept "double-barrelled" names. Therefore, an amended list containing only the surnames was then put forward for approval.

Notwithstanding the advice from the Geographic Names Committee regarding "double-barrelled" names, it is considered appropriate to persevere with both family and "given" names for the following reasons:

- The composite names are still short
- The names have historical associations with local identities
- The street names derived from family names only may not be acceptable to the local community as they have an unusual connotation in isolation.
- There are other examples of dual naming in the City of South Perth and elsewhere, such as Max Forman Court and Letchworth Centre Avenue

The table below shows the proposed names along with a short rationale:

<b>Recommended Public Road Names (Early Chinese Market Gardeners in South Perth)</b>		
	<b>Proposed New Name</b>	<b>Rationale</b>
1.	<b>Ah Tong</b>	<ul style="list-style-type: none"> <li>• One of the first gardeners;</li> <li>• Inspection confirmed this to be one of the best kept gardens;</li> <li>• <i>Peninsular City*</i> - p. 68.</li> </ul>
2.	<b>See Woh</b>	<ul style="list-style-type: none"> <li>• One of the first gardeners;</li> <li>• Inspection confirmed this to be one of the best kept gardens;</li> <li>• <i>Peninsular City</i> – p. 68.</li> </ul>
3.	<b>Chew Yook</b>	<ul style="list-style-type: none"> <li>• First gardener, been on the land since 1888, remained until 1925;</li> <li>• <i>Peninsular City</i> - p. 114.</li> </ul>
4.	<b>Wong Chew</b>	1951-1968 <ul style="list-style-type: none"> <li>• The last South Perth Chinese market gardener to arrive;</li> <li>• <i>Peninsular City</i> - p. 250.</li> <li>• Brother to Wong Bue, affectionately know as Billy Bue;</li> <li>• <i>Peninsular City</i> - p. 321 and 114.</li> </ul>
5.	<b>Pang Lee</b>	<ul style="list-style-type: none"> <li>• Operated a Chinese laundry on the corner of Roseberry Avenue and Suburban (Mill Point) Road;</li> <li>• <i>Peninsular City</i> - p. 325.</li> </ul>
6.	<b>Say Wing</b>	<ul style="list-style-type: none"> <li>• South Perth market gardener was involved in an accident on the Causeway where a car hit the back of his horse-drawn lorry and he was thrown to the ground - He passed away in Perth Hospital due to fractured ribs, lacerated lung, fracture of the skull, contusions of the brain;</li> <li>• <i>West Australian</i> 26 May 1934, “Causeway Fatality: Chinaman’s Death Investigated” (accessed via <a href="http://trove.nla.gov.au">trove.nla.gov.au</a>).</li> </ul>
7.	<b>Sun Sing</b>	<ul style="list-style-type: none"> <li>• The last market gardener to leave land that was required for Sir James Mitchell Park (three other gardeners were also on the required land prior to Sun leaving);</li> <li>• <i>West Australian</i> 9 April 1952, “To Make Way For Park” (accessed via <a href="http://trove.nla.gov.au">trove.nla.gov.au</a>).</li> </ul>
8.	<b>Soon Sun</b>	<ul style="list-style-type: none"> <li>• Worked on Lot 206, Suburban Road in 1934;</li> <li>• <i>Peninsular City</i> - p. 323.</li> </ul>
9.	<b>Hong Wah</b>	<ul style="list-style-type: none"> <li>• Worked on Lot 3, The Esplanade in 1934;</li> <li>• <i>Peninsular City</i> - p. 320.</li> </ul>

\* Cecil C Florey: “*Peninsular City - A Social History of the City of South Perth*” 1995.

Aside from the question relating to “double-barrelled” names, the Geographic Names Committee has advised that all the names seem to be suitable for use, with no duplications in the surrounding local government areas. Therefore, the names listed in the table above are presented to Council for adoption.

#### **Policy and Legislative Implications**

There is no legislative implication in relation to this report. However, in selecting names, the Council must be mindful of the Geographic Names Committee’s policy guidelines explained earlier.

**Financial Implications**

Financial implications extend to the officer time spent in researching and compiling this report.

**Strategic Implications**

This matter relates to Strategic Direction 5 “Transport” identified within the Council’s Strategic Plan which is expressed in the following terms:

*Improve accessibility to a diverse and interconnected mix of transport choices.*

**Sustainability Implications**

There are no sustainability implications in relation to this report.

<b>OFFICER RECOMMENDATION ITEM 10.0.1</b>
-------------------------------------------

That ...

- (a) the further recommended list of names for future naming of public roads within the City of South Perth, drawn from the names of early Chinese market gardeners, as contained in report Item 10.0.1 of the March 2011 Council Agenda be adopted; and
- (b) on all future occasions when a new name is required for a public road, the Council will select a name from:
  - (i) the adopted list referred to in Part (a) above;
  - (ii) the list of certain marine species adopted by the Council in October 2010; or
  - (iii) any of the relevant naming themes currently in use within the City, as contained in **Attachment 10.0.1**;for recommendation to the Geographic Names Committee.

**10.1 STRATEGIC DIRECTION 1 : COMMUNITY**  
Nil

**10.2 STRATEGIC DIRECTION 2: ENVIRONMENT**

**10.2.1 Climate Change Risk Assessment and Adaptation Report**

Location: City of South Perth  
Applicant: Council  
File Ref: EM/116/1  
Date: 1 March 2011  
Author: Wendy Patterson, City Sustainability Coordinator  
Reporting Officer: Cliff Frewing, Chief Executive Officer

**Summary**

The City undertook a trial project in 2010, to identify and assess the risks of climate change impacts, as a 'first pass' at understanding and recording the City's likely vulnerability towards the impacts of climate change, and therefore, to adapt. An Adaptation Report (Parts A and B) was submitted to the City by the project facilitator, Echelon Australia Pty Ltd, an organisation associated with the City's insurers, Local Government Insurance Services (LGIS).

The City's key vulnerability (risks rated as extreme) is to sea level rise. The recommendations of the Adaptation Report have been reviewed by a staff Climate Change Adaptation Working Group and the priority resulting from this review is to undertake comprehensive technical research in order to apply to the Adaptation Options identified in the Adaptation Report, in regard to the impact of sea level rise.

**Background**

The City has completed its milestone journey in the ICLEI Cities for Climate Protection (CCP) campaign (now de-funded by the Australian Government). The CCP campaign was significantly successful in the local government sector, in bringing about the early changes required to mitigate greenhouse gases and, adapting to the actual/potential impacts of climate change. The City's efforts to date have been based on mitigation activities such as the civic building energy audits (and the resultant lighting upgrades to reduce electricity/energy consumption), and the community Household Energy Audit project in 2008, among others.

In transitioning from the Cities for Climate Protection program, the development of a city-wide draft Climate Change Strategy 2010-2015 is now complete and in preparation for endorsement by Council. This draft Climate Change Strategy has three themes, Leadership, Mitigation and Adaptation.

The Australian Government has been active in field of climate change, releasing two significant reports - 'Climate Change Impacts and Risk Management: A Guide for Business and Government (2006)', and 'Climate Change Adaptation Actions for Local Government (2007)'.

A definition of climate change adaptation - *Actions in response to actual or projected climate change and impacts that lead to a reduction in risks or a realisation of benefits. A distinction can be made between a planned or anticipatory approach to adaptation (ie. risk treatments) and an approach that relies on unplanned or reactive adjustments (Climate Change Impacts & Risk Management - A Guide for Business and Government, Australian Government, 2006 p70).*

In February 2009, the City partnered with Towns of Victoria Park and Vincent, to apply for the Australian Government's second round of funding from the Local Adaptation Pathways Program - an amount of \$142,000.00 to undertake a risk assessment for adaptation to climate change. The City was informed in June 2009 of its unsuccessful application. At that time, the City was advised that there would no longer be further funding from the Australian Government for the Local Adaptation Pathways Program.

As adaptation to climate change is a key commitment in the City's draft Climate Change Strategy 2010-2015, the City was very receptive when Echelon Australia Pty Ltd, contacted the Chief Executive Officer with a proposal to conduct a trial (free of charge) climate change risk assessment project for a local government in Western Australia. Echelon is associated with the Local Government Insurance Services, which provides insurance services to the City. Echelon Australia Pty Ltd has facilitated a climate change risk assessment process to around 200 local governments on the eastern seaboard, and were marketing their presence in WA.

The City accepted Echelon's proposal to conduct a free of charge trial project on the City of South Perth, and a series of workshops consisting of staff from across the organisation, were conducted from April to October 2010. A Councillor Briefing was held on 13 July 2010 in the Council Chamber with active participation from the Councillor group.

#### **Comment**

Local Government has an important role to play in relation to climate change given its responsibility for a wide range of issues, such as planning and development, land use, asset and infrastructure management, promotion of renewable energy, vegetation clearance and stormwater management to name a few.

It is generally acknowledged that the task of adapting to climate change will be complex, expensive and require long term commitment from all Local Governments. It also needs planning, direction and a sound framework. In response to this, Echelon Australia Pty Ltd developed a climate change adaptation planning process that adopts a consistent national approach through the application of:

- Climate Change Impacts and Risk Management: A Guide for Business and Government, Australian Greenhouse Office, 2006;
- Climate Change Adaptation Actions for Local Government, Department of Climate Change, [2007];
- Climate Change Scenarios for Initial Assessment of Risk in Accordance with Risk Management Guidelines, CSIRO, 2006, and;
- Australian Standard AS/NZ 4360 and ISO 31000, Risk Management (Adaptation Report A).

The project consisted of the delivery of a report, and in this case the City received two reports - Part A and Part B. These reports were provided to Councillors via the Councillor Bulletin on 4 February 2011. Part A presents the Executive Summary; background information on climate change and the expected impacts in South Western Australia; the project methodology; the recommendations as a result of the assessment; the analysis of the impacts; and the climate change impacts data for extreme and high risks.

The risk assessments, based on the CSIRO climate change scenarios for South-Western Australia , have been considered in relation to:

- Temperature
- Hot days
- Average rainfall
- Rain intensity
- Wind
- Fire weather
- Sea level.

The City's functional areas for this process were defined as Infrastructure and Property Services, Recreational Facilities, Health Services, Planning and Development, Natural Resources, Water and Sewer (based on a national classification system).

In accordance with the Australian Standard for risk management, the process methodology involved an assessment of the City's risks in terms of climate change impact, based on determining the likelihood of events occurring, and the resultant consequences (Appendix 1 and 2 of Adaptation Report Part B respectively) applied to each of the scenarios listed above. In addition, each risk was assessed against five 'success criteria' (Appendix 3 of Adaptation Report Part B) and these were:

- maintain public safety;
- protect and enhance the local economy;
- protect existing community structures and the lifestyle enjoyed by the people of the region;
- sustain and enhance the physical and natural environment; and,
- ensure sound public administration and governance.

Finally, and as a result of the process methodology, the identified risks were ranked into extreme, high, medium, and low risks. The results of the complete climate change risk assessment are presented in Appendix 6 of the Adaptation Report Part B.

Of significance, the identified extreme and high risks have been highlighted in summary form in Part A of the Adaptation Report (page 3-13), for attention.

The trial risk assessment project identified a number of important impact areas that the City can incorporate into strategic management planning processes, including:

- Loss of amenity and function of the City's open space
- Emergency management planning during periods of heavy rain
- Loss of natural environment along foreshore
- Development and planning of low lying areas
- Health services especially for the elderly
- Asset management for specific sites vulnerable to sea level rise.

In regard to the fifth bullet point above (Health Services), the risk assessment revealed that under the scenario 'Intense rain events increase', the Health Services function of the City was assessed as:

*There is a risk that an increase in rainfall intensity may result in restricted access, egress and movement to and within Retirement Village and Low Care Hostel for residents and visitors impacting public safety (page 8 of Report A).*

The report (in Part A) identifies nine recommendations, and they are:

1. Raise awareness of climate change risks within the City and community to enhance decision-making and build community resilience as part of on-going communication and consultation.
2. Review of identified extreme and high risks and adaptation options.
3. Develop detailed adaptation plans including required actions, resources, timeframes and expected outcomes.
4. Categorising of adaptation plans into e.g. short (< 1 year), medium (1-3 years) and long term (> 3 years).
5. Review all risk assessments including medium and low risks on a regular basis.
6. Consideration of new climate change risks when reviewing risk assessments, or as and when they arise.
7. Consideration of changes in relevant climate change data, operating environment, legislation, economy, demographics, and other relevant factors when reviewing risk assessments and adaptation plans.
8. Inclusion of climate change risk management and adaptation plans into strategic and other management planning processes.
9. Inclusion of climate change risk management results into the City's continuous improvement processes.

A Climate Change Adaptation Working Group, consisting of a City Director, Managers and Officers, was convened to consider and respond to the Report's recommendations.

The responses to the nine Recommendations can be categorised as below:

**Recommendation 1:**

- This is included in the draft Climate Change Strategy – Leadership & Education, in various recommended actions.

**Recommendation 2:**

- This is reviewing the Extreme and High Risks - and will be undertaken by the Adaptation Working Group

**Recommendation 3:**

- This is developing detailed adaptation plans including required actions, resources, timeframes and expected outcomes - by the Adaptation Working Group

**Recommendation 4:**

- This is categorising the adaptation plans into e.g. short (< 1 year), medium (1-3 years) and long term (> 3 years).

**Recommendations 5 - 9:**

- This is the development of a process, and inclusion into the City's Risk Management Strategy and Plan.

In so far as prioritising the Recommendations, it is suggested that the effort be directed at Recommendation 2, in prioritising the Adaptation Options for the Extreme and High risks, initially. Recommendations 3 and 4 would evolve from the review of Recommendation 2, and Recommendations 5 - 9 can be managed as a separate process, to ensure that the City's Risk Management Strategy and Plan include risk assessment for adaptation to climate change as presented in the Adaptation Report.

Prioritising the Adaptation Options for Extreme and High risks as per Recommendation 2 is a key outcome of the Adaptation Report. Extreme risk summaries (Infrastructure and Property Services, and Natural Resources) exist for Sea Level Rise (refer to Adaptation Report Part A pages 3 - 13) and the common Adaptation Options are:

- research, develop and implement suitable control measures
- further Community, Council and Stakeholder consultation.

The Adaptation Working Group has considered these Adaptation Options and it appears evident that the key priority is to undertake further research to identify and understand the technical aspects of the City's elevation modelling and associated activities as they relate to the risk of sea level rise. Until this is undertaken, the City will not be in a position to effectively undertake many of the other Adaptation Options.

Once this initial priority of further technical research is completed, many of the Adaptation Options (development of a Drainage Plan etc) can be addressed in an integrative nature across the organisation.

#### **Consultation**

Staff representatives from across the organisation participated in seven workshops (23 April, 16 June, 13 July, 3 August, 6 August, 31 August and 6 October 2010). The purpose of the project was to undertake a 'desktop' or first pass review and assessment of the City's risks in terms of the effects of actual or potential climate change impacts. This process resulted in the development of a spreadsheet of risks for future management, and the detail of the workshops are presented in the Adaptation Report Part B.

Councillor Briefing held on Tuesday 13 July 2010. At this stage, no external community consultation has been conducted.

#### **Policy and Legislative Implications**

The policies directly impacted and related, to adaptation to climate change are listed below. It should be noted that it is likely that other policies may apply as the risks revealed by this first benchmark assessment are fully investigated and adapted.

Sustainability Policy P320  
Energy conservation P302  
Groundwater Management P303  
Ecologically Sustainable Building Design P321  
Sustainable Design P350.1



**Financial Implications**

The priority is to research and investigate the technical aspects of the City's vulnerability to sea level rise. It is anticipated that a project be planned for incorporation into the Corporate Plan 2011-2012.

Further prioritisation of the risks (post initial technical research) will reveal a more accurate assessment of likely financial implications, in particular, where the adaptations relate to significant City infrastructure and where appropriate control measures need to be developed. It is suggested that long term planning for the costs to adapt, be incorporated into the City's Strategic Financial Plan.

**Strategic Implications**

Strategic Directions 2010-2015: Environment at 2.5 - Build capacity within the City and community including partnering with stakeholders, to manage climate change risk and opportunity, through leadership, adaptation and mitigation.

Corporate Plan 2010-2011:

Environment 2.5.1 - Participate in the LGIS Climate Change Risk Assessment Program

Environment 2.5.2 - Consider Adaptation Plans contained in the Climate Change Risk Assessment Report

Environment 2.5.3 - Develop and implement a Climate Change Strategy

**Sustainability Implications**

The management of climate change impacts, the mitigation of and adaptation to, is an element of the City's Sustainability Strategy, and draft Climate Change Strategy. The management of climate change impacts is a key sustainability function for the City as an organisation, and for the community. The full consequences of this will be revealed over time, and will therefore require a sustainable process to continually monitor and adapt to the changing climate.

**OFFICER RECOMMENDATION ITEM 10.2.1**

That....

- (a) Council endorses the Climate Change Adaptation Report Parts A and B prepared by Echelon Australia Pty Ltd, and
- (b) priority will be given to the allocation of funds for the following recommendations contained in the Climate Change Adaptation Report:
  - Recommendations 1 and 2 which are identified as the 'priority options' emanating from the Climate Change Adaptation Report;
  - Recommendations 3 and 4 following the completion of priorities contained in Recommendation 2; and
  - consideration of Recommendations 5 and 9 as priority and resources permit.

<b>10.2.2. Investment in the Swan Canning Catchment</b>
---------------------------------------------------------

Location:	City of South Perth
Applicant:	Council
File Ref:	GR/205
Date:	8 March 2011
Author:	Cliff Frewing, Chief Executive Officer

**Summary**

The Western Australian Local Government Association (WALGA), through its Swan Canning Policy Forum is seeking Council support for its *draft* Priority Plan (the Plan) for Investment in the Swan Canning Catchment.

**Background**

The Plan was first released to Swan Canning Policy Forum members in September 2010 and a subsequent version was released for comment to all metropolitan Local Governments and key stakeholders in November 2010. Over the total comment period, twelve Local Governments provided submissions and three Councils formally endorsed the Plan. The Swan Canning Policy Forum has now endorsed a final draft of the Plan which will be presented to the WALGA State Council on April 6, 2011. The Forum is encouraging all metropolitan Councils to give in principle support to the Plan to assist with future advocacy campaigns. The Draft Priority Plan is at **Attachment 10.2.2**.

The Swan Canning Policy Forum was created in response to continuing water quality decline, asset and foreshore degradation in and along the river system. There are significant infrastructure backlog issues associated with shoreline protection and public amenity assets and insufficient investment from the State to address these issues. Through the Policy Forum, Local Governments have united on this critical issue, calling for a commitment to the protection and sustainable management of the river system.

The pressures on the Swan Canning river system are likely to worsen as development increases, generating more pollution and demand for access to and use of the rivers. Contaminants including pesticides, heavy metals and hydrocarbons as well as nutrients from the catchment are entering the system at an unacceptable rate via stormwater drains and groundwater leaching. The impact of this water quality decline was realised in 2009 with the death of six resident dolphins, as well as on-going algal blooms and frequent fish kills. Three oxygenation plants are required to restore oxygen levels in the system. As the major land manager in the catchment, Local Government has the opportunity to improve water quality reaching the river.

There is currently no strategic, coordinated and costed strategy to address these issues. The lack of a coordinated approach to this problem has resulted in ad-hoc projects, inadequate resource allocation and funding which has led to the vast backlog of projects now urgently required to restore river and catchment health, and infrastructure.

**Comment**

WALGA and members of the Swan Canning Policy Forum have identified the need for an integrated, funded strategy to improve water quality, quantity and infrastructure of waterways throughout the Swan Canning catchment. The objective of the Plan is to recommend a preferred funding mechanism and institutional arrangements that will result in:

- Improved water quality in the rivers, waterways and groundwater
- Improved condition of built and natural foreshore areas through implementation of best practice
- Improved stormwater management to best practice standards
- Increased community awareness about the water quality issues in the Catchment
- Behaviour change influenced to reduce nutrients and contaminants reaching waterways
- Water quality considerations integrated into land use planning processes
- Current and future development maintaining or improving water quality
- Increased trust, collaboration and understanding between key stakeholders
- Improved river resilience to manage climate change impacts
- Clarity on the roles and responsibilities of relevant stakeholders

This proposal investigates a number of revenue streams, proposing a “healthy catchments rate” as a required outcome if investment remains stagnant, within an overall framework that includes improvements to asset management.

The proposed sustainable funding mechanism is an expansion of the current revenue collected by the Water Corporation for its drainage rate which would be deposited into, and managed by, a central independent Board comprising of the Department of Water, Water Corporation, Swan River Trust, WALGA and other relevant organisations to distribute and expend the funds.

The Board would be independently chaired by a Government appointment. Funds raised would then be used to address identified priorities for the catchment.

The recommendations of the Plan are detailed below:-

1. The State Government work with key statutory stakeholders to develop an equitable and on-going funding mechanism to improve the health of the Swan Canning Catchment and river assets,
2. Local Government develop stormwater quality management plans to improve asset management and implement current best practice for integrated water management,
3. Water Corporation develop stormwater quality management plans and report on water quality within main drains and capital works programs and implement current best practice for integrated water management,
4. The State Government increase funding for the Swan River Trust in future State budgets,
5. A partnership agreement is signed by all statutory stakeholders to commit to water quality improvement and to clarify roles and responsibilities,
6. Water quality targets/guidelines are established for new development and enforced through the planning system or Department of Water,
7. A compulsory nutrient offset scheme is developed,
8. The State water reform agenda include water quality management provisions for drainage service providers and mechanisms to reduce transfer of nutrients and contaminants to water bodies,
9. Expand the Infill Sewerage Program to include industrial areas and currently unsewered urban areas,
10. Require stronger fertiliser regulation for the agricultural sector through the Fertiliser Action Plan and stronger emphasis on soil amendments and training in rural areas.

The Plan addresses Recommendation 1 in length. Recommendations 2-7 are seen as important components of the overall strategy that need further development and consideration. There is recognition that implementation of Recommendation 1 alone is not considered adequate to address all the issues currently associated with waterway health in the Swan and Canning catchment.

The proposed model is an expansion of the current Water Corporation drainage rate collection system but will also ensure that funding is allocated to water quality management solutions and asset management. It is similar to other models adopted around Australia, such as in Queensland, NSW, Victoria, and internationally.

The model is based on the principle that the community should share in the responsibility for protecting high value receiving environments (in this instance the Swan Canning river system). It also tries to bridge the gap in the current model in Western Australia where no single organisation has responsibility for managing water quality depositing into waterways and river systems, and as a result, treating the ensuing problems has been ineffective in the past. This healthy catchments rate will ensure greater accountability and also manage water quality as a catchment concern rather than as a localised, isolated issue. It will also provide considerably more funding for foreshore infrastructure renewal.

### **Costing Structure**

The proposed costing model for the Healthy Catchments Rate is an area based charge based on land use zonings (residential, commercial and industrial), with each category tiered on land area. The Water Corporation currently levies \$36 million from 40% of the metropolitan area for its main drainage network. The rate is currently a minimum of \$75 per residence. This proposal aims to expand the extent of this levy to 100% of the Metropolitan Regional Scheme (MRS) area and importantly, extend this expenditure to include water quality management. Currently, the Water Corporation is only responsible for the management of water *quantity* in its main drains.

Anecdotal evidence suggests that there is no consistent application of the way in which the drainage rate is levied through the metropolitan area. For example, even within the City of South Perth there is inconsistent and inequitable contributions being made, as the suburbs of South Perth, Salter Point and Kensington appears to be exempt whilst Manning residents are charged the levy.

Using existing information on the drainage rate, it is estimated that an expanded Healthy Catchments Rate could generate over \$90 million per year. Currently the Swan River Trust, as the lead statutory body for management and protection of the Swan Canning river system, receives just \$13 million in funding per year, which is only a fraction of the current recognised level of investment required to improve infrastructure and water quality. The powers of the Trust are also limited to the Riverpark area when the problem needs to be addressed at the catchment scale.

### **Partnership Agreement**

The Plan considers relationships between organisations and clearly demonstrates levels of responsibility in the draft Partnership Agreement between the Swan River Trust, the Department of Water, the Water Corporation, and WALGA (on behalf of the affected Local Governments) within the catchment.

This agreement outlines proposed accountabilities for each party involved in the delivery of the Healthy Catchments model through a Memorandum of Understanding (MOU). This MOU will ensure that stormwater management is addressed and engenders a commitment to improving urban stormwater quality, the uptake of best practice in integrated water cycle management and the moving of Perth towards being a water sensitive city.

### **Funding Allocations**

The Plan has an indicative allocation of funds by Program. The final investment model would be based around a rigorous scientific modelling framework which would identify priorities and key target areas. Activities likely to be undertaken include the following:-

- Stormwater and catchment management
- Shoreline protection works (natural and built assets)
- Ecological and water quality monitoring
- Scientific research and development
- Water sensitive urban design implementation
- Community education
- Investigation and remediation of legacy landfill sites

### **Financial Implications**

The Plan suggests the creation of a State Government rate to fund crucial asset management and waterway health programs in a more equitable, transparent and sustainable manner, and provides opportunities for Local Government and other agencies to adequately resource drainage and catchment issues impacting on the health of the Swan Canning river system. the existing Water Authority drainage rate would be discontinued.

The proposed model bears little additional cost to government, although there is an expectation that Local Government will continue current levels of investment to the programs developed. An increase in the CSO payment to the Water Corporation would be required, which is estimated to be an additional \$3.1 million per year.

Once established, the program is self funding and provides a sustainable funding mechanism to ensure this iconic river system is restored to health to be enjoyed by current and future generations.

### **Consultation**

The Western Australian Local Government Association (WALGA), through its Swan Canning Policy Forum has developed a draft Priority Plan (the Plan) for investment in the Swan Canning Catchment.

### **Legislative and Policy Implications**

Any legislative and policy implications of matters arising are discussed in the report.

### **Strategic Implications**

The report aligns to Strategic Direction 6 of the Strategic Plan - *Governance – Ensure that the City’s governance enables it to both respond to the community’s vision and deliver on its service promises in a sustainable manner.*

### **Sustainability Implications**

A dedicated Healthy Catchments rate for stormwater management across all metropolitan Local Governments is a significant step forward in helping the long term management of the Swan Canning river system. This has been proven to work well in other parts of Australia.

<b>OFFICER RECOMMENDATION ITEM 10.2.2</b>
-------------------------------------------

That the City of South Perth Council supports the *draft* Priority Plan for ‘Investment in the Swan Canning Catchment’ at **Attachment 10.2.2**, as a means to actively generate a coordinated management approach to helping the long term management of the river system and presents a united response from Local Government who are advocating for further investment and commitment.

**10.2.3 Supply and Installation of an Automatic Irrigation System - Collier Park Golf Course - Review of Submissions for Tender 9/2011**

Location: City of South Perth  
 Applicant: Council  
 File Ref: Tender 9/2011  
 Date: 9 March 2011  
 Author: Mark Taylor, Manager City Environment  
 Reporting Officer: Stephen Bell, Director Infrastructure Services

**Summary**

Lump Sum tenders have been called and received for the supply and installation of an automatic irrigation system and central control for the 'Island 9' of the Collier Park Golf Course (Tender 9/2011). This report outlines the assessment process and recommends that the Council endorse the tender submitted by Total Eden for the lump sum price of \$1,453,950 plus GST be approved.

**Background**

At the December, 2010 meeting Council approved a funding model to facilitate the redevelopment of the 'Island 9' on the Collier Park Golf Course. The approved works totalled \$5.8 million.

There are four components or packages to the works. They are:

- Irrigation replacement
- Irrigation lake construction
- Course layout
- Course landscaping

The first package to be considered is the irrigation system replacement. The new system to be constructed under this contract will completely replace the existing irrigation system including the specified tees and fairways on the Island 9 at the Collier Park Golf Course. The Works shall include the supply, installation and commissioning of pump sets, electrical controls, water distribution mainlines, automatic control system and sprinkler irrigation systems to uniformly water the remodelled Island 9 at Collier Park.

Tenders were called for this project on Saturday 5 February 2011 and were originally scheduled to close on Tuesday 1 March. This was extended to Friday 4 March following requests for more time from tenderers.

**Comment**

Four (4) Tenders were received from three companies, comprising three conforming tenders and one alternative. The alternative tender was from Total Eden and is identical to the conforming tender however offers a different method of control from irrigation controllers to the valves. All tenders were conforming bids.

Tenderer	Tendered Price (ex GST)
Total Eden (conforming)	\$1,453,950
Total Eden (alternative)	\$1,453,950
Elliots Irrigation	\$1,581,400
Water Dynamics	\$1,592,576

The City engaged an irrigation consultancy (Hydroplan Pty Ltd) to assist with the development, assessment and administration of this tender. A Tender Assessment Panel was established comprising City officers, representatives from Hydroplan and the City's appointed project manager.

The tenders were then assessed in more detail against the qualitative criteria as established below.

Qualitative Criteria	Weighting %
1. Demonstrated Experience in completing similar projects.	20%
2. Satisfactory resources to complete works	15%
3. Demonstrated understanding of the required task	10%
4. Referees	5%
5. Price	50%
<b>TOTAL</b>	<b>100%</b>

Each company's submission and response to the criteria was then incorporated into the Selection Criteria matrix. The final scores appear below.

Tenderer	Score
Total Eden (conforming)	7.1
Total Eden (alternative)	7.1
Elliots Irrigation	5.1
Water Dynamics	5.8

All of the companies are well known to both the City and Hydroplan. As a result, the Panel are confident that any one of them will be able to complete the works in a satisfactory manner within the nominated time frame.

The tender from Total Eden offers the best value in terms of price, relevant experience and ability to perform the works in the designated time. In addition, the Panel recommend the alternative submission from Total Eden be considered in further discussions, to decide which control system is best for the course. As there is no difference in price between the two submissions from Total Eden, there is no need to specify which option to accept at this time.

It is proposed that Total Eden present the two control options with advantages and disadvantages to the Panel and a decision can be made which is best suited to the current and future demands of the course.

In view of the prices submitted and the scores from the Selection Matrix it is recommended that the tender submitted by Total Eden be accepted by Council.

### **Consultation**

Tenders were advertised in accordance with the *Local Government Act (1995)*.

Tenders were invited on Saturday 5 February 2011 and during the advertised period fourteen (14) sets of documents were distributed to companies. At the close of tenders on Friday 4 March 2011, four (4) submissions were received from three (3) companies.

**Policy and Legislative Implications**

Section 3.57 of the *Local Government Act 1995* (as amended) requires a local government to call tenders when the expected value is likely to exceed \$100,000. Part 4 of the *Local Government (Functions and General) Regulations 1996* sets regulations on how tenders must be called and accepted.

The value of this tender exceeds the amount which the Chief Executive Officer has been delegated to accept, therefore this matter is referred to Council for its decision.

The following Council Policies also apply:

Policy P605 - *Purchasing & Invoice Approval*;

Policy P607 - *Tenders and Expressions of Interest*.

**Financial Implications**

The City has provided a notional allocation of \$5.8 million to this project in its Strategic Financial Plan. This amount is made up of borrowings of \$4.8 million (with payments of principal and interest to be serviced exclusively from revenue generated at the course) – plus a one off contribution of \$1 million to come from the Collier Park Golf Course Reserve.

The recommended tender price of \$1,493,950 plus GST is able to be accommodated within the existing notional budget allocation.

**Strategic Implications**

This project compliments the City’s Strategic Plan 2010 – 2015 and in particular:

- Direction 2.3 - Environment  
*“Review and integrate sustainable water management strategies to improve community and City practices ”*
- Direction 1.1 - Community  
*“Develop, prioritise and review services and delivery models to meet changing community needs and priorities”*

**Sustainability Implications**

The CPGC Master-plan, as a strategic document, sets the parameters by which course development is to occur and these are based on sustainability principles. Such sustainability initiatives include but are not limited to:

- Use of state of the art reticulation system that is more efficient and water wise;
- Stormwater harvesting and reuse of treated stormwater to reduce the need to irrigate the course using bore/ground water;
- Use of native (endemic) vegetation that requires minimal watering and maintenance;
- Use of alternative energy sources such as solar power for lighting;
- Use of porous pavements for roads and car parking.

**OFFICER RECOMMENDATION ITEM 10.2.3**

That the tender submitted by Total Eden for Supply and installation of an automatic irrigation system and central control for the Collier Park Golf Course (Tender 9/2011) be accepted.



**10.3 STRATEGIC DIRECTION 3: HOUSING AND LAND USES**

**10.3.1 Proposed Amendment to Approved 4 Multiple Dwellings in a 5-Storey (plus Observation Deck) Building - Lot 88 (No. 27) South Perth Esplanade South Perth.**

Location: Lot 88 (No. 27) South Perth Esplanade South Perth  
 Applicant: TPG Town Planning and Urban Design  
 Lodgement Date: 17 January 2011  
 File Ref: 11.2011.24 SO1/27  
 Date: 1 March 2011  
 Author: Chris Schooling, Snr Planning Officer, Development Services  
 Reporting Officer: Vicki Lummer, Director, Development Community Services

**Summary**

To consider an application for an amendment to approved four multiple dwellings in a five storey (plus observation deck) building on Lot 88 (No. 27) South Perth Esplanade, South Perth. Council is being asked to exercise discretion in relation to the following:

Element on which discretion is sought	Source of discretionary power
Minimum ground / floor levels	TPS6 Clause 6.9
Setbacks	R-Codes Element 6.3.1 P1

It is recommended that the proposal be approved subject to conditions.

**Background**

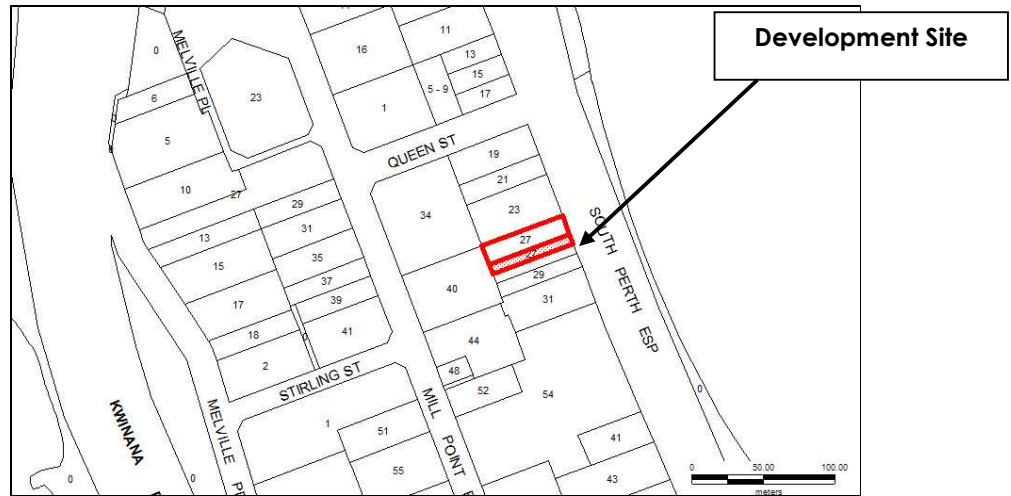
The development site details are as follows:

<b>Zoning</b>	Residential
<b>Density coding</b>	R80
<b>Lot area</b>	1287 sq. metres
<b>Building height limit</b>	13.0 metres
<b>Development potential</b>	10 dwellings
<b>Plot ratio limit</b>	1.0

This report includes the following attachments:

**Confidential Attachment 10.3.1(a)** Plans of the proposal.  
**Attachment 10.3.1(b)** Site photographs.  
**Attachment 10.3.1(c)** Applicant's supporting report.

The location of the development site is shown below:



In accordance with Council Delegation DC342, the proposal is referred to a Council meeting because it falls within the following categories described in the delegation:

**2. Major developments**

*(b) Residential development which is 9.0 metres high or higher, or comprises 10 or more dwellings.*

**4. Applications previously considered by Council**

*Matters previously considered by Council, where drawings supporting a current application have been modified from those previously considered by the Council at an earlier stage of the development process, including at an earlier rezoning stage, or as a previous application for planning approval.*

**Comment**

**(a) Background**

In March 2007, the City received an application for four multiple dwellings in a four storey building (plus loft and basement) at Lot 88 (No. 27) South Perth Esplanade, South Perth (**Site**). Approval was granted by Council at its December 2007 meeting.

Development did not substantially commence at the site within the 24-month validity period stipulated in that approval, and it subsequently lapsed. A new application featuring the same development was submitted in August 2010, and was approved by Council at its October 2010 meeting.

Due to difficulty and costs associated with dewatering, the proposed levels on the basement floor plan have been raised which have resulted in the entire building being raised while still keeping within the permitted building height limit. The applicants have submitted the current proposal as an amendment to the October 2010 approval.

**(b) Description of the surrounding locality**

The site has a frontage to South Perth Esplanade to the north-east. The development adjoins an existing multiple dwelling development at 23 South Perth Esplanade to the north-west, an existing grouped dwelling development at 40 Mill Point Road to the south-west, and an existing single house at 29 South Perth Esplanade to the south-east, as seen in **Figure 1** below:



**Figure 1 - Aerial photograph of 27 South Perth Esplanade, South Perth**

**(c) Description of the proposal**

The proposal involves the construction of four multiple dwellings in a five storey (plus observation deck) building at the site as depicted in the submitted plans, **Confidential Attachment 10.3.1(a)**. Furthermore, the site photographs show the relationship of the site with the surrounding built environment at **Attachment 10.3.1(b)**. This application seeks to amend the previous approval.

The following information provides a brief summary of the proposed development:

<b>Ground Floor</b>	12 car parking bays, four storerooms, communal open space, communal amenities and an entrance foyer;
<b>First to Fourth Floors</b>	One dwelling per level; and
<b>Observation Deck</b>	A suspended walkway to a balcony accessible from (and for the sole use of) Unit 4.

The applicant's report, **Attachment 10.3.1(c)** describes the proposal in more detail.

The proposal generally complies with the Scheme, the R-Codes and relevant Council policies requirements i.e. building height, plot ratio, finished ground and floor levels - maximum, boundary walls and visual privacy.

Matters that require the exercise of discretion have been discussed below. Since the previously approved application was assessed against the operative 2008 R-Codes, the proposed wall setbacks that form a part of this application have also been assessed under the same legislation.

**(d) Finished ground and floor levels - Minimum**

The required *minimum* finished *ground* level permitted is 1.7 metres above the Australian Height Datum (AHD), and the proposed finished ground level is 0.65 metres. Therefore, the proposed development does not comply with Clause 6.9.1 “Minimum Ground and Floor Levels” of TPS6.

The required *minimum* finished *non-habitable rooms and car parking* floor level permitted is 1.75 metres above AHD, and the proposed finished floor level is 0.9 metres. Therefore, the proposed development does not comply with Clause 6.9.2 “Minimum Ground and Floor Levels” of TPS6.

The required *minimum* finished *habitable room* floor level permitted is 2.3 metres above AHD, and the proposed finished floor level is 0.725 metres. Therefore, the proposed development does not comply with Clause 6.9.2 “Minimum Ground and Floor Levels” of TPS6.

The proposed minimum ground and floor levels are higher than those approved by Council in October 2010, and are the basis of this amended application. The ground and floor levels have been raised in response to the difficulty in obtaining a dewatering licence from the Swan River Trust, as well as the cost of dewatering the site itself.

While considering the previous application, the Council exercised its discretionary power under Clause 6.9(3) of TPS6 and approved the proposed ground / floor levels. Given that the proposed levels are more commensurate with the requirements of Clause 6.9.1, officers support the raised levels.

**(e) Wall setback - North, west and south facing 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floors**

The proposed wall setbacks generally comply with Tables 2a and 2b of the R-Codes, however the applicant proposes variations to some wall setbacks on the north and south boundaries, as identified below:

(i) Northern boundary

Stairwell and equipment room – Level 4 : Setback 5.965 metres in lieu of 6.3 metres; and

Drying court, ensuite and Bedroom 1 – Levels 2, 3 and 4 : Setback 1.805 metres in lieu of 1.9 metres, 3.0 metres and 3.5 metres respectively.

(ii) Southern boundary

Living area – Level 4 : Setback 3.4 metres in lieu of 3.5 metres; and

Bedroom 3 and dining – Level 4 : 5.36 metres and 5.8 metres in lieu of 6.3 metres.

The applicant has satisfied all of Performance Criteria 6.3.1 P1 of the R-Codes. Assessment of the proposal against those criteria reveals the following:

- The proposed structure provides adequate ventilation and sun to the subject site;
- The proposed structure provides adequate sun and ventilation to the neighbouring property;
- The setback variation will be negligible when viewed from the street or the adjoining development;
- Visual privacy is not an issue; and
- No comments from adjoining neighbours (See section “Neighbour consultation”).

The reduced setbacks to the northern boundary do not result in any overlooking or excessive shading of the adjoining property. Furthermore, the ensuite and Bedroom 1 walls are adjacent to similar walls on the adjoining development.

The reduced setbacks to the southern boundary are minor in nature and serve to articulate the built form in a location where it is largely visible from the public realm. Due to the existing development to the south being an older style two storey single dwelling, this elevation is mostly visible from the street and river foreshore. The staggering of setbacks to the south elevation, combined with a varied colour and material palette, reduce the building bulk of the southern walls and provide visual interest to this elevation. Additionally, as the reduced setbacks are confined to the fourth floor, the variations will largely appear negligible from street level.

The proposed wall setback variations are identical to those previously supported by Council in October 2010, however they have been assessed again due to the increase in wall heights as a result of the commensurate increase in finished floor levels. In this instance, it is considered that the proposal complies with the Performance Criteria, and is therefore supported by the City.

**(f) Solar access for adjoining sites**

The maximum permitted overshadowing of the adjoining southern lot (measuring 1048 sq. metres) under the 2008 R-Codes was 50 percent, which equates to 524 sq. metres. Under the previously approved application, the proposed overshadowing was 48 percent, which equates to 503 sq. metres. Under the current application, the proposed overshadowing is 50.47 percent, which equates to 529 sq. metres. Therefore, the proposed development exceeds the permitted overshadowing by 5 sq. metres, thus not complying with the Acceptable Development provisions of the R-Codes.

Council discretion - cl. 6.9.1 P1

The applicant has demonstrated compliance with the Performance Criteria provisions of Clause 6.9.1 P1 of the R- Codes that the 0.47 percent overshadow will not affect areas outlined below:

- Potential to overshadow outdoor living areas, major openings to habitable rooms, solar collectors or balconies and verandahs.

While the proposed overshadowing exceeds the permissible limit by 5 sq. metres, it is noted that this additional overshadowing will primarily be over the existing roof of the adjoining property, its driveway and extended backyard. For these reasons, officers consider that the proposal complies with the Performance Criteria, and recommend approval.

**(g) Scheme Objectives - Clause 1.6 of Town Planning Scheme No. 6**

Having regard to the preceding comments, in terms of the general objectives listed within Clause 1.6 of TPS6, the proposal is considered to broadly meet the following objectives:

- (c) Facilitate a diversity of dwelling styles and densities in appropriate locations on the basis of achieving performance-based objectives which retain the desired streetscape character and, in the older areas of the district, the existing built form character;*
- (f) Safeguard and enhance the amenity of residential areas and ensure that new development is in harmony with the character and scale of existing residential development; and*
- (l) Recognise and facilitate the continued presence of significant regional land uses within the City and minimise the conflict between such land use and local precinct planning.*

**(h) Other Matters to be Considered by Council - Clause 7.5 of Town Planning Scheme No. 6**

In considering the application, the Council is required to have due regard to and may impose conditions with respect to matters listed in Clause 7.5 of TPS6 which are, in the opinion of the Council, relevant to the proposed development. Of the 24 listed matters, the following are particularly relevant to the current application and require careful consideration:

- (a) The objectives and provisions of this Scheme, including the objectives and provisions of a Precinct Plan and the Metropolitan Region Scheme;*
- (b) The requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment which has been granted consent for public submissions to be sought;*
- (c) The provisions of the Residential Design Codes and any other approved Statement of Planning Policy of the Commission prepared under Section 5AA of the Act;*
- (i) The preservation of the amenity of the locality;*
- (j) All aspects of design of any proposed development, including but not limited to, height, bulk, orientation, construction materials and general appearance;*
- (k) The potential adverse visual impact of exposed plumbing fittings in a conspicuous location on any external face of a building;*
- (m) The need for new or replacement boundary fencing having regard to its appearance and the maintenance of visual privacy upon the occupiers of the development site and adjoining lots;*
- (n) The extent to which a proposed building is visually in harmony with neighbouring existing buildings within the focus area, in terms of its scale, form or shape, rhythm, colour, construction materials, orientation, setbacks from the street and side boundaries, landscaping visible from the street, and architectural details;*
- (q) The topographic nature or geographic location of the land;*
- (r) The likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment;*
- (s) Whether the proposed access and egress to and from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvre and parking of vehicles on the site; and*
- (v) Whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved.*

The proposed development is considered satisfactory in relation to all of these matters, subject to the recommended conditions.

### **Consultation**

**(a) Design Advisory Consultants' comments**

The previous application was considered by the City's Design Advisory Consultants (DAC) at their meeting held in September 2010. As the current application is similar in terms of built form from the previous proposal, which was recommended for approval by the DAC, it was not considered necessary to refer the application back to DAC. Furthermore, the current application is more in accordance with the DAC's comments requiring raising the minimum finished floor levels.

**(b) Neighbour consultation**

While neighbour consultation was carried out for the previously approved application, it has not been undertaken for this proposal as it is not required by Part 1.1.2 of Policy P355 "Consultation for Planning Proposals" (for modified proposals lodged within 12 months of determination).

### **Policy and Legislative Implications**

Comments in relation to various relevant provisions of the No. 6 Town Planning Scheme, the R-Codes and Council policies have been provided elsewhere in this report.

### **Financial Implications**

The determination has no financial implications.

### **Strategic Implications**

This matter relates to Strategic Direction 3 "Housing and Land Uses" identified within Council's Strategic Plan which is expressed in the following terms:

*Accommodate the needs of a diverse and growing population with a planned mix of housing types and non-residential land uses.*

### **Sustainability Implications**

Noting the favourable orientation of the lot, the officers observe that the proposed outdoor living areas have access to winter sun. Hence, the proposed development is seen to achieve an outcome that has regard to the sustainable design principles.

### **Conclusion**

It is considered that the proposal meets all of the relevant Scheme, R-Codes and City policy objectives and provisions, as it will not have a detrimental impact on adjoining residential neighbours. Accordingly, it is considered that the application should be conditionally approved.

**OFFICER RECOMMENDATION ITEM 10.3.1**

That pursuant to the provisions of the City of South Perth Town Planning Scheme No. 6 and the Metropolitan Region Scheme, this application for amended approval to four multiple dwellings in a five storey (plus observation deck) building on Lot 88 (No. 27) South Perth Esplanade, South Perth **be approved** subject to:

**(a) Standard Conditions**

377	Screening - Clothes drying	470	Retaining walls - If required
390	Crossover - Standards	471	Retaining walls - Timing
393	Verge and kerbing works	455	Dividing fences - Standards
625	Sightlines for drivers	456	Dividing fences - Timing
352	Car bays - Marked and visible	340B	Parapet walls - Finish of surface
465	Geotechnical report	508	Landscaping approved and completed
427	Colours and materials - Details	550	Plumbing hidden
445	Drainage contained on site	664	Inspection (final) required
446	Subsoil water seepage	660	Expiry of approval

**Footnote** A full list of Standard Conditions and Advice Notes is available for inspection at the Council Offices during normal business hours.

**(b) Specific Conditions**

- (i) Revised drawings shall be submitted, and such drawings shall incorporate the following:
  - (A) Details of the materials and visual permeability proposed for the entrance gate to the gatehouse off South Perth Esplanade; and
  - (B) Car parking bay Number 1 being increased in length to 5.5 metres. Alternatively, removing the bay from the proposal as a sufficient number of car bays for the development has been provided.

**(c) Standard Advice Notes**

648	Building licence required	646	Landscaping - General standards
647	Revised drawings required	646A	Masonry fences require BA
651	Appeal rights - Council	649A	Minor variations - Seek approval

**Footnote** A full list of Standard Conditions and Advice Notes is available for inspection at the Council Offices during normal business hours.

**(d) Specific Advice Notes**

- (i) It is the applicant's responsibility to liaise with the City's Environmental Health Services to ensure satisfaction of all of the relevant health related requirements.
- (ii) The applicant is advised to liaise with the Swan River Trust in order to comply with its requirements.



**10.4 STRATEGIC DIRECTION 4: PLACES**

**10.4.1 No.7 Swan Street South Perth Prosecution – Local Government  
(Miscellaneous Provisions) Act**

Location:	City of South Perth
Applicant:	Council
File Ref:	SW1/7
Date:	10 March 2011
Author:	Phil McQue, Manager Governance and Administration
Reporting Officer:	Cliff Frewing, Chief Executive Officer

**Summary**

This report recommends that in the event of the owner of No.7 Swan Street, South Perth failing to comply with a Magistrate's Order to take down the dangerous dwelling in accordance with the Dangerous Building Notice, the Council then resolve to carry out the demolition works and seek to recover the costs through civil proceedings.

**Background**

The City has been in ongoing discussion and litigation with the owner of No.7 Swan Street, South Perth for in excess of a year. The owner has allowed this dwelling to deteriorate to a state where it is structurally compromised and severely unstable with collapsed walls, roofs, and ceilings as shown in **Attachment 10.4.1**. The City has obtained a structural engineering certificate stating that.... *it is not for purpose or habitat and is a danger to adjoining properties and the general public*, to such an extent that the City has fenced the property at its own expense to restrict public access.

**Comment**

The owner of this dwelling has shown wilful negligence, disregard and contempt for the Magistrate's Court, surrounding neighbours and the City by allowing this dwelling to fall into such a state of disrepair and failing to comply with a City Order and three Magistrates' Orders to take down the dangerous dwelling.

The City has successfully prosecuted the owner on 22 October 2010, 26 November 2010 and 25 February 2011, with respective fines of \$7,400, \$24,400 and \$37,500 totalling approximately \$70,000. On each occasion, the owner has failed to attend the Court hearing and the Magistrate at the last hearing imposed the maximum possible penalty on the owner. The fines remain outstanding and the City has arranged for these fines to be recovered through Fines Enforcement by the placement of a memorial on the title to the property.

Given the further deterioration of the dwelling, a further prosecution has been listed for 25 March 2011 in the Magistrates Court. On this occasion, the City has issued instructions to seek an order from the Court that the owner be ordered to take down the dangerous dwelling at No.7 Swan Street within 28 days.

On this occasion, should the owner fail to comply with the order, section 404 of the *Miscellaneous Provisions Act* provides that the City can carry out the terms of the order. The City has received quotes of approximately \$20,000 for the demolition works. Should the City proceed with these demolition works, it would recover those costs (along with all other outstanding costs) from the owner by commencing civil proceedings in the Magistrates Court.

It may be necessary for the City to commence action to sell the vacant land to recover all costs and amounts due to the City [anticipated to be in the order of \$100 000 plus sale costs].

### **Consultation**

The City has been in ongoing discussions with the owner of No.7 Swan Street South Perth to resolve this matter and has also been providing updates to adjoining residents.

### **Policy and Legislative Implications**

Section 404 of the *Local Government (Miscellaneous Provisions) Act* provides the legislative authority to take the action proposed in this report.

#### S.404. Notice to owner etc. in case of danger

*If the owner or occupier on whom notice mentioned in section 403(4) has been served does not within 35 days of that on which the notice is served upon him, comply with the notice, the Magistrates Court, on an application by the local government and on being satisfied that he has not so complied with all or any of the requisitions in the notice and that none of the requisitions in the notice is the subject of an application for review as described in section 403(6), may unless all or any of the requisitions in the notice are the subject of an application for review as described in section 403(6), order the person on whom the notice has been served to take down, repair, or otherwise secure to the satisfaction of the building surveyor of the local government, the building or such part of it as appears to the court to be in a dangerous state, within a time to be fixed by the order, and the court may make such order as to the costs of and incidental to the proceedings relating to the order as the court thinks fit, and if the order is not complied with by the person to whom it is directed, within the time so fixed, the local government may cause the building, or so much of it as is in a dangerous condition, to be taken down, repaired or otherwise secured in such manner as is necessary, and an order so made is not subject to appeal.*

### **Financial Implications**

To date, the City has been awarded approximately \$70,000 by the Magistrates Court which remains outstanding as of 10 March 2011. The City has arranged for these fines to be recovered through Fines Enforcement by placement of a memorial on the title to the property.

It is estimated that the demolition would cost approximately \$20,000, which the City would recover from the owner by commencing civil proceedings in the Magistrates Court. It may be necessary for the City to commence action to sell the vacant land to recover all costs and amounts due to the City [anticipated to be in the order of \$100 000 plus sale costs].

### **Strategic Implications**

The proposal is consistent with Strategic Direction 4: 'Places' of the Strategic Plan 2010-2015, "*Plan and develop safe, vibrant and amenable places*".

### **Sustainability Implications**

The sustainability implications arising out of matters discussed or recommendations made in this report are consistent with the City's Sustainability Strategy.

<b>OFFICER RECOMMENDATION ITEM 10.4.1</b>
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That the Council...

- (a) resolve to demolish the dangerous dwelling on No. 7 Swan Street, South Perth in accordance with section 404 of the *Local Government (Miscellaneous Provisions) Act* should the owner fail to comply with the Magistrates Order to take down the dangerous dwelling; and
- (b) authorise the CEO to commence legal proceedings against the owner to recover all monies due to the City including, if necessary, sale of the land.

**10.5 STRATEGIC DIRECTION 5: TRANSPORT**

Nil

**10.6 STRATEGIC DIRECTION 6: GOVERNANCE**

**10.6.1 Monthly Financial Management Accounts - February 2011**

Location: City of South Perth  
Applicant: Council  
File Ref: FM/301  
Date: 08 March 2011  
Author / Reporting Officer: Michael J Kent, Director Financial and Information Services

**Summary**

Monthly management account summaries comparing the City's actual performance against budget expectations are compiled according to the major functional classifications. These summaries are then presented to Council with comment provided on the significant financial variances disclosed in those reports.

The attachments to this financial performance report are part of a comprehensive suite of reports that have been acknowledged by the Department of Local Government and the City's auditors as reflecting best practice in financial reporting.

**Background**

Local Government (Financial Management) Regulation 34 requires the City to present monthly financial reports to Council in a format reflecting relevant accounting principles. A management account format, reflecting the organisational structure, reporting lines and accountability mechanisms inherent within that structure is considered the most suitable format to monitor progress against the budget. The information provided to Council is a summary of the more than 100 pages of detailed line-by-line information supplied to the City's departmental managers to enable them to monitor the financial performance of the areas of the City's operations under their control. This report also reflects the structure of the budget information provided to Council and published in the Annual Budget.

Combining the Summary of Operating Revenues and Expenditures with the Summary of Capital Items gives a consolidated view of all operations under Council's control. It also measures actual financial performance against budget expectations.

Local Government (Financial Management) Regulation 35 requires significant variances between budgeted and actual results to be identified and comment provided on those variances. The City has adopted a definition of 'significant variances' of \$5,000 or 5% of the project or line item value (whichever is the greater). Notwithstanding the statutory requirement, the City provides comment on other lesser variances where it believes this assists in discharging accountability.

To be an effective management tool, the 'budget' against which actual performance is compared is phased throughout the year to reflect the cyclical pattern of cash collections and expenditures during the year rather than simply being a proportional (number of expired months) share of the annual budget. The annual budget has been phased throughout the year based on anticipated project commencement dates and expected cash usage patterns. This provides more meaningful comparison between actual and budgeted figures at various stages of the year. It also permits more effective management and control over the resources that Council has at its disposal.

The local government budget is a dynamic document and will necessarily be progressively amended throughout the year to take advantage of changed circumstances and new opportunities. This is consistent with principles of responsible financial cash management. Whilst the original adopted budget is relevant at July when rates are struck, it should, and indeed is required to, be regularly monitored and reviewed throughout the year. Thus the Adopted Budget evolves into the Amended Budget via the regular (quarterly) Budget Reviews.

A summary of budgeted revenues and expenditures (grouped by department and directorate) is also provided each month from September onwards. This schedule reflects a reconciliation of movements between the 2010/2011 Adopted Budget and the 2010/2011 Amended Budget including the introduction of the capital expenditure items carried forward from 2009/2010 (after September 2010).

A monthly Statement of Financial Position detailing the City's assets and liabilities and giving a comparison of the value of those assets and liabilities with the relevant values for the equivalent time in the previous year is also provided. Presenting this statement on a monthly, rather than annual, basis provides greater financial accountability to the community and provides the opportunity for more timely intervention and corrective action by management where required.

#### **Comment**

The major components of the monthly management account summaries presented are:

- Statement of Financial Position - **Attachments 10.6.1(1)(A) and 10.6.1(1)(B)**
- Summary of Non Infrastructure Operating Revenue and Expenditure **Attachment 10.6.1(2)**
- Summary of Operating Revenue & Expenditure - Infrastructure Service **Attachment 10.6.1(3)**
- Summary of Capital Items - **Attachment 10.6.1(4)**
- Schedule of Significant Variances - **Attachment 10.6.1(5)**
- Reconciliation of Budget Movements - **Attachment 10.6.1(6)(A) and 10.6.1(6)(B)**
- Rate Setting Statement - **Attachment 10.6.1(7)**

Operating Revenue to 28 February 2011 is \$37.86M which represents 101% of the \$37.61M year to date budget. Revenue performance is close to budget expectations overall - although there are some individual line item differences. Meter parking is in line with budget expectations but infringements revenue has lagged during February. Interest revenues are well ahead of budget expectations - with higher holdings of both Municipal and Reserve funds contributing to the favourable variance. Interim rates revenue has stalled with no interims raised during the month. A positive workers compensation premium has been received as the insurers continue to re-assess and close out existing claims. This amount will be transferred to the Insurance Risk Reserve until used to offset negative premium adjustments.

Planning revenues are now some 9% below budget expectations after a very quiet period during January & February. Building revenue is now right on the revised budget target. Collier Park Village revenue is slightly ahead of budget expectations whilst the Collier Park Hostel revenue remains significantly favourable even after the Q2 Budget Review adjustment to commonwealth subsidies. Golf Course revenue is now in line with budget targets after the budget figure was revised downwards in the recent Budget Review. Infrastructure Services revenue is largely on budget in most areas. Comment on the specific items contributing to the variances may be found in the Schedule of Significant Variances **Attachment 10.6.1(5)**.

Operating Expenditure to 28 February 2011 is \$25.79M which represents 99% of the year to date budget. Operating Expenditure to date is 3% under budget in the Administration area, 1% over budget in the Infrastructure Services area and 4% under budget for the golf course.

Operating expenses in most administration areas are close to budget other than timing differences. The budget phasing associated with the parks maintenance areas has been reworked to better reflect the expenditure pattern to date with the result that the existing unfavourable variance has now been improved. This area will continue to be closely monitored for the remainder of the year. Plant use recoveries have also been retrospectively adjusted - whilst the current charge out process continues to be investigated by an external consultant to allow corrective measures to be introduced. Waste management costs are very close to budget expectations. Golf Course expenditure is very close to budget at this time with only minor timing differences being evident.

There are a number of budgeted (but vacant) staff positions across the organisation that are presently being recruited for. The salaries budget (*including temporary staff where they are being used to cover vacancies*) is currently around 3.6% under the budget allocation for the 223.2 FTE positions approved by Council in the budget process - after having allowed for agency staff invoices to month end.

Comment on the specific items contributing to the operating expenditure variances may be found in the Schedule of Significant Variances - **Attachment 10.6.1(5)**.

Capital Revenue is disclosed as \$2.41M at 28 February against a year to date budget of \$2.36M. The major factors contributing to this significant favourable variance are an unanticipated grant allocation from MRD for a foreshore assets plan and a timing difference on road grants that will reverse in future months. Details of the capital revenue variances may be found in the Schedule of Significant Variances. **Attachment 10.6.1(5)**.

Capital Expenditure at 28 February 2011 is \$12.06M representing 81% of the year to date budget and 59.9% of the full year revised budget (after the inclusion of \$4.0M of carry forward works). The major elements of the capital program delivered so far this year is \$6.4M in progress claims on the Library & Community Facility project and \$4.2M on various infrastructure projects.

The table reflecting capital expenditure progress versus the year to date budget by directorate is presented below. Updates on specific elements of the capital expenditure program and comments on the variances disclosed therein are provided bi-monthly from the finalisation of the October management accounts onwards.

**TABLE 1 - CAPITAL EXPENDITURE BY DIRECTORATE**

Directorate	YTD Budget	YTD Actual	% YTD Budget	Total Budget
CEO Office	79,500	39,512	48%	160,000
Library & Community Facility *	6,175,000	6,008,090	97%	6,175,000
Financial & Information Services *	992,000	967,519	98%	1,612,000
Planning & Community Services	792,280	380,477	44%	1,516,100
Infrastructure Services	5,943,945	4,286,517	69%	9,676,055
Waste Management	405,000	78,923	19%	445,000
Golf Course	412,000	299,809	73%	537,000
<b>Total</b>	<b>14,799,725</b>	<b>12,060,847</b>	<b>81%</b>	<b>20,121,155</b>

\* Financial & Information Services is also responsible for the Library & Community Facility building project.

**Consultation**

This financial report is prepared to provide financial information to Council and to evidence the soundness of the administration's financial management. It also provides information about corrective strategies being employed to address any significant variances and it discharges accountability to the City's ratepayers.

**Policy and Legislative Implications**

In accordance with the requirements of the Section 6.4 of the *Local Government Act* and Local Government Financial Management Regulations 34.

**Financial Implications**

The attachments to this report compare actual financial performance to budgeted financial performance for the period. This provides for timely identification of and responses to variances which in turn promotes dynamic and prudent financial management.

**Strategic Implications**

This report deals with matters of sustainable financial management which directly relate to the key result area of Governance identified in the City's Strategic Plan - *'To ensure that the City's governance enables it to respond to the community's vision and deliver on its promises in a sustainable manner'*.

**Sustainability Implications**

This report primarily addresses the 'financial' dimension of sustainability by promoting accountability for resource use through a historical reporting of performance - emphasising pro-active identification and response to apparent financial variances and, secondly, through the City exercising disciplined financial management practices and responsible forward financial planning, we can ensure that the consequences of our financial decisions are sustainable into the future.

<b>OFFICER RECOMMENDATION ITEM 10.6.1</b>
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That ....

- (a) the monthly Statement of Financial Position and Financial Summaries provided as **Attachment 10.6.1(1-4)** be received;
- (b) the Schedule of Significant Variances provided as **Attachment 10.6.1(5)** be accepted as having discharged Council's statutory obligations under Local Government (Financial Management) Regulation 34;
- (c) the Schedule of Movements between the Adopted and Amended Budget provided as **Attachments 10.6.1(6)(A)** and **10.6.1(6)(B)** be received; and
- (d) the Rate Setting Statement provided as **Attachment 10.6.1(7)** be received.

**10.6.2 Monthly Statement of Funds, Investments and Debtors at 28 February 2011**

Location: City of South Perth  
Applicant: Council  
File Ref: FM/301  
Date: 07 March 2011  
Authors: Michael J Kent and Deborah M Gray  
Reporting Officer: Michael J Kent, Director Financial and Information Services

**Summary**

This report presents to Council a statement summarising the effectiveness of treasury management for the month including:

- The level of controlled Municipal, Trust and Reserve funds at month end.
- An analysis of the City's investments in suitable money market instruments to demonstrate the diversification strategy across financial institutions.
- Statistical information regarding the level of outstanding Rates and General Debtors.

**Background**

Effective cash management is an integral part of proper business management. Current money market and economic volatility make this an even more significant management responsibility. The responsibility for management and investment of the City's cash resources has been delegated to the City's Director Financial & Information Services and Manager Financial Services - who also have responsibility for the management of the City's Debtor function and oversight of collection of outstanding debts.

In order to discharge accountability for the exercise of these delegations, a monthly report is presented detailing the levels of cash holdings on behalf of the Municipal and Trust Funds as well as funds held in 'cash backed' Reserves. As significant holdings of money market instruments are involved, an analysis of cash holdings showing the relative levels of investment with each financial institution is also provided. Statistics on the spread of investments to diversify risk provide an effective tool by which Council can monitor the prudence and effectiveness with which these delegations are being exercised.

Data comparing actual investment performance with benchmarks in Council's approved investment policy (which reflects best practice principles for managing public monies) provides evidence of compliance with approved investment principles.

Finally, a comparative analysis of the levels of outstanding rates and general debtors relative to the same stage of the previous year is provided to monitor the effectiveness of cash collections and to highlight any emerging trends that may impact on future cash flows.

**Comment**

**(a) Cash Holdings**

Total funds at month end of \$42.87M compare favourably to \$41.65M at the equivalent stage of last year. Reserve funds are \$6.25M higher than the level they were at for the same time last year - reflecting \$4.9M higher holdings of cash backed reserves to support refundable monies at the CPV & CPH. The Future Building Projects Reserve is \$0.9M less than at February 2010 as funds have been applied to the Library & Community facility project, but the UGP Reserve is \$1.0M higher. The Waste Management and Plant Replacement Reserves are both \$0.2M higher whilst the River Wall Reserve is \$0.6M higher. Most other Reserve balances are also modestly higher when compared to last year.

Municipal funds are \$3.4M lower which reflects higher cash outflows on the Library and Community Facility project. Collections from rates this year have remained strong and are still very close to last year's excellent performance.

Our convenient and customer friendly payment methods, supplemented by the Rates Early Payment Incentive Prizes (with all prizes donated by local businesses), have again proven very effective in having a positive effect on our cash inflows.

Funds brought into the year (and subsequent cash collections) are invested in secure financial instruments to generate interest until those monies are required to fund operations and projects during the year. Astute selection of appropriate investments means that the City does not have any exposure to known high risk investment instruments. Nonetheless, the investment portfolio is continually monitored and re-balanced as trends emerge.

Excluding the 'restricted cash' relating to cash-backed Reserves and monies held in Trust on behalf of third parties; the cash available for Municipal use currently sits at \$10.71M (compared to \$12.46M last month) It was \$15.80M at the equivalent time in 2009/2010. **Attachment 10.6.2(1).**

**(b) Investments**

Total investment in money market instruments at month end was \$41.67M compared to \$39.57M at the same time last year. This is due to the higher holdings of Reserve Funds as investments (but less as Municipal Funds) as described above.

The portfolio currently comprises at-call cash and term deposits only. Although bank accepted bills are permitted, they are not currently used given the volatility of the corporate environment at present. Analysis of the composition of the investment portfolio shows that approximately 96.3% of the funds are invested in securities having a S&P rating of A1 (short term) or better. The remainder are invested in BBB+ rated securities.

The City's investment policy requires that at least 80% of investments are held in securities having an S&P rating of A1. This ensures that credit quality is maintained. Investments are made in accordance with Policy P603 and the Dept of Local Government Operational Guidelines for investments. All investments currently have a term to maturity of less than one year - which is considered prudent in times of changing interest rates as it allows greater flexibility to respond to possible future positive changes in rates.

Invested funds are responsibly spread across various approved financial institutions to diversify counterparty risk. Holdings with each financial institution are within the 25% maximum limit prescribed in Policy P603. Counterparty mix is regularly monitored and the portfolio re-balanced as required depending on market conditions. The counter-party mix across the portfolio is shown in **Attachment 10.6.2(2).**



Total interest revenues (received and accrued) for the year to date total \$1.60M - well up from \$1.19M at the same time last year. This result is attributable to the higher interest rates available during the year and higher levels of cash holdings - particularly Reserve funds.

Investment performance continues to be monitored in the light of current modest interest rates to ensure that we pro-actively identify secure, but higher yielding investment opportunities as well as recognising any potential adverse impact on the budget closing position. Throughout the year, we re-balance the portfolio between short and longer term investments to ensure that the City can responsibly meet its operational cash flow needs.

Treasury funds are actively managed to pursue responsible, low risk investment opportunities that generate additional interest revenue to supplement our rates income whilst ensuring that capital is preserved.

The weighted average rate of return on financial instruments for the year to date is 5.62% with the anticipated weighted average yield on investments yet to mature now sitting at 5.82% (compared with 5.87% last month). Investment results to date reflect prudent selection of investments to meet our immediate cash needs. At-call cash deposits used to balance daily operational cash needs currently provide a modest return of only 4.50% since the November 2010 Reserve Bank decision on interest rates.

(c) **Major Debtor Classifications**

Effective management of accounts receivable to convert the debts to cash is also an important part of business management. Details of each of the three major debtor's category classifications (rates, general debtors & underground power) are provided below.

**(i) Rates**

The level of outstanding local government rates relative to the same time last year is shown in **Attachment 10.6.2(3)**. Rates collections to the end of February 2011 (after the due date for the third instalment) represent 91.0% of rates levied compared to 91.0% at the equivalent stage of the previous year.

Feedback from the community suggests a good acceptance of the rating strategy and communication approach used by the City in developing the 2010/2011 Annual Budget. The range of appropriate, convenient and user friendly payment methods offered by the City, combined with the Rates Early Payment Incentive Scheme (generously sponsored by local businesses) has provided strong encouragement for ratepayers - as evidenced by the strong collections to date.

The good initial collection result is being supported administratively throughout the year by timely and efficient follow up actions by the City's Rates Officer to ensure that our good collections record is maintained.

**(ii) General Debtors**

General debtors (excluding UGP debtors) stand at \$1.64M at month end (\$2.13M last year) (\$1.62M last month). There are no major changes in the composition of the outstanding debtors' balances as the GST Receivable, sundry debtors and outstanding parking infringements and grant funding are broadly in line with the previous period balance. This represents a very positive collection result over the last 3 months.

Excluded from these figures is the Pension Rebate recoverable amount which can not be collected from the Office of State Revenue until eligible pensioners qualify for their entitlement by making a payment of the non rebated amount.

The majority of the outstanding amounts are government and semi government grants or rebates (other than infringements) - and as such, they are considered collectible and represent a timing issue rather than any risk of default.

**(iii) Underground Power**

Of the \$6.74M billed for UGP (allowing for adjustments), some \$6.06M was collected by 28 February with approximately 79.9% of those in the affected area electing to pay in full and a further 19.3% opting to pay by instalments. The remaining 0.8% (15 properties) represents properties that are disputed billing amounts. Final notices were issued and these amounts have been pursued by external debt collection agencies as they have not been satisfactorily addressed in a timely manner. As a result of these actions, legal proceedings have been instituted in relation to the 3 outstanding debts (Jan & Feb 2011 hearings - one has since been settled). Two other paid in full, 8 have commenced a payment plan and 2 others are yet to reach a satisfactory arrangement.

Collections in full continue to be better than expected as UGP accounts are being settled in full ahead of changes of ownership or as an alternative to the instalment payment plan.

Residents opting to pay the UGP Service Charge by instalments continue to be subject to interest charges which accrue on the outstanding balances (as advised on the initial UGP notice).

It is important to recognise that this is **not** an interest charge on the UGP service charge - but rather is an interest charge on the funding accommodation provided by the City's instalment payment plan (like what would occur on a bank loan). The City encourages ratepayers in the affected area to make other arrangements to pay the UGP charges - but it is, if required, providing an instalment payment arrangement to assist the ratepayer (including the specified interest component on the outstanding balance).

**Consultation**

This financial report is prepared to provide evidence of the soundness of the financial management being employed by the City whilst discharging our accountability to our ratepayers.

**Policy and Legislative Implications**

Consistent with the requirements of Policy P603 - Investment of Surplus Funds and Delegation DC603. Local Government (Financial Management) Regulation 19, 28 and 49 are also relevant to this report as is the DoLG Operational Guideline 19.

**Financial Implications**

The financial implications of this report are as noted in part (a) to (c) of the Comment section of the report. Overall, the conclusion can be drawn that appropriate and responsible measures are in place to protect the City's financial assets and to ensure the collectability of debts.

**Strategic Implications**

This report deals with matters of sustainable financial management which directly relate to the key result area of Governance identified in the City's Strategic Plan - *'To ensure that the City's governance enables it to respond to the community's vision and deliver on its promises in a sustainable manner'*.

**Sustainability Implications**

This report addresses the 'financial' dimension of sustainability by ensuring that the City exercises prudent but dynamic treasury management to effectively manage and grow our cash resources and convert debt into cash in a timely manner.

**OFFICER RECOMMENDATION ITEM 10.6.2**

That Council receives the 28 February 2011 Monthly Statement of Funds, Investment & Debtors comprising:

- Summary of All Council Funds as per **Attachment 10.6.2(1)**
- Summary of Cash Investments as per **Attachment 10.6.2(2)**
- Summary of Major Debtor categories as per **Attachment 10.6.2(3)**

### 10.6.3 Listing of Payments

Location:	City of South Perth
Applicant:	Council
File Ref:	FM/301
Date:	06 March 2011
Authors:	Michael J Kent and Deborah M Gray
Reporting Officer:	Michael J Kent, Director Financial and Information Services

#### Summary

A list of accounts paid under delegated authority (Delegation DC602) between 1 February 2011 and 28 February 2011 is presented to Council for information.

#### Background

Local Government Financial Management Regulation 11 requires a local government to develop procedures to ensure the proper approval and authorisation of accounts for payment. These controls relate to the organisational purchasing and invoice approval procedures documented in the City's Policy P605 - Purchasing and Invoice Approval. They are supported by Delegation DM605 which sets the authorised purchasing approval limits for individual officers. These processes and their application are subjected to detailed scrutiny by the City's auditors each year during the conduct of the annual audit.

After an invoice is approved for payment by an authorised officer, payment to the relevant party must be made and the transaction recorded in the City's financial records. All payments, however made (EFT or Cheque) are recorded in the City's financial system irrespective of whether the transaction is a Creditor (regular supplier) or Non Creditor (once only supply) payment.

Payments in the attached listing are supported by vouchers and invoices. All invoices have been duly certified by the authorised officers as to the receipt of goods or provision of services. Prices, computations, GST treatments and costing have been checked and validated. Council Members have access to the Listing and are given opportunity to ask questions in relation to payments prior to the Council meeting.

#### Comment

A list of payments made during the reporting period is prepared and presented to the next ordinary meeting of Council and recorded in the minutes of that meeting. It is important to acknowledge that the presentation of this list of payments is for information purposes only as part of the responsible discharge of accountability. Payments made under this delegation can not be individually debated or withdrawn.

The report format now reflects contemporary practice in that it now records payments classified as:

- **Creditor Payments**

*(regular suppliers with whom the City transacts business)*

These include payments by both Cheque and EFT. Cheque payments show both the unique Cheque Number assigned to each one and the assigned Creditor Number that applies to all payments made to that party throughout the duration of our trading relationship with them. EFT payments show both the EFT Batch Number in which the payment was made and also the assigned Creditor Number that applies to all payments made to that party. For instance, an EFT payment reference of 738.76357 reflects that EFT Batch 738 included a payment to Creditor number 76357 (Australian Taxation Office).

- **Non Creditor Payments**

*(one-off payments to individuals / suppliers who are not listed as regular suppliers in the City's Creditor Masterfile in the database).*

Because of the one-off nature of these payments, the listing reflects only the unique Cheque Number and the Payee Name - as there is no permanent creditor address / business details held in the creditor's masterfile. A permanent record does, of course, exist in the City's financial records of both the payment and the payee - even if the recipient of the payment is a non creditor.

Details of payments made by direct credit to employee bank accounts in accordance with contracts of employment are not provided in this report for privacy reasons nor are payments of bank fees such as merchant service fees which are direct debited from the City's bank account in accordance with the agreed fee schedules under the contract for provision of banking services.

Payments made through the Accounts Payable function are no longer recorded as belonging to the Municipal Fund or Trust Fund as this practice related to the old fund accounting regime that was associated with Treasurers Advance Account - whereby each fund had to periodically 'reimburse' the Treasurers Advance Account.

For similar reasons, the report is also now being referred to using the contemporary terminology of a Listing of Payments rather than a Warrant of Payments - which was a terminology more correctly associated with the fund accounting regime referred to above.

**Consultation**

This financial report is prepared to provide financial information to Council and the administration and to provide evidence of the soundness of financial management being employed. It also provides information and discharges financial accountability to the City's ratepayers.

**Policy and Legislative Implications**

Consistent with Policy P605 - Purchasing and Invoice Approval and Delegation DM605.

**Financial Implications**

Payment of authorised amounts within existing budget provisions.

**Strategic Implications**

This report deals with matters of sustainable financial management which directly relate to the key result area of Governance identified in the City's Strategic Plan - *'To ensure that the City's governance enables it to respond to the community's vision and deliver on its promises in a sustainable manner'*.

**Sustainability Implications**

This report contributes to the City's financial sustainability by promoting accountability for the use of the City's financial resources.

<b>OFFICER RECOMMENDATION ITEM 10.6.3</b>
-------------------------------------------

That the Listing of Payments for the month of February 2011 as detailed in the report of the Director of Financial and Information Services, **Attachment 10.6.3**, be received.

**10.6.4 Capital Projects Review to 28 February 2011**

Location: City of South Perth  
Applicant: Council  
File Ref: FM/301  
Date: 9 March 2011  
Author/Reporting Officer: Michael J Kent, Director Financial and Information Services

**Summary**

A schedule of financial performance supplemented by relevant comments is provided in relation to approved capital projects to 28 March 2011. Officer comment is provided only on the significant identified variances as at the reporting date.

**Background**

A schedule reflecting the financial status of all approved capital projects is prepared on a bi-monthly basis early in the month immediately following the reporting period - and then presented the next ordinary meeting of Council. The schedule is presented to Council Members to provide an opportunity for them to receive timely information on the progress of capital works program and to allow them to seek clarification and updates on scheduled projects.

The complete Schedule of Capital Projects and attached comments on significant project line item variances provide a comparative review of the Budget versus Actual Expenditure and Revenues on all Capital Items. Although all projects are listed on the schedule, brief comment is only provided on the significant variances identified. This is to keep the report to a reasonable size and to emphasise the reporting by exception principle.

**Comment**

Excellence in financial management and good governance require an open exchange of information between Council Members and the City's administration. An effective discharge of accountability to the community is also effected by tabling this document and the relevant attachments to a meeting of Council.

Overall, expenditure on the Capital Program represents 81.0% of the year to date target - and 59.9% of the full year's budget. The Executive Management Team acknowledges the challenge of delivering the remaining capital program and remains cognisant of the impact of:

- contractor and staff resource shortages
- community consultation on project delivery timelines
- challenges in obtaining complete bids for small capital projects.

It therefore closely monitors and reviews the capital program with operational managers on an ongoing basis - seeking strategies and updates from each of them in relation to the responsible and timely expenditure of the capital funds within their individual areas of responsibility. The City has also successfully implemented the 'Deliverable' & 'Shadow' Capital Program concept to more appropriately match capacity with intended actions and is using cash backed reserves to quarantine funds for future use on identified projects.

Comments on the broad capital expenditure categories are provided in **Attachment 10.6.1(5)** of this Agenda and details on specific projects impacting on this situation are provided in **Attachment 10.6.4(1)** and **Attachment 10.6.4(2)**. Comments on the relevant projects have been sourced from those managers with specific responsibility for the identified project lines and their responses have been summarised in the attached Schedule of Comments.

**Consultation**

For all identified variances, comment has been sought from the responsible managers prior to the item being included in the Capital Projects Review.

**Policy and Legislative Implications**

Consistent with relevant professional pronouncements but not directly impacted by any in-force policy of the City.

**Financial Implications**

The tabling of this report involves the reporting of historical financial events only. Preparation of the report and schedule require the involvement of managerial staff across the organisation, hence there will necessarily be some commitment of resources towards the investigation of identified variances and preparation of the Schedule of Comments. This is consistent with responsible management practice.

**Strategic Implications**

This report deals with matters of sustainable financial management which directly relate to the key result area of Governance identified in the City's Strategic Plan - *'To ensure that the City's governance enables it to respond to the community's vision and deliver on its promises in a sustainable manner'*.

**Sustainability Implications**

This report addresses the 'Financial' dimension of sustainability. It achieves this by promoting accountability for resource use through a historical reporting of performance. This emphasises the proactive identification of apparent financial variances, creates an awareness of our success in delivering against our planned objectives and encourages timely and responsible management intervention where appropriate to address identified issues.

<b>OFFICER RECOMMENDATION ITEM 10.6.4</b>
-------------------------------------------

That the Schedule of Capital Projects complemented by officer comments on identified significant variances to 28 February 2011, as per **Attachments 10.6.4(1)** and **10.6.4(2)**, be received.

**10.6.5 Use of the Common Seal**

Location: City of South Perth  
 Applicant: Council  
 File Ref: GO/106  
 Date: 1 March 2011  
 Author: Kay Russell, Executive Support Officer  
 Reporting Officer: Phil McQue, Governance and Administration Manager

**Summary**

To provide a report to Council on the use of the Common Seal.

**Background**

At the October 2006 Ordinary Council Meeting the following resolution was adopted: *“That Council receive a monthly report as part of the Agenda, commencing at the November 2006 meeting, on the use of the Common Seal, listing seal number; date sealed; department; meeting date / item number and reason for use.”*

**Comment**

Clause 21.1 of the City’s Standing Orders Local Law 2007 provides that the CEO is responsible for the safe custody and proper use of the common seal.

In addition, clause 21.1 requires the CEO to record in a register:

- (i) the date on which the common seal was affixed to a document;
- (ii) the nature of the document; and
- (iii) the parties described in the document to which the common seal was affixed.

**Register**

The Common Seal Register is maintained on an electronic data base and is available for inspection. Extracts from the Register on the use of the Common Seal are provided each month for Elected Member information.

**February 2010**

Nature of document	Parties	Date Seal Affixed
Lease Agreement for Sth Pth Learning Centre	CoSP and South Perth Learning Centre	8.2.2011
Transfer of Land to CoSP for Road Widening	CoSP- Brian William & Margaret Ann Nash	17.2.2011
Amendment No.24 to CoSP TPS No. 6	City of South Perth	28.2.2011

**Consultation**

Not applicable.

**Policy and Legislative Implications**

Clause 21 of the City’s Standing Orders Local Law 2007 describes the requirements for the safe custody and proper use of the common seal.

**Financial Implications**

Nil.

**Strategic Implications**

The report aligns to Strategic Direction 6 of the Strategic Plan - *Governance – Ensure that the City’s governance enables it to both respond to the community’s vision and deliver on its service promises in a sustainable manner.*

**Sustainability Implications**

Reporting of the use of the Common Seal contributes to the City’s sustainability by promoting effective communication.

**OFFICER RECOMMENDATION ITEM 10.6.5**

That the report on the use of the Common Seal for the month of February 2011 be received.



<b>10.6.6 Applications for Planning Approval Determined Under Delegated Authority</b>
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Location: City of South Perth  
Applicant: Council  
File Ref: GO/106  
Date: 1 March 2011  
Author: Rajiv Kapur, Manager Development Services  
Reporting Officer: Vicki Lummer, Director Development and Community Services

**Summary**

The purpose of this report is to advise Council of applications for planning approval determined under delegated authority during the month of February 2011.

**Background**

At the Council meeting held on 24 October 2006, Council resolved as follows:

*“That Council receive a monthly report as part of the Agenda, commencing at the November 2006 meeting, on the exercise of Delegated Authority from Development Services under Town Planning Scheme No. 6, as currently provided in the Councillor’s Bulletin.”*

The great majority (over 90%) of applications for planning approval are processed by the Planning Officers and determined under delegated authority rather than at Council meetings. This report provides information relating to the applications dealt with under delegated authority.

**Comment**

Council Delegation DC342 “Town Planning Scheme No. 6” identifies the extent of delegated authority conferred upon City officers in relation to applications for planning approval. Delegation DC342 guides the administrative process regarding referral of applications to Council meetings or determination under delegated authority.

**Consultation**

During the month of February 2011, fifty (50) development applications were determined under delegated authority at **Attachment 10.6.6**.

**Policy and Legislative Implications**

The issue has no impact on this particular area.

**Financial Implications**

The issue has no impact on this particular area.

**Strategic Implications**

The report is aligned to Strategic Direction 6 “Governance” within the Council’s Strategic Plan. Strategic Direction 6 is expressed in the following terms:

*Ensure that the City’s governance enables it to both respond to the community’s vision and deliver on its service promises in a sustainable manner.*

**Sustainability Implications**

Reporting of Applications for Planning Approval Determined under Delegated Authority contributes to the City’s sustainability by promoting effective communication.

<b>OFFICER RECOMMENDATION ITEM 10.6.6</b>
-------------------------------------------

That the report and **Attachment 10.6.6** relating to delegated determination of applications for planning approval during the months of February 2011, be received.

### **10.6.7 Constitutional Recognition of Local Government**

Location: City of South Perth  
Applicant: Council  
File Ref: GR/205  
Date: 23 February 2011  
Author: Kay Russell, Executive Support Officer  
Reporting Officer: Cliff Frewing, Chief Executive Officer

#### **Summary**

The Australian Local Government Association has written to all State/Territory Associations seeking the support of Local Governments in the campaign for a referendum on the constitutional recognition of local government.

The absence of formal recognition of local government in the Australian Constitution is a significant omission. The achievement of formal recognition remains one of the main objectives of the Australian Local Government Association (ALGA). Having local government recognised in the Constitution has been at the forefront of debate in successive National General Assemblies of Local Government.

#### **Background**

In December 2008 the ALGA convened a National Constitutional Forum to establish an agreed local government approach. WALGA in turn wrote to all local governments in the State urging each to consider its position on the question of constitutional recognition and the form that recognition may take. To this end Council considered this matter at its June 2008 meeting and resolved at Item 10.5.3 as follows:

#### ***That:***

- (a) ***Council resolves to support the process of engagement and consultation established by the ALGA in the drive for recognition of local government in the Constitution and supports the ALGA in seeking to advance the objectives of financial certainty and stability for local government; and***
- (b) ***give further consideration to this subject following any motions adopted by WALGA at the Local Government Convention.***

The ALGA considers that recognition in the Australian Constitution is one of the most important challenges facing local government today. It is an issue that the ALGA considers needs to be managed properly if local government is to maximise the opportunity to succeed in this challenge.

The push to achieve constitutional recognition of local government has now been given new impetus. Following the 2010 Federal Election Prime Minister Gillard committed to holding a dual referendum on the constitutional recognition of local government and the recognition of Indigenous Australians. The referendum will most likely be held in conjunction with the 2013 Federal Election.

#### **Comment**

The ALGA has devoted considerable resources over the past three years to developing the case for constitutional reform and the need for reform. It is obviously in the best interest of local communities that Federal Governments, whatever their political persuasion, have the capacity to fund councils directly to achieve national objectives. A change to the Constitution would allow direct funding to continue. The form of financial recognition of local government proposed by the ALGA, which will not impact on the relationship between councils and state governments, has been endorsed by the WALGA and all other state and territory local government associations.

The ALGA has now written to all councils asking them to pass a resolution early in 2011 endorsing the position that a referendum be held by 2013 to change the Constitution to allow direct funding of local government bodies by the Commonwealth Government and also to include local government in any new Preamble to the Constitution if one is proposed. If Council is in support of the concept proposed, the following *draft* text of a resolution is presented for Council consideration:

***The City of South Perth declares its support for financial recognition of local government in the Australian Constitution so that the Federal Government has the power to fund local government directly and also for inclusion of local government in any new Preamble to the Constitution if one is proposed and calls on all political parties to support a referendum by 2013 to change the Constitution to achieve this recognition.***

#### **Consultation**

The ALGA has been actively seeking local government support and campaigning for this concept since 2001 when a petition was presented to the House of Representatives to support Constitutional recognition of local government in Australia.

#### **Legislative and Policy Implications**

Any legislative and policy implications of matters arising are discussed in the report.

#### **Financial Implications**

Nil

#### **Strategic Implications**

The report aligns to Strategic Direction 6 of the Strategic Plan - ***Governance – Ensure that the City’s governance enables it to both respond to the community’s vision and deliver on its service promises in a sustainable manner.***

The proposed action as outlined in this report is consistent with Council’s previous adopted practice.

#### **Sustainability Implications**

The sustainability implications arising out of matters discussed or recommendations made in this report are consistent with the City’s Sustainability Strategy.

<b>OFFICER RECOMMENDATION ITEM 10.6.7</b>
-------------------------------------------

That the City of South Perth...

- (a) declares its support for financial recognition of Local Government in the Australian Constitution, so that the Federal Government has the power to fund Local Government directly;
- (b) supports inclusion of Local Government in any new Preamble to the Constitution if one is proposed; and
- (c) calls on all political parties to support a referendum by 2013 to change the Constitution to achieve this recognition.

### 10.6.8 Disaster Appeals – Proposed Donations

Location:	City of South Perth
Applicant:	Council
File Ref:	CR/201
Date:	5 March 2011
Author:	Jelette Edwards, Research and Administration Officer
Reporting Officer:	Phil McQue, Governance and Administration Manager

#### Summary

This report recommends that the City donate to the follow disaster appeals:

- \$5,000 to the Lord Mayor's Perth Hills Fire Appeal 2011 to help the devastated community of the Perth Hills rebuild after fire destroyed numerous houses and was later declared a state natural disaster;
- \$5,000 to the Premier's Disaster Relief Appeal of Queensland to extend assistance to those communities and Queenslanders affected by the flooding and cyclone Yasi,
- \$5,000 to the New Zealand Red Cross Appeal to assist in the recovery and rebuilding process after an earthquake struck Christchurch on 22 February 2011; and
- \$5,000 to the Australian Red Cross Japan and Pacific Disaster Appeal 2011 to assist in the recovery and rebuilding process after an earthquake struck Japan on 11 March.

#### Background

##### *Lord Mayor's Perth Hills Fire Appeal*

The Lord Mayor's Distress Relief Fund was established in 1961 to provide relief of personal hardship and distress arising from natural disasters occurring within Western Australia. The perpetual fund is a registered charitable body and has the approval of the Australian Taxation Office for tax deductibility of contributions.

Appeals administered by the Fund raise money to assist those suffering hardship as well as helping residents repair their properties and restore normal living conditions. Communities across the State, interstate and overseas have been assisted by the Fund when facing adversity resulting from such natural disasters as floods, bushfires and cyclones. Examples of relief appeals include:

- Cyclone Olivia (1997)
- Ashburton River Floods (1997)
- Brookton/Pingelly Fires (1997/1998)
- Esperance Floods (1999)
- Moora Floods (1999)
- Cyclone Vance (1999)
- WA Bali Casualties Appeal (2002/2003)
- Tenterden Fires (2003)
- Australia Day Tsunami Collection (2005)
- Dwellingup Fires (2007)
- Toodyay Fire (2009)

The Fund provides permanent and supplementary funds for the alleviation and relief of distress, suffering and hardships, brought about by any disaster or emergency that has been declared by the Western Australian Government through the State Emergency Service. The Lord Mayor's Distress Relief Fund can offer immediate financial assistance and advice in the event of such a disaster.

Since 1996, the Fund has distributed in excess of \$3.3 million to Western Australian residents. Public appeals for donations are not always launched owing to the small impact a disaster may have on the wider community. In these instances, the Fund provides support from its financial reserves with examples being the 2002 Gingin Fires and the 2004 Dumbleyung Fires.

- All donations are fully accounted for. All Board Members are volunteers and the administrative support is provided free of charge by the City of Perth.

More information about the Lord Mayor's Distress Relief Fund and the Lord Mayor's Perth Hills Fire Appeal 2011 can be accessed at [www.appealswa.org.au](http://www.appealswa.org.au)

### ***Queensland Flood Appeal***

On 29 December 2010, the Premier launched a disaster relief appeal to help those affected by wide spread flooding in Queensland.

The Disaster Relief Appeal has been extended to include people affected by Tropical Cyclone Yasi.

The appeal invites financial donations only.

The Premier's Disaster Relief Appeal is a Trust Fund established to assist those who have suffered a loss due to natural disaster. All money raised by the fund will be directed to address the greatest need. The Premier's Disaster Relief Appeal Fund is audited by the Queensland Auditor-General.

The Premier has announced the establishment of a Distribution Committee, a committee including representatives from the Australian Red Cross, to manage the disbursement of the donated funds. None of the appointed representatives will receive remuneration for their service, and none of the funds raised will be used to administer the fund with the costs being met by the government.

### ***Christchurch Earthquake Appeal***

The city of Christchurch was struck by a 6.3 magnitude earthquake on February 22, causing widespread devastation to the city. The quake caused significant loss of life and injury, as well as severely damaging buildings, infrastructure and services. Red Cross is there providing essential support and humanitarian assistance where needed.

Red Cross has over 130 trained staff and volunteers from all over New Zealand currently working in Christchurch to support the relief efforts. Teams from Australia have arrived to add further support. Sixty Red Cross welfare volunteers are working with the Christchurch City Council, going door to door in teams of two, to check in on affected people in the Eastern suburbs of Christchurch.

Red cross Christchurch earthquake emergency grants. An independent commission has been established to disburse emergency grants from the New Zealand Red Cross 2011 Earthquake Appeal to those affected by the Christchurch earthquake.

All funds raised will be used towards the New Zealand Red Cross response to the disaster, including transport and provision of goods. As weeks go by, different needs will be identified and Red Cross, there for the long haul with your help, will be meeting them.

More information about the Christchurch Earthquake 2011 Red Cross Appeal can be found at <http://www.redcross.org.au>

***Japan Earthquake and Tsunami***

North-east Japan was struck by a huge 9 magnitude earthquake and more than seven metre tsunami on Friday 11 March 2011. The Australian Red Cross is running an international appeal to assist people affected. Many areas across the Pacific were affected due to the tsunami. In Japan, more than 10,000 are either dead or missing. Many towns and villages have been destroyed by a combination of the earthquake and tsunami. It will be many years - perhaps a generation - before some areas will be restored to pre-event status.

More information about the Australian Red Cross Japan and Pacific Disaster Appeal 2011 can be found at <http://www.redcross.org.au>

**Comment**

The City has in the past provided support, separately to the Lord Mayor's Appeal, for other specific disastrous events such as:

- \$10,000 - Tsunami Disaster Relief (2005)
- \$1,000 - Bali Casualties Appeal (2002)
- \$2,000 - Moora Floods (1999)
- \$5,000 - Toodyay Bushfire (2010)

**Consultation**

The City has received requests for funds along with related information from the City of Perth.

**Policy and Legislative Implications**

Proposed donations consistent with past actions..

**Financial Implications**

The \$20,000 to be costed against the Donations Budget. A budget re-allocation may be necessary in the next Budget Review.

**Strategic Implications**

The report aligns to Strategic Direction 6 of the Strategic Plan - ***Governance – Ensure that the City's governance enables it to both respond to the community's vision and deliver on its service promises in a sustainable manner.***

**Sustainability Implications**

Participating in significant and established funding programs rather than responding to individual applications of this type on an ad hoc basis reduces duplication of assessment leading to greater organisational effectiveness while ensuring the City is responsive to community needs at times of crisis.

<b>OFFICER RECOMMENDATION ITEM 10.6.8</b>
-------------------------------------------

That an amount of...

- (a) \$5,000 be donated to the Lord Mayor's Perth Hills Fire Appeal 2011;
- (b) \$5,000 be donated to the Premier's Queensland Flood Appeal 2011;
- (c) \$5,000 be donated to the Christchurch Earthquake 2011 Red Cross Appeal; and
- (d) \$5,000 be donated to Australian Red Cross Japan and Pacific Disaster Appeal 2011.

**10.6.9 Australian Institute of Company Directors – Establishing Director Knowledge**

Location: Perth  
Applicant: Council  
Date: 8 March 2011  
File Ref: PE/504  
Author: Kay Russell, Executive Support Officer  
Reporting Officer: Chief Executive Officer

**Summary**

The purpose of this report is to give consideration to Councillor and Executive attendance at the Australian Institute of Company Directors (AICD) course which is a comprehensive and credible learning program providing professional development for directors and boards of all levels and experience.

**Background**

As the business landscape evolves, so too does the role of a company director or in the case of local government the role of its Councillors and Executives. Faced with constantly changing duties and responsibilities, members of the City's Leadership Team need to keep up-to-date with the latest developments in governance in order to manage both their own and the organisation's performance. Not only does ongoing professional development ensure currency and relevance, it also serves to stimulate critical thinking.

The AICD offers leading education programs to advance skills and knowledge. Each course forms part of our overall learning pathway, offering the opportunity to follow a step-by-step progression throughout the different learning stages as identified in **Attachment 10.6.9**. With over 26,000 members, the AICD is Australia's pre-eminent organisation for those seeking professional development programs.

As part of an earlier Leadership Team training program the AICD conducted an overview of many of the relevant components of the Company Directors Course in-house.

**Comment**

The Institute's Company Directors Course "Establishing Director Knowledge" provides comprehensive coverage of major issues associated with today's business environment and covers the following modules:

Module 1 - The Role of the Board and the Practice of Directorship

Covers the role of the board and of directors; examines practices in contemporary corporate governance.

Module 2 - Directors' Duties and Responsibilities

Outlines the key responsibilities of directors in private, public and not-for-profit organisations, it also examines the Corporations Act in detail.

Module 3 - Risk: Issues for Directors

Examines the board's role in developing a risk culture appropriate to the business and overseeing risk management to ensure improved performance.

Module 4 - Strategy: The Board's Role

Discusses the board's role in developing and executing strategy.

Module 5 - Financial Literacy for Directors

The key financial statements are examined from a director's perspective.

Module 6 - Driving Financial Performance

Highlights the directors' role in driving organisational performance.

Module 7 - The Board's Legal Environment

Examines legal and compliance obligations of the board including contracts, intellectual property, trade practices, privacy, OH&S, environment and anti-discrimination.

Module 8 - Decision Making

A fundamental board process is examined and frameworks to achieve improved performance outcomes and avoidance of disasters explored.

Module 9 - Achieving Board Effectiveness

Discusses the good practices of effective boards, including composition and skills mix, the undertaking of board reviews and how boards can add value to global organisations.

Module 10 - Learning into Practice

A case study approach linking the information from the previous modules and providing opportunities to contribute to productive boardroom disc

There is obviously a very strong connection between the relationship of a company director and a local government councillor sitting as a Council Member. Formal training in the various aspects of a 'Board Member' will enhance understanding and appreciation of roles and responsibilities of the position.

The Company Directors Course is delivered in a variety of formats to suit individual circumstances including:

- One 3 hour tutorial session per week for 10 weeks (mornings or evenings)
- One day per week for 5 weeks
- Five full days (consecutive or over two weeks)
- Weekend program (held weekends over a number of weeks)

The AICD course is seen as beneficial to the continued development of elected members and executive staff.

Enrolment in the AICD course is a requirement for WALGA State Councillors and other local governments such as Belmont and Melville have made the course available to members of the Leadership Team. Participation in the course would not be compulsory but would be highly recommended and attendance encouraged.

Guidelines

It is anticipated that, the Course would be made available to newly Elected Members in the first year of the 'election to office'. In the case of existing Elected Members it is suggested that the course be made available to those Councillors not up for election in October 2013 or to those Councillors who do contest an election in 2011 and are re-elected.

In relation to relevant staff, it is suggested that the Course be made available to new executive staff within the first year of their contract. In relation to existing staff, the Course be made available where there is more than 2 years left remaining on the contract.



**Consultation**

It is important that Councillors are kept up to date with the current issues facing Local Government. The Company Directors Course is recommended as a comprehensive and credible learning program.

**Policy and Legislative Implications**

Policy P691 Australian Business Excellence Framework. The aim of this policy is to embrace a proven business improvement model that fosters good management practice and progresses the organisation toward “Best Practice” in the provision of local government services to the community.

**Financial Implications**

The total cost of the Company Directors Course for each member is:

Member	\$5,400
Non-Member	\$7,560

The initial membership fee is \$566.00 per annum and thereafter \$456.00 annually. Membership of the AICD would be financially beneficial as there are significant course savings available to members. On-going membership would be paid by the City for those who completed the course.

**Strategic Implications**

It is important that Elected Members be provided with the opportunity to participate in ‘Establishing Director Knowledge’ to keep abreast of emerging trends and best practices.

This report is consistent with Strategic Direction 6 “Governance” – *Ensure that the City’s governance enables it to both respond to the community’s vision and delivery on its service promises in a sustainable manner.*

**Sustainability Implications**

The sustainability implications arising out of matters discussed or recommendations made in this report are consistent with the City’s Governance framework.

**OFFICER RECOMMENDATION ITEM 10.6.9**

That Council approve members of the City’s Leadership Team:

- (a) to participate in the Australian Institute of Company Directors training course “Company Directors Course – Establishing Director knowledge” and that this training be made available to all current and future Members in accordance with the ‘guidelines’ outlined in report Item 10.6.9 of the March 2011 Agenda; and
- (b) to become members of the AICD and that registration and membership fees be met by the City.

**11. APPLICATIONS FOR LEAVE OF ABSENCE**

**11.1 Request for Leave of Absence - Cr V Lawrance**

I hereby apply for Leave of Absence from all Council Meetings for the period 3 – 8 June 2011 inclusive.

**11.2 Request for Leave of Absence - Cr S Doherty**

I hereby apply for Leave of Absence from all Council Meetings for the period 28 April to 5 May 2011 inclusive.

- 12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
  
- 13. QUESTIONS FROM MEMBERS**
  - 13.1. Response to Previous Questions from Members Taken on Notice**
  
  - 13.2 Questions from Members**
  
- 14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**
  
- 15. MEETING CLOSED TO PUBLIC**
  - 15.1 Matters for which the Meeting May be Closed.**
  
  - 15.2 Public Reading of Resolutions that may be made Public.**
  
- 16. CLOSURE**
  
- 17. RECORD OF VOTING**



## Mayors Activity Report - February 2011

Date	Activity
Monday 28 February	Dog Forum meeting discussion + Deputy Mayor, Cr Sue Doherty + CEO + Legal & Governance Officer
Friday, 25 February	Chair Swan Canning Rivers Policy Forum of WALGA
Thursday, 24 February	Attend ZOO annual Planning Session @ South Perth Zoo Attend Urban Development Institute of Australia CEO Boardroom breakfast
Wednesday, 23 February	Open/ host Great Garden Event  Attend IPAA presentation: The Future of Perth - What sort of City are we planning for? + Crs P Best, V Lawrance, I. Hasleby + Director Development and Community Services + Coordinator Statutory Planning
Tuesday, 22 February	Chair Council meeting  Mayor/CEO weekly meeting + Cr Peter Howat  Attend South Perth Senior Citizens Centre 52nd Anniversary birthday celebrations
Monday, 21 February	Meeting re South Perth Station Precinct Plan and proposed developments on South Perth Peninsula with Peter Jodrell
Friday, 18 February	Attend WALGA State Council - Esperance
Thursday, 17 February	Attend WALGA State Council - Esperance
Wednesday, 16 February	Attend Wesley College - Official opening of the Middle School Transition Building  Attend presentation "The big West, seachange, treechange, FIFO, Boom!" by Bernard Salt at UWA
Tuesday, 15 February	Chair Council Briefing : Agenda items  Meet City of Perth Lord Mayor  WALGA presentation - Local Government Reform: Cutting Through Complexity + Deputy Mayor Cr Sue Doherty + Crs Betty Skinner, Veronica Lawrance, Pete Best, Kevin Trent, Ian Hasleby
Monday, 14 February	Attend Zoo Board meeting  Attend Como Secondary Class of 2010 assembly
Saturday, 12 February + Sunday 13 February	Attend Planning Day away with Ron Cacioppe from Integral Development + all councillors + CEO, Director Infrastructure, Director Development and Community Services + Manager Legal and Governance

AGENDA : ORDINARY COUNCIL MEETING : 22 MARCH 2011

Thursday, 10 February	Attend CEDA presentation: Inventing the Future: Population Dispersal and Sustainability - + Deputy Mayor, Cr Sue Doherty Committee for Economic Development Australia
Wednesday, 9 February	Attend WALGA South East Metro zone meeting @ Gosnells + CEO + Cr Kevin Trent Chair Safety and Crime prevention in the City of South Perth meeting
Tuesday, 8 February	Attend Kyana Festival corroboree at Clontarf College. Mayor/CEO weekly meeting + Deputy Mayor, Cr Sue Doherty Meeting with Chief Scientist Professor Lyn Beazley + CEO
Monday, 7 February	Focus on A&G meeting - purpose and ideas + CEO + Deputy Mayor, Cr Sue Doherty
Thursday, 3 February	Meeting with Department of Commerce and Brodie McCulloch social entrepreneur Meeting to discuss Climate Change Risk Assessment - Insurance/Legal Issues + CEO
Wednesday, 2 February	Swan Canning River Forum meeting with Committee for Perth, Richard Weller and Mark Batty WALGA
Tuesday, 1 February	Chair Briefing: South Perth Parking Survey Feedback & Old Mill Survey Feedback + Ray Street Land Mayor/CEO weekly meeting

**Council Representatives' Activity Report -  
February 2011**

February 2011	Activity
Thursday, 24 February	Joint Neighbourhood Watch Executive Committee/Councillors Meeting - Crs Pete Best, Peter Howat, Veronica Lawrance, Glenn Cridland
Friday, 18 February	Opening Aquinas Br Paull Centre - Deputy Mayor, Cr Sue Doherty
Friday 11 February	Thank Australia Day Volunteers - Deputy Mayor, Cr Sue Doherty Cheque Presentation - Funding Round 2 - Deputy Mayor, Cr Sue Doherty
Tuesday, 8 February	Chair CEO Evaluation Committee - Cr Travis Burrows
Tuesday, 8 February	Chair Audit & Governance Committee - Deputy Mayor, Cr Sue Doherty
Monday, 7 February	Conduct Citizenship ceremony - Deputy Mayor, Cr Sue Doherty + Cr Kevin Trent