

MINUTES

Ordinary Council Meeting

28 June 2016

To: The Mayor and Councillors

Here within are the Minutes of the Meeting of the City of South Perth Council held Tuesday 28 June 2016 in City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth.



GEOFF GLASS
CHIEF EXECUTIVE OFFICER

29 June 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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Minutes

Minutes of the Ordinary Council Meeting held in City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth at 7.00pm on Tuesday 28 June 2016.

1. DECLARATION OF OPENING

The Presiding Member opened the meeting at 7.02pm and welcomed everyone in attendance. He then acknowledged we are meeting on the lands of the Noongar/Bibbulmun people and that we honour them as the traditional custodians of this land.

2. DISCLAIMER

The Presiding Member read aloud the City's Disclaimer.

3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

3.1 STANDING ORDERS LOCAL LAW 2007

The Presiding Member advised that the Mayor's and Council Representatives' Activities Report for the month of May are attached to the back of the Agenda.

3.2 AUDIO RECORDING OF THE COUNCIL MEETING

The Presiding Member reported that the meeting is being 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'.

He then gave his permission for the Administration to record proceedings of the Council meeting and requested that all electronic devices be turned off or on to silent.

4. ATTENDANCE

Cr Glenn Cridland Presiding Member (Deputy Mayor / Como Ward)

Councillors

Cr Jessica Black	Como Ward
Cr Colin Cala	Manning Ward
Cr Sharron Hawkins-Zeeb	Manning Ward
Cr Travis Burrows	Moresby Ward
Cr Fiona Reid	Mill Point Ward
Cr Ken Manolas	Mill Point Ward

Officers

Mr Geoff Glass	Chief Executive Officer
Mr Michael Kent	Director Financial and Information Services
Mr Mark Taylor	Director Infrastructure Services
Ms Sandra Watson	Acting Director Development and Community Services
Mr Phil McQue	Manager Governance and Administration
Mr Rajiv Kapur	Manager Development Services
Mr Rod Bercov	Strategic Urban Planning Adviser
Ms Sharron Kent	Governance Officer

Gallery

There were three members of the public and no members of the media present.

4.1 APOLOGIES

Sue Doherty
Cr Cheryle Irons

Mayor
Moresby Ward

4.2 APPROVED LEAVE OF ABSENCE

There were no Members on a 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 Presiding Member any potential conflict of interest they have in a matter on the Council Agenda.

The Presiding Member noted that no Declarations of Interest had been received.

6. PUBLIC QUESTION TIME

6.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

At the May 2016 Ordinary Council Meeting no questions were taken on notice.

6.2 PUBLIC QUESTION TIME: 28 JUNE 2016

Public Question Time is operated in accordance with Local Government Act Regulations.

The Presiding Member advised the meeting that questions are to be in writing and questions received prior to this meeting would be answered tonight, if possible, or alternatively may be taken on notice.

The Presiding Member then opened Public Question Time at 7.05pm.

There being no questions received, the Presiding Member closed Public Question Time at 7.05pm.

7. CONFIRMATION OF MINUTES AND TABLING OF NOTES OF BRIFFINGS AND OTHER MEETINGS UNDER CLAUSE 19.1

7.1 MINUTES

7.1.1 Ordinary Council Meeting Held: 24 May 2016

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Fiona Reid

Seconded: Councillor Travis Burrows

That the Minutes of the Ordinary Council Meeting held 24 May 2016 be taken as read and confirmed as a true and correct record.

CARRIED (7/0)

7.1.2 Audit and Governance Committee Meeting Held: 14 June 2016

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Travis Burrows

Seconded: Councillor Ken Manolas

That the Minutes of the Audit and Governance Committee Meeting held 14 June 2016 be taken as read and confirmed as a true and correct record.

CARRIED (7/0)

7.1.3 Special Council Meeting Held: 21 June 2016

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Ken Manolas

Seconded: Councillor Colin Cala

That the Minutes of the Special Council Meeting held 21 June 2016 be taken as read and confirmed as a true and correct record.

CARRIED (7/0)

7.2 BRIEFINGS

The following Briefings 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 - 21 June 2016

Officers of the City presented background information and answered questions on items to be considered at the June 2016 Ordinary Council Meeting at the Agenda Briefing held 21 June 2016.

Attachments

7.2.1 (a): 21 June 2016 - Agenda Briefing - Notes

7.2.2 Draft Budget 2016/2017 - 7 June 2016

The Director Finance and Information Services provided Council with an overview of the Draft 2016/2017 Budget at a Concept Briefing held on 7 June 2016.

Attachments

7.2.2 (a): Draft 2016/2017 Budget - Notes

7.2.3 Inclusive Community Access Group (ICAG) - 13 June 2016

The Chair, Inclusive Community Advisory Group (ICAG), presented information to Elected Members on the activities of the Group at a Concept Briefing held 13 June 2016.

Attachments

7.2.3 (a): Inclusive Community Advisory Group (ICAG) - Notes

7.2.4 Catalyse Community Perception Survey - 13 June 2016

The Director, Catalyse presented Elected Member with a summary of the report findings of the Community Perception Survey at a Concept Briefing held on 13 June 2016.

Attachments

7.2.4 (a): Catalyse Community Perception Survey - Notes

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Jessica Black

Seconded: Councillor Sharron Hawkins-Zeeb

That the Notes of the :

- Agenda Briefing held on 21 June 2016;
- Draft 2016/2017 Budget Concept Briefing held 7 June 2016
- Inclusive Community Access Group (ICAG) Concept Briefing held 13 June 2016; and
- Catalyse Community Perception Survey held 13 June 2016

be noted.

CARRIED (7/0)

8. PRESENTATIONS

8.1 PETITIONS

A formal process where members of the community present a written request to Council.

There were no petitions presented to Council.

8.2 PRESENTATIONS

Occasions where Awards/Gifts may be accepted by Council on behalf of Community.

8.2.1 Silver Award - Annual Report 2014/1015

At the Australasian Reporting Award Gala Event held on 9 June 2016, the City was awarded a *Silver Award for Excellence in Reporting* for its 2014/2015 Annual Report, the second year in a row.

The Presiding member congratulated City staff and acknowledged the quality of work undertaken to achieve this award.

8.3 DEPUTATIONS

A formal process where members of the community may, with prior permission, address Council on Agenda items where they have a direct interest

At the 21 June 2016 Agenda Briefing no Requests for a Deputation to Address Council were received.

At the 21 June 2016 Special Council meeting no Requests for a Deputation to Address Council were received.

8.4 COUNCIL DELEGATES REPORTS

There were no Council Delegates Reports to be presented.

8.5 CONFERENCE DELEGATES REPORTS

There were no Conference Delegates Reports to be presented.

9. METHOD OF DEALING WITH AGENDA BUSINESS

The Presiding Member advised the meeting that with the exception of the items identified to be withdrawn for discussion that the remaining reports, including the officer recommendations, will be adopted en bloc, i.e. all together. He then sought confirmation from the Director Financial and Information Services that all the report items were discussed at the Agenda Briefing held on 21 June 2016.

The Director Financial and Information Services confirmed that this was correct.

ITEMS WITHDRAWN FOR DISCUSSION

- Item 10.6.4 Metropolitan Regional Road Group - Council Representation
- Item 10.7.1 Recommendations of the Audit and Governance Committee Meeting - 14 June 2016

9.1 EN BLOC MOTION

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Sharron Hawkins-Zeeb

Seconded: Councillor Colin Cala

That the officer recommendations in relation to the following agenda items be carried en bloc:

- Item 10.0.1 Revised Planning Policy P301 'Community Engagement in Planning Proposals'. Consideration of Submissions and Final Adoption (Item 10.3.4 Council meeting 23 February 2016 refers)
- Item 10.2.1 Tender 15/2016 "Renovations to WCG Thomas Pavilion"
- Item 10.2.2 Tender 13/2016 "Provision of Coastal Engineering Consultancy Services"
- Item 10.2.3 Tender 14/2016 "Supply and Delivery of PVC and Polythene Associated Fittings and Sprinklers"
- Item 10.3.1 Report on Submissions - Revised Policies P312, P350.02, P350.03, P350.04, P350.07 and P350.09
- Item 10.6.1 Monthly Financial Management Accounts - May 2016
- Item 10.6.2 Statement of Funds, Investments and Debtors at 31 May 2016
- Item 10.6.3 Listing of Payments
- Item 10.6.5 Capital Works 2015/16 Minor Budget Review

CARRIED (6/0)

10. REPORTS

10.0 MATTERS REFERRED FROM PREVIOUS COUNCIL MEETINGS

10.0.1 Revised Planning Policy P301 'Community Engagement in Planning Proposals'. Consideration of Submissions and Final Adoption (Item 10.3.4 Council meeting 23 February 2016 refers)

Location:	City of South Perth
Ward:	All
Applicant:	Council
File Ref:	D-16-43421
Date:	28 June 2016
Author:	Rod Bercov, Strategic Urban Planning Adviser
Reporting Officer:	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Housing and Land Uses -- Accommodate the needs of a diverse and growing population
Council Strategy:	3.2 Develop integrated local land use planning strategies to inform precinct plans, infrastructure, transport and service delivery, cognisant of the local amenity.

Summary

At the February 2016 meeting, for the purpose of community consultation, the Council unanimously endorsed the final draft of the substantially revised Planning Policy P301. The currently operative policy is called 'Consultation for Planning Proposals' but the revised version has been re-named 'Community Engagement in Planning Proposals' reflecting its expanded scope to cover all levels of community interaction. Owing to the extensive changes, the revised version of Policy P301 will ensure that, for every kind of Planning proposal, the City's engagement with the community is undertaken at appropriate 'levels', reflecting the community's perceived need for a wider range of engagement options.

The draft revised policy has been widely advertised. The three submissions received are discussed in this report. In response to comments and suggestions contained in the submissions, the advertised draft has been further amended. The further amended version of Policy P301 is now presented for final adoption (**Attachment (a)**).

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Sharron Hawkins-Zeeb

Seconded: Councillor Colin Cala

That:

- (a) under the provisions of Clause 9.6 of the City of South Perth Town Planning Scheme No. 6, the revised Policy P301 'Community Engagement in Planning Proposals' in its further amended form, comprising **Attachment (a)**, be adopted; and
- (b) the submitters be thanked for their participation in this process and advised of the Council's resolution above.

CARRIED EN BLOC (7/0)

10.0.1 Revised Planning Policy P301 'Community Engagement in Planning Proposals'. Consideration of Submissions and Final Adoption (Item 10.3.4 Council meeting 23 February 2016 refers)

Background

This report includes the following attachments:

Attachment (a): Recommended final version of the revised policy.

Confidential Attachment (b): Submissions received in response to advertising of draft revised policy.

Planning Policy P301 'Consultation for Planning Proposals' was adopted in its original form in July 2005. It has been reviewed periodically since that time. At the August 2015 meeting, in light of changing development trends and community expectations, the Council resolved that Policy P301 was to be comprehensively reviewed again.

Following a comprehensive review by City officers, on 30 October 2015 a draft of a substantially revised version of the policy was circulated to Council Members for consideration at a workshop held on 1 December 2015. At the workshop, Council Members requested further changes. Taking account of those requests, officers prepared a final draft of the revised policy for consideration at the February 2016 Council meeting. At the February meeting, the Council endorsed the draft revised Policy P301 for community comment.

Comment

The advertised draft policy includes the following modifications and improvements, derived from Council Members' requests and changes proposed by City Planning Officers:

- Reflecting the wider scope of the revised Policy, re-naming from: '*Consultation for Planning Proposals*' to: '*Community Engagement in Planning Proposals*'.
- Consolidation of Policy P301 and Policy P360 '*Informing the Neighbours of Certain Development Applications*' into a single 'engagement' policy.
- Elimination of unnecessary duplication in the existing Consultation Matrix, rendering the revised Policy more user-friendly.
- Re-formatting to reduce the overall length of the Policy by many pages, despite the scope of the Policy being expanded considerably.
- Proper alignment of the Policy with the current (2015) version of the *Residential Design Codes* and the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 'Planning proposal' definition includes development applications; TPS6 amendments; planning policies; Local Heritage Inventory; road or right-of-way closures; subdivisions; precinct studies; local planning strategies; structure plans; activity centre plans; special control areas; development contribution plans; new town planning scheme.
- Stronger link with the Council's 'umbrella' engagement Policy P103 '*Communication and Consultation*', to include –
 - description of the four 'levels' of community interaction identified in P103:
 - Level 1 'Inform'
 - Level 2 'Consult'
 - Level 3 'Involve'
 - Level 4 'Collaborate'; and
 - identification of the particular 'Levels' of community engagement to be implemented for the respective kinds of Planning proposals.
- For **Level 1 'Inform'** and **Level 2 'Consult'**, simplification of the description of 'Area 1', which is now to be based on a distance of 30 metres from the subject site within the same street.

Revised Planning Policy P301 'Community Engagement in Planning Proposals'. Consideration of Submissions and Final Adoption (Item 10.3.4 Council meeting 23 February 2016 refers)

- For **Level 2 'Consult'**, creation of new **'Area 3'**, which is to be based on 300 metres distance from the subject site, and which would apply to:
 - development in South Perth Station Precinct and Canning Bridge Activity Centre involving the exercise of discretionary power in relation to building height variations; and
 - Hotel; Liquor Store (Large); Night club; Tavern.
- Introduction of provisions for community engagement at **Level 3 'Involve'** and **Level 4 'Collaborate'**.
- Recognition of current practice of employing **Level 3** for large scale strategic projects, in addition to community engagement at **Levels 1 and 2**.
- Inclusion of a larger number of properties at the rear of development sites, offering more potentially affected neighbouring landowners and occupiers the opportunity to comment on development proposals.
- Inclusion of provisions ensuring that site notices (signs) are kept in good condition throughout the full length of the advertising period.
- An increase in the extent of consultation for the following kinds of development:
 - Night Club (where a DC use) Area 3
 - Liquor Store (Small) Area 2
- Additional 'Other Relevant Policies / Key Documents' have been listed at the end of the Policy.

The attached final version of the revised Policy P301 incorporates all of the above changes, clearly identified in red font. The recommended further changes in response to submitters' comments are in blue font with yellow highlighting. The public submissions on the draft revisions to Policy P301 are discussed in the 'Consultation' section of this report.

Consultation

The draft revised Policy P301 '*Community Engagement in Planning Proposals*' was advertised in accordance with the City's Town Planning Scheme No. 6 (TPS6) and the currently operative Policy P301. The submission period commenced on Tuesday 12 April and concluded Friday 13 May 2016. The advertising involved the following:

Method:

- Three notices published in the *Southern Gazette* newspaper - on 12, 19 and 26 April 2016;
- Display of the draft revised Policy on the City's web site, in Libraries and in the Civic Centre foyer for the duration of the consultation period, inviting comments;
- News item in the May 2016 edition of the "*Peninsula*" newsletter;
- Exposure via the '*Your Say South Perth*' facility on the City's website.

Time period for submissions:

- 32 days, being 11 days longer than the minimum 21-day consultation period for policies.

The City received three submissions, one being from the City of South Perth Residents Association, another from a resident in King Edward Street, South Perth and the third one from a resident of Abjornson Street, Manning. The minimal community response suggests limited community interest or no objection to the proposed revisions to Policy P301.

The submitters have requested a number of changes to Policy P301. City officers are now recommending adoption of the revised Policy with further amendments in response to some of the submitters' comments.

The full submissions comprise **Confidential Attachment (b)** to this report.

The submitters' comments are summarised in the schedule below. The schedule also contains an Officer's response and recommendation on each issue raised.

Submitter's comment	Officer's response
<p>From City of South Perth Residents Association</p> <p>Review why the City of South Perth Consultation Policy P301 discriminated against some properties within a nominated distance in the (new) Station Precinct, excluding these properties which might be equally affected as others within that same distance.</p> <p>Simplify Policy P301 and remove exclusions of any properties within the nominal distance of Area A or B, with:</p> <ul style="list-style-type: none"> • Area A - a 150m radius. • Area B - a 500m radius. • The radius measured from each of the corners of the property and includes any properties wholly or partially within that radial distance. 	<p>The advertised draft revised Policy P301 has simplified the identification of properties to be consulted.</p> <p>Where neighbourhood consultation is to be undertaken, clause 64(3)(a) of Town Planning Scheme No. 6 ('Deemed Provisions') states that the Council must consult property owners and occupiers who the Council considers are '<i>likely to be affected</i>'. Being mindful of clause 64(3)(a) and the extent of neighbouring properties '<i>likely to be affected</i>', the revised Policy P301 has now created three geographic areas, identified as Area 1, Area 2 and Area 3 (previously only Areas 1 and 2). Area 1 consultation involves properties within 30 metres of the development site. In Area 2, for properties in the same street as the development site, the operative consultation distance is 150 metres. In Area 3, that distance increases to 300 metres. In the case of Areas 2 and 3, consultation also extends to properties in the street to the rear of a development site. For the 'rear' properties, the operative distances are 100 metres (Area 2) and 150 metres (Area 3).</p> <p>For the purpose of defining appropriate neighbourhood consultation areas, the 'radius' method has not been used at any time since Policy P301 was adopted in its original form 11 years ago. At the 1 December Council Members' workshop, there was considerable discussion about whether the geographic consultation area should be defined as a circle of a certain radius. Council Members acknowledged that neighbouring property owners / occupiers in the same street as the development site and in the street immediately to the rear of the development site are '<i>likely to be affected</i>' to a greater extent than other neighbouring owners / occupiers.</p>

	<p>Therefore the Council Members continued to support the established method of defining the extent of the consultation area, but wanted an increase in the number of 'rear' neighbours who are to be consulted. In the draft revised policy that was advertised for community comments, the number of 'rear' neighbours being consulted has increased considerably.</p> <p>In the advertised revised version of Policy P301, for development applications in the South Perth Station Precinct and the Canning Bridge Activity Centre, 'Area 3' consultation is now required where any building height above the 'basic' height limit is proposed. 'Area 3' consultation is also required for any hotel, liquor store (large), night club or tavern. Under the current Policy P301, development proposals of these kinds only require 'Area 2' consultation, so with the change to Area 3, the operative consultation distance is being increased by 100% along the street containing the development site and by at least 300% along the 'rear' street. The Council's advertised increased distances ensure that all neighbouring property owners and occupiers 'likely to be affected' will be consulted. If the distances were increased still further, as suggested by the submitter, this would not be beneficial to the decision-making process and not lead to better decisions, but would substantially increase the costs for all ratepayers of the City.</p> <p>For the reasons explained above, it is recommended that the submitters' comments be NOT UPHELD.</p>
<p>Review acceptance of any development applications which would result in notification being issued that would see a closing date during the month of January.</p>	<p>Under the current Policy P301, due to the special nature of the popular mid-December to mid-January holiday period, the advertising of Planning proposals, <u>other than</u> development applications, must be timed so as to conclude prior to mid-December or else not commence until mid-January.</p> <p>Consultation arrangements for development applications are necessarily somewhat different from other kinds of Planning proposals. It would not be a proper practice for the Council to refuse to receive any development application lodged during normal business hours. Further to this, the imposition of a total moratorium on receiving or determining development applications during parts of December and January would unreasonably delay the issuing of decisions on development applications.</p>

	<p>However, for all development applications, to take proper account of the Christmas / New Year holiday period, the duration of public consultation is extended. The current Policy P301 specifies a 21-day consultation period for major development applications and 14 days for others. Clause 9.2(c)(ii) of the advertised draft revised policy states that, where the consultation period has not concluded by 22 December, the duration of the consultation period is to be extended by a further 14 days.</p> <p>Noting that the peak holiday period is between 22 December and 4 January, clause 9.2(c)(ii) is aimed at striking an equitable balance between providing extended time for people to lodge submissions, and not delaying decisions on development application for an unreasonably long time. However, while the effect of clause 9.2(c)(ii) is considered appropriate, it is now acknowledged that the wording needs improvement. The special requirement for extending the consultation period by a further 14 days is intended to apply where any part of the 'normal' consultation period falls between 22 December and 4 January, but clause 9.2(c)(ii) does not include any reference to 4 January.</p> <p>In support of another submitter's suggestion, the reference to 22 December has been changed to 20 December.</p> <p>For the reasons explained above, it is recommended that:</p> <p>(a) the submitters' comments be PARTIALLY UPHOLD; and</p> <p>(b) clause 9.2(c)(ii) of the revised Policy P301 be amended to read as follows:</p> <p>(ii) December-January holiday period Where the consultation period for any development application has not concluded by 20 December or has commenced before 4 January, the duration of the consultation period shall be extended by 14 days to take into account the December-January holiday period.</p>
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<p>For any consultation, the Station Precinct should be considered as a separate area of radius 800 metres, this being consistent with Station Precinct documentation</p>	<p>Refer to comments above, relating to 'Area 3' consultation. 'Area 3' consultation is considered appropriate in the South Perth Station Precinct and the Canning Bridge Activity Centre as the proposed increased consultation distances ensure that all neighbouring property owners and occupiers 'likely to be affected' will be consulted.</p> <p>While the consultation distances have been increased, it is recommended that the submitter's comments relating to an 800-metre radius be NOT UPHELD.</p>
<p>Section 8(e) (ii) of Policy P301 be amended to make it incumbent on Council to notify all owners and occupants, being either business or residents.</p>	<p>Clause 8(e) of the currently operative policy prescribes a special mailing procedure for developments comprising more than 12 dwellings. In accordance with Clause 8(e), where a block of apartments near a development site comprises more than 12 dwellings, rather than consulting every apartment owner and tenant, it is only necessary to consult the Strata Company or the building owner. Some years ago, this arrangement was found to be unsatisfactory, and was therefore abandoned in favour of consulting individually with every apartment owner and tenant. Therefore the provisions of clause 8(e) have been omitted from the revised draft policy. The submitter's wishes in this respect have been accommodated.</p> <p>It is recommended that the comment be UPHELD.</p>
<p>From King Edward Street resident</p> <p>The use of the word 'community' is NOT synonymous with that of 'neighbour'. Their respective 'amenity' may differ, so the two categories need to be separately recognised when 'consulting'.</p> <p>The neighbours to a planning proposal are not adequately recognised in the existing wording of the Policy, giving them no greater relevance than the wider community despite the Proposal being in their neighbourhood and it is their local amenity which may be impacted by the proposal</p>	<p>A Planning proposal will affect neighbouring property owners and occupiers to varying degrees, depending on their respective proximity to the land which is the subject of the proposal. The Policy requires consultation with all property owners who are 'likely to be affected'. The extent to which neighbouring property owners are 'likely to be affected' will also vary depending on the scale and nature of the Planning proposal.</p> <p>The City employs various methods for inviting neighbours and others to comment on a Planning proposal, depending on the nature of each proposal and its potential effect on close or more distant neighbours. The methods include personally addressed letters / notices, signs placed on the development site, or a combination of both.</p>

The weighting of the consultation feedback needs to recognise the 'abutting neighbour', 'local, immediate neighbour', wider, external 'community' of the area and those beyond, who may be affected by the proposal, refer Clause 5.

The developer's proposal shall have no greater weighting than that of each adjoining and immediate neighbour.

For Scheme Amendments, new or revised Planning Policies and precinct studies, additional methods are employed including website notices, newspaper notices, community forums or workshops, displays in shopping centres.

While the method of inviting comments varies, the 'message' transmitted to the consulted people is the same, and should be the same, irrespective of their proximity to the development site. Each consulted person will evaluate the perceived amenity effect of the particular Planning proposal, and formulate his / her response accordingly. The Council then assesses the merit of the various submitters' comments and when doing so, takes full account of the relative proximity of the submitter's property to the development site.

It is important to be mindful of the manner in which the Council considers submissions. Clause 6.3(b) of the draft revised policy explains this, as follows:

- (i) *In addition to many other considerations, any neighbour or community comments received as a result of consultation will be fully considered by the Council before arriving at a decision on any Planning proposal. This could result in the proposal being modified in response to some or all of those comments.*
- (ii) *The opinions of neighbours and the wider community where relevant, assist the Council by highlighting local issues which need to be considered. However, the Council is not obliged to agree with, or uphold, every opinion expressed, nor to incorporate all suggestions into its decision.*
- (iii) *The Council has a duty to take into account all relevant considerations and to ensure that any irrelevant considerations do not influence the decision. In addition to neighbour and community submissions, other relevant considerations include the requirements prescribed in TPS6, R-Codes, the City's Policies and Strategies, the City's Local Heritage Inventory, State legislation, State Planning Policies, and comments from government agencies and advisory groups.*

	<p>(iv) In its consideration of any Planning proposal, the Council has a duty to properly balance its consideration of all relevant factors in an objective and impartial manner.</p> <p>For the reasons explained above, it is recommended that the comments be NOT UPHELD.</p>
<p>The area for consultation be simplified to a radius measured from the property boundary.</p> <p>Area 1 to include all properties within a 100 metre radius and Area 2 a 250 metre radius.</p> <p>A third Area 3 be established for the Station Precinct, with a radius of 800 metre from the boundary, consistent with the precinct walkability objective.</p>	<p>Regarding the suggested 'radius' method of defining the consultation area, refer to the Officer's response to similar suggestions from the City of South Perth Residents Association.</p> <p>'Area 1' consultation is only applicable in the case of 'very low impact' development proposals. This being the case, there is no justification for increasing the geographic extent of consultation as suggested by the submitter.</p> <p>A new 'Area 3' has been established for the 'station' precincts and for any proposed hotel, liquor store (large), night club or tavern. Regarding the submitter's suggestion of an 800 metre radius for Area 3, refer to the Officer's response to the same suggestion from the City of South Perth Residents Association.</p> <p>For the reasons explained previously, it is recommended that the submitters' comments regarding the geographic area of consultation be NOT UPHELD.</p>
<p>Consistency in notification period of not less than 16 business days.</p> <p><u>Consultation Matrix:</u> Add: "The community consultation period shall not be less than 15 business days, plus any extension of prescribed consultation period as required by Clause (e)", except for Amendments to the Town Planning Scheme in which case the period shall be not less than 20 business days plus any extension to the prescribed consultation period.</p>	<p>For all neighbourhood consultation, the submitter initially seems to favour a universal time period of 16 days to achieve consistency, but does not say why 16 days would be the optimum time. Contradicting this '16-day' reference, the submitter later advocates a minimum consultation period of 15 days for all Planning proposals other than Scheme Amendments where he favours a 20-day consultation period.</p> <p>In the revised Policy P301, in the case of development applications, the duration of the consultation period is generally 14 days for geographic Areas 1 and 2. For Area 3, the consultation period is 21 days recognising that the consulted people may require extra time to prepare submissions on the 'higher impact' proposals. The City rarely receives complaints about the 14-day consultation period being insufficient.</p>

	<p>For Scheme Amendments, Planning Policies, Heritage Inventory additions or deletions, road and right-of-way closures, and subdivisions, statutory time periods are prescribed for lodging submissions. In various circumstances, the statutory time period is 21 days, 30, 35, 42 or 60 days. As these time periods are set by statute, it is not open to the Council to reduce the time as suggested by the submitter and in any case, the lesser time period would probably prove too restrictive for many consulted people.</p> <p>For the reasons explained above, it is recommended that the comment be NOT UPHELD.</p>
<p>Other specific suggestions regarding changes to wording in various parts of the Policy.</p> <p>Refer to Confidential Attachment (b)</p>	<p>The submitter has made numerous suggestions regarding modifications to wording in various parts of the policy. Unfortunately, he has related his suggestions to wording in the existing operative policy instead of the wording in the advertised, substantially revised version of the policy. While this has made it more difficult to consider his suggestions against the revised policy wording, as far as practicable this has been done and, where it is considered that the submitter's changes have merit, they have been incorporated into the final version of Policy P301 attached to this report. Nine of the submitter's suggestions are supported.</p> <p>For the reasons explained previously, the submitter's suggested changes relating to the geographic extent of the consultation area or the duration of the consultation period are not supported.</p> <p>It is recommended that the comments be PARTIALLY UPHELD and where considered appropriate, the suggested changes to wording be incorporated into the final version of Policy P301.</p>

<p>From Abjornson Street resident</p> <p>I want to ask for a clearer definition of the term 'amenity' including what enhances and what detracts from an existing state as it could aid "those likely to be affected" (the community) and decision-makers (planning staff, Council, JDAP, WAPC, courts) when it comes to assessing planning proposals. A Victorian Court of Appeal has come up with what amenity means in regard to planning (see attached documents). Could that be used to spell out where the City stands on amenity as a reflection of where the wider community stands on amenity? Perhaps the Dan Murphy court decision would have been different had the City declared a clearer position on amenity.</p> <p>A NSW State of Environment Report 2003 by the NSW Environment Protection Authority addressed the issue amenity with the focus on urban green space, noise and odour (paragraph from which I put into comment on Policy P301 to show what comes under the umbrella of detracting from amenity).</p> <p>I am satisfied with community engagement as practised by the Council and City of South Perth</p>	<p>The definition of 'amenity' was inserted into Policy P355 (now re-numbered as P301) seven years ago. The same definition is in the revised version of Policy P301 which was advertised for community comment. The definition reads as follows:</p> <p>amenity <i>"Those qualities and characteristics of a site and its neighbouring area that contribute to the comfort and pleasantness of the locality."</i></p> <p>In the "Deemed" provisions within the Western Australian "Planning and Development (Local Planning Schemes) Regulations 2015", 'amenity' is defined as:</p> <p><i>"all those factors which combine to form the character of an area and include the present and likely future amenity".</i></p> <p>The "Deemed" provisions now form part of the City's Town Planning Scheme No. 6.</p> <p>The two definitions quoted above are essentially the same, with the same operative effect. One further example is set out below:</p> <p>amenity <i>"Features, benefits or advantages of the local environment that people currently enjoy."</i> ("The Law Handbook" (Victoria))</p> <p>The Policy P301 wording is also very similar to definitions of 'amenity' in 'Planning' instruments in other Australian states and in the UK.</p> <p>The submitter wants the current Policy P301 definition expanded to include examples of what enhances existing 'amenity' or detracts from it. However the inclusion of such examples is not appropriate in a definition. The current definition of 'amenity' in Policy P301 is expressed in similar language to that of other definitions of this term in other statutes and guidance documents. Therefore a change to the definition in Policy P301 is not warranted.</p> <p>For the reasons explained above, it is recommended that the comment be NOT UPHELD.</p>
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<p>The submitter also suggests changes to Policy P301 relating to:</p> <ul style="list-style-type: none"> • reorganisation of the policy according to the variables given; and • reduction of the number of matrices by grouping Planning proposals into 'major' and 'minor' projects that share the same engagement 'rules'. <p>For the full content of these suggestions, refer to Confidential Attachment (b).</p>	<p>By far the most frequent users of Policy P301 are the City's Planning Officers. The officers need to constantly refer to the policy to ensure that the various kinds of Planning proposals are advertised in the correct manner, with all the necessary people being consulted. In the draft revised version of Policy P301, the format of the currently operative version has been changed to be as 'user-friendly' as possible. The officers favour the revised format, as advertised.</p> <p>The revised version of the policy has been widely advertised and only one submitter has suggested further changes to the format.</p> <p>For the reasons explained above, it is recommended that the comment be NOT UPHELD.</p>
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Policy and Legislative Implications

Clause 9.6 of TPS6 sets out the required process for adoption or revision of a planning policy. The public advertising of draft policy provisions is an important part of this process. Under clause 1.5 of TPS6, planning policies are documents that support the Scheme.

The 'Policy revision' process as it relates to Policy P301 is set out below, together with the dates of key stages. The completed stages, including the consideration at the 28 June 2016 Council meeting, are shaded:

Stages of Review, Advertising and Adoption process	Date
Council decision to review Policy P301	25 August 2015
Council members' workshop for consideration and identification of required revisions	1 December 2015
Council resolution to endorse draft revised Policy P301 for advertising.	22 February 2016
Public advertising period of 32 days. (Note: The minimum advertising period is 21 days)	12 April to 13 May 2016
Council consideration of officer's Report on Submissions and revised Policy P301 in light of submissions received. Adoption of revised Policy in final form.	28 June 2016
Notice of Council's final approval of revised Policy P301 in one issue of <i>Southern Gazette</i> .	Within 2 weeks of June 2016 Council meeting

Financial Implications

This matter has financial implications in relation to the three *Southern Gazette* newspaper notices already published, inviting comments on the draft revisions to Policy P301; and the necessary further notice regarding final approval of the Policy revisions.

The previous officer's report (February 2016) referred to the Chief Executive Officer's concern about increased costs to the City which will be incurred through the proposed wider extent of consultation for certain development proposals. As explained in the previous report, the expansion of community engagement will have

10.0.1 Revised Planning Policy P301 'Community Engagement in Planning Proposals'. Consideration of Submissions and Final Adoption (Item 10.3.4 Council meeting 23 February 2016 refers)

substantial financial implications primarily due to increases in the geographic extent of mail-outs, and resultant increased use of resources. The increased costs relate to the following:

Staff time

- For consultation letters, preparing name/address data base of recipient neighbours, mail-merging the letters and addresses, printing, folding, mailing letters.
- Conversations with consulted neighbours and submitters.
- Consideration of submitters' written comments.
- Reporting to Council or DAP meetings on submitters' comments.
- Preparing letters advising submitters of referral of applications to Council or DAP meetings.
- Preparing letters advising submitters of the decisions on development applications.

Materials

Large increase in quantities of letterhead and plain paper and envelopes.

Postage

The costs referred to above may be described as 'hidden' costs because they are not itemised separately from the general costs associated with staff salaries and materials. As advised in the officer's February report, in addition to the considerable 'hidden' costs associated with mail-outs, the increased cost of postage will be substantial, based on recently increased Australia Post charges. It will not be uncommon for major development applications to involve mail-outs to several hundred landowners in the vicinity. The February report cited the example of a 1600-item mail-out for which the cost of postage alone would be \$1,520 using 'Regular' post.

Strategic Implications

This report is aligned to the City's [Strategic Community Plan 2015-2025](#). Direction 1 – Community “Create opportunities for an inclusive, connected, active and safe community” and Direction 3 - Housing and Land Uses “Accommodate the needs of a diverse and growing population”.

Sustainability Implications

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

The proposed modifications to Policy P301 will ensure that, for all of the various kinds of Planning proposals, the City's engagement with the community is undertaken at appropriate 'levels'.

Conclusion

The proposed changes to Policy P301 reflect the community's perceived need for a wider range of engagement options. Owing to the minimal number of submissions received in response to advertising of the draft revisions to the existing Policy P301, there appears to be no strong objection to the comprehensive revisions. In response to the three submissions received, this report recommends further refinement of the new Policy provisions. Council should now adopt the revised Policy P301 attached to this report.

Attachments

10.0.1 (a): Submissions received in response to advertising of draft revised policy (*Confidential*)

10.0.1 (b): Adopted final version of revised policy .

10.2 STRATEGIC DIRECTION 2: ENVIRONMENT

10.2.1 Tender 15/2016 "Renovations to WCG Thomas Pavilion"

Location:	City of South Perth
Ward:	All
Applicant:	Council
File Ref:	D-16-43412
Date:	28 June 2016
Author:	Bruce Moorman, Manager City Environment
Reporting Officer:	Mark Taylor, Director Infrastructure Services
Strategic Direction:	Community -- Create opportunities for an inclusive, connected, active and safe community
Council Strategy:	I.1 Develop and facilitate services and programs in order to meet current and future community needs and priorities.

Summary

This report considers submissions received from the advertising of Tender 15/2016 for the "Renovations to WCG Thomas Pavilion".

This report will outline the assessment process used during evaluation of the tenders received and recommend approval of the tender that provides the best value for money and level of service to the City.

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Sharron Hawkins-Zeeb

Seconded: Councillor Colin Cala

That Council approves the tender submitted by Shelford Construction for the "Renovations to WCG Thomas Pavilion" for a lump sum price of \$664,631.00 (excl. GST).

CARRIED EN BLOC (7/0)

Background

A Request for Tender (RFT) 15/2016 for the 'Renovations to WCG Thomas Pavilion' was advertised in The West Australian on Saturday 2 April 2016 and closed at 2pm Wednesday 27 April 2016, however this was subsequently extended to 2pm Tuesday 3 May 2016, at the Civic Administration Centre, Sandgate Street, South Perth.

The City of South Perth (City) invites suitably qualified organisations to submit tenders for the renovations to WCG Thomas Pavilion within the City of South Perth. In 2009 the City undertook a major Renovation and Upgrading of the facilities at the WCG Thomas Pavilion. Work included renovations to the toilet and change room facilities and upgrading of the kitchen to a standard suitable for professional catering activities. Also included was the following works:-

- Repairs and upgrading of electrical wiring and plumbing systems.
- Increased internal and external storage areas.
- Provision of a covered spectator seating area (i.e. verandah/patio) overlooking the grounds.
- Improved layout of the downstairs administration and meeting facilities.

10.2.1 Tender 15/2016 "Renovations to WCG Thomas Pavilion"

On the 25 January 2016 the facility sections of the building was gutted by fire. This has left the building unusable and requiring major structural and external and internal fitout.

A section of the building and fitness club (lower level) is still in use and will need to be considered for access whilst work is being undertaken.

The scope of works and site requirements for this project includes but not limited to:

- Erection of perimeter fencing with signage to indicate boundaries of worksite
- maintaining a safe working environment with minimum impact to public and the environment
- Removal of roof structure, roof sheeting, ceilings, walls, windows and doors
- Repair damaged timber floor
- Micro fine cement grout injection to stabilise existing footings
- Construction of structural supportive steel and metal roof
- External and internal wall and ceiling linings
- Installation of Evaporative Cooling unit
- Installation of all ablution facilities applicable fixtures
- Installation of Kitchen cabinets
- Installation of new double glazed windows and doors
- Clean and re-grout existing tiles
- Supply and install timber doors including hardware
- Install new electrical services including reconnecting power to cricket nets

Tenders were invited as a *Lump Sum Contract*.

The RFT is for the 'renovations to WCG Thomas Pavilion'.

The contract is for the period is to the 1 November 2016.

Comment

At the close of the tender advertising period (X) submissions had been received and these are tabled below:

TABLE A - Tender Submissions

1. ZD Construction 93 Pty Ltd
2. Shelford Construction
3. Maintenance & Construction Australia (MACS)
4. Classic Contractors Pty Ltd
5. Cercon Building
6. CLPM – Clinton Long Project Management Pty Ltd

ZD Construction 93 Pty Ltd submitted a Tender but was later excluded because they did not attend the Compulsory Site Meeting at the WCG Thomas Pavilion South Perth: 10am (AWST) Thursday 7 April 2016.

The Tenders were reviewed by an Evaluation Panel and assessed according to the qualitative criteria detailed in the RFT, as per Table B below.

TABLE B - Qualitative Criteria

Qualitative Criteria	Weighting %
1. Demonstrated Ability to perform to time and budget for similar projects	30%
2. Relevant Works record and experience for similar projects	30%
3. Suitability and logic of works program	10%
4. Financial capacity and other work and financial commitments	5%
5. Satisfactory resources to complete works	20%
6. Industrial Relations and safety record.	5%
Total	100%

Based on the assessment of all submissions received for Tender 15/2016 'Renovations to WCG Thomas pavilion', it is recommended that the tender submission from Shelford Construction be approved by Council.

More detailed information about the tender assessment process can be found in the Evaluation Panel Member's Report - **Confidential Attachment (a)**.

Consultation

Public tenders were invited in accordance with the *Local Government Act 1995*.

Policy and Legislative Implications

Section 3.57 of the *Local Government Act* (as amended) requires a local government to call tenders when the expected value is likely to exceed \$150,000. Part 4 of the *Local Government (Functions and General) Regulations 1996* sets regulations on how tenders must be called and accepted.

The following Council Policies also apply:

- Policy P605 - *Purchasing and Invoice Approval*
- Policy P607 - *Tenders and Expressions of Interest*

Delegation DM607 *Acceptance of Tenders* provides the Chief Executive Officer with delegated authority to accept tenders to a maximum value of \$250,000 (exclusive of GST).

The general Conditions of Contract forming part of the Tender Documents states among other things that:

- *The City is not bound to accept the lowest or any tender and may reject any or all Tenders submitted;*
- *Tenders may be accepted, for all or part of the Requirements and may be accepted by the City either wholly or in part. The requirements stated in this document are not guaranteed; and*
- *The Tender will be accepted to a sole or panel of Tenderer(s) who best demonstrates the ability to provide quality services at a competitive price which will be deemed to be most advantageous to the City.*

10.2.1 Tender 15/2016 “Renovations to WCG Thomas Pavilion”

Financial Implications

This is an insurance claim. Funds will be released early in the 2016/2017 financial year, following approval of the tender by Council and our insurers.

Strategic Implications

The report is consistent with the [City’s Strategic Community Plan 2015-2025](#).

Sustainability Implications

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

Attachments

10.2.1 (a): Panel Report RFT 15-2016 Renovations to WCG Thomas Pavilion
(Confidential) .

10.2.2 Tender 13/2016 “Provision of Coastal Engineering Consultancy Services”

Location:	City of South Perth
Ward:	All
Applicant:	Council
File Ref:	D-16-43414
Date:	28 June 2016
Author:	Bruce Moorman, Manager City Environment
Reporting Officer:	Mark Taylor, Director Infrastructure Services
Strategic Direction:	Environment -- Enhance and develop public open spaces and manage impacts on the City’s built and natural environment
Council Strategy:	2.1 Identify and implement opportunities to improve biodiversity of the City’s key natural areas and activity centres.

Summary

This report considers submissions received from the advertising of Tender 13/2016 for the “Provision of Coastal Engineering Consultancy Services”.

This report will outline the assessment process used during evaluation of the tenders received and recommend approval of the tender that provides the best value for money and level of service to the City.

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Sharron Hawkins-Zeeb

Seconded: Councillor Colin Cala

That Council approves the tender submitted by M P Rogers & Associates for the “Provision of Coastal Engineering Consultancy Services” at an approximate price of \$276,712 (excl. GST) over a three year period with the option of a further 12 months at the City’s discretion.

CARRIED EN BLOC (7/0)

Background

A Request for Tender (RFT) 13/2016 for the ‘Provision of Coastal Engineering Coastal Consultancy Services’ was advertised in The West Australian on 27 February 2016 and closed at 2pm on 17 March 2016 at the Civic Administration Centre, Sandgate Street, South Perth.

The City of South Perth requires technical consultancy services for coastal and marine civil engineering services. Project budgets will vary from \$10,000 minor works to \$5 Million (excluding GST) major projects.

The City will require the Services on an “as and when required” basis. The City is not obliged to proceed with any requirement of the Services within the disciplines specified.

The requirements may consist of, but not be limited to:

- Foreshore protection, sea level rise and erosion studies;
- Coastal protection structure, launching ramp, jetty and mooring pier engineering;
- Attendance and preparation of technical advice at Stakeholder meetings;
- Engineering investigations, feasibility studies and reports; and

10.2.2 Tender I3/2016 "Provision of Coastal Engineering Consultancy Services"

- Design and documentation (Specification development), tender evaluation and contract administration.

Tenders were invited as a *Schedule of Rates Contract*.

The RFT is for the ' *Provision of Coastal Engineering Consultancy Services* '.

The contract is for the period of three (3) years with the option of One (1) year at the City's discretion.

Comment

At the close of the tender advertising period (7) submissions had been received and these are tabled below:

TABLE A - Tender Submissions

1. WorleyParsons
2. SMEC
3. PRDW
4. M P Rogers
5. GHD
6. BMTJFA
7. Baird Australia

The Tenders were reviewed by an Evaluation Panel and assessed according to the qualitative criteria detailed in the RFT, as per Table B below.

TABLE B - Qualitative Criteria

Qualitative Criteria	Weighting %
1. Demonstrated knowledge and experience in coastal engineering, in particular Swan Estuary processes	30%
2. Experience working with Local Government Authorities	30%
3. Understanding of legislative and regulatory requirements of State Agencies as they apply to the Swan and Canning Rivers, in particular the Swan River Trust.	20%
4. Demonstrated resources to respond to major and minor requests in a timely manner	20%
Total	100%

Based on the assessment of all submissions received for Tender I3/2016 Provision of Coastal Engineering Consultancy Services it is recommended that the tender submission from M P Rogers & Associates be approved by Council.

More detailed information about the tender assessment process can be found in the Evaluation Panel Member's Report - **Confidential Attachment (a)**.

10.2.2 Tender I3/2016 "Provision of Coastal Engineering Consultancy Services"

Consultation

Public tenders were invited in accordance with the *Local Government Act 1995*.

Policy and Legislative Implications

Section 3.57 of the *Local Government Act* (as amended) requires a local government to call tenders when the expected value is likely to exceed \$150,000. Part 4 of the *Local Government (Functions and General) Regulations 1996* sets regulations on how tenders must be called and accepted.

The following Council Policies also apply:

- Policy P605 - *Purchasing and Invoice Approval*
- Policy P607 - *Tenders and Expressions of Interest*

Delegation DM607 *Acceptance of Tenders* provides the Chief Executive Officer with delegated authority to accept tenders to a maximum value of \$250,000 (exclusive of GST).

The general Conditions of Contract forming part of the Tender Documents states among other things that:

- *The City is not bound to accept the lowest or any tender and may reject any or all Tenders submitted;*
- *Tenders may be accepted, for all or part of the Requirements and may be accepted by the City either wholly or in part. The requirements stated in this document are not guaranteed; and*
- *The Tender will be accepted to a sole or panel of Tenderer(s) who best demonstrates the ability to provide quality services at a competitive price which will be deemed to be most advantageous to the City.*

Financial Implications

The full cost of the works is reflected in the 2016/2017 budget.

Strategic Implications

The report is consistent with the City's Strategic Community Plan 2015-2025.

Sustainability Implications

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

Attachments

10.2.2 (a): Panel Report - RFT I3-2016 Coastal Engineering (*Confidential*) .

10.2.3 Tender 14/2016 “Supply and Delivery of PVC and Polythene Associated Fittings and Sprinklers”

Location: City of South Perth
Ward: All
Applicant: Council
File Ref: D-16-43415
Date: 28 June 2016
Author: Bruce Moorman, Manager City Environment
Reporting Officer: Mark Taylor, Director Infrastructure Services
Strategic Direction: Environment -- Enhance and develop public open spaces and manage impacts on the City’s built and natural environment
Council Strategy: 2.4 Improve the amenity of our streetscapes (residential and commercial) and public open spaces while maximising their environmental benefits.

Summary

This report considers submissions received from the advertising of Tender 14/2016 for the “Supply and Delivery of PVC and Polythene Associated Sprinklers and Fittings” for the period of three (3) years with the option of one (1) year extension at the City’s discretion.

This report will outline the assessment process used during evaluation of the tenders received and recommend approval of the tender that provides the best value for money and level of service to the City.

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Sharron Hawkins-Zeeb

Seconded: Councillor Colin Cala

That Council approves the tender submitted by Total Eden Pty Ltd for the “Supply and Delivery of PVC and Polythene Associated Sprinklers and Fittings” in accordance with the specifications and Schedule of Rates for the estimated average sum of \$419,308 (excl. GST) over two (2) years with the option of a one (1) year extension at the City’s discretion.

CARRIED EN BLOC (7/0)

Background

A Request for Tender (RFT) 14/2016 for the supply and delivery of PVC and Polythene associated fittings and sprinklers was advertised in The West Australian on 27 February 2016 and closed at 2pm on 5 April 2016.

This contract is for the Supply and Delivery of PVC and Polythene Associated Fittings and Sprinklers for the City of South Perth but does not include installation. Installation is by the City for the parks, reserves, medium strips, pathways and other required areas.

Tenders were invited as a *Schedule of Rates Contract*.

The RFT is for the Supply and Delivery of PVC and Polythene Associated Sprinklers and Fittings.

The contract is for the period of three (3) years with the option of one (1) year at the City’s discretion..

Comment

At the close of the tender advertising period (1) submission had been received and these are tabled below:

TABLE A - Tender Submissions

Total Eden Pty Ltd

The Tenders were reviewed by an Evaluation Panel and assessed according to the qualitative criteria detailed in the RFT, as per Table B below.

TABLE B - Qualitative Criteria

Qualitative Criteria	Weighting %
1. Demonstrated ability to perform the tasks as set out in specification	40%
2. Works records and experience.	30%
3. Product selection	30%
Total	100%

Based on the assessment of all submissions received for Tender 14/2016 Supply and Delivery of PVC and Polythene Associated Sprinklers and Fittings, it is recommended that the tender submission from Total Eden Pty Ltd be approved by Council.

More detailed information about the tender assessment process can be found in the Evaluation Panel Member's Report - **Confidential Attachment (a)**.

Consultation

Public tenders were invited in accordance with the *Local Government Act 1995*.

Policy and Legislative Implications

Section 3.57 of the *Local Government Act* (as amended) requires a local government to call tenders when the expected value is likely to exceed \$150,000. Part 4 of the *Local Government (Functions and General) Regulations 1996* sets regulations on how tenders must be called and accepted.

The following Council Policies also apply:

- Policy P605 - *Purchasing and Invoice Approval*
- Policy P607 - *Tenders and Expressions of Interest*

Delegation DM607 *Acceptance of Tenders* provides the Chief Executive Officer with delegated authority to accept tenders to a maximum value of \$250,000 (exclusive of GST).

The general Conditions of Contract forming part of the Tender Documents states among other things that:

- *The City is not bound to accept the lowest or any tender and may reject any or all Tenders submitted;*
- *Tenders may be accepted, for all or part of the Requirements and may be accepted by the City either wholly or in part. The requirements stated in this document are not guaranteed; and*

10.2.3 Tender I4/2016 “Supply and Delivery of PVC and Polythene Associated Fittings and Sprinklers”

- *The Tender will be accepted to a sole or panel of Tenderer(s) who best demonstrates the ability to provide quality services at a competitive price which will be deemed to be most advantageous to the City.*

Financial Implications

The full cost of the works is reflected in the 2016/2017 budget/s.

Strategic Implications

The report is consistent with the City’s Strategic Community Plan 2015-2025.

Sustainability Implications

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

Attachments

10.2.3 (a): Panel Report RFT I4-2016 PVC Sprinklers (*Confidential*) .

10.3 STRATEGIC DIRECTION 3: HOUSING AND LAND USES

10.3.1 Report on Submissions - Revised Policies P312, P350.02, P350.03, P350.04, P350.07 and P350.09

Location:	All
Ward:	All
Applicant:	NA
File Ref:	D-16-43362
Date:	28 June 2016
Author:	Mark Carolane, Senior Strategic Projects Officer
Reporting Officer:	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Housing and Land Uses -- Accommodate the needs of a diverse and growing population
Council Strategy:	3.3 Review and establish contemporary sustainable buildings, land use and environmental design standards.

Summary

Six of the City's planning policies (**Attachments (c)-(h)**) were reviewed by City officers and endorsed by the Audit and Governance Committee on 1 March 2016 for advertising for public comment.

The draft reviewed policies have now been advertised and the City received a total of eight submissions. Minor changes are recommended to address submitters' comments, as detailed in **Attachments (c)-(h)**.

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Sharron Hawkins-Zeeb

Seconded: Councillor Colin Cala

That:

- (a) Council adopt planning policies P312, P350.02, P350.03, P350.04, P350.07 and P350.09 with modifications as detailed in **Attachments (c)-(h)**;
- (b) A notice be published in the Southern Gazette newspaper advising of the adoption of the amended policies; and
- (c) The submitters be advised of this resolution.

CARRIED EN BLOC (7/0)

Background

At the March 2016 Ordinary Council Meeting the following six draft revised policies were endorsed for community consultation:

- P312 Serviced Apartments
- P350.02 Boundary Walls
- P350.03 Car Parking Access, Siting and Design
- P350.04 Additions to Existing Dwellings
- P350.07 Fencing and Retaining Walls
- P350.09 Significant Views

The policies were reviewed by City officers and endorsed by the Audit and Governance Committee on 1 March 2016.

Comment

The advertised draft policies include the changes summarised in the minutes of the Ordinary Council Meeting held on 22 March 2016, as follows:

P312 Serviced Apartments

An additional clause has been added under the Temporary occupancy sub-heading in the Policy statement as follows:

- (e) In the Special Design Area of Special Control Area 1 (SCA 1) any change of use in the premises referred to in (d) above where discretion was used to approve additional height and plot ratio on the basis that the building was predominantly non-residential, the serviced apartment use can be replaced only by another non-residential land use.

P350.02 Boundary walls

This policy has been amended to be in line with the R-Codes requirements for boundary walls. The current version of P350.02 indicates that all boundary walls are discretionary and as such applicants are required to demonstrate how the boundary wall meets the 'amenity factors in all instances'. It also results in boundary walls in higher density zones being assessed on the same amenity factors as for those in low density areas. This approach is inconsistent with the provisions of the R-Codes, which consider boundary walls to be acceptable as long as they meet certain height and length constraints.

P350.03 Car parking access, siting and design

This policy has been amended to refer to the correct documents, including new deemed scheme provisions. Also remove duplication of r-code requirements, clarify setback requirements for roofed and un-roofed car parking bays and clarify requirements relating to carports. Specification of minimum sizes for car stackers is added to the policy.

P350.04 Additions to existing dwellings

Clauses regarding skillion roofs and upgrade of retained dwellings are deleted as they are no longer used.

P350.07 Fencing and retaining walls

This policy has been amended as follows:

- Table 1: Fibre cement or metal sheeting now permitted on side boundaries within the front setback area (max. height 1.2 metres)
- Clause 1.2(c) allows for walls to shield meter boxes adjacent to the street boundary
- Clause 1.5 is added to allow fences greater than 1.8 metres high in some circumstances and where the design of the fence minimises the visual impact on the street
- Clause 2.1(c) ensures any fencing within a driveway corner truncation area is visually permeable
- Clause 2.4(a) describes the method of measuring the driveway corner truncation area
- Figure 5 illustrates the driveway corner truncation area

P350.09 Significant Views

The scope of this policy has been amended to account for the new deemed provisions in Town Planning Scheme No. 6. Further amendments have been made to accommodate the updated policy format; however the requirements of the policy have not been changed.

10.3.1 Report on Submissions - Revised Policies P312, P350.02, P350.03, P350.04, P350.07 and P350.09

The attached final versions of the revised policies (**Attachments (c)-(h)**) have the advertised changes identified in red font. Recommended further changes in response to submitters' comments are highlighted yellow.

The recommended further changes are summarised as follows:

P312 Serviced Apartments (Attachment (c))

No further changes required.

P350.02 Boundary Walls (Attachment (d))

Modification of clause 1.1(a)(i) to require a boundary wall to be setback from the street boundary by not less than the minimum *primary* street setback listed in the R-Codes or TPS6, whichever is greater.

Addition of provisions under clause 1.1(b) to clarify the requirements for boundary walls in areas coded R30 and higher.

P350.03 Car parking access, siting and design (Attachment (e))

Re-introduction of clause 1.1 to specify minimum setback of garages from the primary street. The R-Codes allow some exceptions to the minimum setbacks, which are not allowed under the proposed clause 1.1.

Modification of clause 1.2 to specify a 1.5 metre setback for carports in specified circumstances. This simplifies the advertised clause 1.2.

Re-introduction of clause 1.3 to require setback of unroofed car bays in certain circumstances.

Re-introduction of clause 2.1 to require at least one occupiers' car bay for each dwelling to be provided with roof cover.

Re-introduction of clause 2.7 to prevent blank garage walls where vehicles are parked parallel to the street.

Update of Appendix 3 to set out an up to date list of high frequency public transport services in the City.

P350.04 Additions to existing dwellings (Attachment (f))

No submissions were received on this policy and no further changes are required.

P350.07 Fencing and retaining walls (Attachment (g))

Amendment of Figure 3 to show the location of the street boundary.

P350.09 Significant Views (Attachment (h))

Modification of clause 2.2 to read "*The City may require modifications to the design of the proposed building to enable the adjoining property to retain a significant view*".

Consultation

The draft revised policies were advertised in accordance with the City's Town Planning Scheme No. 6 (TPS6) and policy P301 Consultation for Planning Proposals. The policies were advertised between Tuesday 12 April and Friday 13 May 2016, as follows:

- Three notices were published in the *Southern Gazette* newspaper (12, 19 and 26 April);
- The draft revised policies were made available on the Your Say South Perth online community engagement portal for the duration of the advertising period;

10.3.1 Report on Submissions - Revised Policies P312, P350.02, P350.03, P350.04, P350.07 and P350.09

- The draft revised policies were displayed in the City's libraries and Civic Centre for the duration of the advertising period;
- A news item was published in the *South Perth in Focus* e-newsletter on 27 April 2016.

The draft revised policies were available for public comment for a period of 32 days, which is 11 days longer than the minimum required 21 day consultation period.

The City received a total of eight submissions on the six draft revised policies, as follows:

- P312 Serviced Apartments: 3 submissions
- P350.02 Boundary Walls: 1 submission
- P350.03 Car Parking Access, Siting and Design: 2 submissions
- P350.04 Additions to Existing Dwellings: 0 submissions
- P350.07 Fencing and Retaining Walls: 1 submission
- P350.09 Significant Views: 1 submission

The submissions are at **Attachment (a)**. The submitters' comments and officer's responses and recommendations are summarised at **Attachment (b)**.

Policy and Legislative Implications

Under clause 1.5 of TPS6, planning policies are documents that support the Scheme. The revised policies at **Attachments (c)-(h)** have been prepared and advertised for public comment in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* Deemed Provisions, Part 2 Division 2.

Financial Implications

Nil.

Strategic Implications

This report is consistent with the following Directions in the City's [Strategic Community Plan 2015-2025](#):

3.3 Review and establish contemporary sustainable buildings, land use and best practice environmental design standards.

6.3 Continue to develop best practice policy and procedure frameworks that effectively guide decision-making in an accountable and transparent manner.

Sustainability Implications

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

Attachments

- 10.3.1 (a):** APRIL 2016 Submissions (*Confidential*)
- 10.3.1 (b):** APRIL 2016 Submitter comments and officer responses
- 10.3.1 (c):** Policy P312 FOR FINAL APPROVAL June 2016
- 10.3.1 (d):** P350.02 Boundary Walls FOR ADOPTION June 2016
- 10.3.1 (e):** P350.03 Car Parking reviewed 2013 MAY 2016 FOR ADOPTION
- 10.3.1 (f):** Draft P350.04 Additions to Existing Dwellings ADVERTISED APRIL 2016
- 10.3.1 (g):** P350.07 FOR ADOPTION June 2016
- 10.3.1 (h):** P350.09 Significant Views FOR ADOPTION June 2016 .

10.6 STRATEGIC DIRECTION 6: GOVERNANCE, ADVOCACY AND CORPORATE MANAGEMENT

10.6.1 Monthly Financial Management Accounts - May 2016

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-16-43106
Date:	28 June 2016
Author / Reporting Officer:	Michael 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 AND COUNCIL DECISION

Moved: Councillor Sharron Hawkins-Zeeb

Seconded: Councillor Colin Cala

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 **Attachment (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 **Attachment (g) & (h)** be received;
- (e) the Rate Setting Statement provided as **Attachment (i)** be received.

CARRIED EN BLOC (7/0)

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 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 2015/2016 Adopted Budget and the 2015/2016 Amended Budget including the introduction of the unexpended capital items carried forward from 2014/2015.

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) & (b)**
- Summary of Non Infrastructure Operating Revenue and Expenditure **Attachment (c)**

10.6.1 Monthly Financial Management Accounts - May 2016

- 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 - **Attachment (g) & (h)**
- Rate Setting Statement - **Attachment (i)**

Operating Revenue to 31 May 2016 is \$51.63M which represents almost 100% of the \$51.66M 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 budget targets were increased in the Budget Review. Investment revenues are 2% under budget for Reserve Funds but 8% under for the Municipal Fund with the continuing low interest rates. Parking revenue is now 2% below budget expectations overall despite the appointment of a dedicated parking officer which has helped partly remedy the previously unfavourable situation.

Planning revenues are 1% under budget due to the slowing of activity in the station precinct. Building Services revenue is now 22% above budget after the receipt of licence fees relating to 96 Mill Point Road. City Environment contributions for major event hire were over-estimated in the budget process as there has been no major external event held on the foreshore this year. Crossover Revenue continues to exceed budget expectations whilst Asset Control Revenue fell slightly short of revenue expectations due to a deferral of plant vehicle trade-ins.

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 May 2016 is \$46.30M which represents 98% of the year to date budget of \$47.46M. Operating Expenditure shows as 3% under budget in the Administration area. Operating costs are 8% under budget for the golf course and show as being 1% 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. However, there are certain likely cost savings on some line items including utilities costs, salary savings due to vacancies and deferral of some consultancy expenditures.

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 June. 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.

The environmental management and plant nursery areas have been impacted by some workers compensation claim settlements and redundancy, but the responsible manager has initiated some mitigating actions which, in concert with a minor budget review have addressed the potential over-expenditures.

The management accounts also reflect the budget review adjustments to (non-cash) variances on depreciation of infrastructure assets following the revaluation to fair value of parks assets. These were adjusted following the completion of the audited

10.6.1 Monthly Financial Management Accounts - May 2016

annual financial statements. Overheads are also now favourable to budget in relation to anticipated recoveries.

Fleet operations show a favourable variance in terms of actual cash costs - but an under recovery against jobs. This situation will continue to be monitored and retrospectively adjusted at year end as required.

In the waste management area there have been a number of changes to the accounting structure (to comply with new reporting requirements) and these have proved problematic in being 'settled' into the management accounts. However, these are becoming more settled month by month. Costs associated with the transfer station are under investigation to understand and respond to the current variances between predicted and actual results. This will be adjusted in the 2016/2017 budget.

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 around 1.7% under the budget allocation for the positions approved by Council in the budget process. There are number of factors impacting this including positions held vacant pending an organisational review and timing differences in relation to invoicing by the agencies that supply casual staff.

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

Capital Revenue is disclosed as \$6.00M at 31 May which is under the year to date budget of \$6.53M as a consequence of the inability to proceed with the disposal of the Crawshaw Crescent Sump land site. All other budgeted capital revenues are expected to be received in June.

Capital Expenditure at 31 May is \$25.34M representing 89% of the year to date budget of \$28.38M (after the inclusion of carry forward projects). The total (revised) budget for capital projects for the year is \$36.12M.

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

TABLE I - CAPITAL EXPENDITURE BY DIRECTORATE

Directorate	YTD Budget	YTD Actual	% YTD Budget	Total Budget
CEO Office	245,000	85,064	35%	245,000
Major Community Project	13,487,000	12,722,185	93%	18,177,000
Financial & Information	859,000	541,048	63%	1,322,000
Develop & Community	515,000	483,336	94%	585,000
Infrastructure Services	12,584,415	10,849,846	86%	15,071,415
Waste Management	237,150	197,336	83%	243,400
Golf Course	451,790	460,142	102%	474,289
UGP	0	0	-%	0
Total	28,379,355	25,338,957	89%	36,118,104

10.6.1 Monthly Financial Management Accounts - May 2016

The figures in the table above include the Carry Forward Works of \$3.70M. As can be seen from the table above, the City has made steady progress to date in delivering its very challenging 2015/2016 capital program with 89% of the year to date works completed.

This amount represents some 70% of the total proposed program. There is a further \$3.00M of anticipated expenditure on the capital program before 30 June.

The leadership team has been reviewing the capital program and assessing the City's capacity to deliver the remaining capital program. Anticipated carry forward works of approximately \$7.7M (including Manning Hub) have been identified and the list continues to be refined throughout the Budget process.

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 pro-active 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 Service
- 10.6.1 (e): Summary of Capital Items
- 10.6.1 (f): Schedule of Significant Variances
- 10.6.1 (g): Reconciliation of Budget Movements
- 10.6.1 (h): Reconciliation of Budget Movements
- 10.6.1 (i): Rate Setting Statement

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

Location: City of South Perth
Ward: Not Applicable
Applicant: Council
File Ref: D-16-43107
Date: 28 June 2016
Author: Michael Kent, Director Financial and Information Services
Deborah Gray, Manager Financial Services
Reporting Officer: Michael 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 AND COUNCIL DECISION

Moved: Councillor Sharron Hawkins-Zeeb

Seconded: Councillor Colin Cala

That Council receives the 31 May 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)**

CARRIED EN BLOC (7/0)

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.

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

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 are \$68.53M which compares unfavourably to \$75.72M at the equivalent stage of last year. This is largely the result of planned drawdowns from Reserves as contributions towards the Manning Hub project. Last month, total funds were \$71.56M.

Municipal funds represent \$16.58M of this total, with a further \$51.07M being Reserve Funds. The balance of \$0.88M relates to monies held in Trust. The Municipal Fund balance is some \$0.50M higher than last year which relates to the timing of cash outflows on the capital works program.

Reserve funds are \$8.0M 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 (as noted above).

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 Major Community Facilities Reserve is \$7.4M (net) lower than at the same time last year as funds are applied to major capital initiatives that are now underway, but the draw-down is partly offset by the consolidation of other smaller reserves into this reserve (as foreshadowed in the 2015/2016 Budget).

The land sale proceeds currently quarantined in the Major Community Facilities Reserve do not represent 'surplus cash' and 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.

The Sustainable Infrastructure Reserve is almost \$1.6M higher than at the same time last year due to the consolidation of reserves as noted above. The Plant Replacement Reserve is \$0.4M higher. The Parking Facilities and Insurance Risk Reserves are both \$0.2M higher.

In relation to the Quarantined Reserves, there is a \$0.4M higher holding of cash backed reserves to support CPV refundable monies compared to last year due to the timing of outgoing versus ingoing resident transactions.

The Waste Management Reserve is \$0.1M higher than last year and the Golf Course Reserve is unchanged after allowing for last year's operating results.

Details are presented as **Attachment (a)**.

(b) Investments

Total investment in money market instruments at month end was \$67.62M compared to \$73.48M at the same time last year. There was \$1.9M more in cash in Municipal investments. Cash backed Reserve Fund investments are \$8.0M 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.

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 corporate environment. Analysis of the composition of the investment portfolio shows that all of the funds are invested in securities having a S&P rating of A1 (short term) or better. There are currently no investments 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 Department of Local Government Operational Guidelines for investments.

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 \$2.03M. This compares to \$2.16M 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.

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

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.

The weighted average rate of return on financial instruments for the year to date is a modest 2.89% with the anticipated weighted average yield on investments yet to mature now sitting at 2.92%. At call cash deposits used to balance daily operational cash needs have been providing a very modest return of 1.75% since the May 2015 RBA decision. That rate fell to 1.50% on 4 May 2016 following the 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 **Attachment (c)**. Rates collections to the end of May 2016 represent 98.5% of rates collectible (excluding pension deferrals) compared to 98.7% at the same time last year. Pension rebates receivable, however, are very slightly higher due to timing differences.

The City expects to maintain its strong rates collection profile in respect of the 2015/2016 rates notices as indicated by the good level of collections at each of the due dates for the four instalments and as we approach year end. The City is striving to repeat last year's excellent collection results. The collection result to date suggests that there has been 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 also provide encouragement for ratepayers to meet their rates obligations in a timely manner.

(ii) General Debtors

General debtors stand at \$1.20M at month end (\$2.24M last year). Last month debtors were \$2.25M. GST Receivable is lower whilst Sundry Debtors were \$1.0M lower due to the \$1.0M Lotterywest Grant that was received by the City in early May.

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

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

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.

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](#). 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.

Sustainability Implications

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

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-16-43108
Date: 28 June 2016
Author: Michael Kent, Director Financial and Information Services
Deborah Gray, Manager Financial Services
Reporting Officer: Michael 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

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

EFT Payments to Creditors	(391)	\$ 6,683,954.79
Cheque Payment to Creditors	(41)	\$ 438,575.98
Total Monthly Payments to Creditors	(432)	\$7,122,470.77
Cheque Payments to Non Creditors	(109)	\$ 530,806.06
Total Payments	(757)	\$7,653,276.83

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Sharron Hawkins-Zeeb

Seconded: Councillor Colin Cala

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

CARRIED EN BLOC (7/0)

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.

10.6.3 Listing of Payments

The payments made are also now 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.

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

Attachments

10.6.3 (a): Listing of Payments

10.6.4 Metropolitan Regional Road Group - Council Representation

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-16-43207
Date:	28 June 2016
Author:	Phil McQue, Manager Governance and Administration
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:	6.5 Advocate and represent effectively on behalf of the South Perth community.

Summary

This report seeks nominations from Council for membership to the Metropolitan Regional Road Sub-Group. The Sub-Group pertaining to the City of South Perth is seeking one (1) Elected Member to participate in the Regional Road Group process and to establish it as an on-going role to be filled following each election.

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Colin Cala
Seconded: Councillor Jessica Black

That Council:

- a) appoint one (1) Elected Member for membership to the Metropolitan Regional Road Group as representative of the City of South Perth; and
- b) call for nominations to fill the position following each election.

CARRIED (7/0)

Councillor Fiona Reid nominated Councillor Travis Burrows for membership to the Metropolitan Regional Road Group as representative of the City of South Perth.

Councillor Sharron Hawkins-Zeeb seconded the nomination.

Councillor Travis Burrows accepted the nomination.

No other nominations were received.

MOTION AND COUNCIL DECISION

Moved: Councillor Fiona Reid
Seconded: Councillor Sharron Hawkins-Zeeb

That Council appoint Councillor Travis Burrows for membership to the Metropolitan Regional Road Group as representative of the City of South Perth.

CARRIED (7/0)

10.6.4 Metropolitan Regional Road Group - Council Representation

Background

All Local Governments in the Perth area are members of the Metropolitan Regional Road Group, which has an important role in prioritisation and oversight of road improvement projects co-funded by the State Government. Currently there are some 200 projects with a total investment of nearly \$50 million being delivered through this program each year.

All Perth Local Governments contribute to decision-making through the six Sub-Groups that make up the Metropolitan Regional Road Group. About half of Perth's Metropolitan Local Governments have chosen a member of Council to work with a Senior Officer in contributing to the Regional Road Group. This provides an important link between the Council and the Regional Road Group. It also ensures that the Sub-Groups and the Regional Road Group have input from both a political and operational perspective.

It is felt within the Group that if funds are not spent appropriately, the State Government will reduce the amount of funds given to Councils.

The State Road Funds to Local Government Agreement is currently funded to June 2018 and is under review. It requires a high profile in Local Government to enable the sector to clearly explain the need for road funding and the role the State Government should play in this.

Comment

Currently the City of South Perth does not have an Elected Member nominated to participate in the Regional Road Group process.

Consultation

Nil.

Policy and Legislative Implications

Nil.

Financial Implications

Nil.

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](#).

Attachments

Nil .

10.6.5 Capital Works 2015/16 Minor Budget Review

Location:	City of South Perth
Ward:	All
Applicant:	Council
File Ref:	D-16-43365
Date:	28 June 2016
Author:	Les Croxford, Manager Engineering Infrastructure
Reporting Officer:	Mark Taylor, Director Infrastructure 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

At the April 2016 Ordinary Council meeting, the third quarter Budget Review was endorsed and the Budget amended accordingly. Several projects initially intended for attention within the review were inadvertently omitted from the list prepared by Infrastructure Services and forwarded to Financial Services for inclusion in the review. This report identifies those projects that were intended for inclusion and recommends certain amendments to the Budget that will produce a cost neutral affect.

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Sharron Hawkins-Zeeb

Seconded: Councillor Colin Cala

That, following a further review of the Capital program (identified from normal operations), the budget estimates for Revenue and Expenditure for the 2015/16 Financial Year (adopted by Council on 13 July 2015 and as subsequently amended by resolutions of Council to date), be amended as per Table A within the report.

CARRIED EN BLOC (7/0)

Background

The City typically conducts a Budget Review after the end of the September, December and March quarters each year, believing that this approach provides more dynamic and effective treasury management than simply conducting the one statutory half yearly review. A further review became necessary as a result of variances that had crystallised and should have been addressed in the March Review.

Comment

South Terrace (Canning Highway to Coode Street)

This project is partially funded as a Metropolitan Regional Road Group (MRRG) project. The work proposed under the program is pavement rehabilitation. The weighted score for projects under this program is based on agreed set rates for the works proposed. The fixed rates are not intended to fund full improvements to drainage and path works or acknowledge traffic management requirements that are "out of the ordinary" i.e. does not include night or weekend works. Submissions for MRRG funding are placed with Main Roads Department fifteen months ahead of the program year i.e. the 2017/18 submission closed March this year, and can be over 2 years before actual construction occurs.

10.6.5 Capital Works 2015/16 Minor Budget Review

Roads 2000 were commissioned to carry out the works in accordance with the design plans and a schedule of rates. To minimise the impact on commuters major works involving complete shutdown of South Terrace were scheduled as weekend works. The added costs associated with the weekend traffic management plus changes to the scoping document of works to embrace drainage and kerbing works will result in forecast expenditure in excess of the budget. The increase was identified for inclusion in the Budget Review for the Year to 31 March 2016 but was inadvertently omitted from being put forward for listing.

Welwyn Avenue (Manning Road to Hope Avenue)

This project is partially funded as a MRRG project. Initially intended to be constructed as a single project it became necessary to consider the project in two parts so that trucking movements associated with the Manning Hub and James Miller Oval project could continue to use Welwyn Avenue the project, with the assent of the contractor, has been staged over two years, with Stage One now complete and the second stage to commence during August 2016. Stage One is from Hope Avenue to Conochie Crescent and Stage Two will be the balance to Manning Road. The respective budgets need to be amended to reflect that portion of the works completed. The unexpended portion of city funds has been redirected towards meeting the shortfall in the South Terrace projects. The balance of the MRRG funds not recouped in 2015/16 will be incorporated into the Budget 2016/17. The recent Capital Works Budget presentation listed Welwyn Avenue Second Stage as a project for completion.

South Terrace (Canning Highway to Murray Street)

This project was listed as a straightforward pavement rehabilitation project. The roundabout at South Terrace / Murray Street / David Street intersection had been included as an extension of the pavement upgrade without considering the kerbing works to the inner circle or the extra traffic management required to maintain the route for buses. The over expenditure is a direct consequence of the added works to the roundabout, the need to restrict work hours to 9am to 3pm and the weekend rates for resurfacing.

Challenger Avenue (Manning Road to Henning Crescent)

Several projects listed under the Commonwealth Roads to Recovery program were delivered on time and under budget and therefore in accordance with the Guidelines the City had to nominate another project for the second year of this five year program. In essence the annual funding allocation of the program must, at least, be expended in the year of allocation, although it is possible to expend more of the allocation up to the limit of the total allocation. Challenger Avenue is part of a bus route through Manning and Salter Point and along with the section of Henning Crescent (Challenger Avenue to Marsh Avenue) are the last remaining sections requiring resurfacing. The Budget amendment of \$35,000 is not the full cost of the project but only the balance required to be expended from the 2014/15 and 2015/16 allocations. The recent Capital Works Budget presentation listed Challenger Avenue and Henning Crescent as Roads to Recovery projects for 2016/17.

Manning Road / Ley Street Intersection – Traffic Signal Upgrade

This project was intended to be wholly funded under the National Black Spot Program 2013/14. Initial design works indicated the extent of the required works to upgrade the signals (to accommodate improved pedestrian phases) exceeded the allocation. Additional funding was sought based on an estimate provided by the MRWA Term Network Contractor (Traffic Signals). The additional funding allocation was received the following year and the TNC authorised to proceed with the work in April 2015. The works have now been completed. Additional works were required to complete the project including paving to areas not previously

10.6.5 Capital Works 2015/16 Minor Budget Review

included and minor changes to the kerb alignment to overcome misuse of the available lane width. Additional traffic management was required to cover the extra work. The amended allocation for the project was overlooked in the Capital Revenue and the expenditure budget not adjusted accordingly.

Todd Avenue (Canning Highway to Throssell Street)

This project is a typical rehabilitation project involving minor pavement works, re-kerbing and peripheral works and resurfacing with “stone mastic” asphalt. The project was packaged with several other road projects under the WALGA Preferred Tenderers Contract for Road Construction and has been delivered under budget. To assist in offsetting the over expenditure on the South Terrace projects the budget can be adjusted to more closely reflect the anticipated cost of the work.

Parking Areas (Various)

Originally intended to resurface a number of carparks to be identified through the Asset Management System, or addressed as part of the second stage of the Parking Strategy. Regrettably design documentation for the surfacing of at least one parking area has not been completed in time for tenders to be called for the work. In addition the delay in finalising the Parking Strategy has meant that the second stage has yet to commence. Rather than list the project in full as a carry forward, a minor budget amendment could provide some of the funds needed to offset the cost overrun on South Terrace.

Mill Point Road / Labouchere Road Intersection Design

The Micro-Simulation traffic model now being finalised will influence the design and phasing of signals at the intersection and all design works for this intersection were placed on hold. An allowance has been made in the Draft Capital Works Budget 2016/17 for design works to Road Infrastructure in the South Perth Station Precinct. Rather than list the project as a carry forward, a budget amendment could provide some of the funds needed to offset the cost overrun on South Terrace.

Thelma Street Closure

The design work for the proposed closure has not progressed to a position that would make it suitable for construction purposes. An allowance has been made in the Draft Capital Works Budget 2016/17 to complete the design and construct the cul-de-sac closure. Rather than list the project as a carry forward, a budget amendment could provide some of the funds needed to offset the cost overrun on South Terrace.

Table A - Requested Budget Adjustments

Acc.	Description	Item Type	Current Budget	Amended Budget	Increase / Decrease Surplus	
5587	South Tce.	Exp.	393,000	465,000		72,000
5588	Welwyn Ave.	Exp.	495,000	284,000	211,000	
5600	South Tce.	Exp.	175,000	315,000		140,000
5999	Capital Grant Rev.	Rev.	1,351,000	1,152,000		199,000
5615	Challenger Ave.	Exp.	0	35,000		35,000
5999	Capital Grant Rev.	Rev.	1,152,000	1,187,000	35,000	
7149	Manning / Ley Intersection	Exp.	212,000	310,000		98,000
5999	Capital Grant	Rev.	1,187,000	1,265,000	78,000	

	Rev.					
5590	Todd Ave.	Exp.	270,000	230,000	40,000	
5597	Parking Areas	Exp.	73,800	53,800	20,000	
7157	Mill Point Rd / Labouchere Rd.	Exp.	85,000	0	85,000	
7165	Thelma Street	Exp.	75,000	0	75,000	
Totals					544,000	544,000
Overall Impact on Capital Budget					Cost Neutral	

Consultation

External consultation is not a relevant consideration in a financial management report.

Policy and Legislative Implications

There are no policy or legislative implications with the review. More frequent and dynamic reviews of budget versus actual financial performance is good management practice.

Financial Implications

There are no financial implications with the review. The net result of the amendments is cost neutral.

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](#).

Attachments

Nil .

10.7 MATTERS REFERRED FROM COMMITTEE MEETINGS

10.7.1 Recommendations of the Audit and Governance Committee Meeting - 14 June 2016

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-16-43818
Date:	28 June 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 and Governance Committee meeting held on 14 June 2016 for Council's consideration.

Audit and Governance Committee Recommendation AND COUNCIL DECISION

Moved: Councillor Colin Cala

Seconded: Councillor Fiona Reid

That Council adopt the following recommendations of the Audit and Governance Committee meeting held on 14 June 2016 *with Councillor Colin Cala's Amended Motion:*

1. GOVERNANCE FRAMEWORK

That Council adopt the Governance Framework 2016 as per **Attachment (a)**.

2. REVIEW OF STANDING ORDERS LOCAL LAW

That Council:

- note the review of the Standing Orders Local Law (**Attachment (b)**);
- in accordance with s3.12(3)(a)(b) of the *Local Government Act 1995*, gives state-wide and local public notice stating that:
 - a) it proposes to make a Standing Orders 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 s3.12(4) of the *Local Government Act 1995*; and

- note that the results of the public submission will be presented to Council for consideration.

SIMPLE MAJORITY VOTE REQUIRED

3. REVIEW OF 'REQUEST FOR A DEPUTATION TO ADDRESS COUNCIL' FORM

That Council endorse the updated 'Request for a Deputation to Address Council' form as per **Attachment (c)**.

4. CODE OF CONDUCT REVIEW

That Council DEFER consideration of the revised Code of Conduct in order to clarify the definition of 'Committee Members' referred to in **Attachment (d)**.

5. COUNCIL POLICIES

That Council:

- (a) adopt the following policies having been reviewed and the content revised, as per **Attachment (e)**.

P102 Community Funding Program

P103 Communication and Consultation

P106 City Reserves and Facilities

PI12 Community Advisory Groups

P104 Community Awards – Citizen of the Year Award's Program

6. COUNCIL DELEGATIONS

That Council adopt the following delegations listed hereunder as per **Attachment (f)**:

DC115 Granting Fee Waiver – City Reserves and Facilities

DC609 Leases and Licenses

DC686 Granting Fee Concessions – Development Applications

7. PROPOSED CATS LOCAL LAW 2016

That Council:

- in accordance with s3.12(3)(a)(b) of the *Local Government Act 1995*, gives state-wide and local public notice stating that:
 - a) it proposes to make a Cats Local Law 2016 (**Attachment (g)**), 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 s3.12(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

8. NEW DRAFT PLANNING POLICY P350.16 VARIATION TO PLOT RATIO FOR MULTIPLE DWELLINGS AND MIXED DEVELOPMENT

That:

1. Council adopts draft Policy P350.16 Variation to plot ratio for multiple dwellings and mixed development as per **Attachment (h)** for the purpose of community consultation;
2. The proposed draft policy be advertised for community comment in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*;
3. A report on submissions be considered by Council prior to final adoption of the policy.

9. AUDIT AND GOVERNANCE COMMITTEE – NAME CHANGE

That the name of the Audit and Governance Committee be amended to be the 'Audit, Risk and Governance Committee'.

AMENDED MOTION

*That the Officer's Recommendation, sub-section "5. COUNCIL POLICIES", be amended to remove the City of South Perth Emerging Artist Awards from Policy P104 –Community Awards (**Attachment (e)**) until a further review is undertaken by the City of these Awards, with a view to possibly creating a separate Policy to recognise the special nature of this Award or be incorporated into Policy P105, Cultural Services and Activities. A new or revised Policy is envisaged to be in place for 2017 with a Report to Council in December of this year following the close of the 2016 Exhibition.*

Reasons

1. *While the proposed amendments to Policy P104 sub-section "City of South Perth Emerging Artists Awards" seek to better clarify the text of the Policy, it is timely to undertake a complete review of the Award. While it may have established a reputation amongst other local governments and the State art scene, it has been running for over thirteen years, and it would seem prudent to have a fresh look to see if the City can deliver a better Award.*
2. *A fundamental part of the review process would be to look at the various categories from a strategic viewpoint and how they may capture a wider field of interest from Artists. A greater number of categories maybe considered. These could include, but not be limited to recognising the multi-cultural diversity of the City; photography, sculpture; textiles, watercolour media; mixed media; landscapes; and portraiture. Also, the review should consider whether the Award continues as an annual award or be held every two years, as is the practice at the City of Stirling*
3. *The City will need to also consider the management and security of its acquisitions if the current practice of retaining the winning entry under the Emerging Artist Award category is continued. There needs to be a transparent strategy in place to decide how and where art pieces are displayed, rather than the informal practice that exists at present. Under some circumstances, the City may also consider donating some of its art collection to local schools and other institutions. The practical aspects of storage, preservation and display will form an important component of a new Policy as there will be financial implications.*
4. *While Council would have no part in any selection process, it may be useful to put in place some form of overarching governance body, modelled on the Public Art Advisory Group in addition to the appointment of a panel of experts: the exact nature of*

which would form part of this review.

5. As entries open in August each year for the Award, it will be too late to introduce any new Policy this year. Consequently there is ample time to explore options for expanding opportunities for artists and the City in its management of the Award and the art collection.

CEO Comment

The Community Culture and Recreation team reviews events every year before and after they occur as a matter of good event management practice. The City runs the only emerging artist award in the metropolitan area and many of the previous winners have gone onto great things. We can investigate introducing some new categories however we do require sponsors for each new category in order to generate the prize money as the City only funds the main prize. The City has a robust and professional process for managing the art collection. Staff trained in the handling of art works look after this under a management practice. Once a year selected art pieces are rotated around various city offices. An integral part of the process is 'theming' how the art is displayed and ensuring that pieces as much as possible 'talk to each other' and are appropriately displayed. Officers have been exploring a process of selling any surplus art pieces as part of the annual exhibition. The City has a management practice for the management of the art collection and the relevant policy also outlines how the art award is managed including the appointment of art experts to judge the art award who are separate from the City. It is not considered appropriate to have a governance body for what is essentially an activity/program/event that the City runs along the lines of Fiesta for example.

The amendment then became the substantive.

CARRIED (7/0)

Background

The Audit and Governance Committee meeting was held on 14 June 2016 with the following items listed for consideration on the Agenda:

- Governance Framework
- Review of Standing Orders Local Law
- Review of 'Request for a Deputation to Address Council' form
- Code of Conduct Review
- Council Policies
- Council Delegations
- Proposed Cats Local Law 2016
- New Draft Planning Policy P350.16 Variation to Plot Ratio For Multiple Dwellings and Mixed Development

The following item was raised under Item '7. Other Related Business':

- Audit and Governance Committee – Change of Name

Comment

The Audit and Governance Committee considered the following items on 14 June 2016:

1) Governance Framework

The City recently reviewed and revised its Governance Framework to ensure it is best practice, ensuring that the community can have trust and confidence in the decisions we make and systems and processes we use.

The review has been considered and recommended for adoption by the Committee and is now presented to Council for consideration.

2) Review of Standing Orders Local Law

The City has recently reviewed and revised its Standing Orders Local Law and recommends minor changes for improvement to public question time and alternative motions by Elected Members.

The review has been considered and recommended by the Committee with an amendment to Attachment (a) 'Draft City of South Perth Standing Orders Amendment Local Law 2016' at page 34 as follows:

6. Clause 10.1A Alternative motions

- (1) Elected members are to submit alternative motions to recommendations on Council agendas to the Chief Executive Officer, ~~with supporting reasons~~, by 12 noon on the day before each Council meeting, so they can be distributed to other elected members to give them an opportunity to reflect on the proposed changes.

Reason

The Committee deems it unreasonable to prepare in full (absolute supporting reasons for alternative motions) to recommendations in a manner that is presentable to the public in a short time frame.

It is now presented to Council for consideration.

3) Review of 'Request for a Deputation to Address Council' Form

The City has recently reviewed and revised its 'Request for a Deputation to Address Council' form.

The review has been considered and recommended for endorsement by the Committee and is now presented to Council for consideration.

4) Code of Conduct Review

The City has recently reviewed and revised its Code of Conduct.

The review has been considered and recommended for DEFERRAL by the Committee for the following reason:

Reason

The definition of 'Committee Members' referred to in Attachment (a) Code of Conduct 2016 is unclear and requires clarification prior to the Audit and Governance Committee recommending its adoption.

It is now presented to Council for consideration.

5) Council Policies

The City has recently reviewed and revised its Policies.

The review has been considered and recommended for adoption by the Committee with the following two amendments:

- a) Policy P106 Use of City Reserves and Facilities in Attachment (a) 'Revised Policies P102, P103, P106, P112' at page 61, as follows:

Information relating to:

- 'Events on Reserves'; and
- 'Regular Use of Reserves by Sporting Groups'

be retained in the Policy document.

Reasons

The information under these headings, proposed to be removed from the Policy and placed in the relevant Management Direction document is deemed to be vital information for the public to have access to. As the public do not have access to Management practices it is important to retain this information in the Policy document.

- b) With the agreement of the Mover and Seconder, following discussion, direction was agreed by the Committee to the badging of awards within Policy P104 Community Awards – Citizenship of the Year Award's Program in Attachment (b) 'Revised Policy 106' at page 64, as follows:

That the awards given out on Australia Day by the City are badged with 'Premiers Australia Day Active Citizenship Award', as follows:

- Premiers Australia Day Active Citizenship Award – Citizen of the Year;
- Premiers Australia Day Active Citizenship Award – Citizen of the Year under 25 years old; and
- Premiers Australia Day Active Citizenship Award – Group/Club/Event

6) Council Delegations

The City has recently reviewed and revised its Delegations.

The review has been considered and recommended for adoption by the Committee with an amendment to 'Delegation from Council DC609 Leases and Licences in Attachment (a) 'Audit and Governance Delegations' at page 68, as follows:

The addition of Condition d) as follows:

The CEO may exercise this power in relation to a lease or licence subject to:

- d) All new leases for commercial organisations being bought to Council for consideration.

Reasons

The Audit and Governance Committee deem it appropriate for new commercial leases be considered by Council rather than the Chief Executive Officer.

7) Proposed Cats Local Law 2016

This report recommends that the City adopt a Cats Local Law, with the primary objective of establishing the number of cats that can be kept without obtaining a permit from the City.

The Proposed Cats Local Law 2016 has been considered and recommended for adoption by the Committee and is now presented to Council for consideration.

8) New Draft Planning Policy P350.16 Variation to Plot Ratio for Multiple Dwellings and Mixed Development

The proposed draft policy provides guidance for the exercise of discretion regarding plot ratio for multiple dwellings and mixed development.

The proposed draft policy applies to all Multiple Dwelling and Mixed Development proposals seeking variation to the maximum deemed-to-comply plot ratio standards set out in the R-Codes. The policy defines the maximum amount of additional plot ratio that may be approved and criteria for the approval of additional plot ratio.

The proposed draft policy has been considered and recommended for adoption by the Committee and is now presented to Council for consideration.

9) Audit and Governance Committee – Change of Name

The Committee considered and recommended a Motion raised at Item '7. Other Related Business' that the Audit and Governance Committee recommend to Council that its name be changed to be the 'Audit, Risk and Governance Committee', for the following reasons:

Reasons

The Committee purpose to be expanded to also include:

- *Develop a risk identification program and a strategy to address risk;*
- *Make recommendations to Council on implementing strategies to mitigate risk;*
- *Once a year to report on risk within the City and satisfy itself that the appropriate controls and processes are in place and are adequate for dealing with these risks; and*
- *To consider specific risks referred to it by Council.*

It is now presented to Council for consideration.

Consultation

The nine items were the subject of consideration at the 14 June 2016 Audit 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):** Governance Framework
- 10.7.1 (b):** Review of Standing Orders Local Law
- 10.7.1 (c):** Review of 'Request for a Deputation to Address Council' Form
- 10.7.1 (d):** Code of Conduct Review
- 10.7.1 (e):** Council Policies
- 10.7.1 (f):** Council Delegations
- 10.7.1 (g):** Proposed Cats Local Law 2016
- 10.7.1 (h):** New Draft Planning Policy P350.16 Variation to Plot Ratio for Multiple Dwellings and Mixed Development

11. APPLICATIONS FOR LEAVE OF ABSENCE

Leave of Absence applications were received from:

- Councillor Sharron Hawkins-Zeeb for the period 1 July – 18 July 2016 inclusive; and
- Councillor Ken Manolas for the period 29 June – 1 August 2016 inclusive.

COUNCIL DECISION

Moved: Councillor Jessica Black

Seconded: Councillor Colin Cala

That the Leave of Absence applications be approved for:

- Councillor Sharron Hawkins-Zeeb for the period 1 July – 18 July 2016 inclusive; and
- Councillor Ken Manolas for the period 29 June – 1 August 2016 inclusive.

CARRIED (7/0)

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

There were no motions of which previous notice had been given.

13. QUESTIONS FROM MEMBERS

13.1 RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE

At the 24 May 2016 Ordinary Council Meeting no questions from Members were taken on notice.

13.2 QUESTIONS FROM MEMBERS

A question was received from Councillor Fiona Reid:

- Q. Would it be possible that standing Agenda Item 10.6.2 'Statement of Funds Investments and Debtors' include an item showing the percentage of investments in non-fossil fuels.
- A. The Director Financial and Information Services, Mr Mike Kent, advised this can and will be done.

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

There was no new business of an urgent nature.

15. MEETING CLOSED TO PUBLIC

There were no confidential items listed on the Agenda.

16. CLOSURE

The Presiding Member thanked everyone for their attendance and closed the meeting at 7.33pm.

17. RECORD OF VOTING

28/06/2016 7:06:00 PM

7.1.1 Confirmation of Ordinary Council Meeting Held: 24 May 2016

Motion Passed 7/0

Yes: Cr Glenn Cridland, Cr Travis Burrows, Cr Fiona Reid, Cr Ken Manolas, Cr Jessica Black, Cr Sharron Hawkins-Zeeb, Cr Colin Cala

Absent: Cr Cheryle Irons, Mayor Sue Doherty

28/06/2016 7:07:21 PM

7.1.2 Confirmation of Audit and Governance Committee Meeting Held: 14 June 2016

Motion Passed 7/0

Yes: Cr Glenn Cridland, Cr Travis Burrows, Cr Fiona Reid, Cr Ken Manolas, Cr Jessica Black, Cr Sharron Hawkins-Zeeb, Cr Colin Cala

Absent: Cr Cheryle Irons, Mayor Sue Doherty

28/06/2016 7:08:06 PM

7.1.3 Confirmation of Special Council Meeting Held: 21 June 2016

Motion Passed 7/0

Yes: Cr Glenn Cridland, Cr Travis Burrows, Cr Fiona Reid, Cr Ken Manolas, Cr Jessica Black, Cr Sharron Hawkins-Zeeb, Cr Colin Cala

Absent: Cr Cheryle Irons, Mayor Sue Doherty

28/06/2016 7:09:00 PM

7.2 Briefings

Motion Passed 7/0

Yes: Cr Glenn Cridland, Cr Travis Burrows, Cr Fiona Reid, Cr Ken Manolas, Cr Jessica Black, Cr Sharron Hawkins-Zeeb, Cr Colin Cala

Absent: Cr Cheryle Irons, Mayor Sue Doherty

28/06/2016 7:15:24 PM

9.1 En Bloc Motion

Motion Passed 7/0

Yes: Cr Glenn Cridland, Cr Travis Burrows, Cr Fiona Reid, Cr Ken Manolas, Cr Jessica Black, Cr Sharron Hawkins-Zeeb, Cr Colin Cala

Absent: Cr Cheryle Irons, Mayor Sue Doherty

28/06/2016 7:17:43 PM

10.6.4 Metropolitan Regional Road Group – Council Representation

Motion Passed 7/0

Yes: Cr Glenn Cridland, Cr Travis Burrows, Cr Fiona Reid, Cr Ken Manolas, Cr Jessica Black, Cr Sharron Hawkins-Zeeb, Cr Colin Cala

Absent: Cr Cheryle Irons, Mayor Sue Doherty

28/06/2016 7:18:27 PM

10.6.4 Metropolitan Regional Road Group – Nomination

Motion Passed 7/0

Yes: Cr Glenn Cridland, Cr Travis Burrows, Cr Fiona Reid, Cr Ken Manolas, Cr Jessica Black, Cr Sharron Hawkins-Zeeb, Cr Colin Cala

Absent: Cr Cheryle Irons, Mayor Sue Doherty

28/06/2016 7:27:29 PM

10.7.1 Recommendations of the Audit and Governance Committee Meeting - 14 June 2016

Motion Passed 7/0

Yes: Cr Glenn Cridland, Cr Travis Burrows, Cr Fiona Reid, Cr Ken Manolas, Cr Jessica Black, Cr Sharron Hawkins-Zeeb, Cr Colin Cala

Absent: Cr Cheryle Irons, Mayor Sue Doherty

28/06/2016 7:29:24 PM

II. Leave of Absence Applications

Motion Passed 7/0

Yes: Cr Glenn Cridland, Cr Travis Burrows, Cr Fiona Reid, Cr Ken Manolas, Cr Jessica Black, Cr Sharron Hawkins-Zeeb, Cr Colin Cala

Absent: Cr Cheryle Irons, Mayor Sue Doherty

DISCLAIMER

The City advises that comments recorded represent the views of the person making them and should not in any way be interpreted as representing the views of Council. The minutes are a confirmation as to the nature of comments made and provide no endorsement of such comments. Most importantly, the comments included as dot points are not purported to be a complete record of all comments made during the course of debate. Persons relying on the minutes are expressly advised that the summary of comments provided in those minutes do not reflect and should not be taken to reflect the view of the Council. The City makes no warranty as to the veracity or accuracy of the individual opinions expressed and recorded therein.

These Minutes were confirmed at a meeting on Tuesday 26 July 2016.

Signed _____
Presiding Member at the meeting at which the Minutes were confirmed