

AGENDA

Ordinary Council Meeting

23 August 2016

Notice of Meeting

To: The Mayor and Councillors

The next Ordinary Council meeting of the City of South Perth Council will be held on Tuesday 23 August 2016 in the City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth commencing at 7.00pm.



GEOFF GLASS
CHIEF EXECUTIVE OFFICER

19 August 2016



Our Guiding Values

Trust

Honesty and integrity

Respect

Acceptance and tolerance

Understanding

Caring and empathy

Teamwork

Leadership and commitment

Disclaimer

The City of South Perth disclaims any liability for any loss arising from any person or body relying on any statement, discussion, recommendation or decision made during this meeting.

Where an application for an approval, a licence or the like is discussed or determined during this meeting, the City warns that neither the applicant, nor any other person or body, should rely upon that discussion or determination until written notice of either an approval and the conditions which relate to it, or the refusal of the application has been issued by the City.

Further Information

The following information is available on the City's website.

- **Council Meeting Schedule**

Ordinary Council Meetings are held at 7.00pm in the Council Chamber at the South Perth Civic Centre on the fourth Tuesday of every month between February and November. Members of the public are encouraged to attend open meetings.

- **Minutes and Agendas**

As part of our commitment to transparent decision making, the City makes documents relating to meetings of Council and its Committees available to the public.

- **Meet Your Council**

The City of South Perth covers an area of around 19.9km² divided into four wards. Each ward is represented by two Councillors, presided over by a popularly elected Mayor. Councillor profiles provide contact details for each Elected Member.

www.southperth.wa.gov.au/Our-Council/

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Ordinary Council Meeting Agenda

1. DECLARATION OF OPENING

2. DISCLAIMER

3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

3.1 STANDING ORDERS LOCAL LAW 2007

This meeting is held in accordance with the City's Standing Orders Local Law 2007 which provides rules and guidelines which apply to the conduct of meetings.

3.2 AUDIO RECORDING OF THE COUNCIL MEETING

The meeting will be audio recorded in accordance with Council Policy P673 "Audio Recording of Council Meetings" and Clause 6.15 of the Standing Orders Local Law 2007 "Recording of Proceedings".

4. ATTENDANCE

4.1 APOLOGIES

4.2 APPROVED LEAVE OF ABSENCE

5. DECLARATIONS OF INTEREST

Conflicts of Interest are dealt with in the Local Government Act, Rules of Conduct Regulations and the Administration Regulations as well as the City's Code of Conduct 2008. Members must declare to the Chairperson any potential conflict of interest they have in a matter on the Council Agenda.

6. PUBLIC QUESTION TIME

6.1 RESPONSES TO PREVIOUS QUESTIONS TAKEN ON NOTICE

6.2 PUBLIC QUESTION TIME: 23 AUGUST 2016

The Presiding Member to invite those members of the public who submitted questions to read their questions.

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: 26 July 2016

Recommendation

That the Minutes of the Ordinary Council Meeting held 26 July 2016 be taken as read and confirmed as a true and correct record.

7.1.2 Audit, Risk and Governance Committee Meeting Held: 9 August 2016

Recommendation

That the Minutes of the Audit, Risk and Governance Committee Meeting held 9 August 2016 be taken as read and confirmed as a true and correct record.

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 Council Agenda Briefing - 16 August 2016

Officers of the City presented background information and answered questions on items to be considered at the 23 August 2016 Ordinary Council meeting at the Council Agenda Briefing held 16 August 2016.

Attachments

7.2.1 (a): Notes – Council Agenda Briefing - 16 August 2016

Officer Recommendation

That the Notes of the Council Agenda Briefing held on 16 August 2016 be noted.

8. PRESENTATIONS

8.1 PETITIONS

8.2 GIFTS / AWARDS PRESENTED TO COUNCIL

8.3 DEPUTATIONS

Deputations are heard at the Council Agenda Briefings. There were no requests for a Deputation to Address Council at the Council Agenda Briefing of 16 August 2016.

8.4 COUNCIL DELEGATES REPORTS

8.4.1 Rivers Regional Council (RRC) Meetings - 16 June and 21 July 2016

Reports summarising the Rivers Regional Council (RRC) Meetings - 16 June and 21 July 2016 are attached.

Attachments

8.4.1 (a): Delegates' Report - RRC Meeting - 16 June 2016

8.4.1 (b): Delegates' Report - RRC Special Meeting - 21 July 2016

Officer Recommendation

That the reports on the Rivers Regional Council (RRC) Meetings - 16 June and 21 July 2016 be received.

8.5 CONFERENCE DELEGATES REPORTS

9. METHOD OF DEALING WITH AGENDA BUSINESS

10. REPORTS

10.1 STRATEGIC DIRECTION 1: COMMUNITY

10.1.1 Community Sporting and Recreation Facilities Fund - Annual/Forward Planning Grants

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	City of South Perth
File Ref:	D-16-64755
Date:	23 August 2016
Author:	Jennifer Hess, Recreation Development Coordinator
Reporting Officer:	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Community -- Create opportunities for an inclusive, connected, active and safe community
Council Strategy:	1.3 Create opportunities for social, cultural and physical activity in the City.

Summary

To consider an application for the 2017/2018 Community Sporting Recreation Facilities Fund (CSRFF) Annual Forward Planning Grants.

Officer Recommendation

That the application for funding for the Community Sporting Recreation Facilities Funding (CSRFF) – Annual and Forward Planning Grants 2017/18, be submitted to the Department of Sport and Recreation together with the comments from the officer report and the following ranking and ratings:

Applicant	Ranking	Rating
City of South Perth (Ernest Johnson Reserve Redevelopment Stage 2)	I	A

Background

The Department of Sport and Recreation (DSR) annually invites applications for financial assistance to assist community groups and local governments to develop sustainable infrastructure for sport and recreation. The CSRFF program aims to increase participation in sport and recreation with an emphasis on physical activity, through rational development of good quality, well-designed and well-utilised facilities. Priority is given to projects that lead to facility sharing and rationalisation. The state government has allocated \$12M (previously \$20M) for the 2017/2018 annual funding round. A maximum of \$2 million is available for annual/forward planning grants in the next financial year.

Table 1 CSRFF Grant Categories

Grant category	Total Project Cost Range	Standard DSR Contribution	Frequency
Small grants	\$7,500 - \$200,000	\$2,500 - \$66,666	Bi-annual
Annual Grants	\$200,001 - \$500,000	\$66,667 - \$166,666	Annual
Forward Planning Grants	\$500,001 +	\$166,667 - \$2 million	Annual

10.1.1 Community Sporting and Recreation Facilities Fund - Annual/Forward Planning Grants

The maximum grant awarded by DSR will be no greater than one-third of the total cost of the project up to a maximum of \$2 million. The CSRFF grant must be at least matched by the applicants own cash contribution equivalent to one third of the total project cost, with any remaining funds being sourced by the applicant. In some cases, funds provided by the Department do not equate to one-third of the project costs and the applicants are advised that they are expected to fund any such shortfall.

As stated in the CSRFF guidelines, annual and forward planning grants for this round of applications may require an implementation period of between one and three years. Grants given in this category may be allocated in one or a combination of the years in the triennium. It is proposed, for this application, that the project will be undertaken over the two financial years of 2017/2018 and 2018/2019 and therefore must be claimed by 15 June 2019.

Comment

One project is proposed by the City for the 2017/2018 CSRFF annual and forward planning grants:

(i) City of South Perth (implementation of EJ Master Plan – Stage 2)

CSRFF Grant sought	\$846,666 (ex GST)
City's contribution	\$1,693,334 (ex GST)
Estimated Total Project Cost	\$2,540,000 (ex GST)

In November 2011, the City engaged Jill Powell & Associates to develop the Ernest Johnson Master Plan. The project was staged in two parts: Stage One consisted of research and data collection; stakeholder consultation; and the development of a basic concept plan with recommendations for the future of the reserve and its facilities. Stage Two comprised more detailed assessment of the buildings, ovals and outdoor spaces; and full conceptual drawings, costings and stages of implementation.

The aim of the project was to develop a master plan for the redevelopment of Ernest Johnson Reserve, incorporating all active reserves (Ernest Johnson Oval, Hensman Park and Sandgate Reserve) and existing buildings and stakeholders (Ernest Johnson Scout Hall, Ernest Johnson Pavilion, Como Bowling and Recreation Club, Rotary Community Hall, storage facility and a public toilet building). At this stage it also aimed to incorporate relocating the Como Croquet Club and Returned Services League (RSL) to the site, if possible. The Como Croquet Club relocation and Como Bowling Club additions are no longer part of the scope for the redevelopment.

Through meetings with the users of the facilities and a community workshop, Jill Powell & Associates key findings as part of Stage One were summarised as follows:

- Ageing buildings
- Conflicts in use
- Increase in demand for passive use
- Need to understand wider community needs in addition to the permanent/long term user groups
- Potential to reduce duplication
- Potential to reduce ongoing maintenance costs for the City
- Better designed facilities to cater for the next 20-30 years

It is recognised that each group has very specific needs for their sport/activity e.g. turf cricket wicket for cricket. However, not every group can be fully accommodated and the main generic priorities were identified as:

10.1.1 Community Sporting and Recreation Facilities Fund - Annual/Forward Planning Grants

- Club storage
- Sporting ovals
- Upgrade existing toilets
- Clubrooms
- Function room

Stage Two consisted of developing a concept plan, architectural drawings, staging and costs to accommodate as many of the needs as possible.

The concept master plan currently proposes the following two stages, over three years:

Stage 1 (\$7,960,000)

- Detailed design and documentation of the proposed building
- Car park and roadworks construction
- Construction of new building, including public toilets
- Commencement of design and documentation of civil works

Stage 2 (\$2,540,000)

- Demolition of existing buildings
- Reserve irrigation
- Relocation of cricket practice wickets
- Little athletics throwing circles and long jump pit
- Synthetic cricket pitches
- Relocation of existing senior turf cricket wicket
- Large playground and social amenities.

The total cost of the project is estimated at \$10,500,000, incorporating contingencies, consulting fees and escalation costs. The master plan will be subject to annual review upon each stage of implementing the Plan. Therefore minor adjustments are likely to occur throughout the process to satisfy certain requirements or constraints.

In 2015 the City successfully sought \$600,000 funding from DSR for Stage 1 of the project which is currently underway. On 26 July 2016 Council approved the development application for the project. Detailed documentation for the project is almost complete and tenders for the construction of the project are expected to be finalised in August 2016, for Council consideration in October 2016. Site works for Stage 1 is expected to commence in December 2016.

Stage 2 is expected to commence in January 2018.

Consultation

The City advertised the funding round by direct mail out to clubs, and email notification. No applications for this round were received by other community sporting clubs.

Since 2012, stakeholder engagement specific to this project has occurred as follows: A survey was sent to all relevant clubs, and user groups who currently use the facilities at Ernest Johnson Reserve. In total 20 surveys were sent, with 13 replies. The following groups were surveyed: South Perth Little Athletics; South Perth Junior Football Club; South Perth Junior Cricket Club; Como Bowling & Recreation Club; WAFC Umpires Association; RSPCA WA; Step Into Life (Personal Trainers); South Perth Playgroup; Girl Guides WA; Rotary Club of South Perth-Burswood, South Perth Hospital and various hall users.

Further engagement included:

- The Peninsula Newsletter (Winter 2012) featured an article about the general project to advise the wider community.
- An article featured in the Southern Gazette Community Newspaper Snapshot page.
- A series of individual meetings were conducted with South Perth Hospital, WAFC Umpires Association, Como Bowling & Recreation Club, Rotary Club of South Perth-Burswood, South Perth Junior Cricket Club, Girl Guides South Perth, South Perth Playgroup, South Perth Little Athletics, South Perth Junior Football Club, and Como Croquet Club.
- A public meeting was conducted on 8 March 2012 at the Ernest Johnson Hall at 6.30pm. A total of 35 community members attended. Names and contact details were recorded of those who wished to be kept informed.
- A briefing on the initial findings and key concepts was presented to Council on 10 April 2013.

A second briefing was presented to Council in April 2014.

Since May 2014, ongoing meetings have been held with representatives from the Como Croquet Club, South Perth Junior Football Club, WA Umpires Association, South Perth Cricket Club, Step Into Life Personal Trainers, Como Bowling and Recreation Club, RSL, Rotary Club of South Perth Burswood, Girl Guides WA, South Perth Playgroup, South Perth Junior Cricket Club, and South Perth Little Athletics to discuss the findings and the concept master plan.

Since Council considered this project in May 2014, the master plan has been out for community comment for a 60 day period, which closed on 7 August 2014. In total 54 comments were received. Specific requirements from immediate stakeholders such as South Perth Junior Football Club and other facility users have been considered and ongoing stakeholder management continues with these groups.

The development application was submitted to the City in November 2015 and underwent an advertised comment period of 7 weeks. Neighbour consultation was undertaken for this proposal to the extent and in the manner required by Policy P301 'Consultation for Planning Proposals'. Under the extended 'Area 2' consultation method, individual property owners, occupiers and/or strata bodies were invited to inspect the plans and to submit comments during the seven week period (8 December 2015 – 29 January 2016). In addition, signs were placed on the site; a notice was included in the Peninsula Snapshot on 8 December 2015, published in the *Southern Gazette*; as well as a notice on the City's website; all inviting comment from any other interested people.

This project has been the subject of extensive community consultation, stakeholder engagement and Council briefings during the initial master-planning stage, then during design development. A number of changes have previously been made to the internal layout of the buildings, as well as the configuration of the reserves in response to feedback received.

Policy and Legislative Implications

This report relates to Policy PI 10 - Support of Community & Sporting Groups.

Financial Implications

The total project cost is estimated at \$10,500,000 incorporating contingencies, consulting fees and escalation costs.

The City's Strategic Financial Plan 2013-2023 has allocated \$10.5 million to this project.

The Strategic Financial Plan proposes staging the project as follows:

2016/2017 - \$7.5 million (Stage One currently underway)

2017/2018 - \$3 million (Stage Two which is the basis for this application).

The City has already received \$600,000 from DSR to partially fund Stage One of the implementation of the redevelopment, which is currently underway. This funding application is applicable to Stage Two only and will likely deploy across two financial years (2017/2018 and 2018/2019).

Strategic Implications

This report is consistent with the Strategic Community Plan 2015–2025,

- Direction 1 – Community: *“Create opportunities for an inclusive, connected, active and safe community”*.
- Direction 2 – Environment: *“Enhance and develop public open spaces and manage impacts on the City's built and natural environment”*.
- Direction 6 – Governance, Advocacy and Corporate Management: *“Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan”*.

Sustainability Implications

This report is aligned to the City's Sustainability Strategy 2012–2015. The City encourages shared use of its facilities to maximise rational use for minimal cost. This proposed project demonstrates this principle. This project also aims to enhance the quality of life and provide opportunities for capacity building through appropriate provision of community facilities. Additionally the facilities constructed as part of this project will use the Ecological Sustainable Development (ESD) building design principles, as per the City's Policy P208.

Attachments

Nil

10.6 STRATEGIC DIRECTION 6: GOVERNANCE, ADVOCACY AND CORPORATE MANAGEMENT

10.6.1 Monthly Financial Management Accounts - July 2016

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-16-64756
Date:	23 August 2016
Author / Reporting Officer:	Michael J. Kent, Director Financial and Information Services
Strategic Direction:	Governance, Advocacy and Corporate Management -- Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan
Council Strategy:	6.2 Develop and maintain a robust Integrated Planning and Reporting Framework (in accordance with legislative requirements).

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.

Officer Recommendation

That

- (a) Council adopts a definition of 'significant variances' as being \$5,000 or 5% of the project or line item value (whichever is the greater);
- (b) the monthly Statement of Financial Position and Financial Summaries provided as **Attachments (a)-(e)** be received;
- (c) the Schedule of Significant Variances provided as **Attachment (f)** be accepted as having discharged Council's statutory obligations under Local Government (Financial Management) Regulation 34.
- (d) the Schedule of Movements between the Adopted & Amended Budget **Attachments (g) and (h)** not be presented for July 2016;
- (e) the Rate Setting Statement provided as **Attachment (i)** be received.

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 120 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 reflects the structure of the budget information provided to Council and published in the Annual Management 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 - reflecting the City's actual financial performance against budget targets.

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 adopts a definition of 'significant variances' as being \$5,000 or 5% of the project or line item value (whichever is the greater). Notwithstanding the statutory requirement, the City may elect to provide 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 capital revenues and expenditures (grouped by department and directorate) will be provided each month from September onwards. From that date on, the schedule will reflect a reconciliation of movements between the 2016/2017 Adopted Budget and the 2016/2017 Amended Budget including the introduction of the unexpended capital items carried forward from 2015/2016.

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 components of the monthly management account summaries presented are:

- Statement of Financial Position - **Attachments (a) and (b)**
- Summary of Non Infrastructure Operating Revenue and Expenditure **Attachment (c)**
- Summary of Operating Revenue & Expenditure - Infrastructure Service **Attachment (d)**
- Summary of Capital Items - **Attachment (e)**
- Schedule of Significant Variances - **Attachment (f)**
- Reconciliation of Budget Movements - Not for July 2016
- Rate Setting Statement - **Attachment (i)**

10.6.1 Monthly Financial Management Accounts - July 2016

Operating Revenue to 31 July 2016 is \$41.43M which represents 100% of the \$41.44M year to date budget. Revenue performance is close to budget in most areas other than those items identified below.

Rates revenue reflects as being very slightly ahead of budget after the receipt of some revised GRVs from Landgate on the day of Budget adoption. Investment revenues are 1% ahead of budget for Reserve Funds but 16% ahead for the Municipal Fund despite the continuing low interest rates. Parking revenue is 17% ahead of budget expectations but this is not considered unusual given the timing of school holidays which typically results in a spike in this revenue area.

Planning revenues are 48% under budget due to the slowing of activity in the station precinct. Building Services revenue is 23% under budget for similar reasons.

Comment on the specific items contributing to the revenue variances may be found in the Schedule of Significant Variances **Attachment (f)**.

Operating Expenditure to 31 July 2016 is \$3.31M which represents 95% of the year to date budget of \$3.49M. Operating Expenditure shows as 5% under budget in the Administration area. Operating costs are 2% under budget for the golf course and show as being 5% under budget in the Infrastructure Services area.

In addition to the differences specifically identified in the Schedule of Significant Variances, the variances in operating expenditures in the administration area partly relate to timing differences on billing by suppliers.

In the Infrastructure Services operations area, there are some small variances at the end of the month that relate to the timing of the roll-out of maintenance activities and these are expected to reverse in August. Major infrastructure expenditure areas such as parks maintenance and streetscape maintenance are close to budget expectations - and it is possible that the increased rigour in managing costs in this area may even deliver some savings against budget particularly in relation to street tree maintenance activities.

A change in the accounting treatment for wages accrued for pay periods that are incomplete at month end means that months such as July (having a 9 day pay accrual), will typically show a favourable variance on specific jobs whilst field staff overheads will reflect an unfavourable variance. This difference is a consequence of an accounting treatment and will reverse out in the next month. It does not reflect over-expenditure.

Fleet operations show a similar variance for the same reason as the fleet charge-out and recovery is driven by staff timesheet entry.

As would be expected in any entity operating in today's economic climate, there are some budgeted staff positions across the organisation that are necessarily being covered by agency staff (potentially at a higher hourly rate). Overall, the salaries budget (*including temporary staff where they are being used to cover vacancies*) is currently showing as 1.3% over the budget allocation for the positions approved by Council in the budget process. This is not unusual in the first month of the year as employee costs include not only the costs associated with the occupied positions but also provisions for future annual and long service leave.

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

10.6.1 Monthly Financial Management Accounts - July 2016

Capital Revenue is disclosed as \$0.19M at 31 July which is just over the year to date budget of \$0.18M.

Capital Expenditure reflects only preliminary expenditure at this stage of the year. At 31 July expenditure is \$1.12M representing 260% of the year to date budget of \$0.31M (before the inclusion of carry forward projects). The total budget for capital projects for the year is \$27.01M.

The table reflecting capital expenditure progress versus the year to date budget by directorate is only presented from October onwards each year once the final Carry Forward Works are confirmed - that is, after completion of the annual financial statements.

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

This report is in accordance with the requirements of the Section 6.4 of the *Local Government Act* and Local Government Financial Management Regulation 34.

Financial Implications

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

Strategic Implications

This report is aligned to the City's [Strategic Community Plan 2015-2025](#).

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012-2015](#). Financial reports address the 'financial' dimension of sustainability by promoting accountability for resource use through a historical reporting of performance - emphasising proactive identification and response to apparent financial variances. Furthermore, 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.

Attachments

- 10.6.1 (a): Statement of Financial Position
- 10.6.1 (b): Statement of Financial Position
- 10.6.1 (c): Summary of Non Infrastructure Operating Revenue and Expenditure
- 10.6.1 (d): Summary of Operating Revenue & Expenditure - Infrastructure Services
- 10.6.1 (e): Summary of Capital Items
- 10.6.1 (f): Schedule of Significant Variances
- 10.6.1 (g): Reconciliation of Budget Movements - not presented for July 2016
- 10.6.1 (h): Reconciliation of Budget Movements - not presented for July 2016
- 10.6.1 (i): Rate Setting Statement

10.6.2 Statement of Funds, Investments and Debtors at 31 July 2016

Location: City of South Perth
Ward: Not Applicable
Applicant: Council
File Ref: D-16-64757
Date: 23 August 2016
Author: Michael J. Kent, Director Financial and Information Services
Deborah Gray, Manager Financial Services
Reporting Officer: Michael J. Kent, Director Financial and Information Services
Strategic Direction: Governance, Advocacy and Corporate Management --
Ensure that the City has the organisational capacity,
advocacy and governance framework and systems to deliver
the priorities identified in the Strategic Community Plan
Council Strategy: 6.2 Develop and maintain a robust Integrated Planning and
Reporting Framework (in accordance with legislative
requirements).

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 & Debtors.

Officer Recommendation

That Council receives the 31 July 2016 Statement of Funds, Investment & Debtors comprising:

- Summary of All Council Funds as per **Attachment (a)**
- Summary of Cash Investments as per **Attachment (b)**
- Statement of Major Debtor Categories as per **Attachment (c)**

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.

10.6.2 Statement of Funds, Investments and Debtors at 31 July 2016

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 are \$66.28M which compares unfavourably to \$72.06M at the equivalent time last year. This is largely the result of planned drawdowns from Reserves as contributions towards the Manning Hub project. Last month, total funds were \$67.78M.

Municipal funds represent \$13.10M of this total, with a further \$52.24M being Reserve Funds. The balance of \$0.94M relates to monies held in Trust. The Municipal Fund balance is some \$0.81M higher than last year which relates to the timing of cash outflows on the capital works program. It should also be noted that \$7.35M of the Municipal Funds balance relates to capital works to be carried forward from 2015/2016.

Reserve funds are \$11.1M lower overall than the level they were at the same time last year as a result of funds drawn down for major discretionary capital projects such as Manning Hub, SJMP Foreshore Promenade and River Walls.

The 2015/2016 Budget foreshadowed the consolidation of the City's cash reserves down into 15 Reserves rather than the previous 24. In July 2015, this consolidation was effected with the transfer of funds from the Future Municipal Works Reserve and Future Building Works Reserve into the Major Community Facilities Reserve; from the Parks and Streetscapes Reserve into the Reticulation & Pump Reserve; and from the Paths and Transport Reserve into the Sustainable Infrastructure Reserve.

The current Reserve fund balances show that the only reserve movements since 30 June 2016 have related to movements of leaseholder funds associated with the Collier Park Village.

The largest Reserve balance is the Major Community Facilities Reserve, but the land sale proceeds currently quarantined in that reserve do not represent 'surplus cash'. These funds are being progressively utilised as part of carefully constructed funding models for future major discretionary capital projects. These funding models are detailed in the City's Long Term Financial Plan.

Details of cash holdings (disclosed by fund) are presented as **Attachment (a)**.

(b) Investments

Total investment in money market instruments at month end was \$65.88M compared to \$67.96M at the same time last year. There was \$4.4M more in cash in Municipal investments. Cash backed Reserve Fund investments are \$6.7M lower as discussed above.

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.

10.6.2 Statement of Funds, Investments and Debtors at 31 July 2016

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 dynamically monitored and re-balanced as trends emerge.

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 global financial and corporate environment.

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 Department of Local Government Operational Guidelines for investments.

Analysis of the composition of the investment portfolio shows that at reporting date, 84.8% of the funds were invested in securities having a S&P rating of A1 (short term) or better.

The City also holds a portion of its funds in financial institutions that do not invest in fossil fuels. Investment in this market segment is contingent upon all of the other investment criteria of Policy P603 being met. Currently the City holds 32.6% of its investments in such institutions.

In meeting this objective, the City has invested 15.2% of its funds in investments rated at BBB+.

All investments currently have a term to maturity of less than one year - which is considered prudent both to facilitate effective cash management and to respond in the event of 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 required to be within the 25% maximum limit prescribed in Policy P603. At month end the portfolio was within the prescribed limits. 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 (b)**.

Interest revenue (received and accrued) for the year totals some \$0.16M. This compares to \$0.17M at the same time last year despite the historically low interest rates. The prevailing interest rates appear likely to continue at current low levels in the short to medium term.

Investment performance will be closely monitored 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. Current Department of Local Government guidelines prevent investment of funds for periods longer than one year.

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.

10.6.2 Statement of Funds, Investments and Debtors at 31 July 2016

The weighted average rate of return on financial instruments for the year to date is a modest 2.91% with the anticipated weighted average yield on investments yet to mature now sitting at 2.88%. At call cash deposits used to balance daily operational cash needs have been providing a very modest return of 1.50% since 4 May 2016. This has now fallen to 1.25% following the 3 August RBA decision.

Currently Department of Local Government Guidelines (presently withdrawn for revision) provide very limited opportunities for investment diversity as they emphasise preservation of capital. Unfortunately, there is a large pool of local government investment funds and a rather limited demand for deposits - so investment opportunities are both modest and scarce.

(c) Major Debtor Classifications

Effective debtor management to convert debts to cash is an important aspect of good cash-flow management. Details are provided below of each major debtor category classification (rates and general debtors).

(i) Rates

The level of outstanding local government rates relative to the same time last year is shown in (c). Rates collections to the end of July 2016 represent 8.2% of rates collectible (excluding pension deferrals) compared to 9.8% at the same time last year. This difference is not unusual given the limited time from issue date to month end. The 31 August comparative numbers will be much more meaningful.

The City expects to maintain its strong rates collection profile in respect to the 2016/2017 rates notices - assisted by a good acceptance of our rating strategy, communications strategy and our convenient, user friendly payment methods. The instalment payment options and, where appropriate, ongoing collection actions will also provide encouragement for ratepayers to meet their rates obligations in a timely manner.

(ii) General Debtors

General debtors stand at \$1.28M at the end of the month (\$1.22M last year). Last month debtors were \$1.23M. Most debtor balances are not materially different to last year's comparatives.

Continuing positive collection results are important to effectively maintaining our cash liquidity. Currently, the majority of the outstanding amounts are government & 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.

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

The cash management initiatives which are the subject of this report are consistent with the requirements of Policy P603 - Investment of Surplus Funds and Delegation DC603. Local Government (Financial Management) Regulation 19, 28 & 49 are also relevant to this report - as is the DOLG Operational Guideline 19.

10.6.2 Statement of Funds, Investments and Debtors at 31 July 2016

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 is aligned to the City's [Strategic Community Plan 2015-2025](#).

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012-2015](#). 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.

Attachments

- 10.6.2 (a):** Summary of All Council Funds
- 10.6.2 (b):** Summary of Cash Investments
- 10.6.2 (c):** Statement of Major Debtor Categories

10.6.3 Listing of Payments

Location: City of South Perth
Ward: Not Applicable
Applicant: Council
File Ref: D-16-64758
Lodgement Date: 17 August 2016
Date: 23 August 2016
Author: Michael J. Kent, Director Financial and Information Services
Deborah Gray, Manager Financial Services
Strategic Direction: Governance, Advocacy and Corporate Management --
Ensure that the City has the organisational capacity,
advocacy and governance framework and systems to deliver
the priorities identified in the Strategic Community Plan
Council Strategy: 6.2 Develop and maintain a robust Integrated Planning and
Reporting Framework (in accordance with legislative
requirements).

Summary

A list of accounts paid under delegated authority (Delegation DC602) between 1 July 2016 and 31 July 2016 is presented to Council for information. During the reporting period, the City made the following payments:

EFT Payments to Creditors	(428)	\$7,995,589.77
Cheque Payment to Creditors	(30)	\$421,416.26
Total Monthly Payments to Creditors	(458)	\$8,417,006.03
Cheque Payments to Non Creditors	(72)	\$445,501.38
Total Payments	(530)	\$8,862,507.41

Officer Recommendation

That the Listing of Payments for the month of July 2016 as detailed in **Attachment (a)**, be received.

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. The payment listing is now submitted as **Attachment (a)** of this agenda.

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 cannot be individually debated or withdrawn.

Reflecting contemporary practice, the report 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.

These transactions are of course subject to proper scrutiny by the City's auditors during the conduct of the annual audit.

In accordance with feedback from Council Members, the attachment to this report has been modified to recognise a re-categorisation such that for both creditors and non-creditor payments, EFT and cheque payments are separately identified. This provides the opportunity to recognise the extent of payments being made electronically versus by cheque.

The payments made are also listed according to the quantum of the payment from largest to smallest - allowing Council Members to focus their attention on the larger cash outflows. This initiative facilitates more effective governance from lesser Council Member effort.

10.6.3 Listing of Payments

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

This report presents details of payment of authorised amounts within existing budget provisions.

Strategic Implications

This report is aligned to the City's [Strategic Community Plan 2015-2025](#).

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012-2015](#). This report contributes to the City's financial sustainability by promoting accountability for the use of the City's financial resources.

Attachments

10.6.3 (a): Listing of Payments

10.6.4 Proposed Council Meeting Schedule - 2017

Location: City of South Perth
Ward: N/A
Applicant: Council
File Ref: D-16-64759
Date: 23 August 2016
Author: Sharron Kent, Governance Officer
Reporting Officer: Geoff Glass, Chief Executive Officer
Strategic Direction: Governance, Advocacy and Corporate Management --
Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan
Council Strategy: 6.1 Develop and implement innovative management and governance systems to improve culture, capability, capacity and performance.

Summary

The report seeks Council's consideration of the City of South Perth's draft meeting schedule for the period January - December 2017.

Officer Recommendation

That the proposed City of South Perth meeting schedule for the period January – December 2017, as detailed within this report, be adopted and advertised.

Background

The Local Government Act 1995 requires local governments at least once a year to give local public notice of the dates, time and place at which the Ordinary Council and Committee meetings that are required to be open to the public are held in the next 12 months. A resolution is required to adopt the City of South Perth Council Meeting Schedule for 2017.

Comment

The proposed meeting schedule for the period January – December 2017 is as follows:

Agenda Briefing	Ordinary Council
<i>January Recess</i>	<i>January Recess</i>
21 February	28 February
21 March	28 March
18 April	(Wed) 26 April
16 May	23 May
20 June	27 June
18 July	25 July
15 August	22 August
19 September	26 September
10 October	17 October
14 November	21 November
5 December	12 December

10.6.4 Proposed Council Meeting Schedule - 2017

Typically, the City of South Perth holds its Ordinary Council meetings at 7.00pm on the fourth Tuesday of each month, with the Agenda Briefing held at 5.30pm on the preceding Tuesday.

The following are the exceptions for 2017:

- January - when the Council is in recess, any urgent matters that may arise that the Chief Executive Officer does not have authority to deal with will be the subject of a Special Meeting of Council. Part 3 of the Standing Orders Local Law 2007 'Calling and Convening Meetings' refers;
- April - in 2017 Anzac Day falls the week after Easter on the Tuesday at which the Ordinary Council meeting would be held – it therefore will be held on the Wednesday;
- October - the meetings have been brought forward one week to accommodate the Council elections which are scheduled for 21 October 2017;
- November - the meetings have been brought forward one week to allow a sufficient break between the November and December meetings;
- December – to accommodate the Christmas holidays the meetings have been brought forward a week, as is standard practice.

Public Holiday	2017
New Year's Day	Sunday 1 & Monday 2 January
Australia Day	Thursday 26 January
Labour Day	Monday 6 March
Good Friday	Friday 14 April
Easter Monday	Monday 17 April
ANZAC Day	Tuesday 25 April
Western Australia Day	Monday 5 June
Queen's Birthday	Monday 25 September
Christmas Day	Monday 25 December
Boxing Day	Tuesday 26 December

School Holidays	2017
Following Term One	Saturday 8 April - Sunday 23 April
Following Term Two	Saturday 1 July - Sunday 16 July
Following Term Three	Saturday 23 September - Sunday 8 October
Following Term Four	Friday 15 December 2017 - Tuesday 30 January 2018

It is proposed that all Council meetings and Agenda Briefings for the 2017 calendar year continue to be held in the Council Chamber, commencing at 7.00pm and 5.30pm respectively.

Special Council Meetings

Special Council meetings are generally called on an 'as needed' basis and as a result, it is not possible to predict in advance when such meetings will be held.

Consultation

It is proposed to advertise the City of South Perth Council 2017 Meeting Schedule in the Southern Gazette newspaper, update the City's website and place a notice on the noticeboard at the Council offices.

In accordance with normal practice the contents of Agendas for all meetings will be included on the City's website under 'Minutes / Agendas' and displayed on the noticeboard outside the Civic Administration building.

Policy and Legislative Implications

Adopting the Council Meeting Schedule for the forthcoming year is in common with past practice and in line with the *Local Government Act Regulations* r.12(1) (Act s5.25(1)(g)) which state that:

- (1) "At least once each year a local government is to give local public notice of the dates on which and the time and place at which
- (a) the ordinary council meetings; and
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,
- are to be held in the next 12 months."

Financial Implications

There are no financial implications associated with the setting of meeting times, over and above the normal costs associated with the advertising and holding of Council meetings.

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012-2015](#). Reporting on the Council Meeting Schedule for 2016 contributes to the City's sustainability by promoting effective communication.

Attachments

Nil .

10.7 MATTERS REFERRED FROM COMMITTEE MEETINGS

10.7.1 Recommendations of the Audit, Risk and Governance Committee Meeting - 9 August 2016

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-16-64760
Lodgement Date:	17 August 2016
Date:	23 August 2016
Author:	Sharron Kent, Governance Officer
Reporting Officer:	Phil McQue, Manager Governance and Administration
Strategic Direction:	Governance, Advocacy and Corporate Management -- Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan
Council Strategy:	6.3 Continue to develop best practice policy and procedure frameworks that effectively guide decision-making in an accountable and transparent manner.

Summary

The purpose of this report is to provide the recommendations from the Audit, Risk and Governance Committee meeting held on 9 August 2016 for Council's consideration. The Minutes and Attachments of which can be found at **Attachments (a) and (b)**.

Committee Recommendations

That Council adopt the following recommendations of the Audit, Risk and Governance Committee meeting held on 9 August 2016.

1. Code of Conduct Review

That the Audit, Governance and Risk Committee, having reviewed the Code of Conduct:

- a) recommends to Council that it adopt the revised Code of Conduct shown at Attachment (a); and
- b) recommends to Council that it advise the Western Australian Local Government Association that it has been provided legal advice that recommends that Western Australian local government Code of Conducts contain certain legal clauses which would give it better practical and legal effect.

2. Interim Audit Management Letter and External Audit Plan for 2016

The Audit, Risk and Governance Committee recommend to Council that:

- (a) the Interim Audit Management Letter issued by the City auditors, Macri Partners be received and the City administration's responses be endorsed.
- (b) the External Audit Plan for the year ending 30 June 2016 presented by Macri Partners be noted.
- (c) the City of South Perth contact the Department of Local Government to ask for advice on the technical non-compliance on the Statutory reporting as per "Statutory Compliance (ii)" of the Auditor's Report.

3. Review of Policy P603 – Investment of Surplus Funds

The Audit, Risk and Governance Committee recommends to Council that:

- (a) Council determines that it will not amend Policy P603 - Investment of Surplus Funds for the reasons articulated in the officer report;
- (b) Council agrees to modify Delegation DC603 to provide for the addition of IMB and Rabobank (neither of which invest in fossil fuel related activities) as approved financial institutions in which City of South Perth surplus funds may be invested;
- (c) Council endorses and encourages the City administration to continue its reporting initiative of disclosing the monetary value and portfolio proportion of its investments in institutions that do not invest in or support fossil fuels.
- (d) The City of South Perth performs a preliminary investigation into the development of a Framework for Investment of Surplus Funds, which focuses on integrating environmental protection, social advancement and economic prosperity. Findings from the investigation and recommendations be presented at the August 2017 Audit, Risk and Governance Committee meeting for consideration..

4. Annual Review of Policies and Delegations – Strategic Direction I - Community

That the Audit, Risk and Governance Committee, having reviewed the council policies and delegation within Strategic Direction I - Community, recommends to Council that:

- a) the following policies having been reviewed with 'no change' to content be adopted:
 - P101 Public Art
 - P102 Community Funding Program
 - P103 Communication and Consultation
 - P104 Community Awards
 - P105 Cultural Services and Activities
 - P106 Use of City Reserves and Facilities
 - P107 Disability Access
 - P108 Honorary Freeman of the City
 - P110 Support of Community and Sporting Groups
 - P111 Commemoration
 - P112 Community Advisory Groups
 - P113 Community Gardens
- b) the following council delegation having been reviewed with 'no change' to contents be adopted:
 - DC115 Fee Waiver in relation to City Reserves or Facilities
- (c) Council acknowledges that there may be further reviews of Policies P101 Public Art, P104 Community Awards, P105 Cultural Services and Activities and P112 Community Advisory Groups due to related Council decisions pending.

5. Review of Governance Framework

That the Audit, Risk and Governance Committee note the update and progress relating to the September 2015 motion of council.

6. Proposed Waste Local Law 2016

The Audit, Risk and Governance Committee recommends to Council that:

- In accordance with section 3.12(3)(a)(b) of the Local Government Act 1995, Council gives state-wide and local public notice stating that:
 - it proposes to make a Waste Local Law 2016, and a summary of its purpose and effect;
 - copies of the proposed local law may be inspected at the City offices;
 - submissions about the proposed local law may be made to the City within a period of not less than six weeks after the statutory public notice is given;
- provide a copy to the Ministers for Local Government and Communities, Health, and Environment in accordance with section 3.12(4) of the Local Government Act 1995;
- Council note that the results of the public submission will be presented to Council for consideration.

SIMPLE MAJORITY VOTE REQUIRED.

7. Proposed Dogs Local Law 2016

The Audit, Risk and Governance Committee recommends to Council that:

- In accordance with s3.12(3)(a)(b) of the Local Government Act 1995, Council gives state-wide and local public notice stating that:
 - it proposes to make a Dogs Local Law 2016, and a summary of its purpose and effect;
 - copies of the proposed local law may be inspected at the City offices;
 - submissions about the proposed local law may be made to the City within a period of not less than six weeks after the statutory public notice is given;
 - provide a copy to the Minister for Local Government and Communities, in accordance with section 3.12(4) of the Local Government Act 1995;
- Council notes that the results of the public submission will be presented to Council for consideration.
- Council advertises the list of areas where dogs are prohibited absolutely pursuant to section 31(2B) of the Dog Act 1976, and areas that are dog exercise areas for the purposes of sections 31 and 32 of the Dog Act 1976 for local public comment for a period of at least 28 days as listed in Attachment (b) to the report, and the results referred to Council:
- Council notes that the prohibited areas and exercise areas are the same as those contained in the existing City of South Perth Dogs Local Law 2011.

SIMPLE MAJORITY VOTE REQUIRED.

8. Proposed Penalty Units Amendment Local Law

That the Council

- in accordance with section 3.12(3)(a)(b) of the Local Government Act 1995, gives state-wide and local public notice stating that:
 - a) it proposes to make a Penalty Units Amendment Local Law, and a summary of its purpose and effect;
 - b) copies of the proposed local law may be inspected at the City offices
 - c) submissions about the proposed local law may be made to the City within a period of not less than six weeks after the statutory public notice is given;
- provide a copy to the Minister for Local Government and Communities, in accordance with section 3.12(4) of the Local Government Act 1995;
- Note that the results of the public submission will be presented to Council for consideration.

SIMPLE MAJORITY VOTE REQUIRED

9. Audit, Risk and Governance Committee – Review of External Membership

That the Audit, Risk and Governance Committee note the report on the Review of External Membership and request a workshop be held to identify a skills matrix for the appointment of an external member prior to the next Audit, Risk and Governance Committee meeting scheduled for 8 November 2016.

Background

The Audit and Governance Committee meeting was held on 9 August 2016 with the following items listed for consideration on the Agenda:

- Code of Conduct Review
- Interim Audit Management Letter and External Audit Plan for 2016
- Review of Policy P603 – Investment of Surplus Funds
- Annual Review of Policies and Delegations – Strategic Direction I - Community
- Review of Governance Framework
- Proposed Waste Local Law 2016
- Proposed Waste Local Law 2016
- Proposed Dogs Local Law 2016
- Proposed Penalty Units Amendment Local Law
- Audit, Risk and Governance Committee – Review of External Membership

Comment

The Audit and Governance Committee considered the following items on 9 August 2016:

1) Code of Conduct Review – Bartlett Workplace Lawyers in Attendance

This report seeks the Audit, Governance and Risk Committee's consideration and review of the City's Code of Conduct.

An internal review of the Code of Conduct was carried out by the City and presented to the Audit, Governance and Risk Committee on 14 June 2016. The Audit, Governance and Risk Committee requested further clarification in relation to the inclusion of committees to the Code of Conduct.

The City took this opportunity to request Bartlett Workplace Lawyers to undertake a comprehensive review to ensure that its Code of Conduct complied with all relevant legislation and importantly had practical and legal effect, given the multi-layered, overlapping and legally complex framework local government operates in.

2) Interim Audit Management Letter and External Audit Plan for 2016

This report presents the Audit Management Letter relating to the auditor's interim audit site visit conducted in June 2016.

Section 7.9 of the Local Government Act requires an independent audit of the City's financial records to be undertaken each year and for the Audit Report arising from the conduct of the annual audit of the City's financial statements to be presented to the Council, CEO and Minister for Local Government before 31 December each year. The (annual) Audit Report also is to be included in the publicly available Annual Report as part of our discharge of accountability to the community.

To facilitate this annual audit process, the City's auditors also undertake an 'Interim Audit' site visit prior to the end of the financial year to evaluate the financial systems and controls inherent in them and to conduct some transactional testing within the City's financial systems.

In conducting their field work, the City's Auditors have acknowledged the integrity of the City's financial management systems and procedures. They have also examined and undertaken testing in relation to certain compliance matters.

The auditors made several minor observations about matters observed during the interim audit. Of the minor matters noted, five improvement actions are already in place and one is in progress and will be completed by the time the annual audit is undertaken.

3) Review of Policy P603 – Investment of Surplus funds

This report addresses a request to review Policy P603 – Investment of Surplus Funds.

The City has in place a Policy Statement P603 - Investment of Surplus Funds (last reviewed March 2016) that provides prescriptive guidance to those officers with delegated authority to invest the City's funds in certain types of financial instruments with specified financial institutions. The policy specifies a number of objective considerations that must be taken into account when making investment decisions.

Following an approach from community members seeking to have the policy modified, Council requested that the Investment Policy be reviewed and a report be presented back to the Audit & Governance Committee. The review was to give consideration to whether Policy P603 should be modified to include:

A deliberative preference for investment with financial institutions that do invest in or finance the fossil fuel industry where:

- a) The investment is compliant with Council's investment policy with regard to risk diversification and credit rating;
- b) The interest rate is favourable to Council relative to other similar investments that may be on offer at the time of the investment.

After careful deliberative considerations, the City is of a view that modifying the policy in the manner requested is unlikely to have discernible positive impacts on the existing investment practice but potentially trying to meet new 'quotas' could require the City to invest in lower credit quality investment instruments.

The City currently has, of its own volition, already invested some 30% of its funds in institutions that meet the requester's preferred criteria.

Notwithstanding this, the City is quite amenable to demonstrating its corporate commitment to environmental sustainability by continuing to separately identify and disclose in the commentary of the monthly Statement of Funds, Investments and Debtors (Agenda Item 10.6.2), both the monetary and percentage amount of our investment portfolio that is invested in financial institutions that do not invest in fossil fuels.

4) Annual Review of Policies and Delegations – Strategic Direction I - Community

The City has a statutory obligation under the Local Government Act 1995 to review its policies and council delegations each financial year. The Terms of Reference of the Audit, Risk and Governance Committee include responsibility for reviewing the City's policies and council delegations.

On the request of the Committee, City officers will be reviewing the full portfolio of policies and council delegations, progressively throughout the year. They will be presented to the Committee in stages, with Strategic Direction I – Communities being the subject of this report.

A review of the City's policies and the council delegation held within Strategic Direction I- Community is now presented for the consideration of the Committee and referral to Council for adoption.

5) Review of Governance Framework

Further to the September 2015 motion of Council, this report provides an update on the progress of actions in relation to the following requests:

1. Conduct a review of the City's Governance Framework documentation to ensure that all documents and related registers reflect contemporary best practice in good governance;
2. Investigate opportunities to create an integrated online corporate governance presence that makes all relevant documents and registers readily accessible to our community to encourage greater transparency in our governance processes;
3. Create an integrated Guide to City Governance that communicates our governance model in a customer-centric and easily understandable manner;
4. Identify opportunities to disclose additional governance related information in the governance framework model beyond the City's statutory obligations in the interests of increasing transparency.

6) Proposed Waste Local Law 2016

This report recommends that the City adopt a new Waste Local Law 2016 that reflects recent amendments to legislation, and in particular the Waste Avoidance and Resource Recovery Act 2008.

The City does not presently have a Waste Local Law, with Part 4 of the City's Health Local Law 2002 prescribing matters relating to waste and waste collection.

It is recommended that the Council adopt a new *Waste Local Law 2016* that reflects the *Waste Avoidance and Resource Recovery Act 2008*. This Act repealed various provisions of the *Health Act 1911* that dealt with the powers of local governments in relation to the collection and removal of rubbish, and had the effect of transferring the powers of a local government to make local laws about waste to the *Waste Avoidance and Resource Recovery Act 2008*.

It is based on the Western Australian Local Government Association's model Waste Local Law and elements of the City of Wanneroo's Waste Local Law.

7) Proposed Dogs Local Law 2016

This report recommends that the City adopt a new Dogs Local Law 2016 that reflects recent amendments to the Dog Act 1976 and Dog Act Regulations 2013.

Given the extent of amendments required to the existing Dogs Local Law 2011, a new Dog Local Law 2016 has been prepared for consideration. It should be noted that there are no changes proposed in the new Dogs Local Law 2016 with respect to dog exercise areas and prohibited areas.

It deals with those matters that are permitted under section 51 of the *Dog Act 1976*:

- Confinement and fencing rules;
- Setting the maximum number of dogs that can be kept on a property without the City's approval; and
- A requirement to remove dog excreta.

Areas where dogs are prohibited, and where dogs may be exercised off leash must now be set by Council resolution, with local public notice given under sections 31 and 32 of the *Dog Act 1976*.

It is recommended that the existing dog exercise areas and prohibited area provisions in the current Dog Local Law 2011 be retained.

8) Proposed Penalty Units Amendment Local Law

This report recommends that the Council adopt a Penalty Units Amendment Local Law to reflect changes in the City's Parking Local Law.

The Penalty Units Local Law provides for an escalated modified penalty where 'special events' occur and refers to a Second Schedule of the City's Parking Local Law. The only special event where this currently applies to is the annual 'Skyworks' fireworks display held on Australia Day.

9) Audit, Risk and Governance Committee – Review of External Membership

This report provides the Audit, Risk and Governance Committee with details on external membership, as requested at the June Committee Meeting.

A number of local governments have external members on their Audit Committee which assists the Committee to independently and objectively discharge its responsibilities (**Attachment (a)**). External membership can bring a broad range of experience and skills. It can also bring independence and the enhanced ability to look at issues without preconception or bias. With external members, a disadvantage could be that confidential concerns or potential conflicts of interest may arise.

10.7.1 Recommendations of the Audit, Risk and Governance Committee Meeting - 9 August 2016

Should the Committee wish to progress appointing an external member, it would need to take into consideration skills, role, appointment, remuneration, induction program, confidentiality, professional indemnity and dismissal process.

Consultation

The nine items were the subject of consideration at the 9 August 2016 Audit, Risk and Governance Committee meeting.

Policy and Legislative Implications

The Audit and Governance Committee meeting are held under the prescribed requirements of *Part 7 Audit of the Local Government Act 1995* and the *Local Government (Administration) Regulations 1996*.

Financial Implications

Nil.

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012-2015](#).

Attachments

- 10.7.1 (a): Minutes of the Audit, Risk and Governance Committee meeting - 9 August 2016
- 10.7.1 (b): Attachments - Audit, Risk and Governance Committee meeting - 9 August 2016

11. APPLICATIONS FOR LEAVE OF ABSENCE

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12.1 REVIEW OF DELEGATION FRAMEWORK FOR PLANNING APPLICATIONS - COUNCILLOR COLIN CALA

At the Council Agenda Briefing of 16 August 2016 Councillor Colin Cala gave notice that at the 23 August 2016 Ordinary Council Meeting he would move the following motion:

Motion

That undertake a review of the delegation framework for Planning Applications with a view of providing a transparent framework for decisions to Approve Applications under Delegated Authority or refer them to Council for determination. The Review would consider a means by which Council or members of the public could review the rationale for why the Planning Application was considered to meet the requirements of approval under Delegated Authority.

REASONS FOR MOTION

It is unclear what criteria is applied in considering whether a Development Application meets the requirements of approval under delegated authority or whether the matter should be referred to Council for consideration. The decision has no apparent framework and appears to rely on the judgement of the Director of Development & Community Services. While effective corporate management relies on professional judgement for many situations, Statutory Planning matters require a high level of transparency in any decision making, hence the need for a transparent framework for why decisions are made.

For purely practical reasons the sheer volume of Development Applications received by the City, requires the Delegation of this process to the City's Planning Directive where Applications generally meet the prescribed planning conditions contained in the Town Planning Scheme: otherwise processing time would be longer and Council would be diverted from its more strategic role.

However it is incumbent on Council members to ensure there is transparent documentation on the basis of a decision to approve a Development Application under Delegated Authority.

Councillor C Cala.

CEO COMMENT

The process which is followed by the City for the assessment of development applications has been well developed and documented over time. For information the process is outlined as follows:

For each development application the records which are kept include a number of standard assessment sheets, including a review sheet and also a detailed assessment sheet. Assessment sheets are tailored for specific uses – so a residential application will have a different sheet to a change of use application, for example.

Each application received begins with a Development Review (DR) check undertaken by one of the Senior Planners and Coordinator. The senior planner will indicate if delegated authority exists to determine the application, based on Delegation from Council document DC 690, will make comments regarding advertising, referrals and assessment to be of assistance and give direction to the planning officer who is responsible for the assessment of the application. For consultation beyond the scope of the policy, input is sought from the Director.

The assessment process is undertaken by the allocated planning officer, senior planner or coordinator and documented on the assessment sheet. If required, input is sought from the Manager or Director. Each planning application has a discrete file in the City's document management system TRIM and all correspondence, plans, emails, advertising, referrals and assessment sheets are saved into that file.

At the end of the assessment, the planning officer prepares the determination advice and the determination is signed by the planning officer, the senior planner or the Manager Development Services, depending upon the level of delegation that the officers have been granted. The rationale for this determination is in the assessment sheet in the City's records.

Around 95% of applications are determined in this way with little or no input, assessment or judgement by the Director. Officers and the Manager follow the framework provided by the delegation documents, the scheme and policies. The applications dealt with under delegated authority are then listed on the City's web site for public viewing.

The small number of applications that are determined by Council are the subject of a report written by the planning officer often in discussion with the Senior Planning officer and reviewed by the Manager Development Services, the Director Development and Community Services, the Executive team and the CEO before the report is accepted onto the agenda for Council determination. There may be changes to content or recommendations requested during this process by any of these officers involved. In some circumstances reports may be removed from the agenda. The agenda process is reasonably standard across many local governments.

DAP reports prepared by the planners, the senior planners or the coordinator are reviewed by the coordinator or the manager, and the Director; and then reviewed and by the Executive Management Team.

It is also noted that in 2006 an external audit of development applications was undertaken for the City and the recommendations implemented to improve record keeping and assessment.

Given the above, the necessity for a review of the delegation framework is queried as it is considered the current processes and documents provide the required transparency. Further and more detailed information regarding the existing framework can be provided by way of an information report if considered necessary.

13. QUESTIONS FROM MEMBERS

13.1 RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE

13.2 QUESTIONS FROM MEMBERS – 23 AUGUST 2016

**14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY
DECISION OF MEETING**

15. MEETING CLOSED TO PUBLIC

16. CLOSURE

APPENDIX



MAYOR'S ACTIVITY REPORT – JULY 2016

Date	Activity	Additional Attendee(s)
Monday 4	Communications meeting	Maria Noakes
	Citizenship Ceremony	CEO Geoff Glass, Councillors
Tuesday 5	NAIDOC Flag Raising Ceremony	CEO Geoff Glass, Councillors
	Mayor – CEO meeting	CEO Geoff Glass
Thursday 7	Neighbourhood Watch meeting	Margaret King
Friday 8	Mayor Meet the Community	Con. Ashley Goy
Monday 11	Communications meeting	Maria Noakes
	Special Council Meeting (74 Mill Point Road) and Dinner	CEO Geoff Glass, Councillors
Tuesday 12	Mayor – CEO meeting	CEO Geoff Glass
	Special Council Meeting 2016/7 Budget	CEO Geoff Glass, Councillors
Thursday 14	RDA Driving Change Launch	
Monday 18	Communications meeting	Maria Noakes
Tuesday 19	Mayor – CEO meeting	CEO Geoff Glass
	Agenda Briefing	CEO Geoff Glass, Councillors
	Special Council Meeting and dinner	CEO Geoff Glass, Councillors
Thursday 21	South Perth Young Writers Award Presentation	CEO Geoff Glass
Friday 22	Interview with Dan Wilkie, Journalist	Maria Noakes
Monday 25	Communications meeting	Maria Noakes
	Meeting with Veraison	CEO Geoff Glass
	Public Art Forum Meeting	CEO Geoff Glass, Councillors

Tuesday 26	WALGA AGM meeting	CEO Geoff Glass, Cr Reid
	Council Meeting and Dinner	CEO Geoff Glass, Councillors
Weds 27	Mayor – CEO meeting	CEO Geoff Glass
	Review of South Perth Mosquito Management Plan	
Thursday 28	Digital Disruption Breakfast, City of Canning	
	Business News Photo session	
Friday 29	Meeting with CEO and Mayor of City of Melville	CEO Geoff Glass