

MINUTES

Ordinary Council Meeting

24 November 2020

Mayor and Councillors

Here within are the Minutes of the Ordinary Council Meeting of the City of South Perth Council held Tuesday 24 November 2020 as an eMeeting.



GEOFF GLASS
CHIEF EXECUTIVE OFFICER

26 November 2020

Acknowledgement of Country

Kaartdjinin Nidja Nyungar Whadjuk Boodjar Koora Nidja Djining Noonakoort kaartdijin wangkiny, maam, gnarnk and boordier Nidja Whadjul kura kura.

We acknowledge and pay our respects to the traditional custodians of this land, the Whadjuk people of the Noongar nation and their Elders past and present.

Our Guiding Values



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.

Contents

1.	DECLARATION OF OPENING	5
2.	DISCLAIMER	5
3.	ANNOUNCEMENTS FROM THE PRESIDING MEMBER	5
4.	ATTENDANCE	5
	4.1 APOLOGIES	6
	4.2 APPROVED LEAVE OF ABSENCE	6
5.	DECLARATIONS OF INTEREST	6
6.	PUBLIC QUESTION TIME	7
	6.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	7
	6.2 PUBLIC QUESTION TIME: 24 NOVEMBER 2020	7
7.	CONFIRMATION OF MINUTES AND TABLING OF NOTES OF BRIEFINGS	7
	7.1 MINUTES	7
	7.1.1 Ordinary Council Meeting Held: 27 October 2020	7
	7.1.2 Special Council Meeting Held: 2 November 2020	7
	7.2 CONCEPT BRIEFINGS	8
	7.2.1 Council Agenda Briefing - 17 November 2020	8
	7.2.2 CONCEPT BRIEFINGS AND WORKSHOPS	8
8.	PRESENTATIONS	8
	8.1 PETITIONS	8
	8.2 PRESENTATIONS	9
	8.3 DEPUTATIONS	9
	8.4 COUNCIL DELEGATES REPORTS	9
	8.5 CONFERENCE DELEGATES REPORTS	9
9.	METHOD OF DEALING WITH AGENDA BUSINESS	9
10.	REPORTS	11
	10.1 STRATEGIC DIRECTION 1: COMMUNITY	11
	10.1.1 Auspire Community Citizen of the Year Award Program - Assessment and Recommendations	11

10.3 STRATEGIC DIRECTION 3: ENVIRONMENT (BUILT AND NATURAL)	14
10.3.1 State Development Assessment Unit (SDAU) Referral of Significant Development Application - Lot 500, No. 8 Parker Street, South Perth	14
10.3.2 Tender 13/2020 Provision of Waterbird Refuge	20
10.3.3 Proposed Third Party Digital Signage Additions to Telecommunications Infrastructure (Telstra Smart City Payphones) across various locations within the road reserve of the City of South Perth	24
10.4 STRATEGIC DIRECTION 4: LEADERSHIP	30
10.4.1 Listing of Payments - October 2020	30
10.4.2 Monthly Financial Statements - October 2020	33
10.4.3 Report on the Contract Variations for Connect South Stage One	36
10.4.4 Proposed New Policy P698 Attendance at Events	40
10.7 MATTERS REFERRED FROM COMMITTEE MEETINGS	42
10.7.1 Proposed Lease Agreement for the Manning Senior Citizen's Centre, Lot 3685, No. 3 Downey Drive, Manning	42
10.7.2 Proposed Lease Agreement for the South Perth Senior Citizen's Centre, 53 Coode Street, South Perth	47
10.7.3 Proposed Lease Agreement for the South Perth Learning Centre, Cnr Sandgate Street and South Terrace, South Perth	51
10.7.4 Wesley South Perth Hockey Club - Proposal to investigate the creation of a new synthetic hockey turf and relocation from Richardson Reserve to Collier Reserve	56
10.7.5 Recreation and Aquatic Facility - Feasibility Business Case	61
11. APPLICATIONS FOR LEAVE OF ABSENCE	101
12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	101
13. QUESTIONS FROM MEMBERS	101
13.1 RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE	101
13.2 QUESTIONS FROM MEMBERS	101
14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING	101
15. MEETING CLOSED TO THE PUBLIC	101
16. CLOSURE	101
APPENDIX	102
DISCLAIMER	106

Ordinary Council Meeting - Minutes

Minutes of the Ordinary Council Meeting held as an eMeeting commencing at 6.00pm on Tuesday 24 November 2020.

1. DECLARATION OF OPENING

The Presiding Member declared the meeting open at 6.01pm.

2. DISCLAIMER

The Presiding Member read aloud the City's Disclaimer.

Councillor Samantha Bradder connected to the eMeeting at 6.02pm during Item 3.

3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

The Presiding Member advised that this Ordinary Council Meeting was being held electronically and attended remotely by Elected Members and Officers in accordance with Regulation 14E of the Local Government (Administration) Regulations 1996.

4. ATTENDANCE

Mayor Greg Milner (Presiding Member)

Councillors

Como Ward

Como Ward

Manning Ward

Manning Ward

Moresby Ward

Moresby Ward

Mill Point Ward

Mill Point Ward

Councillor Carl Celedin

Councillor Glenn Cridland

Councillor Blake D'Souza

Councillor André Brender-A-Brandis

Councillor Samantha Bradder (from 6.02pm)

Councillor Stephen Russell

Councillor Mary Choy

Councillor Ken Manolas

Officers

Chief Executive Officer

Director Corporate Services

Director Development and Community Services

Director Infrastructure Services

Manager Business and Construction

Manager Development Services

Manager Finance

Manager Governance

Communications and Marketing Coordinator

Governance Coordinator

Communications Officer

Governance Officer

Mr Geoff Glass

Mr Colin Cameron

Ms Vicki Lummer

Mr Mark Taylor

Ms Jac Scott

Ms Fiona Mullen

Mr Abrie Lacock

Ms Bernadine Tucker

Ms Lisa Williams

Ms Toni Fry

Ms Nicole Bailey

Ms Mieke Wevers

Gallery

There were approximately 20 members of the public connected to the eMeeting.

4.1 APOLOGIES

Nil.

4.2 APPROVED LEAVE OF ABSENCE

Nil.

5. DECLARATIONS OF INTEREST

- Mayor Greg Milner – Impartiality Interest in Item 10.1.1 as ‘Some of the nominees are personally known to me.’
- Councillor Carl Celedin – Impartiality Interest in Item 10.1.1 as ‘Some of the candidates are known to me.’
- Councillor Glenn Cridland – Impartiality Interest in Item 10.1.1 as ‘More than one of the nominees are known to me.’
- Councillor Blake D’Souza – Financial Interest in Item 10.3.3 as ‘I own shares in Telstra.’
- Councillor André Brender-A-Brandis – Financial Interest in Item 10.3.3 as ‘Indirect ownership of Telstra shares in a superannuation fund’.
- Councillor Ken Manolas – Financial Interest in Item 10.3.3 as ‘I own more than \$10,000 worth of Telstra shares.’
- Councillor Glenn Cridland – Impartiality Interest in Item 10.3.3 as ‘I hold some Telstra shares although less than \$10,000 worth.’
- Councillor Stephen Russell – Impartiality Interest in Item 10.3.3 as he has ‘Shares in the Telco Operating Company.’
- Mayor Greg Milner – Impartiality Interest in Item 10.7.1 as ‘I am the patron of the Manning Senior Citizen’s Centre.’
- Councillor Ken Manolas – Impartiality Interest in Item 10.7.1 as ‘I am a member of the Manning Senior Citizen’s Centre.’
- Mayor Greg Milner – Impartiality Interest in Item 10.7.4 as ‘I am the co-patron of the Wesley South Perth Hockey Club.’
- Councillor Carl Celedin – Impartiality Interest in Item 10.7.4 as ‘My daughter is a member of the Wesley South Perth Hockey Club and I am a member of the Curtin University Hockey Club.’
- Councillor Glenn Cridland – Impartiality Interest in Item 10.7.4 as ‘My son and daughter play for WASPs.’
- Councillor Mary Choy – Impartiality Interest in Item 10.7.4 as ‘My husband has been a member of WASP’s hockey club and volunteer coach and is also a Wesley College ‘old boy’. My sons have played for WASPs and attend Wesley College.’
- Councillor Stephen Russell – Impartiality Interest in Item 10.7.4 as ‘Family member is a member of WASP Hockey club.’
- Councillor Samantha Bradder – Impartiality Interest in Item 10.7.4 as ‘My partner plays for the WASPs.’

6. PUBLIC QUESTION TIME

6.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

6.2 PUBLIC QUESTION TIME: 24 NOVEMBER 2020

The Presiding Member opened Public Question Time at 6.08pm.

Written questions were received prior to the meeting from:

- Mr Trevor Hill of Forrest Street, South Perth
- Mrs Cecilia Brooke of Garden Street, South Perth
- Mr Evan Stewart representing Basketball WA in Floreat
- Mr Grant Yonge of Kent Street, East Victoria Park

The questions and responses can be found in the **Appendix** of these Minutes.

There being no further questions, the Presiding Member closed Public Question Time at 6.20pm.

7. CONFIRMATION OF MINUTES AND TABLING OF NOTES OF BRIEFINGS

7.1 MINUTES

7.1.1 Ordinary Council Meeting Held: 27 October 2020

1120/175

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Blake D'Souza

Seconded: Councillor Ken Manolas

That the Minutes of the Ordinary Council Meeting held 27 October 2020 be taken as read and confirmed as a true and correct record.

CARRIED (9/0)

For: Mayor Greg Milner and Councillors Samantha Bradder, André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

Against: Nil.

7.1.2 Special Council Meeting Held: 2 November 2020

1120/176

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Ken Manolas

Seconded: Councillor Mary Choy

That the Minutes of the Special Council Meeting held 2 November 2020 be taken as read and confirmed as a true and correct record.

CARRIED (9/0)

For: Mayor Greg Milner and Councillors Samantha Bradder, André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

Against: Nil.

7.2 CONCEPT BRIEFINGS

7.2.1 Council Agenda Briefing - 17 November 2020

Officers of the City presented background information and answered questions on Items to be considered at the 24 November 2020 Ordinary Council Meeting at the Council Agenda Briefing held 17 November 2020.

Attachments

7.2.1 (a): Briefing Notes

7.2.2 CONCEPT BRIEFINGS AND WORKSHOPS

Officers of the City and/or Consultants provided Councillors with an overview of the following matters at Concept Briefings and Workshops:

Date	Subject
9 November 2020	Long Term Financial Plan Briefing
	Differential Rating Strategy Briefing

1120/177

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Ken Manolas

Seconded: Councillor Blake D'Souza

That Council notes the following Council Briefings/Workshops were held:

- 7.2.1 Council Agenda Briefing - 17 November 2020
- 7.2.2 Concept Briefings and Workshops

CARRIED (9/0)

For: Mayor Greg Milner and Councillors Samantha Bradder, André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

Against: Nil.

8. PRESENTATIONS

8.1 PETITIONS

Nil.

8.2 PRESENTATIONS

Nil.

8.3 DEPUTATIONS

Deputations were heard at the Agenda Briefing of 17 November 2020. Michael O'Brien and Quinten Lynch were unable to connect at that meeting however have subsequently had their notes distributed to all elected members.

8.4 COUNCIL DELEGATES REPORTS

Nil.

8.5 CONFERENCE DELEGATES REPORTS

Nil.

9. METHOD OF DEALING WITH AGENDA BUSINESS

The Presiding Member advised that with the exception of the items identified to be withdrawn for discussion that the remaining reports, including the Officer Recommendations, will be adopted by exception resolution (i.e. all together) as per Clause 5.5 Exception Resolution of the Standing Orders Local Law 2007.

The Chief Executive Officer confirmed all the report items, with the exception of Item 10.3.3 were discussed at the Council Agenda Briefing held 17 November 2020.

ITEMS WITHDRAWN FOR DISCUSSION

- 10.3.1 State Development Assessment Unit (SDAU) Referral of Significant Development Application - Lot 500, No. 8 Parker Street, South Perth
- 10.3.2 Tender 13/2020 Provision of Waterbird Refuge
- 10.3.3 Proposed Third Party Digital Signage Additions to Telecommunications Infrastructure (Telstra Smart City Payphones) across various locations within the road reserve of the City of South Perth
- 10.4.4 Proposed New Policy P698 Attendance at Events
- 10.7.1 Proposed Lease Agreement for the Manning Senior Citizen's Centre, Lot 3685, No. 3 Downey Drive, Manning
- 10.7.3 Proposed Lease Agreement for the South Perth Learning Centre, Cnr Sandgate Street and South Terrace, South Perth
- 10.7.4 Wesley South Perth Hockey Club - Proposal to relocate from Richardson Reserve to Collier Reserve
- 10.7.5 Recreation and Aquatic Facility – Feasibility Business Case

The Presiding Member called for a motion to move the balance of reports by Exception Resolution.

1120/178

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Stephen Russell

Seconded: Councillor Samantha Bradder

That the Officer Recommendations in relation to the following Agenda Items be carried by exception resolution:

10.1.1 Auspire Community Citizen of the Year Award Program - Assessment and Recommendations

10.4.1 Listing of Payments – October 2020

10.4.2 Monthly Financial Statements – October 2020

10.4.3 Report on the Contract Variations for Connect South Stage One

10.7.2 Proposed Lease Agreement for the South Perth Senior Citizen's Centre, 53 Coode Street, South Perth

CARRIED (9/0)

For: Mayor Greg Milner and Councillors Samantha Bradder, André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

Against: Nil.

10. REPORTS

10.1 STRATEGIC DIRECTION 1: COMMUNITY

Mayor Greg Milner, Councillors Carl Celedin and Glenn Cridland each disclosed an Impartiality Interest in Item 10.1.1.

10.1.1 Auspire Community Citizen of the Year Award Program - Assessment and Recommendations

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-20-89636
Meeting Date:	24 November 2020
Author(s):	Rene Polletta, Community Development Officer (Youth & Children)
Reporting Officer(s):	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Community: A diverse, connected, safe and engaged community
Council Strategy:	1.1 Culture & Community

Summary

This report seeks to advise Council of the nominations submitted for the Auspire Community Citizen of the Year Award Program for 2020 and for Council to determine the recipients under the nominated categories in accordance with Auspire's eligibility criteria and selection guidelines.

1120/179

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Stephen Russell
Seconded: Councillor Samantha Bradder

That Council approves the Award recipients for the Auspire Community Citizen of the Year Awards for 2020, in the following categories as shown in **Confidential Attachment (a)**:

- a. 'Adult';
- b. 'Youth';
- c. 'Seniors'; and
- d. 'Community Group or Event'.

CARRIED BY EXCEPTION RESOLUTION (9/0)

For: Mayor Greg Milner and Councillors Samantha Bradder, André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

Against: Nil.

Background

The Community Citizen of the Year Awards is a state-wide initiative run by Auspire (Australia Day Council of WA). Each local government authority is responsible for promoting the award and selecting winners for their area.

Nominations are encouraged of residents and/or ratepayers of the City of South Perth who have made a community contribution by improving, developing and nurturing the quality of life within the City and for its residents.

There are four categories for nominations:

1. Community Citizen of the Year Award (Adult) - this is open to adult individuals who reside or work primarily within the City of South Perth.
2. Community Citizen of the Year Award (Youth) – this is open to individuals who reside or work primarily within the City of South Perth and are under 25 years old.
3. Community Citizen of the Year Award (Seniors) - this is open to individuals who reside or work primarily within the City of South Perth and are aged 65 years and over.
4. Active Citizenship Award (Community Group or Event) - this is open to community groups that are based or work primarily within the City of South Perth and/or groups who have produced a local event.

Presentations for the awards are made at the City's annual Australia Day Event morning Citizenship Ceremony. The winner of each category is recognised with a framed certificate and all other eligible nominees receive a certificate of appreciation from the City of South Perth.

Nominations were assessed by a panel comprising the City's Manager Community, Culture and Recreation, Community Development Officer and Youth and Children's Officer, against four selection criteria, namely:

1. Significant contribution to the local community;
2. Demonstrated leadership on a community issue resulting in the enhancement of community life;
3. Significant initiative which has brought about positive change and added value to community life; and
4. Demonstrated inspiring qualities as a role model for the community.

Comment

This year a total of 22 nominations were submitted comprising:

- 8 x Community Citizen of the Year (Adult);
- 7 x Community Citizen of the Year (Youth);
- 5 x Community Citizen of the Year (Seniors); and
- 2 x Active Citizenship (Community Group or Event).

A summary of the nominations and the City's assessment scores are attached as **Confidential Attachment (a)**.

All nominations were considered to be of high quality, demonstrating the different ways that individuals and groups make significant contributions in the local community; enhancing life opportunities for others and being positive role models in the City of South Perth.

Consultation

The City commenced promotion of the Community Citizen of the Year Award Program in September 2020. Emails were sent to local community groups, sporting clubs, schools and volunteer organisations. The Award Program was also advertised on the City's website and through a state-wide campaign by Auspire. Nominations closed on 31 October 2020.

Policy and Legislative Implications

This report relates to Policy P104 Community Awards, whereby the City recognises the important contribution that local individuals make to society.

Financial Implications

Funds are allocated in the City's 2020/21 Operating Budget for costs associated with the Community Citizen of the Year Award Program.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2020-2030](#):

Strategic Direction: Community
Aspiration: A diverse, connected, safe and engaged community
Outcome: Culture and Community
Strategy: Facilitate and create opportunities for social, cultural and physical activity in the City

Attachments

10.1.1 (a): Nominations & Assessment (*Confidential*)

10.3 STRATEGIC DIRECTION 3: ENVIRONMENT (BUILT AND NATURAL)

10.3.1 State Development Assessment Unit (SDAU) Referral of Significant Development Application - Lot 500, No. 8 Parker Street, South Perth

Location:	South Perth
Ward:	Mill Point Ward
Applicant:	Planning Solutions
File Reference:	D-20-89637
DA Lodgement Date:	20 October 2020
Meeting Date:	24 November 2020
Author(s):	Brendan Philipps, Urban Planner
Reporting Officer(s):	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Environment (built and natural): Sustainable urban neighbourhoods
Council Strategy:	3.2 Sustainable Built Form

Summary

The *Planning and Development Act 2005* (as amended by the *Planning and Development Amendment Act 2020*), introduced a new Part 17 that grants the Western Australian Planning Commission (WAPC) temporary decision-making powers to determine proposals over \$20 million in metropolitan Perth. The WAPC is supported in its decision-making process by a new team, the State Development Assessment Unit (SDAU), within the Department of Planning, Lands and Heritage.

The City of South Perth has received its first formal referral of a Form 17B application which relates to a residential apartment development at No. 8 Parker Street, South Perth. It should be noted that a similar proposal at this location has previously been approved by the Development Assessment Panel (DAP). This current application proposes a variation to the building height limit under the City's Town Planning Scheme No. 6 (TPS6). The WAPC must have due regard for the local planning framework in determining the application, however it has the ability to vary provisions within the City's TPS6, which includes building height, and also undertake a more strategic assessment to consider non-planning related matters.

The proposal is generally observed to be consistent with the vision set out in the City's draft South Perth Activity Centre Plan, and satisfies a number of the Element Objectives under State Planning Policy 7.3 – Residential Design Codes Volume 2 (Apartments).

Officers do not currently have delegation from Council to provide a referral response to the SDAU. It is therefore recommended Council resolve to note that, while the development cannot currently be approved under the City's TPS6, the WAPC should give due regard to the City's 'without prejudice' conditions of approval in the event the application is supported.

1120/180

Officer Recommendation AND COUNCIL DECISION

Moved: Mayor Greg Milner
Seconded: Councillor Glenn Cridland

That Council notes:

1. The development cannot be approved under the City's Town Planning Scheme No. 6 as it exceeds the current building height limit of 28 metres for the subject site.
2. If the Western Australian Planning Commission (WAPC) is of the view to support the proposal using the special provisions under Part 17 of the *Planning and Development Act 2005*, the City acknowledges that the building height proposed would not exceed the 'primary building height' of 50.7 metres as set out in the draft South Perth Activity Centre Plan.
3. The proposal is considered to represent a high-quality development and is of a scale and form generally consistent with the vision of the draft South Perth Activity Centre Plan. To this end, the development is considered to be consistent with principles of orderly and proper planning.
4. The application is deemed to meet the intent and purpose of the Scheme by adequately satisfying relevant objectives under clause 1.6 of Town Planning Scheme No.6.
5. The variation to plot ratio area proposed is considered acceptable subject to the State Design Review Panel supporting the application against the 10 principles of design set out in State Planning Policy 7.0.
6. In the event the WAPC approve the application, the City has included 'without prejudice' conditions of development approval in **Attachment (a)**.
7. The City will submit a separate advice letter to the State Development Assessment Unit addressing technical considerations including waste management, parking design, landscaping and related matters.

CARRIED (5/4)

For: Mayor Greg Milner and Councillors Samantha Bradder, Mary Choy, Glenn Cridland, Ken Manolas.

Against: Councillors André Brender-A-Brandis, Carl Celedin, Blake D'Souza, Stephen Russell.

Development Site Details

Zoning	Residential
Density coding	R80/R100
Lot area	2454m ² (total)
Building height limit	28 metres
Plot ratio limit	1.3
Estimated project cost	\$40 million

The location of the development site is shown in **Figure 1** below:



Figure 1: Aerial image of the subject site.

Comment

(a) Background

The State Government has introduced a new development application process for significant projects as part of COVID-19 economic recovery plans. Part 17 of the Planning and Development Act 2005 (as amended by the Planning and Development Amendment Act 2020) (the Act) has been temporarily established by the Western Australian Planning Commission (the WAPC) as the new decision-making authority for applications for significant development.

This application relates to a residential apartment development at 8 Parker Street, South Perth, that includes two buildings comprising 29 residential dwellings and basement parking. It is noted that this application has previously received development approval from the Development Assessment Panel. This current Form 17B application proposes an increase in the building height of the northern building above the building height limit of the City's Town Planning Scheme No. 6. The proposal is essentially seeking approval for three additional storeys to the northern building. Comparative images are shown in **Figure 2** below to highlight the extent of change in the northern building.



Figure 2: Diagram showing approved height of northern building compared with the proposed height in this SDAU application. The additional floors being sought are highlighted (approximately) in yellow.

The proponent has elected to seek approval via the SDAU pathway as this State Government department has the ability to vary Local Government Scheme provisions as part of its decision making process.

In accordance with s.276 (4) of the *Planning and Development Act 2005*, the Commission must -

- (a) give any local government to whose district the development application relates an opportunity to make submissions to the Commission within a period specified by the Commission; and
- (b) have due regard to any submissions made by the local government within that period.

The planning framework for the locality of this development is currently in the final stages of change, with Scheme Amendment 61 and the draft South Perth Activity Centre Plan supported and recommended for approval by Council in December 2019, lodged with the Department of Planning, Lands and Heritage in January 2020 and considered by the Statutory Planning Committee (SPC) of the WAPC in August 2020. These are now considered seriously entertained documents in accordance with clause 67 (b) of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015.

A brief overview of the proposal is set out below along with general comments relating to compliance of the development with the applicable planning framework.

(b) Development overview

The development application comprises the construction of two Multiple Dwelling buildings, two basement levels and associated works including landscaping and communal facilities. One of the two buildings is situated to the north of the site and is proposed to be built to 15 storeys, while the smaller of the two buildings is proposed to the south and has a building height of four storeys. In total, 29 dwellings are proposed, which include dual key apartments that are treated as individual dwellings in the southern building. The development also accommodates 80 vehicle parking bays, inclusive of six visitor parking bays at the ground floor level. The development plans can be viewed at **Attachment (b)**.

(c) Assessment comments

The proposal is generally observed to satisfy the planning framework applicable to the subject site in the following ways:

- On balance, the heights, setbacks, overall layout and form of the two buildings are considered to address the intent of the draft South Perth Activity Centre Plan and Scheme Amendment 61 in a satisfactory manner.
- The proposal is considered to be consistent with State Planning Policy 7.0 (SPP7.0) insofar as meeting or exceeding the 10 principles of design. Some conditions of approval may be required to ensure these principles are satisfied.

- In general terms the development is considered to adequately address a majority of Element Objectives contained within State Planning Policy 7.3 – Residential Design Codes Volume 2 (Apartments). Some conditions of approval may be required to ensure certain Element Objectives are satisfied.
- With the exception of proposing a variation to the building height limit of 28 metres, the application is otherwise observed to satisfy relevant Town Planning Scheme No. 6 provisions. In particular the application addresses the dual density criteria relevant to Precinct 1: Mill Point Road in order to allow the development to be considered in accordance with the R100 density coding.
- While most relevant planning policies are adequately addressed in the application, it is noted that a variation is sought against Local Planning Policy P350.16 – Variation to plot ratio for Multiple Dwellings and mixed development. For similar reasons outlined in the original RAR (**Attachment (c)**), the variation to plot ratio is considered to be merited, subject to the State Design Review Panel indicating their support for the proposal against the ten principles of design in SPP7.0. Detailed consideration should also be given to the impact on views of significance, as outlined in Policy P350.09 – Significant Views.

(d) Referrals

The City conducted referrals to internal departments for comment on waste management, parking layout, landscaping, traffic impacts and related matters. A range of feedback was provided which will be articulated to the SDAU in a separate advice letter.

Policy and Legislative Implications

As previously noted in this report, the WAPC has the ability to vary legal instruments which includes building height under the City's Town Planning Scheme No. 6.

Financial Implications

This referral has financial implications to the extent that the City does not receive any fee or financial compensation for providing comments and draft conditions to the SDAU. Prior to the introduction of Part 17 of the *Planning and Development Act 2005*, such a proposal would be lodged with the City as a Development Assessment Panel (DAP) application, and the City would receive fees in the order of \$34,196.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2020-2030](#):

Strategic Direction: Environment (Built and Natural)
Aspiration: Sustainable urban neighbourhoods
Outcome: Sustainable built form
Strategy: Promote and facilitate contemporary sustainable buildings and land use

Conclusion

The proposal is generally observed to be consistent with the vision set out in the City's draft South Perth Activity Centre Plan, and is seen to satisfy a majority of the Element Objectives under State Planning Policy 7.3 – Residential Design Codes Volume 2 (Apartments).

It is recommended Council resolve to note that, while the development cannot be approved under the City's TPS6, the WAPC should give due regard to the City's 'without prejudice' conditions of approval in the event the application is supported.

Next Steps

Once the City has provided referral comments to the SDAU, this State Government agency will undertake a detailed assessment of the proposal, consider community feedback received during the consultation period, give due regard to comments submitted by referral agencies, and prepare a report and final recommendation to the WAPC. The application will ultimately be determined at a WAPC meeting, which will be convened in a similar manner to DAP meetings insofar as being open to the public to attend and make deputations. If an approval is granted, the WAPC will be responsible for clearing all relevant conditions of the development approval in consultation with the City and other State Government departments.

Attachments

- 10.3.1 (a): Without Prejudice Conditions
- 10.3.1 (b): Development Plans
- 10.3.1 (c): Links to Original RAR Agenda and DAP Meeting Minutes

10.3.2 Tender 13/2020 Provision of Waterbird Refuge

Location:	South Perth Foreshore - River-edge near Lake Douglas
Ward:	Mill Point Ward
Applicant:	Not Applicable
File Reference:	D-20-89638
Meeting Date:	24 November 2020
Author(s):	Tom Cunningham, Landscape Architect
Reporting Officer(s):	Mark Taylor, Director Infrastructure Services
Strategic Direction:	Environment (built and natural): Sustainable urban neighbourhoods
Council Strategy:	3.3 Enhanced Environment & Open Spaces

Summary

This report considers submissions received from the advertising of Tender 13/2020 for the Provision of Waterbird Refuge.

This report outlines 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.

1120/181

Officer Recommendation AND COUNCIL DECISION

Moved: Mayor Greg Milner
Seconded: Councillor Glenn Cridland

That Council:

1. Accepts the tender submitted by Advantearing Civil Engineers for the Provision of Waterbird Refuge in accordance with Tender 13/2020 for the period of supply up to 30 June 2021 inclusive as the most advantageous offer; and
2. Accepts the tender price of \$1,322,812 excluding GST as included in **Confidential Attachment (a)**.

CARRIED (8/1)

For: Mayor Greg Milner and Councillors Samantha Bradder, André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Ken Manolas, Stephen Russell.

Against: Councillor Blake D'Souza.

Background

In November 2018 the City engaged MP Rogers to assess the condition of the 700m long river wall between Coode Street and Ellam Street to determine the state of the asset. The condition assessment confirmed that this entire section is significantly degraded.

A concept design was subsequently prepared by MP Rogers recommending a variety of treatments, selected to respond to varying site conditions and budget constraints, and to provide recreation and environmental amenity in keeping with the strategies noted in the South Perth Foreshore Plan. The project was broken up into stages based on treatment type and cost.

In July 2020 Council approved the Waterbird Refuge project (formerly referred to as black swan habitat island project) in the 2020/21 annual budget. The \$1,548,000 total budget includes a \$700,000 contribution from the Department of Biodiversity, Conservations and Attractions. The project will be the first stage of the Coode Street to Ellam Street river wall project to be constructed. The objectives of the project are to improve habitat for native waterbirds and to protect the riverbank.

The City of South Perth subsequently invited suitably qualified organisations to submit tenders for the construction of the Waterbird Refuge project.

The scope includes:

- Construction of edge revetment, structures and island
- Civil works, including drainage
- Landscape works, including kerbing, fencing, irrigation design and construction, maintenance and planting.

Tender 13/2020 for the Provision of Waterbird Refuge was advertised in The West Australian newspaper and on Tenderlink. The notice was created on 29 August and closed at 2pm, 30 September 2020.

Tenders were invited as a Lump Sum Contract. The contract is for the period ending 30 June 2021 inclusive.

Comment

At the close of the tender advertising period three submissions had been received and are tabled below:

TABLE A – Tender Submissions

Tender Submissions
Advantearing Civil Engineers
MMM (WA) Pty Ltd
Natural Area Consulting Management Services

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 %
Company Experience and Past Performance undertaking works in a similar environment	30%
Methodology and Suitability of Works Program	30%
Company Profile, Resources & skills and experience of key personnel	30%
Sustainability Experience	10%
Total	100%

Based on the assessment of all submissions received for Tender 13/2020 Provision of Waterbird Refuge, it is recommended that the tender submission from Advantearing Civil Engineers be accepted by Council as the most advantageous offer.

More detailed information about the assessment process can be found in the Recommendation 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 1995* - tenders for providing goods or services:

- (1) *A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
- (2) *Regulations may make provision about tenders.*

Regulation 11 of the Local Government (Functions and General) Regulations 1996 - when tenders have to be publicly invited:

- (1) *Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$250 000 unless subregulation (2) states otherwise.*

The following City Policies also apply:

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

Financial Implications

The full cost of the works is included in the 2020/21 budget.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2020-2030](#):

Strategic Direction: Environment (Built and Natural)

Aspiration: Sustainable urban neighbourhoods

Outcome: Enhanced environment and open spaces

Strategies: Maintain and improve ecosystem biodiversity in the City

Attachments

10.3.2 (a): Recommendation Report (*Confidential*)

Councillors André Brender-A-Brandis, Blake D'Souza and Ken Manolas each disclosed a Financial Interest in the following Item 10.3.3 and were placed on hold at 6.55pm for the duration of the Item.

Councillors Glenn Cridland and Stephen Russell each disclosed an Impartiality Interest in Item 10.3.3.

10.3.3 Proposed Third Party Digital Signage Additions to Telecommunications Infrastructure (Telstra Smart City Payphones) across various locations within the road reserve of the City of South Perth

Location:	Various
Ward:	Manning Ward, Mill Point Ward and Moresby Ward
Applicant:	Urbis
File Reference:	D-20-62337
DA Lodgement Date:	2 July 2020
Meeting Date:	24 November 2020
Author(s):	Brendan Philipps, Urban Planner
Reporting Officer(s):	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Environment (built and natural): Sustainable urban neighbourhoods
Council Strategy:	3.2 Sustainable Built Form

Summary

To consider an application for development approval for third party digital signage additions to Telecommunications Infrastructure (Telstra Smart City Payphones) across various locations within the road reserve of the City of South Perth. The locations of the proposed signs can be found at **Attachment (a)**.

The item is referred to Council as there is no specific delegation established to allow officers to determine an application of this nature.

It is considered that the proposed development would not adversely impact the amenity of the public realm, and the proposal is supported against the City's planning provisions relating to signage.

It is recommended that the application be approved, subject to conditions.

1120/182

Alternative Motion AND COUNCIL DECISION

Moved: Councillor Stephen Russell

Seconded: Councillor Carl Celedin

That the item relating to Proposed Third Party Digital Signage Additions to Telecommunications Infrastructure (Telstra Smart City Payphones) across various locations within the road reserve of the City of South Perth be deferred to the December 2020 Council Meeting.

CARRIED (6/0)

For: Mayor Greg Milner and Councillors Samantha Bradder, Carl Celedin, Mary Choy, Glenn Cridland, Stephen Russell.

Against: Nil.

Reasons for Change

Considering the detailed nature of this item the reasons for deferral are as follows:

1. Elected members who had previously declared an interest barring them from participating in this item at the October Agenda Briefing, have not had the opportunity to be presented to and to subsequently ask questions of the applicant and the City Officers. Furthermore, the initial presentation of an item at the Agenda Briefing Meeting is the normal practice.
2. This item came onto the November OCM Agenda on the Friday 20th November without any warning. To this effect elected members who had previously declared an interest barring them from participating in this item at the October Agenda Briefing, have not had sufficient time to research and consider this item.

Officer Recommendation

That pursuant to the provisions of the City of South Perth Town Planning Scheme No. 6 and the Metropolitan Region Scheme, this application for development approval for third party digital signage additions to Telecommunications Infrastructure (Telstra Smart City Payphones) across various locations within the road reserve of the City of South Perth **be approved** subject to:

1. The development shall be in accordance with the approved plans unless otherwise authorised by the City.
2. Notwithstanding condition 1 above, the two proposed digital signs on Mends Street are deleted and do not form part of this approval.
3. The illuminance of the signs shall be in accordance with Australian Standard AS4282 – Control of the obtrusive effects of outdoor lighting (AS4282), to the satisfaction of the City. Within 30 days of practical completion of the development, the applicant shall supply a report to the City, completed by a suitably qualified consultant, demonstrating that the illuminance of the signs meets the requirements of AS4282, to the satisfaction of the City.
4. The signage shall not flash, pulsate, strobe, chase or be animated in its form, to the satisfaction of the City.
5. The third party signage shall not exceed a maximum display of more than six advertisements per minute and shall be limited to the display of static images only with no animated images. The third party advertising is limited to the rear panel of the payphones only.
6. All structures, ground coverings and treatments within the City road reservation are to be modified or reinstated to meet the provisions of the City's Verge Street Guidelines, to the satisfaction of the City.

7. Prior to commencement of works, the applicant is to enter into a memorandum of understanding with the City to establish the use of the front panel of the signs for occasional advertising of City of South Perth content including, but not limited to, community events and services, to the satisfaction of the City.

Specific Advice Note:

1. The payphone on Moresby Street shall achieve compliance with Western Power clearances from power pole facilities.

Note: City officers will include other relevant advice notes in the determination notice.

(a) Background

In July 2020, the City received an application for five digital signs proposed to be installed to Telecommunications Infrastructure (Telstra Smart City Payphones) across various locations in the City of South Perth. Some minor modifications are also proposed to the location and orientation of certain payphones, with associated verge works to accommodate the reconfiguration.

The application was signed by the Minister for Lands as the work is proposed within the road reservation, which is Crown land. The delegation for the City to sign as landowner under section 55 of the *Land Administration Act 1997* is limited to proposals that are 'consistent with the use of the land as a road'.

It should be noted that the *Telecommunications Act 1997*(Cth) and subsidiary legislation prescribe standards relating to payphone facilities. As such, the scope of this application is limited to considering the digital signs for the display of third party advertisements in particular, as the payphones are governed by separate legislation. Development approval is required for third party advertisements as prescribed by the City's Town Planning Scheme No. 6 and Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015.

In September 2020, the applicant agreed to remove two signs on Mends Street from the proposal. This amendment followed advice by the City's Urban Design Coordinator. As a result, the total number of signs proposed equates to three, with locations on George Street, Ley Street and Moresby Street.

(b) Description of Sites

The locations of the three digital signs are shown below and are proposed to be located in the suburbs of Kensington and Manning.

TELSTRA SMART CITY PAYPHONES: CITY OF SOUTH PERTH SITE LIST

CabID	Address	Latitude	Longitude	Local Zone
08936726X2	47 GEORGE ST, KENSINGTON	-31.983002	115.888437	Local Road
08936735X2	7 MORESBY ST, KENSINGTON	-31.988351	115.880236	Local Road
08931303X2	59 LEY ST, MANNING	-32.012359	115.864008	Local Road

Figure 1: List of proposed signage additions to Telstra Payphones

The signs are proposed to be located in close proximity to commercial properties.

(c) Description of the Proposal

The proposal involves the upgrading of existing payphones to include a digital signage panel on the rear of the payphones and a smaller panel on the front. The dimensions of the rear signage panel are to be 1.6m in height and 0.9m in width. The third party advertising is only proposed for the rear signage panel.

The signs are to be illuminated and will display third party advertising content. The nature of the content displayed is not specified as part of this development application and is instead governed by advertising codes of conduct, principally those established by the Outdoor Media Association.

(d) Signage

The City's Town Planning Scheme No. 6 (TPS6) and Policy P308 Signs outline criteria to be considered as part of assessing an application for signage. The following clause of TPS6 is of relevance:

6.12 (6) When determining an application for development approval for an advertisement, the local government shall examine the application in the light of the objectives of the Scheme and the precinct, and with particular regard to the character, amenity, historic or landscape significance and traffic safety, within the locality.

The proposed signs are considered to address these provisions, as well as the objectives of P308, in the following ways:

- The signs are comparable in nature to that of digital signage at bus stops, and of a reasonable scale relative to the payphone booth. There are also examples of street furniture which exhibit third party advertising.
- The surrounding areas adjacent to the proposed signs are predominantly commercial and therefore signage is considered to be more compatible in these locations. In all three of the locations, there is a reasonable offset from the signs toward residential properties.
- The signage is not considered to significantly contribute to visual clutter or driver distraction in the area, noting the orientation of the signs are directed toward the footpaths for pedestrian viewing.
- Conditions have been recommended to further assist with minimising potential driver distraction.
- The applicant has indicated there is potential scope to allow for City of South Perth content to be displayed on the signs, such as notification of upcoming community events. A condition has been recommended to allow for this provision to occur. It is considered this capability would provide a community benefit and is supported on this basis. It is worth noting that similar arrangements have been established for such signs in other local governments in the greater Perth metropolitan area.

(e) **Scheme Objectives: Clause 1.6 of Town Planning Scheme No. 6**

In considering the application, the Council is required to have due regard to, and may impose conditions with respect to, matters listed in clause 1.6 of TPS6, which are, in the opinion of the Council, relevant to the proposed development.

The proposed development is considered satisfactory in relation to all of these matters.

(f) **Matters to be considered by Local Government: Clause 67 of the Deemed Provisions for Local Planning Schemes**

In considering an application for development approval, the local government is to have due regard to the matters listed in clause 67 of the Deemed Provisions to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application. It is considered that the proposal satisfies the relevant matters of clause 67.

Consultation

(g) **Neighbour Consultation**

Neighbour consultation was not undertaken for this proposal, as it is not a requirement of the City's Consultation Policy P301. Telstra undertakes independent consultation with surrounding landowners in close proximity to the upgraded payphone facilities.

(h) **Internal Administration**

Comments were provided by the City's Urban Design Coordinator regarding the impact of the signage in the public realm as well as the proposed relocation of payphones. Concern was raised with respect to the proposed relocation of payphone facilities on Mends Street, specifically relating to pedestrian movement and related matters. The 'Mends Street Connect South' project placed a strong emphasis on creating a pedestrian friendly environment and as such the relocation of payphone facilities along this street requires careful consideration. For this reason, the applicant has agreed to remove these signs from the current development application and will work with the City at a later stage to determine suitable locations for the payphone facilities and associated signage on Mends Street.

(i) **Western Power**

A referral was conducted to Western Power due to the proximity of the relocated payphone facility to a power pole on Moresby Street. Western Power provided feedback on the distance from the payphone facility to the power pole, and amended plans have since been provided by the applicant to meet these requirements.

Policy and Legislative Implications

Comments have been provided elsewhere in this report, in relation to the various provisions of the Scheme and Council policies, where relevant.

Financial Implications

This determination has minimal financial implications. The City will not receive revenue from the display of the third party advertising.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2020-2030](#):

Strategic Direction:	Environment (Built and Natural)
Aspiration:	Sustainable urban neighbourhoods
Outcome:	Sustainable built form
Strategy:	Promote and facilitate contemporary sustainable buildings and land use

Conclusion

It is considered that the proposed development would not adversely impact the amenity of the public realm, and the application is supported against the City's planning provisions relating to signage. The proposed three locations are deemed to be contextually appropriate for such signs, noting the predominant commercial setting and streetscape. Conditions of approval have been recommended to mitigate any potential adverse impacts relating to the digital signs, in particular ensuring compliance with Australian Standard 4282 – Control of the obtrusive effects of outdoor lighting. For these reasons, it is recommended that the application is conditionally approved.

Attachments

- 10.3.3 (a):** Amended Plans dated 14 September 2020
- 10.3.3 (b):** Applicant's Report

10.4 STRATEGIC DIRECTION 4: LEADERSHIP

10.4.1 Listing of Payments - October 2020

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-20-89639
Meeting Date:	24 November 2020
Author(s):	Abrie Lacock, Manager Finance
Reporting Officer(s):	Colin Cameron, Director Corporate Services
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

Summary

This report presents to Council a list of accounts paid under delegated authority between 1 October 2020 and 31 October 2020 for information. During the reporting period, the City made the following payments:

EFT Payments to Creditors	(425)	\$3,704,293.05
Cheque Payment to Creditors	(3)	\$1,404.25
Total Monthly Payments to Creditors	(428)	\$3,705,697.30
EFT Payments to Non-Creditors	(75)	\$467,604.09
Cheque Payments to Non-Creditors	(14)	\$10,750.00
Total EFT & Cheque Payments	(517)	\$4,184,051.39
Credit Card Payments	(8)	\$14,057.64
Total Payments	(525)	\$4,198,109.03

1120/183

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Stephen Russell
Seconded: Councillor Samantha Bradder

That Council receives the Listing of Payments for the month of October 2020 as detailed in **Attachment (a)**.

CARRIED BY EXCEPTION RESOLUTION (9/0)

For: Mayor Greg Milner and Councillors Samantha Bradder, André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

Against: Nil.

Background

Regulation 11 of the Local Government (Financial Management) Regulations 1996 requires the development of procedures to ensure the approval and authorisation of accounts for payment. These controls are documented in Policy P605 Purchasing and Invoice Approval and Delegation DM605 sets the authorised purchasing approval limits.

After an invoice has been matched to a correct Goods Receipt Note in the financial system, payment to the relevant party must be made and the transaction recorded in the City's financial records. Payments in the attached listing are supported by vouchers and invoices.

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 for October 2020 is included at **Attachment (a)**.

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.

In accordance with the Council resolution on 26 March 2019, the attached report includes a "Description" for each payment. Officers provide a public disclaimer in that the information contained within the "Description" is unlikely to accurately describe the full nature of each payment. In addition, officers have used best endeavours to redact (in black) information of a private or confidential nature.

The report records payments classified as:

- **Creditor Payments**

These include payments by both cheque and EFT to regular suppliers with whom the City transacts business. The reference number represent a batch number of each payment.

- **Non Creditor Payments**

These one-off payments that include both cheque and EFT are made to individuals / suppliers who are not listed as regular suppliers. The reference number represent a batch number of each payment.

- **Credit Card Payments**

Credit card payments are now processed in the Technology One Finance System as a creditor payment and treated as an EFT payment when the bank account is direct debited at the beginning of the following month.

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 directly debited from the City's bank account in accordance with the agreed fee schedules under the contract for provision of banking services.

Consultation

Nil.

Policy and Legislative Implications

Regulation 11 of the Local Government (Financial Management) Regulations 1996.
Policy P605 - Purchasing and Invoice Approval and Delegation DM605.

Financial Implications

The payment of authorised amounts is within existing budget provisions.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2020-2030](#):

Strategic Direction:	Leadership
Aspiration:	A visionary and influential local government
Outcome:	Good governance
Strategy:	Foster effective governance through quality decision-making

Attachments

10.4.1 (a): Listing of Payments October 2020

10.4.2 Monthly Financial Statements - October 2020

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-20-89640
Meeting Date:	24 November 2020
Author(s):	Abrie Lacock, Manager Finance
Reporting Officer(s):	Colin Cameron, Director Corporate Services
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

Summary

The monthly Financial Statements are provided within **Attachments (a)–(i)**, with high level analysis contained in the comments of this report.

1120/184

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Stephen Russell
Seconded: Councillor Samantha Bradder

That Council notes the Financial Statements and report for the month ended 30 October 2020.

CARRIED BY EXCEPTION RESOLUTION (9/0)

For: Mayor Greg Milner and Councillors Samantha Bradder, André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

Against: Nil.

Background

Regulation 34(1) of the Local Government (Financial Management) Regulations 1996, requires each local government to present a Statement of Financial Activity reporting on income and expenditure as set out in the annual budget. In addition, regulation 34(5) requires a local government to adopt a percentage or value to report on material variances between budgeted and actual results. The 2020/21 budget adopted by Council on 7 July 2020, determined the variance analysis for significant amounts of \$10,000 or 10% for the financial year. Each Financial Management Report contains only the Original Budget. A Revised (adjusted) Budget has not been presented as no budget adjustments have been presented to Council for approval.

It should be noted that 30 June 2020 comparative figures are interim, in that the final year-end accounting transactions and reconciliations are still to be undertaken. The final annual financial statements form part of the Annual Report. These financial statements are Audited by the WA Auditor General and presented at the Annual Meeting of Electors held each year.

Comment

The Statement of Financial Activity, a similar report to the Rate Setting Statement, is required to be produced monthly in accordance the Local Government (Financial Management) Regulations 1996. This financial report is unique to local government drawing information from other reports to include Operating Revenue and Expenditure, Capital Income and Expenditure as well as transfers to reserves and loan funding.

On 11 March 2020, the World Health Organisation declared COVID-19 a pandemic, first and foremost a global health crisis, followed by a world economic crisis. Council adopted a range of measures to support the community at its Special Council Meeting on 21 April 2020, as well as those contained within the Annual Budget 2020/21, adopted 7 July 2020. The extent of the 2020/21 financial impact remains unclear. The State Government extended the emergency period and it is now 30 March 2020 to 28 March 2021, concerns regarding a second wave are still present but not predominant, with interstate travel restrictions easing.

Actual income from operating activities for October year-to-date (YTD) is \$49.73m in comparison to budget of \$48.75m, favourable to budget by 2% or \$984k. Actual expenditure from operating activities for October is \$19.14m in comparison to budget of \$20.19m, favourable to budget by 5.2% or \$1.05m. Variations in the first half of the financial year are common with lower activity following the budget adoption, as the year progress this variance will reduce. The October Net Operating Position of \$30.59m was \$2.03m favourable in comparison to budget.

Actual Capital Revenue YTD is \$1.16m in comparison to the budget of \$1.06m. Actual Capital Expenditure YTD is \$1.53m in comparison to the budget of \$4.10m. Timing variations, mainly responsible for the variances included in the above are not uncommon in the first half of the financial year, spending typically accelerate in the second half of the year. As described during the Budget deliberations, the estimation of Capital projects that may carry-forward from one year to the next is challenging as it is dependent on estimating the completion of work by 30 June by a contractor. As in previous years, there may be a number of Capital projects that may require a Budget adjustment during the midyear review process.

Cash and Cash Equivalents amounted \$66.62m. Historically the October cash balance is higher following the rates payments being received. Payment trends are similar to previous years. Expenditure are being incurred gradually during the course of the financial year. Consistent with previous monthly reports, the Cash and Cash Equivalents balance is contained within the Statement of Financial Position. In addition, further detail is included in a non-statutory report (All Council Funds).

The record low interest rates in Australia are impacting the City's investment returns, with banks offering average interest rates of 0.45% for investments under 12 months. The City holds a portion of its funds in financial institutions that do not invest in fossil fuels. Investment in this market segment is contingent upon all of the other investment criteria of Policy P603 Investment of Surplus Funds being met. Currently the City holds 25% of its investments in institutions that do not provide fossil fuel lending. The Summary of Cash Investments illustrates the percentage invested in each of the non-fossil fuel institutions and the short term credit rating provided by Standard & Poors for each of the institutions.

Consultation

Nil.

Policy and Legislative Implications

This report is in accordance with the requirements of the Section 6.4 of the *Local Government Act 1995* and regulation 34 of the Local Government (Financial Management) Regulations 1996.

Financial Implications

The preparation of the monthly financial reports occurs from the resources provided in the annual budget.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2020-2030](#):

Strategic Direction:	Leadership
Aspiration:	A visionary and influential local government
Outcome:	Good governance
Strategy:	Foster effective governance through quality decision-making

Attachments

10.4.2 (a):	Statement of Financial Position
10.4.2 (b):	Statement of Change in Equity
10.4.2 (c):	Statement of Financial Activity
10.4.2 (d):	Operating Revenue & Expenditure
10.4.2 (e):	Significant Variance Analysis
10.4.2 (f):	Capital Revenue & Expenditure
10.4.2 (g):	Statement of Council Funds
10.4.2 (h):	Summary of Cash Investments
10.4.2 (i):	Statement of Major Debtor Categories

10.4.3 Report on the Contract Variations for Connect South Stage One

Location:	Mindeerup
Ward:	Mill Point Ward
Applicant:	Not Applicable
File Ref:	D-20-89947
Meeting Date:	24 November 2020
Author(s):	Jac Scott, Manager Business & Construction
Reporting Officer(s):	Mark Taylor, Director Infrastructure Services
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

Summary

The City received a number of variations for contracts awarded to design and construct the Connect South Stage One project. The CEO was delegated authority to enter into contract variations up to a total of \$750,000 for the Connect South Stage One project.

This report has been prepared to advise Council of all contract variations approved by the CEO following the completion of the Connect South Stage One project.

1120/185

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Stephen Russell
Seconded: Councillor Samantha Bradder

That Council receives the report on the variations on the Connect South Stage One project.

CARRIED BY EXCEPTION RESOLUTION (9/0)

For: Mayor Greg Milner and Councillors Samantha Bradder, André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

Against: Nil.

Background

In relation to the \$7.5 million Connect South Stage One project, Council awarded two major contracts:

1. Tender 4/2017 for the "Provision of Urban Design / Landscape Services for the Connect South Mends Street Project". This contract was awarded to Place Laboratory for the amount of \$409,750.00;
2. Tender 18/2018 "Connect South Mends Street Construction". MG Group was awarded the contract for the amount of \$5,041,901.19.

Seven other subsidiary contracts for this project have been awarded by the City under delegation DC607 Acceptance of Tenders / E-Quotes / Common Use Agreements. The main contract reached actual completion on 29 November 2019, following completion of the defects liability period.

As with many projects there were a number of design and construction variations lodged under the two major contracts and several of the minor contracts. These have been due to clarifications of design intent, additional stakeholder engagement, emerging issues with the specification, latent conditions, and/or delays caused by third parties.

Council approved award of Tender 18/2018 in the knowledge that it was for a considerably lower price than the pre-tender estimate, and understanding that there may be a higher level of variations submitted as a result.

The City's advice was that even with higher than normal variations the contract was still considered the best value and potential additional cost would be managed through diligent supervision and by increasing the project contingency. The total approved variations were expected to exceed the thresholds of DC608 Acceptance of Contract Variations Relating to Tenders Approved by Council. DC608 provides delegated authority for the Chief Executive Officer to approve, in accordance with Part 4 of the Local Government (Functions and General) Regulations 1996:

- a) *Aggregate total of contract variations relating to tenders approved by Council to a maximum value of 15% of the contract value or \$100,000, whichever is lesser (exclusive of GST).*

In order to allow the contract to continue successfully and without delay, at its meeting held 27 August 2019, Council resolved as follows:

That Council:

1. *Delegates authority to the Chief Executive Officer to enter into contract variations up to a total of \$750,000 for the Connect South Stage One project; and*
2. *Receives a report advising of all contract variations approved by the CEO following completion and close out of the Connect South Stage One project.*

This report of the variations approved on the Connect South Stage One Project is accordingly provided. It should be noted that the total variations remained within the available project contingency.

Comment

The variations awarded totalled \$606,676.67, these were generally quality improvements or modifications required to meet the intent of the project. As the project was finalised a number of "quick win" variations were awarded that allowed the re-inclusion of items that had previously been deleted due to budget constraints but that had specific quality and stakeholder benefits.

In addition, there were \$173,668.63 of variations related to Latent Conditions.

Latent conditions are defined in Clause 12.1 of AS2124 as:

- (a) *"physical conditions on the Site or its surroundings, including artificial things but excluding weather conditions, which differ materially from the physical conditions which should reasonably have been anticipated by the Contractor at the time of the Contractor's tender if the Contractor had –*

- (i) *examined all information made available in writing by the Principal to the Contractor for the purpose of tendering; and*
 - (ii) *examined all information relevant to the risks, contingencies and other circumstances having an effect on the tender and obtainable by the making of reasonable enquiries; and*
 - (iii) *inspected the Site and its surroundings; and*
- (b) *any other conditions which the Contract specifies to be Latent Conditions.”*

Latent conditions are a deemed variation under the contract. Whilst they are not awarded as a variation under CEO delegation they remain a City liability.

The Summary of variations is included in **Attachment (a)**.

Consultation

All variations were assessed for award by the City's appointed Superintendent, NS Group, and were verified as being appropriate.

Policy and Legislative Implications

- Regulation 21A. Varying a Contract for the Supply of Goods or Services of the Local Government (Functions and General) Regulations 1996. Part 4 Provision of goods and services. Division 2 Tenders for providing goods or services (s. 3.57); and
- Delegation from Council DC608, Acceptance of Contract Variations Relating to Tenders Approved by Council.
- Delegation from Council DC607 Acceptance of Tenders /E-Quotes/Common Use Agreements.

Financial Implications

The total value of the nine contracts awarded for the Connect South Stage One project was \$5,854,279.

The total project (design and construction) contingencies for the nine contracts approved for the Connect South Stage One project was \$1,046,285.

The total value of variations approved for the nine contracts for the Connect South Stage One project was \$606,676,67 with a further \$173,668,63 of deemed variations priced for payment.

The total variations priced were not in excess of the project contingency at \$780,345.30. The project did not exceed the allocated budget.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2020-2030](#):

Strategic Direction: Leadership
Aspiration: A visionary and influential local government
Outcome: Good governance
Strategy: Foster effective governance through quality decision-making

Attachments

10.4.3 (a): Variations Summary

Councillors André Brender-A-Brandis, Blake D'Souza and Ken Manolas returned to the eMeeting at 7.01pm prior to Item 10.4.4.

10.4.4 Proposed New Policy P698 Attendance at Events

Location: Not Applicable
Ward: Not Applicable
Applicant: Not Applicable
File Ref: D-20-89641
Meeting Date: 24 November 2020
Author(s): Bernadine Tucker, Manager Governance
Reporting Officer(s): Geoff Glass, Chief Executive Officer
Strategic Direction: Leadership: A visionary and influential local government
Council Strategy: 4.3 Good Governance

Summary

This report seeks Council's adoption of Policy P698 Attendance at Events. It is a statutory requirement that local governments adopt an Attendance at Events policy and Policy P698 complies with this requirement.

1120/186

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Carl Celedin
Seconded: Councillor Blake D'Souza

That Council adopts Policy P698 Attendance at Events as contained in **Attachment (a)**.

CARRIED BY ABSOLUTE MAJORITY (9/0)

For: Mayor Greg Milner and Councillors Samantha Bradder, André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

Against: Nil.

Background

In June 2017, the McGowan Government announced a review of the *Local Government Act 1995* (the Act). Extensive consultation on the Act occurred through each phase of the review through workshops, submissions and consultations. As a result of the consultation undertaken, the Local Government Legislation Amendment Bill 2019 passed both Houses of Parliament and obtained Royal Assent on 5 July 2019. The Amendment Bill inserted a new 'Division 6A Attendance at events', and a new section '5.90A -Policy for attendance at events' into the Act.

Section 5.90A requires local governments to prepare and adopt a policy, via an absolute majority, for attendance of council members and CEOs at events such as concerts, conferences and functions. The policy is to consider matters including payment in respect of attendance and the approval of attendance by the local government, including the criteria for approval.

Comment

Policy P698 Attendance at Events has been developed from other local governments and the operational guidelines distributed by the Department of Local Government, Sport and Cultural Industries.

The policy outlines a number of pre-approved events and provides guidance on declaring conflicts of interest in relation to receiving gifts and aligns with the explanatory Memorandum as presented in the Legislative Assembly and the Legislative Council.

Importantly, the Act stipulates that adoption of the policy, and any subsequent amendments, must be made by an Absolute Majority of Council.

Consultation

Extensive public consultation has occurred through the *Local Government Act 1995* review. Policy P698 Attendance at Events is in accordance with the statutory requirements that resulted from this review.

Policy and Legislative Implications

Section 5.90A *Local Government Act 1995*.

Financial Implications

Nil.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2020-2030](#):

Strategic Direction:	Leadership
Aspiration:	A visionary and influential local government
Outcome:	Good governance
Strategy:	Foster effective governance through quality decision-making

Attachments

10.4.4 (a): Policy P698 Attendance at Events

10.7 MATTERS REFERRED FROM COMMITTEE MEETINGS

Mayor Greg Milner and Councillor Ken Manolas each disclosed an Impartiality Interest in Item 10.7.1 and were placed on hold at 7.03pm for the duration of the Item.

10.7.1 Proposed Lease Agreement for the Manning Senior Citizen's Centre, Lot 3685, No. 3 Downey Drive, Manning

Location:	3 Downey Drive, Manning
Ward:	Manning Ward
Applicant:	Not Applicable
File Ref:	D-20-89642
Meeting Date:	24 November 2020
Author(s):	Patrick Quigley, Manager Community, Culture and Recreation
Reporting Officer(s):	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Community: A diverse, connected, safe and engaged community
Council Strategy:	1.2 Community Infrastructure

Summary

This report seeks Council's approval to enter into a lease agreement for use of the Manning Senior Citizen's Centre with the existing tenant, Manning Senior Citizen's Centre Association Inc., for a five year term with an option of renewal for a further five year term.

1120/187

Committee Recommendation AND COUNCIL DECISION

Moved: Councillor Blake D'Souza

Seconded: Councillor Carl Celedin

That the Property Committee recommends to Council that it:

1. Approves a lease agreement between the City of South Perth and the Manning Senior Citizen's Centre Association Inc. for use of the Manning Senior Citizen's Centre, at Lot 3685, No. 3 Downey Drive, Manning, subject to the following main terms and conditions:
 - a. A term of five years;
 - b. A further term of five years (renewal option);
 - c. An annual (peppercorn) rental of \$1.00 if demanded;
 - d. The Association will make a 5% annual contribution towards utility costs at the Centre; and
 - e. Ministerial consent being provided.

2. Authorises the Mayor and Chief Executive Officer to sign and affix the Common Seal to the lease documentation between the City of South Perth and the Manning Senior Citizen’s Centre Association Inc. for the Manning Senior Citizen’s Centre, at Lot 3685, No. 3 Downey Drive, Manning.

3. Notes approval of the lease agreement is subject to Ministerial consent.

CARRIED (7/0)

For: Councillors Samantha Bradder, André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D’Souza, Stephen Russell.

Against: Nil.

Background

The Manning Senior Citizen’s Centre is located at Lot 3685, No. 3 Downey Drive, Manning. It is located on a portion of Crown reserve 35265 vested to the City for the purpose of a Seniors Citizens Centre, with a power to lease and or sublease.

The Centre is occupied and operated by the Manning Senior Citizen’s Centre Association (an Incorporated Association) under a shared management model with the City. The Association also oversees the ongoing management of a Men’s Shed who use a building and associated facilities (sheds, gardens) on the land.

A former Memorandum of Understanding (MOU) was in place between the Association and the City, which has now expired. The Association has continued occupation of the premises under a holding over arrangement. The previous MOU was deficient as it was not a formal property agreement, so it did not clearly define the building management roles and responsibilities of the City and the Association and key information was omitted, such as: essential terms; Minister’s consent; sketch of leased premises; building maintenance schedule; and cost recovery for utilities. The MOU did not provide legal recourse and didn’t protect this community building/City asset. For these reasons, a lease agreement is recommended.

In April 2019, a report was presented to Council to seek approval for the continuation of a shared management structure with the Manning Senior Citizen’s Centre Association for their use of the Manning Senior Citizen’s Centre; and approve a new lease to the Association. Unfortunately, agreement could not be reached on the financial terms for the proposed lease agreement. Council subsequently resolved to defer consideration of this item.

During 2020 the City continued discussions with the Association and in October 2020 the parties agreed to the majority of the terms for the new lease agreement (albeit the Association would prefer an extended lease timeframe of up to 21 years). Whereas, the City’s view is the 10 year recommended timeframe (i.e. five-year initial period, plus five-year renewal option) is more appropriate and in line with Council Policy 609 ‘Management of City Property’.

Comment

The Association is an acceptable tenant as it facilitates a diverse range of programs and services for seniors in the local community.

The recommended lease agreement terms have been negotiated based on the following considerations that the Association:

- has a long history of providing seniors programs for the local community, and is willing and able to continue this role;
- operates on a moderate annual operating budget and contributes annually to the following operational costs at the Centre: advertising, additional cleaning, consumables, depreciation, insurance, podiatry service, photocopier lease, postage, printing, minor repairs, telephone/computer, activity instructor fees, special events, monthly events and Men's Shed costs;
- has moderate income generation ability achieved through hall hire, activities, monthly events, naturopath fee, podiatry fee, hairdresser fee, membership fees, fundraising, Men's Shed and interest income; and
- has agreed to assist with the cost recovery of utility costs.

Under the current shared management structure, the City oversees the following operational areas for the Centre:

- Staffing assistance (i.e. Supervisor and admin support)
- Cleaning
- Building and grounds maintenance
- Insurance
- Rubbish servicing
- Bus
- Utilities
- Security system
- Depreciation
- Internal allocations.

The site plan for the proposed lease of the Manning Senior Citizen's Centre is highlighted in **Figure 1** below.



Figure 1: Aerial photograph of the subject site (2020).

The Manning Senior Citizen's Centre has a current membership of 828 people.

Consultation

The City has been in consultation with the Association over a new lease agreement and they have agreed to the proposed terms and conditions. The Association has been a good tenant and the agreed terms represent an appropriate outcome for both parties.

The Agreement will require consent from the Minister for Lands.

Policy and Legislative Implications

Under Section 3.58 of the *Local Government Act 1995* (the Act), a disposition of land includes leasing of local government property. If a local government does not dispose of property via a public auction or the public tender method, the proposal must be advertised for public comment – unless the proposal is an 'exempt' disposition.

A disposition of property is exempt from Section 3.58 under Regulation 30, Part 6 Miscellaneous Provisions of the Local Government (Functions and General) Regulations 1996 if the land is to be used for charitable, benevolent, religious, cultural, educational, recreational, sporting or other like purposes. As the Manning Senior Citizen's Centre Association is an incorporated Association and is seeking use of local government property for benevolent 'community services' purposes, the intended use of the land is exempt from section 3.58 of the Act.

Under Policy P609 Management of City Property, leases for Not for Profit Community Associations / Government bodies, Committees and Associations are to be negotiated consistently with the following principles:

1. Leases will be granted for a period of 5 years with an option of a 5 year extension;
2. Leases are to be for an annual rental amount which is calculated using the following formula: 0.1% of the insured value of the facility or a minimum of \$1,000 per annum; and
3. The City may by resolution of Council grant a donation in subsidy of the rental amount where the proposed tenancy would provide a demonstrable benefit to the local community.

Financial Implications

The majority of the operating costs associated with the Manning Senior Citizen's Centre Association are covered by the City. In particular, for the 2019/20 financial year, the City spent \$282,599 on the Centre/Men Shed's operational costs. In comparison, the Association contributed \$136,459 to the operational costs and generated \$174,407 in revenue, which resulted in a net profit to the Association of \$37,948.

The Association is financially viable/sustainable, which is evidenced by the amount of total assets compared to the total liabilities listed on their balance sheet. The Association's current financial position is attached in **Confidential Attachment (a)**.

10.7.1 Proposed Lease Agreement for the Manning Senior Citizen’s Centre, Lot 3685, No. 3 Downey Drive, Manning

Any cost recovered from the Association during the proposed lease period will offset the City’s operational costs. Under the proposed new lease agreement, the City will receive a 5% annual contribution from the Association towards the cost of Centre utilities for electricity, gas and water, which translates to approximately \$1,200 per year.

Furthermore, it is recommended that the rental amount be a peppercorn rent of \$1.00 (if demanded). This recommendation is in recognition that the proposed tenancy will provide a demonstrable benefit to the local community through the provision of annual seniors programs and services.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council’s [Strategic Community Plan 2020-2030](#):

Strategic Direction:	Community
Aspiration:	A diverse, connected, safe and engaged community.
Outcome:	Community infrastructure
Strategy:	Manage the use and development of the City’s properties, assets and facilities

Attachments

10.7.1 (a): Financial Position - Manning Senior Citizen's Centre Association Inc - October 2020 (*Confidential*)

10.7.2 Proposed Lease Agreement for the South Perth Senior Citizen's Centre, 53 Coode Street, South Perth

Location:	53 Coode Street, South Perth
Ward:	Mill Point Ward
Applicant:	Not Applicable
File Ref:	D-20-89643
Meeting Date:	24 November 2020
Author(s):	Patrick Quigley, Manager Community, Culture and Recreation
Reporting Officer(s):	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Community: A diverse, connected, safe and engaged community
Council Strategy:	1.2 Community Infrastructure

Summary

This report seeks Council's approval to enter into a lease agreement for use of the South Perth Senior Citizen's Centre with the existing tenant, South Perth Senior Citizen's Centre Association Inc., for a five year term with an option of renewal for a further five year term.

1120/188

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Stephen Russell
Seconded: Councillor Samantha Bradder

That the Property Committee recommends to Council that it:

1. Approves a lease agreement between the City of South Perth and the South Perth Senior Citizen's Centre Association Inc. for use of the South Perth Senior Citizen's Centre, at 53 Coode Street, South Perth, subject to the following main terms and conditions:
 - a. A term of five years;
 - b. A further term of five years (renewal option);
 - c. An annual (peppercorn) rental of \$1.00 if demanded; and
 - d. The Association will make a 5% annual contribution towards utility costs at the Centre.
2. Authorises the Mayor and Chief Executive Officer to sign and affix the Common Seal to the lease documentation between the City of South Perth and the South Perth Senior Citizen's Centre Association Inc. for the South Perth Senior Citizen's Centre, at 53 Coode Street, South Perth.

CARRIED BY EXCEPTION RESOLUTION (9/0)

For: Mayor Greg Milner and Councillors Samantha Bradder, André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

Against: Nil.

The South Perth Senior Citizen's Centre is located at 53 Coode Street, South Perth. It is situated on a portion of land owned freehold by the City and the City has the power to lease the land or use it as required.

The Centre is occupied and operated by the South Perth Senior Citizen's Centre Association (an Incorporated Association) under a shared management model with the City.

A former Memorandum of Understanding (MOU) was in place between the Association and the City, which has now expired. The Association has continued occupation of the premises under a holding over arrangement. The previous MOU was deficient as it was not a formal property agreement, so it did not clearly define the building management roles and responsibilities of the City and the Association and key information was omitted, such as: essential terms; sketch of leased premises; building maintenance schedule; and cost recovery for utilities. The MOU did not provide legal recourse and didn't protect this community building/City asset. For these reasons, a lease agreement is recommended.

In April 2019, a report was presented to Council to seek approval for the continuation of a shared management structure with the South Perth Senior Citizen's Centre Association for their use of the South Perth Senior Citizen's Centre; and approve a new lease to the Association. Unfortunately, agreement could not be reached on the financial terms for the proposed lease agreement. Council subsequently resolved to defer consideration of this item.

During 2020 the City continued discussions with the Association and in October 2020 the parties agreed to the terms for the new lease agreement.

Comment

The Association is an acceptable tenant as it facilitates a diverse range of programs and services for seniors in the local community.

These terms have been negotiated based on the following considerations that the Association:

- has a long history of providing seniors programs for the local community, and is willing and able to continue this role;
- operates on a moderate annual operating budget and contributes annually to the following operational costs at the Centre: advertising, additional cleaning, consumables, depreciation, insurance, MOW, podiatry service, photocopier lease, postage, printing, minor repairs, telephone/computer, special events, and monthly events;
- has moderate income generation ability achieved through MOW, hall hire, monthly events, podiatry fee, hairdresser fee, membership fees and fundraising; and
- has agreed to assist with the cost recovery of utility costs.

Under the current shared management structure, the City oversees the following operational areas for the Centre:

- Staffing assistance (i.e. Supervisor and admin support)
- Cleaning
- Building and grounds maintenance

- Insurance
- Rubbish servicing
- Bus
- Utilities
- Security system
- Depreciation
- Internal allocations.

The site plan for the proposed lease of the South Perth Senior Citizen's Centre is highlighted in **Figure 1** below.



Figure 1: Aerial photograph of the subject site (2020).

The South Perth Senior Citizen's Centre has a current membership of 230 people.

Consultation

The City has been in consultation with the Association over a new lease agreement and they have agreed to the proposed terms and conditions. The Association has been a good tenant and the agreed terms represent an appropriate outcome for both parties.

Policy and Legislative Implications

Under Section 3.58 of the *Local Government Act 1995* (the Act), a disposition of land includes leasing of local government property. If a local government does not dispose of property via a public auction or the public tender method, the proposal must be advertised for public comment – unless the proposal is an 'exempt' disposition.

A disposition of property is exempt from Section 3.58 under Regulation 30, Part 6 Miscellaneous Provisions of the Local Government (Functions and General) Regulations 1996 if the land is to be used for charitable, benevolent, religious, cultural, educational, recreational, sporting or other like purposes. As the South Perth Senior Citizen's Centre Association is an incorporated Association and is seeking use of local government property for benevolent 'community services' purposes, the intended use of the land is exempt from section 3.58 of the Act.

Under Policy P609 Management of City Property, leases for Not for Profit Community Associations / Government bodies, Committees and Associations are to be negotiated consistently with the following principles:

1. Leases will be granted for a period of 5 years with an option of a 5 year extension;
2. Leases are to be for an annual rental amount which is calculated using the following formula: 0.1% of the insured value of the facility or a minimum of \$1,000 per annum; and
3. The City may by resolution of Council grant a donation in subsidy of the rental amount where the proposed tenancy would provide a demonstrable benefit to the local community.

Financial Implications

The majority of the operating costs associated with the Senior Citizen's Centre are covered by the City. In particular, for the 2019/20 financial year, the City spent \$401,457 on the Centre's operational costs. In comparison, the Association contributed \$144,546 to the Centre's operational costs and generated \$149,852 in revenue, which resulted in a net profit to the Association of \$5,306.

The Association is financially viable/sustainable, which is evidenced by the amount of total assets compared to the total liabilities listed on their balance sheet. The Association's current financial position is attached in **Confidential Attachment (a)**.

Any cost recovered from the Association during the proposed lease period will offset the City's operational costs. Under the proposed new lease agreement, the City will receive a 5% annual contribution from the Association towards the cost of Centre utilities for electricity, gas and water, which translates to approximately \$1,200 per year.

Furthermore, it is recommended that the rental amount be a peppercorn rent of \$1.00 (if demanded). This recommendation is in recognition that the proposed tenancy will provide a demonstrable benefit to the local community through the provision of annual seniors programs and services.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2020-2030](#):

Strategic Direction:	Community
Aspiration:	A diverse, connected, safe and engaged community.
Outcome:	Community infrastructure
Strategy:	Manage the use and development of the City's properties, assets and facilities

Attachments

10.7.2 (a): Financial Position - South Perth Senior Citizens Centre - September 2020 (*Confidential*)

Mayor Greg Milner and Councillor Ken Manolas returned to the eMeeting at 7.07pm prior to Item 10.7.3.

10.7.3 Proposed Lease Agreement for the South Perth Learning Centre, Cnr Sandgate Street and South Terrace, South Perth

Location: Cnr Sandgate Street and South Terrace, South Perth
Ward: Mill Point Ward
Applicant: Not Applicable
File Ref: D-20-89644
Meeting Date: 24 November 2020
Author(s): Patrick Quigley, Manager Community, Culture and Recreation
Reporting Officer(s): Vicki Lummer, Director Development and Community Services
Strategic Direction: Community: A diverse, connected, safe and engaged community
Council Strategy: 1.2 Community Infrastructure

Summary

This report seeks Council's approval to enter into a lease agreement for use of a portion of the South Perth Community Centre with the existing tenant, South Perth Learning Centre Inc., for a five year term with an option of renewal for a further five year term.

1120/189

COUNCIL DECISION

Moved: Councillor Glenn Cridland
Seconded: Councillor Carl Celedin

That the item relating to the Proposed Lease Agreement for the South Perth Learning Centre, Cnr Sandgate Street and South Terrace, South Perth be deferred to the December 2020 Council Meeting.

CARRIED (8/1)

For: Mayor Greg Milner and Councillors Samantha Bradder, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

Against: Councillor André Brender-A-Brandis.

Reasons for Change

I have seen Councillor Carl Celedin's Amended Motion which deals with amending a part of the lease in relation to the annual lease fee. That is an important and significant item and I can understand why he has done it however we also need to take into account the relevant City policy and if we defer to the next meeting it will give the City staff an opportunity to provide Council with considered advice on Councillor Carl Celedin's proposal.

Officer and Committee Recommendation

That the Property Committee recommends to Council that it:

1. Approves a lease agreement between the City of South Perth and the South Perth Learning Centre Inc. for a portion of the South Perth Community Centre, at the corner of Sandgate Street and South Terrace, South Perth, subject to the following main terms and conditions:
 - a. A term of five years;
 - b. A further term of five years (renewal option);
 - c. An annual rental of \$1,100 per annum (inclusive of GST) reviewed each year; and
 - d. payment of all Centre outgoings and utility costs.
2. Authorises the Mayor and Chief Executive Officer to sign and affix the Common Seal to the lease documentation between the City of South Perth and the South Perth Learning Centre Inc. for their use of a portion of the South Perth Community Centre, at the corner of Sandgate Street and South Terrace, South Perth.

The South Perth Learning Centre has been operating from the lower section of the South Perth Community Centre since January 2011. The Centre is situated on the corner of Sandgate Street and South Terrace, South Perth; which is located within Lot 3 on Plan 14563 being land owned freehold by the City. The City has the power to lease the land or use it as required.

A current lease agreement is in place between the Learning Centre and the City, which is due to expire on 6 February 2021 and the Learning Centre has recently expressed its desire to continue occupation of the premises under a new lease arrangement.

Comment

The Learning Centre is an acceptable tenant as it facilitates a diverse range of leisure courses and programs for the local community, including in the following categories: photography, painting, arts and crafts, language, computer, gardening, and health and wellness.

The proposed terms for the new lease agreement have been negotiated based on the following considerations that the Learning Centre:

- has a long history of providing courses and programs for the local community, and is willing and able to continue this role;
- operates on a moderate annual operating budget and contributes annually to the following operational costs at the Centre: staffing, advertising/marketing, cleaning, consumables, depreciation, insurance, minor repairs, telephone/computer, utilities;
- has moderate income generation ability achieved through charging enrolment fees for courses/programs, room hire and membership fees; and
- has agreed to payment of all outgoings and utility costs.

The site plan for the proposed lease of the South Perth Learning Centre is highlighted in **Figure 1** below.



Figure 1: Aerial photograph of the subject site (2020).

The South Perth Learning Centre has a current membership of 654 people.

Consultation

The City has been in consultation with the Learning Centre over a new lease agreement and they have agreed to the majority of the proposed terms and conditions, except payment of rent.

Policy and Legislative Implications

Under Section 3.58 of the *Local Government Act 1995* (the Act), a disposition of land includes leasing of local government property. If a local government does not dispose of property via a public auction or the public tender method, the proposal must be advertised for public comment – unless the proposal is an ‘exempt’ disposition.

A disposition of property is exempt from Section 3.58 under Regulation 30, Part 6 Miscellaneous Provisions of the Local Government (Functions and General) Regulations 1996 if the land is to be used for charitable, benevolent, religious, cultural, educational, recreational, sporting or other like purposes. As the South Perth Learning Centre is an incorporated Association and is seeking use of local government property for cultural/educational/recreational purposes, the intended use of the land is exempt from section 3.58 of the Act.

Under Policy P609 Management of City Property, leases for Not for Profit Community Associations/Government bodies, Committees and Associations are to be negotiated consistently with the following principles:

1. Leases will be granted for a period of 5 years with a 5 year option; and
2. Leases are to be for an annual rental amount which is calculated using the following formula: 0.1% of the insured value of the facility or a minimum of \$1,000 per annum.
3. The City may by resolution of Council grant a donation in subsidy of the rental amount where the proposed tenancy would provide a demonstrable benefit to the local community.

Financial Implications

The majority of the operating costs associated with the Learning Centre are covered by the Association. In particular, for the 2019/20 financial year, the Association spent \$185,140 on its operational costs (including cost of sales). It was also able to generate \$190,520 in revenue, which resulted in a net profit to the Association of \$5,380. In comparison, the City spent approximately \$30,000 on the Learning Centre during 2019/20, resulting from building maintenance, grounds maintenance, building insurance, rubbish servicing and depreciation.

The Association is financially viable/sustainable, which is evidenced by the amount of total assets compared to the total liabilities listed on their balance sheet. The Association's current financial position is attached as **Confidential Attachment (a)**.

Any cost recovered from the Learning Centre during the proposed lease period will offset the City's operational costs. Under the proposed new lease agreement, the City will receive annual rental income of \$1,100 per annum (inclusive of GST), plus reimbursement of utility costs.

The Learning Centre has provided a financial hardship submission in relation to the proposed rent, which is attached as **Confidential Attachment (b)**. In particular, the Learning Centre's submission states that it has experienced financial hardship over the last two years, so it would be unable to afford rent. Furthermore, the Learning Centre claim that 57% of other community centres around Western Australia are the recipients of financial aid through a peppercorn rental arrangement with their respective landlords and some of those centres also receive further aid through funding of the centre coordinator position, which is not the case in South Perth.

The City has recently introduced financial hardship assistance for eligible ratepayers, residents, businesses, community groups and clubs experiencing financial hardship, mainly to lessen the financial impact of the COVID-19 pandemic. Financial hardship means that a person or organisation is experiencing difficulty in meeting their financial obligations. Financial hardship assistance is available for debts owed to the City including (but not limited to) leases, licences and rentals. Temporary financial hardship assistance measures may include: a reduction in debt repayment amounts; deferring payments for a specified time; a reduction or elimination of penalty interest for a specified time; and/or the suspension of the debt recovery process. The City's financial hardship assistance program is not intended to replace the requirement for lessee's to meet their lease agreement obligations. In any case, the application process for the financial hardship assistance program is outlined on the City's website, so the South Perth Learning Centre has the opportunity to submit an application and be assessed by the City's Financial Services through the established process, rather than through the Property Committee/Council.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2020-2030](#):

Strategic Direction: Community
Aspiration: A diverse, connected, safe and engaged community.
Outcome: Community infrastructure
Strategy: Manage the use and development of the City's properties, assets and facilities

Attachments

- 10.7.3 (a):** Financial Position - South Perth Learning Centre - September 2020 (*Confidential*)
- 10.7.3 (b):** Financial Hardship Submission - South Perth Learning Centre - October 2020 (*Confidential*)

Mayor Greg Milner disclosed an Impartiality Interest in Item 10.7.4 and was placed on hold at 7.10pm for the duration of the Item.

Councillors Samantha Bradder, Carl Celedin, Mary Choy, Glenn Cridland and Stephen Russell each disclosed an Impartiality Interest in Item 10.7.4.

10.7.4 Wesley South Perth Hockey Club - Proposal to investigate the creation of a new synthetic hockey turf and relocation from Richardson Reserve to Collier Reserve

Location: Como
Ward: Como Ward and Moresby Ward
Applicant: Not Applicable
File Ref: D-20-89646
Meeting Date: 24 November 2020
Author(s): Jennifer Hess, Recreation Development Coordinator
Reporting Officer(s): Vicki Lummer, Director Development and Community Services
Strategic Direction: Community: A diverse, connected, safe and engaged community
Council Strategy: 1.2 Community Infrastructure

Summary

This report seeks Council's 'in principle' support for the Wesley South Perth Hockey Club to proceed to a full feasibility study investigating the proposed viability to relocate its Club from Richardson Reserve, South Perth, to Collier Reserve, Como, incorporating a new synthetic hockey turf, grass hockey fields and clubroom facility.

1120/190

Amended Motion AND COUNCIL DECISION

Moved: Councillor Glenn Cridland
Seconded: Councillor Samantha Bradder

Having noted the officer and Property Committee recommendation, the Council:

1. Provides 'in principle' support for the Wesley South Perth Hockey Club to further investigate the creation of a new synthetic hockey turf and relocation of its Club from Richardson Reserve to Collier Reserve;
2. Notes the Wesley South Perth Hockey Club's intention to proceed to develop a full feasibility study (bankable feasibility study) regarding the proposed relocation;
3. Supports the City considering a future financial contribution of up to 50% of the full feasibility study project cost within the City's 2020/21 Budget (mid-year review);
4. Notes the completed full feasibility study will be presented by the Wesley South Perth Hockey Club to the City at a future time;
5. Notes the Collier Reserve Hockey Turf Needs and Pre-Feasibility Study provided by Wesley South Perth Hockey Club, shown as **Attachment (a)**.

CARRIED (6/2)

- For:** Councillors Samantha Bradder, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza and Ken Manolas.
- Against:** Councillors Stephen Russell and André Brender-A-Brandis.

Officer Recommendation

That the Property Committee recommends to Council that it:

1. Provides 'in principle' support for the Wesley South Perth Hockey Club to further investigate relocation of its Club from Richardson Reserve to Collier Reserve;
2. Notes the Wesley South Perth Hockey Club's intention to proceed to develop a full feasibility study (bankable feasibility study) regarding the proposed relocation;
3. Supports the City considering a future financial contribution of up to 50% of the full feasibility study project cost within the City's 2020/21 Budget (mid-year review);
4. Notes the completed full feasibility study will be presented by the Wesley South Perth Hockey Club to the City at a future time;
5. Notes the Collier Reserve Hockey Turf Needs and Pre-Feasibility Study provided by Wesley South Perth Hockey Club, shown as **Attachment (a)**.

Background

The Wesley South Perth Hockey Club (the Club) is currently situated at Richardson Reserve in South Perth, which is vested to the City for the purposes of 'parks and recreation'. The Club lease a sporting clubhouse known as WCG Thomas Pavilion that is located on the Reserve. The lease agreement for the clubhouse expired on 30 September 2020 and is holding over until a new lease is negotiated.

The Club is affiliated with Hockey WA and currently has 680 members. In 2019 the Club generated \$304,998 in income and incurred expenditure of \$290,395, which resulted in a net profit of \$14,603. The Club is financially sustainable.

The Club has been in discussion with the City regarding the development of a new synthetic turf since 2012. The Club initially proposed the turf located at their current site at Richardson Reserve. Due to a number of constraints and uncertainty at the time regarding a proposed train station, the City was unable to approve the proposal.

Since then, the Club has worked with Wesley College, Hockey WA, Department of Local Government, Sport and Cultural Industries (DLGSCI) and the City to identify a number of other potential sites and undertake preliminary feasibility of relocating.

In 2018, the City commenced investigation into the Recreation and Aquatic Facility (RAF). As part of the initial stakeholder consultation, discussions were held independently with Curtin University and Hockey WA about compatibility and synergies of a synthetic hockey turf facility with RAF at the Collier Park Golf Course site. These discussions centred on hockey and the future usage of synthetic hockey at the current Curtin site. These discussions remain ongoing.

In January 2019, the City requested the Club to develop a proposal with additional information relating to:

- Need/demand for new and upgraded hockey facilities;
- Estimates on increased participation able to be generated for the sport;
- Likely impacts on existing hockey facilities and Clubs (at Curtin University and in the Town of Victoria Park);
- Partnership opportunities and support especially from Wesley College, Hockey WA and other potential stakeholders;
- Concept level layout plan and preferred location for the Clubroom facility;
- Likely financial commitment and/or capability by the Club and other partners to the capital and operating costs of the facilities;
- Consideration of land tenure issues; and
- An appreciation of likely relevant state government support.

In July 2019, Council endorsed the City's Community Recreation Facilities Plan, which includes the following recommendation: *That the City works with Wesley South Perth Hockey Club, Wesley College, Hockey WA and other stakeholders for the relocation of WASPs to Collier Reserve incorporating a synthetic hockey turf, grass hockey fields and clubrooms.*

Comment

In 2020, the Club together with Wesley College engaged Dave Lanfear Consultants to develop a 'Collier Reserve Hockey Turf Needs and Pre-Feasibility Study' that focussed on relocating to Como, with the report shown as **Attachment (a)**.

There were three parcels of land in Thelma Street, Como, that were considered for the proposed hockey facility, namely:

1. Collier Reserve - situated next door to the City's Operations Centre. The reserve is Crown land vested to the City for parks and recreation purposes. The reserve is used informally for soccer; and formally by Wesley College for school sports; South Perth Baseball Club during summer; and Trinity Aquinas Football Club at times during winter.
2. Collins Oval – Middle oval. Crown land directly leased to Wesley College from the Department of Planning, Lands and Heritage under a 21-year lease, due to expire in 2038. This oval is used primarily by Wesley College, but also South Perth Baseball Club and Trinity Aquinas Football Club under private hire agreements.
3. Bill Grayden Oval – End oval. Crown land vested to the City for parks and recreation purposes. It is primarily used by Trinity Aquinas Football Club in winter and South Perth Baseball Club during summer.

The Hockey Turf Needs and Pre-Feasibility Study identified the preferred option for the hockey club to relocate from Richardson Reserve in South Perth to Collier Reserve in Como (Option 1). This includes one synthetic hockey turf, oriented north/south on Collier reserve; one grass hockey field (east/west) on Collier reserve; and three further grass hockey fields adjacent on Collins Oval. If approved, it is anticipated the City would formalise a license/lease agreement with the Club,

under management of Wesley College under their existing Wesley College Sports Club. The project includes:

- Green Fields Capital costs = \$2,600,000
- Clubroom Capital Costs = \$2,000,000
- Ongoing annual operational costs = \$220,550
- Sinking Fund = \$112,290
- Estimated annual revenue = \$355,143.

The management options relating to the proposed project are outlined in Section 6.3 on page 41 of the Collier Reserve Hockey Turf Needs and Pre-Feasibility Study, with management by Wesley College the Club's preferred option.

Benefits of this option include:

1. A long term solution for a high participation sport within the City currently having a gap for use on synthetic turf.
2. Optimising a relatively underused playing space site.
3. Synergies with RAF project, with potential funding attraction from the State government to pitch for elite hockey to remain in WA.

Identified issues include:

1. Conflicts with existing baseball club who indicate they would lose two junior playing pitches which are used during summer for fixtured play on weekends and attract tournaments to the site.

Consultation

The consultation process to date has involved the Club's representatives and the project consultant meeting with various individuals from the following organisations:

- City of South Perth
- Wesley College
- Hockey WA
- Department of Local Government Sport and Cultural Industries
- Curtin Hockey Club
- Victoria Park Xavier Hockey Club
- Como Secondary College
- Penrhos College.

Further consultation would be required with existing tenants of Bill Grayden Pavilion, Bill Grayden Oval, Collier Oval and reserve users such as South Perth Baseball Club, and Trinity Aquinas Amateur Football Club. Consultation would also be needed with adjacent residents.

Policy and Legislative Implications

The following policies are relevant to this report:

- P106 Use of City Reserves and Facilities
- P110 Support of Community and Sporting Groups
- P609 Management of City Property

Financial Implications

The estimated project cost to develop the full feasibility study is \$50,000.

The Club is able to make a financial contribution (up to 50%) towards the project cost; and is looking for other funding sources to fund the balance.

In relation to external funding, the DLGSCI facilitates a Community, Sport and Recreation Facilities Fund that provides grant opportunities for eligible sport and recreation facility projects. The City has received previous feedback from the Department that funding priority is given to capital works projects that increase participation in sport and recreation. Whereas, feasibility studies are given low priority for funding support.

No funds are currently listed in the City's 2020/21 Budget for this proposal, so if approved, it could be considered at the upcoming mid-year budget review (or at a future time).

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2020-2030](#):

Strategic Direction: Community
Aspiration: A diverse, connected, safe and engaged community.
Outcome: Community infrastructure
Strategy: Manage the use and development of the City's properties, assets and facilities.

Attachments

- 10.7.4 (a):** Collier Reserve Hockey Turf Needs and Pre-Feasibility Study
(Confidential)
- 10.7.4 (b):** Collier Reserve Executive Briefing Summary *(Confidential)*

Mayor Greg Milner returned to the eMeeting at 7.28pm prior to Item 10.7.5.

10.7.5 Recreation and Aquatic Facility - Feasibility Business Case

Location: Collier Park Golf Course
Ward: Moresby
Applicant: Not Applicable
File Ref: D-20-89647
Meeting Date: 24 November 2020
Author(s): Mark Taylor, Director Infrastructure Services
Colin Cameron, Director Corporate Services
Danielle Cattalini, Manager Stakeholder and Customer Relations
Reporting Officer(s): Geoff Glass, Chief Executive Officer
Strategic Direction: Community: A diverse, connected, safe and engaged community
Council Strategy: 1.2 Community Infrastructure

Summary

This report documents progress made in developing the Recreation & Aquatic Facility project since Council's September 2019 resolution. It reports on the findings of the project definition phase and business case as well as demonstrates the financial feasibility of the project. In addition, it provides an overview of the largely positive outcomes from the community and stakeholder consultation.

The report recommends that the Council endorses the progress made, approves the additional work required to further develop and define the project, makes a financial commitment to the project to allow the City of South Perth ("City") to seek additional funding partners and approves the advertising of the Business Plan.

Amended Motion

Moved: Mayor Greg Milner
Seconded: Councillor Glenn Cridland

That Council:

1. Notes the "Stakeholder and Community Engagement for the Proposed Recreation and Aquatic Facility (RAF) Report" in **Attachment (a)** that informs the Business Case;
2. Endorses the Business Case for the Recreation and Aquatic Facility (RAF) consisting of:
 - the Project Definition Plan in **Confidential Attachment (b)** and
 - the Operational Feasibility Report in **Confidential Attachment (c)**,while noting that the Business Case relies on assumptions, including:
 - (1) a total funding package of \$80 million; and
 - (2) the projected financial self-sustainability of the RAF,

- and recognising that the Business Case would need to be amended for Council consideration, should either of these assumptions change;
3. Agrees to match the Federal Funding commitment with a \$20million capital expenditure commitment towards the development of the RAF, noting the required additional funding is being sought from various agencies, including the State Government;
 4. Requests the Chief Executive Officer to pursue additional funding from the State Government and other project partners in order to deliver the RAF.
 5. In accordance with section 3.59 of the *Local Government Act 1995*:
 - gives state-wide public notice of the RAF Section 3.59 Business Plan in **Attachment (d)**; and
 - notes that following the state-wide public notice period, a report considering submissions (and including an update on the progress of securing additional funding commitments from the State Government and other project partners) will be presented to the February 2021 meeting of Council, where it may be determined to proceed with implementing the Business Plan.
 6. Requests the Chief Executive Officer to engage further suitable independent and relevant industry and financial experts to review the Business Case with respect to financial modelling, key operating assumptions, operating cashflows and usage projections as further due diligence and these be reported to Council.

Reasons for Change

1. The City's stakeholder engagement has been expressly conducted on the basis that the RAF will be financially self-sustaining and will not result in an increase in Council rates.
2. To be financially self-sustaining (inclusive of cost of debt and sinking fund contributions), the RAF must incorporate a range of revenue-positive elements in order to offset the operating losses expected from other elements of the RAF (such as the outdoor swimming pool).
3. The proposal set out in the Business Case assumes a total funding package of \$80 million and has an expected annual return on investment (after cost of debt and sinking fund contributions) of \$13,406.
4. \$60 million in external capital funding is required to deliver the proposal. \$21 million in external capital funding has been committed, leaving \$39 million in external capital funding left to be secured.
5. There is a risk that the City will be unable to secure the remaining \$39 million in external capital funding. If the City is unable to secure the remaining \$39 million in external capital funding, the proposal set out in the Business Case cannot proceed as presently contemplated.
6. A "scaled-down" version of the RAF based on a reduced funding package might not be capable of being financially self-sustaining.
7. The Amended Motion recognises that Council's commitment of \$20 million is based on the proposal set out in the Business Case, and acknowledges that if the assumptions set out in paragraph 2 of the Amended Motion were

to change, the Business Case would need to be amended for Council consideration.

8. The Amended Motion also sets a timeframe by which the Chief Executive Officer will report back to Council on the progress in securing and status of the additional funding commitments being sought from the State Government and other project partners in order to deliver the RAF.
9. Finally, the Amended Motion also requests the Chief Executive Officer to have an additional independent assessment undertaken by a suitable financial industry firm of the financial modelling, projections and figures associated with the Business Case.

1120/191

COUNCIL DECISION

Moved: Mayor Greg Milner
Seconded: Councillor Mary Choy

In accordance with Clause 8.10 of the City of South Perth Standing Orders Local Law 2007 Councillor Glenn Cridland be granted an additional five minutes to speak.

CARRIED (9/0)

For: Mayor Greg Milner and Councillors Samantha Bradder, André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

Against: Nil.

1120/192

COUNCIL DECISION

Moved: Mayor Greg Milner
Seconded: Councillor André Brender-A-Brandis

In accordance with Clause 8.10 of the City of South Perth Standing Orders Local Law 2007 Councillor Blake D'Souza be granted an additional five minutes to speak.

CARRIED (9/0)

For: Mayor Greg Milner and Councillors Samantha Bradder, André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

Against: Nil.

During debate, Councillor Mary Choy requested that the meeting be closed to the public to allow her to ask potential confidential questions in relation to Item 10.7.5.

1120/193

COUNCIL DECISION

Moved: Mayor Greg Milner
Seconded: Councillor Carl Celedin

In accordance with s5.23(2) of the *Local Government Act 1995*, the meeting be closed to the public.

CARRIED (9/0)

For: Mayor Greg Milner and Councillors Samantha Bradder, André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

Against: Nil.

Members of the public were disconnected from the eMeeting at 8.13pm.

1120/194

COUNCIL DECISION

Moved: Mayor Greg Milner
Seconded: Councillor Blake D'Souza

That the meeting be reopened to the public at 8.22pm.

CARRIED (9/0)

For: Mayor Greg Milner and Councillors Samantha Bradder, André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

Against: Nil.

1120/195

Amended Motion COUNCIL DECISION

Moved: Mayor Greg Milner
Seconded: Councillor Glenn Cridland

That Council:

1. Notes the "Stakeholder and Community Engagement for the Proposed Recreation and Aquatic Facility (RAF) Report" in **Attachment (a)** that informs the Business Case;
2. Endorses the Business Case for the Recreation and Aquatic Facility (RAF) consisting of:
 - the Project Definition Plan in **Confidential Attachment (b)** and
 - the Operational Feasibility Report in **Confidential Attachment (c)**,
 while noting that the Business Case relies on assumptions, including:
 - (1) a total funding package of \$80 million; and

- (2) the projected financial self-sustainability of the RAF,
and recognising that the Business Case would need to be amended for Council consideration, should either of these assumptions change;
3. Agrees to match the Federal Funding commitment with a \$20million capital expenditure commitment towards the development of the RAF, noting the required additional funding is being sought from various agencies, including the State Government;
 4. Requests the Chief Executive Officer to pursue additional funding from the State Government and other project partners in order to deliver the RAF.
 5. In accordance with section 3.59 of the *Local Government Act 1995*:
 - gives state-wide public notice of the RAF Section 3.59 Business Plan in **Attachment (d)**; and
 - notes that following the state-wide public notice period, a report considering submissions (and including an update on the progress of securing additional funding commitments from the State Government and other project partners) will be presented to the February 2021 meeting of Council, where it may be determined to proceed with implementing the Business Plan.
 6. Requests the Chief Executive Officer to engage further suitable independent and relevant industry and financial experts to review the Business Case with respect to financial modelling, key operating assumptions, operating cashflows and usage projections as further due diligence and these be reported to Council.

CARRIED (7/2)

For: Mayor Greg Milner and Councillors Samantha Bradder, Carl Celedin, Mary Choy, Glenn Cridland, Ken Manolas, Stephen Russell.

Against: Councillors André Brender-A-Brandis, Blake D'Souza.

Reasons for Change

1. The City's stakeholder engagement has been expressly conducted on the basis that the RAF will be financially self-sustaining and will not result in an increase in Council rates.
2. To be financially self-sustaining (inclusive of cost of debt and sinking fund contributions), the RAF must incorporate a range of revenue-positive elements in order to offset the operating losses expected from other elements of the RAF (such as the outdoor swimming pool).
3. The proposal set out in the Business Case assumes a total funding package of \$80 million and has an expected annual return on investment (after cost of debt and sinking fund contributions) of \$13,406.
4. \$60 million in external capital funding is required to deliver the proposal. \$21 million in external capital funding has been committed, leaving \$39 million in external capital funding left to be secured.

5. There is a risk that the City will be unable to secure the remaining \$39 million in external capital funding. If the City is unable to secure the remaining \$39 million in external capital funding, the proposal set out in the Business Case cannot proceed as presently contemplated.
6. A “scaled-down” version of the RAF based on a reduced funding package might not be capable of being financially self-sustaining.
7. The Amended Motion recognises that Council’s commitment of \$20 million is based on the proposal set out in the Business Case, and acknowledges that if the assumptions set out in paragraph 2 of the Amended Motion were to change, the Business Case would need to be amended for Council consideration.
8. The Amended Motion also sets a timeframe by which the Chief Executive Officer will report back to Council on the progress in securing and status of the additional funding commitments being sought from the State Government and other project partners in order to deliver the RAF.
9. Finally, the Amended Motion also requests the Chief Executive Officer to have an additional independent assessment undertaken by a suitable financial industry firm of the financial modelling, projections and figures associated with the Business Case.

Officer and Committee Recommendation

That the Property Recommends to Council that it:

1. Notes the “Stakeholder and Community Engagement for the Proposed Recreation and Aquatic Facility (RAF) Report” in **Attachment (a)** that informs the Business Case;
2. Endorses the Business Case for the Recreation and Aquatic Facility (RAF) consisting of:
 - the Project Definition Plan in **Confidential Attachment (b)** and
 - the Operational Feasibility Report in **Confidential Attachment (c)**,
3. Agrees to match the Federal Funding commitment with a \$20million capital expenditure commitment towards the development of the RAF;
4. Requests the Chief Executive Officer to pursue additional funding, from the State Government and other project partners in order to deliver the RAF; and
5. In accordance with section 3.59 of the *Local Government Act 1995*:
 - gives state-wide public notice of the RAF Section 3.59 Business Plan in **Attachment (d)**; and
 - notes that following the state-wide public notice period, a report considering submissions will be presented to the February 2021 meeting of Council, where it may be determined to proceed with implementing the Business Plan.

Background

There has been a long-standing need and desire for recreation and aquatic facilities to service the City residents and the wider community. Since 2003 the City has completed six studies and delivered nine polls/surveys incorporating sport and recreation needs. During this time, the community has indicated significant support for aquatic facilities, indoor sports and a gymnasium.

Strategic Community Plan Framework

The City's Strategic Community Plan (SCP) is a long term, overarching strategy and planning document that outlines the community's aspirations and priorities for the future, and sets out the key strategies required to achieve these.

At the June 2017 Ordinary Meeting Council, Council adopted an amendment to the Officer recommendation for the release of the draft Strategic Community Plan (SCP) 2017-2027, for community comment as follows:

That Council:

1. amend the draft Strategic Community Plan 2017- 2027 to include Strategy 3.8 under Environment: Sustainable urban neighbourhoods (p11):

Environment: Built

3.8 Plan for and promote the development of recreation and aquatic facilities to service City of South Perth needs.

Following the community comment period, the SCP 2017-2027 was adopted by Council on 26 September 2017, and in doing so, Council prioritised planning promotion of the development of recreation and aquatic facilities to service City needs. Further, the City's current SCP 2020-2030 was adopted by Council on 26 May 2020, being a minor review of the SCP 2017-2027, upholding Strategy 3.8.

Integration with Current City Facilities

In planning for and promoting the development of such a facility to service community needs the City has undertaken a strategic approach to the wider provision of community facilities and services.

As part of previous longer term financial planning by the City, provision had been made for improvements to key facilities such as the George Burnett Leisure Centre (GBLC) and Collier Park Golf Course (CPGC). To inform these improvements, preparation of masterplans for each site were programmed, prioritising George Burnett Recreational Precinct within the program of works.

A review of this planning was subsequently undertaken to re-assess the future of the GBLC, and the short to medium term requirement for a masterplan for the Collier Park Golf Course.

George Burnett Leisure Centre (GBLC)

The GBLC is the City's only indoor recreation facility and is below industry standard for provision of indoor sports and recreation, comprising one under-sized sports court. The minimum requirement for indoor sports such as basketball and netball is three to eight courts.

Previous planning for the GBLC had catered for a limited scale expanded indoor facility, and also explored opportunities for an aquatic facility on the site. A 2015 assessment had indicated that a conventional swimming pool, while publicly supported, would likely require ongoing financial subsidy to meet operational costs.

A requirement for investment in GBLC has been identified in previous budgets and project proposals, with the need to address the reduced functionality of the Centre. This is further articulated in the Community Recreation Facilities Plan with the City to investigate provision for a regional Recreation and Aquatic Facility and to include repurposing the existing George Burnett Leisure Centre.

Collier Park Golf (CPG)

The current CPG clubhouse buildings are nearing end of life and are no longer fit for purpose. The golf course is a valued community facility with the potential to generate significant additional revenue for the City. However, whilst golf participation is increasing in off-course options, such as driving ranges and mini-golf the traditional golf market is declining. This threatens the financial sustainability of the golf course and the golf course business model currently needs to adapt.

A number of courses in the metropolitan region have closed in recent years: Rosehill Golf Course, Glen Iris Golf Course and Burswood Golf Course. This demonstrates the pressure on golf courses to be more financially sustainable and to compete with alternative uses such as land development as the optimum land use.

Effective diversification will allow the golf course to remain financially sustainable whilst continuing to offer the traditional longer form 18-hole golf. Traditional golf remains a fundamental element of the golf course business, however more modern short-format options such as mini-golf, that provide a stronger return and broader community appeal, are now required to underpin the financial and community success of the business.

In 2017 the City commissioned a review of the golf business by golf consultants 'WellPlayed'. The consultant's brief was to research trends in golf around Australia, and the performance of CPG in that context, in order to put the Lease of Buildings and Controllers Agreement out to tender.

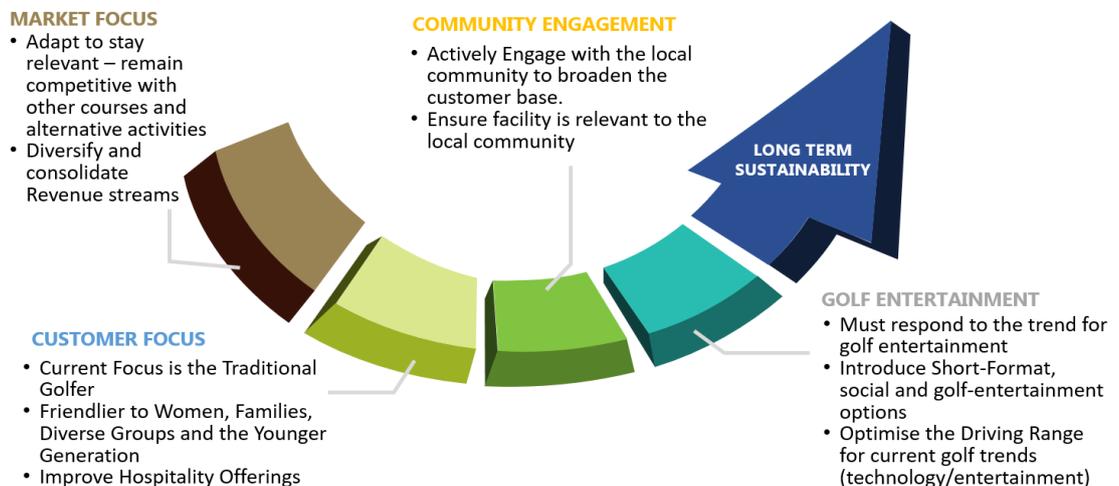


Figure 1 - Collier Park Golf Business Plan

The review identified that the business focused primarily on the traditional golf market and that this approach would not support the facility into the future. The business model needs to become more market-focused and adapt in order for the facility to remain stay relevant and financially sustainable. The golf course needs to actively engage with the local community, be more customer-focused, and broaden appeal by targeting women, families, diverse groups and younger generations in order to stay relevant and commercially viable. The introduction of short-format, social and golf entertainment participation options was recommended to support this goal.

The outcome of the assessment was as follows:

- Seek, via the market, a new improved Lease of Buildings and Controllers Agreement for five years, to enable more detailed planning to occur.
- During the next five years undertake the following work to prepare for redevelopment of facilities:
 - Consider the development of new concept plan to respond to challenges and opportunities to create a contemporary golf facility;
 - Develop a comprehensive design plan for the facilities –including arrival, car-parking, golf building precinct and any new facilities and experiences as identified; and
 - Build-on and align with the Course Masterplan.

In 2017 the City advertised a public tender (14/2017) for the Management of the CPG in accordance with section 3.57 of the *Local Government Act 1995* (Act). Following an assessment process, Council awarded the contract to Clublinks Pty Ltd for up to five years.

Clublinks commenced operations under the terms of these two agreements in March 2018. In addition, it was expected that Clublinks would work with the City to complete the master planning process, with the aim of broadening the service offering for CPG.

The Case for a Recreation and Aquatic Facility (RAF)

The strategic review of GBLC and CPG was undertaken to explore how a RAF concept could be more viable as a functioning integrated centre. To assist this analysis, the approach adopted and experience gained from the most recent integrated recreation and aquatic facility in Perth, the City of Cockburn's Aquatic and Recreation Centre (ARC) was examined.

This award-winning centre is reported to be exceeding expectations in meeting community needs, operating as a highly successful and viable mix of sporting and leisure services. Site visits to the Cockburn ARC were arranged for both Councillors and nominated staff, with the tours highlighting different delivery methods, scale of operations and partnership approaches to the provision of aquatic facilities.

Of notable success to the delivery of the Cockburn ARC was the co-location of mutually complementary multi-use facility components and the partnering approach with key stakeholders, as opposed to traditional 'single-use' service delivery models (GBLC & CPG) previously proposed within the City.

An exploration of potential partnering opportunities was therefore undertaken, using principles similar to that at the ARC. The review highlighted the potential opportunity to locate a RAF in close proximity to Curtin University (including an option within Collier Park Golf Course) to take advantage of the long term growth of the area from the development of the Bentley-Curtin Specialised Activity Centre and more specifically the Greater Curtin Master Plan.

This siting sought to leverage an existing and rapidly growing student, staff and academic demand and avail of potential partnering opportunities with the University to deliver Greater Curtin objectives. In addition, the review articulated greater catchment opportunities (and related financial returns) related to larger-scale / regional-level facilities, and reinforced a revised approach to delivery options and commercial partnerships.

The City was also conscious of the planning for the Collier Park Golf Course and also the development and success of the Wembley Golf Complex. Over a period of ten years, Wembley has grown from being of similar function to Collier Park Golf to the pre-eminent public golf complex in Australia. During that time Wembley has developed a two storey 80 bay automatic driving range, a large function centre and food & beverage operation and recently constructed a highly successful Mini-golf course.

Wembley is a highly profitable business for the Town of Cambridge and a prime example of how diversification from purely traditional golf has resulted in better outcomes for the whole community.

At the meeting held in October 2018, Council was updated on planning for the development of a potential regional multi-use recreation and aquatic facility within the City to service the community's future leisure and health needs and recent preliminary assessments reviewing possible sites and partnership opportunities. In response, Council resolved to:

1. *Reaffirm its commitment for the planning and promotion of the development of recreation and aquatic facilities to service community needs in accordance with Strategic Outcome 1.2(C) of the City of South Perth Strategic Community Plan 2017-2027;*
2. *Commence formal engagement with Federal and State Governments, adjoining local authorities, tertiary institutions, peak sporting bodies and commercial operators to gauge their interest, support and involvement in a regional scale multi-use leisure and aquatic facility to be located within the City;*
3. *Advance work on the design concepts and preferred sites to enable preparation of a detailed Business Plan to be submitted to Council by July 2019;*
4. *Commit to consultation with stakeholder groups and the public on the refinement of the concepts and preferred sites; and*
5. *Form a Project Reference Group reporting through to the Property Committee to oversee the development of the project.*

RAF Initial Feasibility Study & Design Concept

To implement the October 2018 Council resolution, project management consultancy NS Projects was engaged to coordinate the project and prepare a feasibility study. Architectural firm, Carabiner, was appointed to assist planning for the development of the RAF. Carabiner were the architects of the Cockburn Aquatic and Recreation Centre (ARC) and were engaged by the City to review site potential and provide conceptual architectural footprints. Possible core functions and their components were reviewed and conceptual floor plans were prepared.

Site Identification

Identification of a range of sites was undertaken, which involved a review of 23 sites within the City. The sites were then ranked against a number of criteria. The criteria included the following considerations:

- Available building footprint
- Integration opportunities
- Available funding partners
- Land and stakeholder impact
- Traffic congestion
- Ability to meet functional brief
- Long term planning for the area
- Environmental impact

A short list of six potential sites was selected for further investigation to inform a multi-criteria analysis. Criteria were separated into: functional requirements; delivery viability; funding potential; integration opportunities; and value for money.

Sites were subsequently ranked in order of preference, with the top three sites selected for further analysis. These were:

1. Collier Park Golf Course north of Clubhouse
2. George Burnett Leisure Centre
3. Collier Park Golf Centre south east corner



Figure 2: - Shortlisted sites for the RAF

Each site offered varying challenges and opportunities that informed the layout and components of the facility. Councillors were presented with a comparative review of the sites at a Councillor Concept Briefing session in February 2019.

Preferred Site

The assessment identified Site 1, Collier Park Golf Course north of Clubhouse, as the preferred location. It is proposed that the existing clubhouse will be demolished and integrated with the RAF. The benefits of this site are as follows:

- Co-locating the golf course with the RAF, creating a unique, recreational and community facility, while also assisting with on-going revenue generation;
- Upgrades are required to the Collier Park Golf Club in the near future and this option allows the City to meet this objective in the single development;
- Impacts the most underutilised golf holes on the course and limited impact to existing trees and the wildlife living within; and
- Access to the Curtin University market.

Core Functions

The core functions of the proposed RAF were selected to maximise the commercial viability of the facility and to meet identified community needs. The concept footprints prepared for the three shortlisted sites by Carabiner therefore included:

- 50 metre multi-purpose swimming pool
- 25 metre indoor swimming pool
- Program and learn-to-swim pool
- Children's aquatic play area and splash pad
- Hydrotherapy pool
- Aquatic recover pools
- Regional multi-purpose indoor sporting centre inclusive of courts
- Health club
- Program rooms
- Rehabilitation facilities
- Allied health facilities
- Community café/restaurant/bar
- Community office and meeting spaces
- Sports-house (accommodation for a peak sporting body)
- Regional playground and picnic areas
- Education, research and work integrated learning facilities
- Integrated sport merchandise store and golf pro shop
- Golf facilities including mini golf and technology driven driving range

These base facilities and optional elements informed the development of the Functional Brief and Concept Design during this Project Definition phase.

Federal Government Commitment

There has been, over a long period of time, strong advocacy from the Member for Swan, Hon Steve Irons MP for an aquatic facility within the City. Extensive engagement at the Federal Government level was completed with both local and Canberra based representatives and included two official visits by the Mayor and Chief Executive Officer (CEO) in November 2018 and January 2019.

The Federal Coalition Government subsequently made an election commitment of \$20million to the project in April 2019. Following their re-election in May 2019 the \$20million commitment was confirmed.

At the September 2019 meeting Council considered the findings of the Initial Feasibility Study & Design Concept and resolved the following in respect to the development of the RAF:

That Council:

- 1. Formally acknowledge and thank the Federal Member for Swan, Hon Steve Irons MP and accept (subject to the execution of appropriate documentation and agreements as required) the May 2019 Federal Election Coalition Commitment of \$20m for a Recreation and Aquatic Facility in the City of South Perth;*
- 2. Confirm as the preferred site the Collier Park Golf Course (north of the Clubhouse) as the selected location based on opportunities for establishing integrated facilities, enhancing commercial and operational viability, future proofing the golf course and attracting partner funding opportunities;*
- 3. That the preferred site be used for the purpose of advancing the feasibility business case with the business case to include a stakeholder and funding strategy, estimates on capital and operational costs, delivery and operational procurement models, delivery risk assessment, facility scope and accommodation plans, and any required commercial and partner agreements;*
- 4. Request the Chief Executive Officer to initiate and establish formal governance arrangements with prospective partners and to seek external funding support;*
- 5. That all decision milestones on the progress of the project be reported direct to Council for its determination.*

Comment

Project vision

The vision for the RAF is to create a world class health, wellness, fitness, recreation and education hub that supports the needs of a growing population. The RAF will be a unique and vibrant social hub where physical activity and lifestyle experiences meet and a place for community, sport and education partnerships.

The RAF is more than sports facility, it is a hub for integrated learning and the delivery and evaluation of health programs that will facilitate a shift in care from expensive hospital based to community care, thus lowering the cost for health care.

The RAF will be home to community sport and recreation across the region supporting greater participation in physical activity and providing tenants and key stakeholders with shared facilities, managed in a collaborative model.

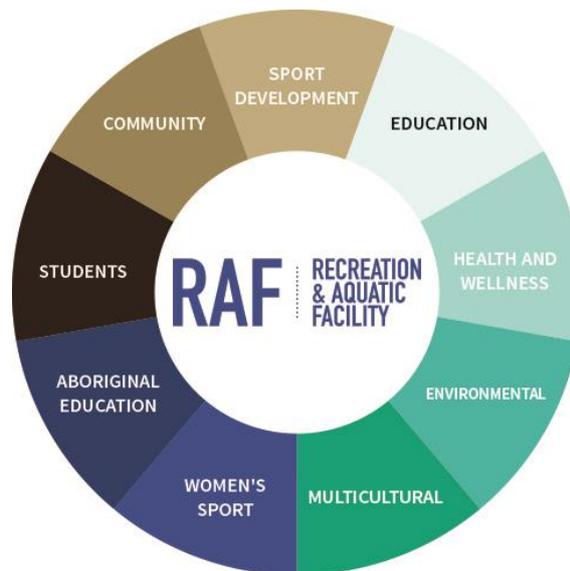


Figure 3 – Vision for RAF

Project objectives

- To set a new benchmark in wellness and leisure facility integrated into one world-class regional facility for the benefit of the community and its stakeholders.
- To deliver the project within the overall budget and provide an economically sustainable development that enhances capital and operational cost efficiencies for the City through integration of components into one facility.
- To fulfil the obligations of the Federal grant in relation to an increase in sporting facilities that provide female change rooms and amenities, increase in the number of girls and women participating in sport at all levels and increase in community swimming facilities.

RAF Feasibility Business Case

Following Council's September 2019 resolution, the project timeline was refined with the project moving into Stage 1 – 'Project Definition and Business Case'. The City's objective was to prepare a RAF Operational Feasibility Report and Project Definition Plan for Council to consider at a future meeting.

To complete Stage 1, the City engaged a project and design team including:

- Project Director (Beverly Davies);
- Project Architect (Christou Design Group);
- Project Manager, Commercial and Strategic (NS Projects);
- Strategic Advisor (Paatsch Group);
- Political Advisor (GRA Partners);
- A number of sub-consultants to assist with the development of the project to support the business case; and
- Legal firm Jackson McDonald, to formalise legal agreements and templates.

A series of funding and sports stakeholder workshops were organised to determine project definition and potential funding partners (see Consultation & Stakeholder Engagement). The project design team then completed the project design scoping to test the business case assumptions and scenarios derived from the stakeholder funding workshops.

The project team has developed two documents for the RAF to meet the requirements of Stage 1. They are:

1. Project Definition Plan - this defines the scope and sporting inputs/design, program and procurement **Confidential Attachment (b)**; and
2. Operational Feasibility Report – which models the expected operational cash flow of the facility **Confidential Attachment (c)**, derived from an Operator perspective to determine asset viability and forecast returns to the City.

Project Definition Plan

The Project Definition Plan ('PDP') has been commissioned by the City to effectively define the “why, what, when and how” in relation to the delivery of the RAF project. It builds on and refines the initial feasibility study, defines the site analysis undertaken and outlines the work undertaken to inform the functional brief prepared by the Architect.

The scope of the RAF project developed through the Project Definition phase incorporates the following key components:

Ground Floor

- Indoor Aquatic (Learn to Swim / leisure and warm water / wellness);
- Outdoor Aquatic (52 metre pool, with a boom);
- Sports Hall (6 courts minimum);
- Retail / Pro shop;
- Food & Beverage (café / restaurant and kiosk);
- Crèche;
- Climbing Centre;
- Driving Range; and
- Associated Facilities (e.g. kitchens, store rooms, amenities, office space, etc.)

First Floor

- Health Club (including program rooms);
- Function Areas;
- Associated facilities (e.g. back of house, amenities, etc.).
- Community Health Precinct
- Community House



Figure 4 – RAF ground floor concept plan



Figure 5 – RAF first floor concept plan

The RAF encompasses an estimated total building area of 17,247 square metres and has been developed through a masterplan approach to consider its location within the broader precinct and to allow for future expansion / works that may not be completed during initial construction.

Subject to Council approval, the PDP will become the central reference point to aid in decision making throughout future project phases.

Operational Feasibility Report

The key purpose of the Operational Feasibility Report (OFR) is to inform the operational viability of the design and overall facility, from the perspective of an external third-party operator, noting that there is no current consideration by the City to directly manage the operations. This in turn will guide the following:

- Market take-up for the operation of the facility (during procurement to market);
- Forecast returns to the City, through handover of management and / or lease rights to an Operator; and
- The design development and facility uses, including target commercial streams

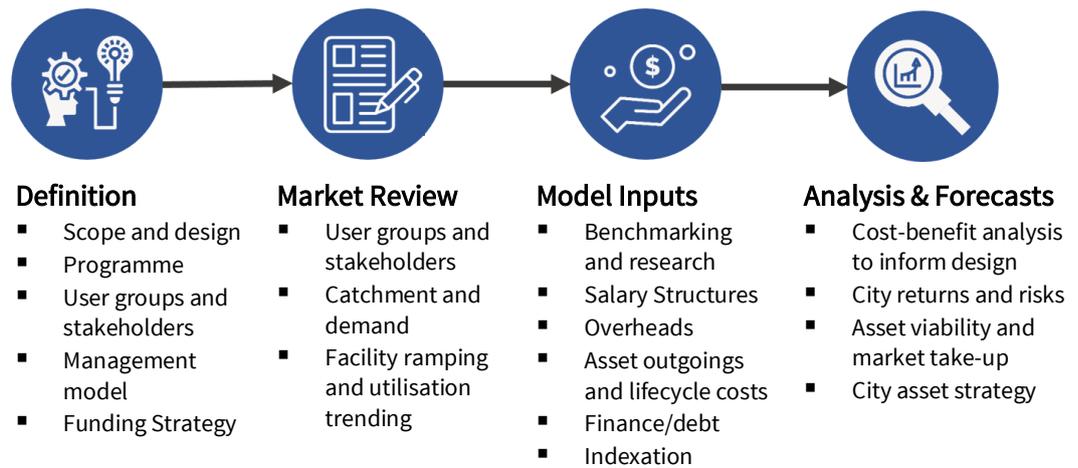


Figure 6 - Operational Feasibility Process

Detailed business and financial models have been developed for the proposed RAF based on the following:

1. Management of the facility by an experienced and qualified third-party operator, assuming lease returns to the City; and
2. 10-year operating projections via a custom model, which assumes a capital contribution (loan) by the operator.

In preparing the operational financial model, a sensitivity range has been placed across the model to inform a low, medium and high turnover scenario for the facility.

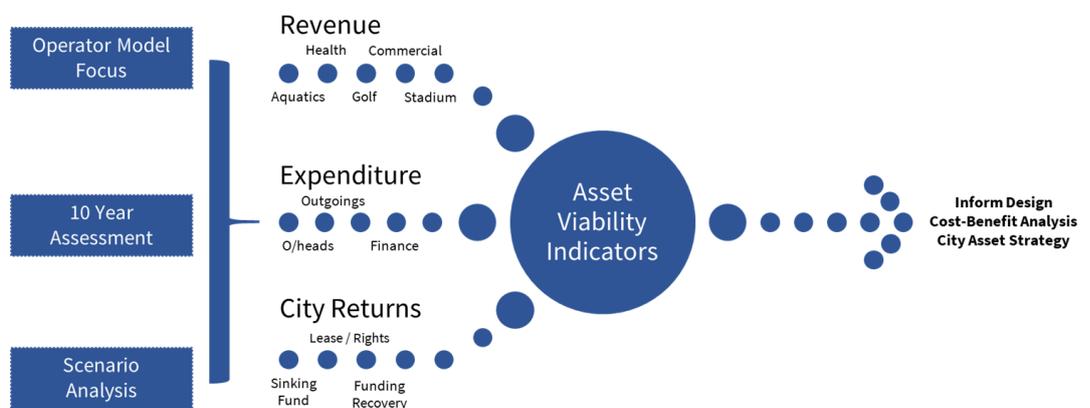


Figure 7 - Operational Model Structure

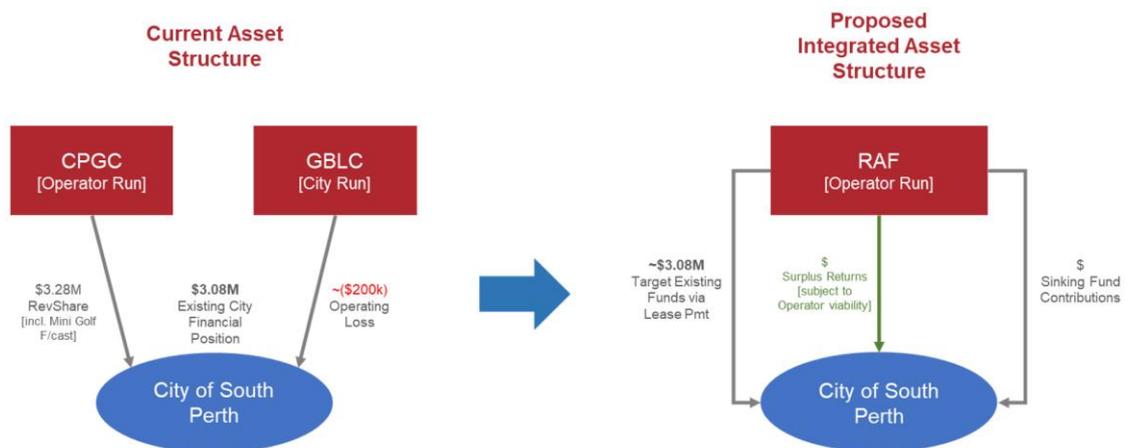
The 'Expected Forecast' (medium scenario) has been considered as the 'base scenario', with the assumptions reflective of the estimated performance of the RAF based on benchmarking and demand analysis. The low and high scenarios have had variations applied to these assumptions to illustrate a sensitivity assessment on the impact to the bottom line figures for varied performance.

The assumptions that are altered in each of the three scenarios and the percentage by which they have been adjusted by are reflected in the report.

The assumptions developed within the operational model and financials, include inputs from industry professionals, operators and via benchmarking of comparable assets. Financial forecasts have excluded any substantial impacts to current utilisation and operations from COVID-19, noting that many recreation and sporting facilities are experiencing significant increases (>30%).

Proposed City Asset Structure

Delivery of the RAF will provide a streamlined asset renewal and operating structure for the City, integrating the functionality and benefits of two key assets, GBLC and CPG. Figure 6 below shows the revised asset structure and potential commercial model with the Operator.



* Assumes the City maintain current CPG maintenance

Figure 8: Proposed City Asset Structure

The following key assumptions should be noted with regard to the above City Asset Structure and Operational Feasibility:

- The operational financials are developed from an Operator perspective to determine asset viability and forecast returns to the City.
- The facility currently proposes a Lease tenure with an Operating Agreement to provide security of rights for the Operator and enable the City to inform potential tenants and asset management.
- The existing CPG maintenance by the City will continue 'as is' and hence does not form part of the operational financials for the Operator.
- The GBLC is discontinued (via City Management) post RAF delivery however the specific asset strategy would be subject to a future business case.
- The strategy for a capital contribution by the City (\$20 million) is still to be defined, however an equivalent cost of debt finance is utilised for reference.

Operational Performance (Operator Returns)

The operational financials have been developed with a focus on business unit operations and assumptions across aquatics, stadium, golf, health club and commercial areas. Estimates are benchmarked primarily utilising the existing CPG, Cockburn ARC and Wembley Golf Complex, reflecting the most comparable assets and the unique nature of the RAF functions i.e. there is no direct industry benchmark.

The business unit forecasting after consideration of Operator finance costs, baseline lease payments to the City and sinking fund contributions, has been utilised to develop the 10-year operational cash-flow. Scenario analysis is included primarily focussed on the sensitivity of alternate visitation and membership demand to the Expected Scenario (Medium).

A *sinking fund* is to provide for the ongoing maintenance requirements of the facility to maintain it in an operable state and is supported by an annual contribution from the facility profits. The inclusion of an annual sinking fund allowance thus ensures that the facility is self-sustaining into the future.

A summary of the RAF financial performance to the Operator (Year 1, 5 and 10) after City and asset management costs is listed in Table 1 (shaded green). As a reference, an additional payment to the City, equivalent to the cost of debt finance by the City, is included below the line (in grey).

	Low	Expected	High
Item	Year 1 (Maturity)		
Net Operating Profit [after SF* & Lease]	\$1,134,913	\$2,306,607	\$3,477,648
NOP [% of Turnover]	7.85%	13.93%	18.64%
NOP [after pmt to City – debt cost]	-\$165,057	\$1,006,637	\$2,177,677
	-1.14%	6.08%	11.67%
	Year 5		
Net Operating Profit [after SF* & Lease]	\$1,110,051	\$2,392,072	\$3,673,382
NOP [% of Turnover]	7.04%	13.25%	18.07%
NOP [after pmt to City – debt cost]	-\$189,919	\$1,092,102	\$2,373,412
	-1.20%	6.05%	11.68%
	Year 10		
Net Operating Profit [after SF* & Lease]	\$1,195,028	\$2,595,112	\$3,994,407
NOP [% of Turnover]	6.81%	12.92%	17.67%
NOP [after pmt to City – debt cost]	-\$104,942	\$1,295,142	\$2,694,436
	-0.60%	6.45%	11.92%

* SF = Sinking Fund.

Table 1 – Summary of RAF Financial Performance

Based on the facility performance indicators and residual returns to the Operator, the forecast Expected Scenario indicates a 10 Year average Net Operating Profit (NOP) of approximately 13.0%. After allowance for additional payments for City debt funding costs the 10 Year average NOP is approximately 6.0%.

The detailed operational assumptions can be found within Section 11.0 of the OFR (**Attachment (c)**).

City Returns

As noted above, the City returns would be achieved either via lease payments, profit-share and / or management rights.

The consultants have assumed a minimum NOP for Operators (noting the scale of the facility would be in the order of 5.0% to 8.0%) after allowance for operator finance and asset management costs (sinking fund contributions). Adopting 6.0% as an Operator NOP Threshold, the following impacts to City financials is forecast.

Scenario Summary (Y1)	Low	Expected	High
Target City Returns:			
Existing Funds [CPGC & GBLC]	\$3,080,000	\$3,080,000	\$3,080,000
<i>Additional debt funding costs [reference]</i>	<i>\$1,299,970</i>	<i>\$1,299,970</i>	<i>\$1,299,970</i>
Total Target City Returns:	\$4,379,970	\$4,379,970	\$4,379,970
<i>Plus</i>			
Variance to Operator NOP Threshold @ 6%	-\$1,032,128	\$13,406	\$1,058,326
Residual City Returns [after Variance]	\$3,347,843	\$4,393,376	\$5,438,296

Table 2 - Comparison table of the operational scenario modelling against forecast returns

The above analysis indicates the ability for the following annual City Returns under the Expected forecast.

- Sinking fund contributions are covered within the operational financials (Year 1 is ~\$1.1 million and the figure is then indexed for inflation).
- Funds equivalent to existing asset returns [GBLC and CPGC] of \$3.08 million (indexed for inflation).
- Funds of ~\$1.3 million annually that are sufficient to meet the City's cost of debt finance for the \$20million capital contribution for the 20 year repayment period, and thereafter as City revenue.
- Funds as the City share of the additional returns of \$4,393,376 (City portion to be determined during operator procurement)

The ability for the asset to maintain the forecast City Returns will be dictated by the catchment demand and membership performance plus the required operating thresholds by Operators.

Whilst the performance indicators under the Expected Scenario show sound financial capability to provide returns to the City equivalent to existing funds and cost of debt, plus sinking fund contribution, the sensitivity of Operator return thresholds may vary the ability for the asset to cover the full annualised sinking fund requirement [Year 1 is ~\$1.1M]. Likewise, the initial ramping phase for operations may require a reduced contribution to the sinking fund to enable fair returns to the Operator and City.

Further Operator threshold sensitivity analysis is included within Section 11.12 of the OFR **Confidential Attachment (c)**.

It is noted that whilst all scenarios and financials assume the sinking fund contributions are covered by the RAF within the NOP forecasts, it is industry standard that the asset management (maintenance and capital replacement) is covered by the asset owner (City) hence the equivalent funds may also be transferred to the City or holding entity subject to legal structure.

Delivery of works at CPG will also impact operations with a total potential reduction of the revenue share to the City in the order of \$2.8 million during construction (estimated over 2022 and 2023, subject to the delivery programme). The primary impact to revenue is the potential impact on the Lake 9 during construction.

There is the opportunity to mitigate some of these impacts through completion of the Lake-9 modification prior to the RAF construction commencing, not currently considered within the above. The capital costs for the Lake-9 redevelopment and Mini-golf construction are not included in RAF project costs however these elements are considered within the operational feasibility post RAF completion. The construction staging plan and options will be value engineered with the operator and contractor to mitigate/ minimise risk and aid in revenue returns pre and during construction.

Asset Options

Noting the existing and proposed asset structure via delivery of the RAF, a high-level asset strategy comparator has been undertaken to define the comparative capital position between asset strategies. The asset options are:

1. Standalone renewal of existing assets – redevelopment of the GBLC and CPG to maintain current service provision.
2. Delivery of the RAF – integration of the CPG and GBLC renewal requirements. This assumes the GBLC is discontinued as a City asset (subject to a separate business case).

The capital and operating assumptions relevant to the existing assets are as follows:

Asset	Estimated Capital Upgrades*	Operating Performance [p.a.]
Collier Park Golf Course	\$7.5M	\$3.28M
George Burnett Leisure Centre	\$7.5M	-\$200,000
Total	\$15.0M	\$3.08M

* The GBLC and CPGC capital forecasts are based on prior industry review of the facilities and assume no material change to service provision.

Table 3 – Capital and operating assumptions – GBLC & CPG

Utilising the above capital and operational assumptions for the asset options, the following 10 Year cash flow assessment has been developed for comparative purposes. Note figures in the table below are current day and adopt a consistent operating deficit for the GBLC on renewal. Debt finance for both asset scenarios and capital requirements are excluded.

City Asset Options Analysis	Yr 0	Yr 1-10	Net Total
<i>Current Day Figures & Excl. Debt Finance for Capital Funding</i>			
Scenario 1 - Standalone Renewal of Assets:	Delivery	Operational	
GBLC - Upgrades	-\$7,500,000	\$0	-\$7,500,000
GBLC - Sinking Fund/Maint.		-\$1,500,000	-\$1,500,000
GBLC - Op. Financials		-\$2,000,000	-\$2,000,000
CPGC - Upgrades	-\$7,500,000	\$0	-\$7,500,000
CPGC - Sinking Fund/Maint.		-\$1,500,000	-\$1,500,000
CPGC - City RevShare [incl. Mini-golf]		\$32,800,000	\$32,800,000
Total	-\$15,000,000	\$27,800,000	\$12,800,000
Scenario 2 - RAF Delivery & Discontinue GBLC:			
GBLC - Discontinue		\$0	\$0
RAF - City Capital Funding	-\$20,000,000	\$0	-\$20,000,000
RAF - City Lease Returns [Payments]		\$42,820,386	\$42,820,386
RAF - Sinking Fund/Maint.	\$0	\$0	\$0
Total	-\$20,000,000	\$42,820,386	\$22,820,386
Variance 2v1:	-\$5,000,000	\$15,020,386	\$10,020,386

Table 4 - Summary financial comparator for the City asset scenarios

The comparative review indicates a strong financial benefit to delivery of the RAF against a standalone asset strategy, with a net comparative benefit in the order of \$10 million. In addition, the RAF asset model provides:

- Activity centre and commercial integration to support economic multipliers;
- Ability to streamline asset renewal in line with asset and market demand;
- Delivery against the City's strategic and community needs;
- Asset operational sustainability and
- Ability to leverage the City's capital funding with project partners.

Note the figures presented are all current day and are not discounted for Net Present Value (NPV) analysis. The cost of finance is also excluded from both asset and funding options. The relevant financial assumptions associated with each option are detailed within Section 12.2 of the OFR **Confidential Attachment (c)**.

Impacts and Benefits of RAF on Collier Park Golf

The ongoing review of the CPG business identified the need for it to be more customer focused and friendlier to women, families, diverse groups and younger generations. In order to achieve this, it was recommended to Council that CPG needed to introduce short-format, social and / or golf entertainment participation options, of which the driving range upgrades and the mini-golf are key components.



Figure 9 – Participation business offerings proposed for Collier Park Golf

The RAF proposal presents the opportunity for CPG to be upgraded in line with the diversification aims of the business plan. The retention of traditional 18-hole course is a core element of the golf course business. Focussing on technology and entertainment options the facility will appeal to all abilities of golfer as well as non-golfers.

The technology driving range will provide options for entertainment, tuition and practice. In the conceptual design the driving range is proposed to be a two-tier facility of between 56 and 80 bays providing a 100m x 100m netted environment. The bays would be set up using one of the proprietary technology systems providing launch monitor and gaming options. The use of range technology replaces visual observation of the full ball flight with digital and virtual feedback via individual screens in each bay. Whilst longer length driving ranges are more usual and would be considered superior the proposal for the netted shorter length driving range has provided sufficient space to allow the Lake-9 to be retained and remodelled into a short course. It is therefore considered to be an appropriate compromise.

The remaining 6 holes on the Lake-9 provide sufficient length for a short 9-hole course to be developed. A business case would be undertaken to confirm that the short course will provide improved returns over retaining the 6 existing holes in their current configuration. A concept design details a 1955m course par 31 course. This consists of four par 4 holes and five par 3 holes. This is approximately 70% of the length of the current Lake-9, that is a par 36 and 2849m in length.

The short course will focus on accuracy over length and will provide options for established golfers looking to focus on their “scoring game” or requiring an option for play with a shorter time demand, whilst also providing a less daunting teaching and game familiarisation environment for those newer to the game.



Figure 10 – Initial concept design for the short course

The development of Mini-golf has been confirmed by the City to be an essential element in maintaining the long-term financial viability of the Collier Park Golf and ensuring an ongoing contribution to the City's non-rate income. It also aligns strongly with the Strategic Community Plan under a number of strategies, and provides a strong point of difference from other local competing golf courses.



Figure 11 – artist's impression of the proposed mini-golf facility

In March 2020 Council considered state-wide submissions on the City's advertised business plan for a Mini-golf facility at Collier Park Golf and approved its construction. The Mini-golf facility is scheduled to be completed during the first quarter of 2021 and has been designed to complement the RAF project. The Mini-golf facility will provide an attraction that will assist the course in navigating the lower returns expected due to disruption during the RAF construction phase, as well as being a key attraction in the facility business model.

The golf proposals for the integration of the RAF facility have been developed in consultation with the City's operator Clublinks. The proposals will be further refined with more detailed consultations and reviews across the golf industry as the project progresses to the detailed design stage.

Consultation & Stakeholder Engagement

Key Project Partners

Key project partners have been identified to assist with developing the concept design for the RAF as well as for the contributions and support they will bring to the project. This will be subject to the overall project funding which will determine the plan configuration, spatial requirements and partner inclusions. There are a number of interested partners with discussion most advanced with the following:

Curtin University

The RAF, in conjunction with Curtin University will provide a "Proactive Approach to Health". In line with the first enduring strategy of the Sustainable Health Review adopted by the WA Government in 2019, the RAF will assist in addressing one of the challenges facing the WA health system and deliver a range of preventive health programs focussed on chronic disease.

Curtin University has long been a supporter of the provision of aquatic facilities by the City, as the current RAF proposal contributes to their Greater Curtin aspirations. It is anticipated that many Curtin students and staff will become active users supporting the viability of the facility. The City and Curtin University will work together to effectively utilise facilities and create scale to maximise the recreation and sporting opportunities available to the student and local communities.

SportWest

The West Australian Sports Federation (SportWest) is the peak industry body for sport in Western Australia and exists to promote, strengthen and advocate for sport in Western Australia. The organisation is currently without a permanent home, due to a fire destroying their base several years ago.

It is proposed that SportWest would be the governing body of the Community House. Under this scenario, the head lease agreement would be with SportWest, they would then issue sub lease agreements at their own discretion to the individual sporting entities.

Clontarf Aboriginal College

As a Catholic school in the Edmund Rice tradition Clontarf Aboriginal College is a place of learning and understanding that respects Aboriginal culture and spirituality and encourages students to reach their dreams. The potential partnership will focus on high quality alternative education for young Aboriginal students with a bespoke curriculum to be tailored to their individual needs and interests.

Council on the Ageing WA (COTA)

COTA commenced in 1959 on the founding principle of valuing the contribution and lived experience of older people and the advance the rights, needs and interests of older Western Australians. Consultation was held with COTA to discuss potential co-location opportunities in the Community House.

SEDA Group

SEDA is a leading provider of industry based hands-on education. They provide an individual approach to learning and focus on developing real skills to prepare students for a successful future. Through their partnerships with peak sporting organisations and elite clubs, students in Year 11 and 12 are provided with industry opportunities they will not find anywhere else. The project team consulted with SEDA to discuss their interest in co-locating the SEDA College within the RAF.

Summit Climbing Group

Summit is a complete and holistic provider of all products and services relating to the climbing industry and presents a unique position within the marketplace. Its focus in the RAF would be to fund and operate the Climbing Wall.

Template legal agreements have been drafted in order to facilitate formalisation of funding / commercial agreements during the next stage of the project. These comprise a non-binding Heads of Agreement suitable for those entities who have expressed an interest in securing tenure within the RAF (and contributing funding as applicable).

User / Tenant / Stakeholder Engagement

An extensive number of potential user / tenant stakeholders were engaged with throughout the Project Definition Phase, largely comprising state sporting entities or other related peak bodies.

The following sporting entities were engaged:

- Achper Australia (WA Branch)
- Austswim
- Badminton WA
- Basketball WA
- Diving Western Australia
- Golf WA
- Hockey WA
- Masters Swimming Western Australia
- Netball WA
- Parks & Leisure Australia
- PGA Australia
- Redbacks (Perth Basketball Association)
- Royal Life Saving Western Australia
- Swimming WA
- Synchro WA
- Triathlon Western Australia
- Unisport
- Volleyball WA
- Water Polo WA

The primary outcomes of this engagement included:

- Definition of the likely occupants of the Community House and their spatial requirements to inform the design, which included both the sporting entities and community organisations;
- An understanding of the facility usage requirements of the sporting users (i.e. aquatics, courts, etc.);

- Details of their specific sports technical requirements to consider as part of the concept design and to further detail during the next stages of design;
- Any potential funding opportunities to inform the funding strategy; and
- General support for the RAF facility, as evidenced by several letters of support and presentations made to Council by a number of the key partners / stakeholders.

Stakeholder and Community Engagement

The City conducted extensive engagement with key stakeholders and the wider community from 26 August to 23 September 2020 to give them the opportunity to provide feedback and assist in shaping the proposed RAF.

As part of the engagement program, the City contracted consultants Research Solutions to analyse all engagement data and Elton Consulting to facilitate the workshops (both in person and online).

Research Solutions were engaged to conduct an independent stakeholder and community engagement exercise to gauge the need for and acceptability of the proposal to construct the RAF on the grounds of Collier Park Golf Course. A report detailing the outcomes of the engagement has been prepared **Attachment (a)**.

The engagement process was divided into two parts:

1. An online survey hosted on the City's online engagement platform and distributed widely in the community.
2. In-depth research comprising a series of seven face-to-face engagement activities, as follows:
 - Community Survey - Online and hardcopy survey (1,641 responses - 1,407 being City of South Perth residents).
 - Disability and Access Workshop - Attended by 24 participants including members of the City's Inclusive Community Advisory Group (ICAG), a range of service providers, people living with disabilities and the carers of people living with disabilities. The purpose of the session was to inform them about the project and its background and encourage them to circulate that information to their contacts and to capture their advice, needs and requirements to make the RAF a welcoming and inclusive place to visit.
 - Community and Action Groups Workshop - Attended by 11 attendees representing the South Perth Historical Society, Karawara Action Group, Manning Community Association, Salter Point Community Group and the City of South Perth Residents Association. The purpose of the session was to inform them about the project background with a focus on financial sustainability, to capture their needs and requirements for the RAF and to encourage them to circulate information to their contacts.
 - Aboriginal Key Stakeholder and Community Workshop - Attended by 9 participants including members of the City's Aboriginal Reference Group, the community, Traditional Owners, the Curtin University community and South West Land and Sea Council (SWLSC) family representatives. The purpose of the session was to inform attendees about the project and to capture their advice, needs and requirements to make the RAF a welcoming, accessible place for Aboriginal people.

Attendees were also encouraged to circulate information about the project to their contacts.

- Community Information Day - The community was invited with the intention of informing them about the project, providing them with an opportunity to ask questions of the City and the architects, gauging their level of interest in and support for the RAF and capturing their needs and requirements. Approximately 100 participants attended this face-to-face event.
- Collier Park Golf Key User Groups – Attended by 12 participants as representatives from Collier Park Golf key user groups. The purpose of the workshop was to inform them about the project, hear their concerns and answer any questions they had.
- Online Community Workshop - Attended by community members. The purpose of the workshop was to inform the community about the project as well as to provide another opportunity capture their advice, needs and requirements for the RAF.
- South Perth Youth Network (SPYN) Workshop – Attended by five members of SPYN aged between 16 and 19 years. The purpose of the workshop was to inform and capture their advice, needs and requirements to make the RAF a welcoming and accessible place for young people.



Figure 12 - Stakeholder Feedback Mechanisms

Marketing and Communications

The engagement process was widely promoted by a far-reaching marketing campaign using all of the City's communications channels plus additional innovative methods, including social media, displays, videos, City's website, City's online engagement portal 'Your Say South Perth', targeted emails, eNewsletters, hard copy publications and brand ambassadors.

The City also made use of its extensive networks to promote the project and survey by using multiple contact lists and requesting that community groups forward the information to their members and contacts.

Key findings

Key findings overall from the stakeholder and community engagement identified a high level of support for the concept of the RAF with 87.2% of total respondents (87.8% City respondents) to the survey indicating they would use the proposed facility. Compelling reasons for developing the RAF are:

- Its location in the City of South Perth is more convenient than many of the current venues used (70.3% of respondents used facilities outside of the City)
- That it met the need for a swimming pool in the City of South Perth (79.4% of respondents had used an aquatic or indoor recreation facilities in the last 12 months)
- That it provides the opportunity to create a unique facility which meets the needs of the more marginalised members of the community.

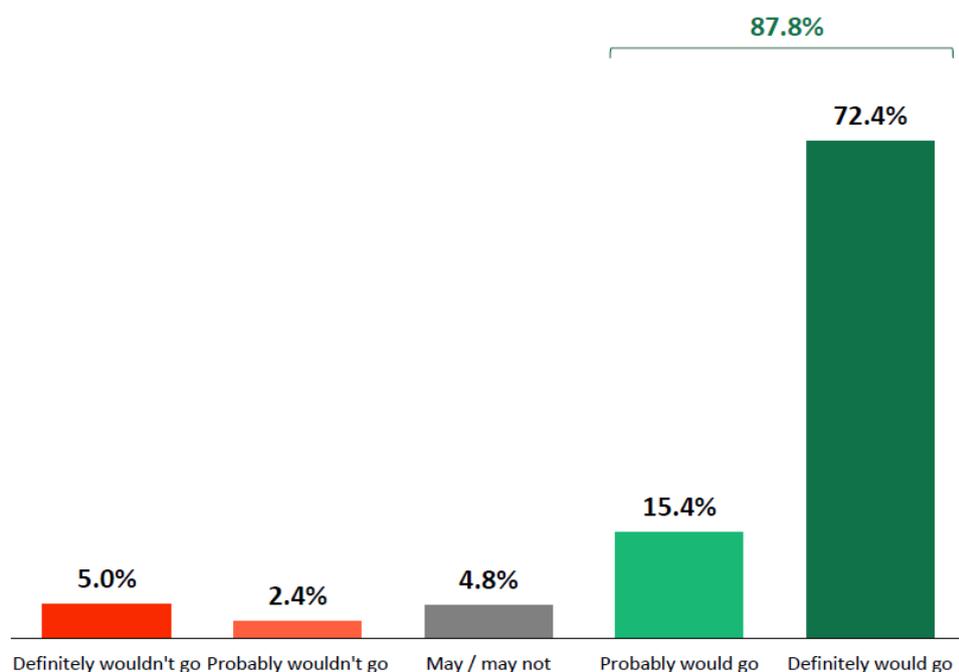


Table 5 – Likelihood of use of the RAF, City of South Perth residents (n=1,407)

The results of the RAF survey

The stakeholder and community engagement was undertaken using a structured survey to obtain an understanding of the needs and expectations of the community in relation to the RAF. A total of 1,641 people participated in the online survey.

Based on all of the responses to the survey, the majority (87.2%) say that they would be likely to use / visit the RAF should it be built (probably or definitely would use). Overall, 70.7% people who participated in the survey stated they would definitely use / visit the facility.

The main reasons community members gave for being likely to use the RAF themselves or take their children or grandchildren to the facility include:

- It's closer to home/work than the current facility used
- To use the pool
- Promotes fitness and wellbeing

- Good for kids/would take children or grandchildren there
- All the family would use it, it's family friendly
- Provides a place to socialise with family and friends

Of those who are unlikely to use the facility, their main reasons for not using it include:

- There are similar facilities already available close by
- Don't want facility to be built on the golf course
- Perceive it's a waste of ratepayers' money
- Believe it's the wrong location and should be built elsewhere

Those who would definitely use the proposed RAF tend to fit the following demographic profile:

- Have used a public or private aquatic centre in past 12 months
- Have children at school (pre-school, primary and secondary)
- Under 55 years of age
- Female
- Live in the City of South Perth or directly surrounding local government areas (LGAs)

Those likely to use the facility expect to do so because they or their children currently participate in indoor and pool-based activities and the proposed facility is closer to their home or work compared to the facilities they currently use. Furthermore, the proposed venue has aquatic facilities, which the community believes is needed in the area. They also perceive the facility as being a family friendly environment which is good for children and a good place to socialise.

The main indoor and pool-based sports and activity facilities currently used by the community members are:

- Aqualife, East Victoria Park
- Wesley Sports Club, South Perth
- Beatty Park Leisure Centre, North Perth
- Riverton Leisureplex, Riverton
- LeisureFit, Booragoon
- ARC, Cockburn
- Belmont Oasis Leisure Centre, Belmont

On average, those likely to use the proposed RAF travel for 15 minutes to get to the facilities they currently use and there was a high incidence of travel by private vehicle among this group of people, regardless of the facility they currently use. Among those likely to use the proposed facility, the 12 most popular indoor and pool-based sports and activities which this group would like to be offered at the RAF include:

- Swimming
- Pilates/yoga
- Gym workout
- Swimming/walking in water
- Group fitness classes
- Swimming lessons
- Hydrotherapy pool
- Circuit training
- Water play area/pool

10.7.5 Recreation and Aquatic Facility - Feasibility Business Case

- Indoor climbing
- Indoor basketball
- Aquatic group classes

The research indicated that the RAF was unique compared to the surrounding facilities used, including gym / health club activities as part of the RAF offering. Among those likely to use the facility, the most preferred health and wellbeing services which have been proposed for the RAF include:

- Massage
- Physiotherapy
- Sauna/spa/steam room
- Hydrotherapy

The most popular food and beverage facilities with the highest probable usage among those who are likely to use the facility include:

- Café
- Kiosk/take-away
- General seating and tables

In terms of outdoor facilities to be offered, those likely to use the RAF have greatest preference for the inclusion of:

- Shaded areas
- Picnic area
- Seating
- Children's playground
- Mini golf

Travel by private vehicle will remain by far the most popular mode of transport in getting to the RAF among those likely to use it. Those living in the City of South Perth and surrounding LGAs may modify their mode of transport if there are safe cycling routes to the proposed facility and there is secure bike parking at the facility.

Expectations about the RAF from those likely to use the facility and consider extremely important include it:

- Being a welcoming and safe environment
- Providing opportunities to stay active
- Providing a positive experience
- Improving general health and wellbeing

Generally, there is wide support for the development of the RAF among those who participated in the stakeholder and community engagement survey.

Outcomes of the face-to-face engagement activities

The following paragraphs summarise the outcomes of seven face-to-face engagement activities.

Key messages from the face-to-face engagement activities suggest:

- The community sees a need for the RAF in the City of South Perth, although there are some whose support is likely contingent upon the RAF being financially sustainable in the long term
- An aspiration for the RAF to offer 'something for everyone', irrespective of age, financial position, cultural background or level of ability

- There are widely held beliefs that creating a welcoming and inclusive space will be contingent upon both good design and great management, and that structural inclusion is key to creating comfortable spaces for Aboriginal people and other groups
- The community is looking for an exceptional public realm that will become part of the daily life of local residents
- Many view the RAF as an opportunity for the City of South Perth to recognise and celebrate Whadjuk history and culture through art, design and naming
- There appears to be some opposition to locating the RAF at Collier Park Golf from golfers, concerned about its impacts on the course and their experience of it.

The community is broadly supportive of the concept, perceiving a need for a RAF in the City of South Perth.

The engagement activities confirm that residents currently leave the City of South Perth for most aquatic pursuits: whether exercise, leisure or swimming lessons.

The lack of a swimming pool is a gap in the City's offering and many perceive the RAF is long overdue.

Support may be contingent on the financial viability of the project, and the likely impost on ratepayers.

In many of the engagement activities, a number of residents voiced their concerns about the financial viability of an aquatic centre, perceiving swimming pools to be 'money pits' for local governments and ratepayers. These participants would like to see more in the way of 'hard numbers' and the business case before putting their support behind it.

Regular users of Collier Park Golf may support the concept of the RAF but be more likely than others to oppose its location at Collier Park Golf

Golfers want the 27-hole course to remain and perceive there are other sites within the City more suitable to the RAF. The main issue appears to be concern over access to the course: they feel that encouraging more golfers to the game and reducing the number of holes is likely to have a negative impact on their ability to play on the course. The introduction of a new driving range and new technologies is unlikely to offset reduced access to the course.

Multi-cultural, multi-functional and multi-generational: consistent values and aspirations emerged across all groups

Common themes emerged from the majority of face-to-face engagement activities, namely that the RAF should be a place where everyone feels comfortable and that can accommodate the needs of people of all ages, all cultures and all levels of ability. The RAF should be a place for more than just swimming. The RAF should offer opportunities for casual daily use (like walking the dog or taking the children to the playground), for meeting up with friends or family for picnics or breakfast at a café, for individual or group exercise, for physical therapy, community events and cultural experiences.

For vulnerable and other groups, structural inclusion is key

Attendees at both the Disability and Access and the Aboriginal Key Stakeholder and Community Workshops stressed the need for structural inclusion in the RAF to foster a sense of welcome and ownership. They felt that inclusion needs to begin at the concept phase and follow through to design, procurement, construction, management and employment at the RAF. Employing Aboriginal people and people with disabilities in all positions – including public facing ones – will cement community faith in the RAF as a welcoming space.

It is felt that many errors are still being made in designing inclusive built environments – even in flagship public spaces. Minimum standards for disability access are not felt to go far enough and good ideas are felt often to be ruined by a lack of follow-through. An example given was the change rooms for people with disabilities at Yagan Square that are ‘above code’, however the entry doors are too narrow, the stalls are a tight fit and wayfinding is poor. At Optus Stadium, there are too few ACROD bays and those that exist are a long walk from the stadium. Elizabeth Quay has cobblestones which are not suitable for people in wheelchairs.

Aboriginal people felt that the traditional Euro-centric design of buildings and amenities (such as purely functional, square designs, a lack of access to nature, cold and unwelcoming reception areas, the lack of family change rooms) can serve to exclude.

Attendees at the Aboriginal Key Stakeholder and Community Workshop articulated the need for the architects to believe in the concept of inclusion and really ‘sell it’ to the Elected Members.

In creating a welcoming and inclusive environment, management will be as important as design

The need for high-quality, friendly and well-trained staff emerged as a consistent theme in most engagement activities, trained in cultural awareness and inclusive practices.

Aboriginal people and people with disabilities felt that they are likely to be disproportionately affected by policies they felt suit the needs of management rather than users. For example, one workshop attendee who is vision-impaired reported needing to seek permission from pool staff to swim unaccompanied. At some swimming pools, Aboriginal girls are told they cannot swim in shorts and t-shirts; as they often have a different sense of modesty to their non-Aboriginal counterparts, this policy effectively excludes them from accessing the pool.

The ‘economics of access’ warrants consideration

The cost of access is a further consideration. The need to pay for parking, for entry and food can effectively exclude large sections of the community on lower incomes, frequently excluding people living with a disability, seniors, Aboriginal people, new migrants and people with large families.

Catering to all needs requires that the RAF offers both paid and no-cost activities that the whole family can enjoy. Attendees of the Aboriginal Key Stakeholder and Community Workshop identified a water park like the ‘old one at Ascot’ would be a very welcome inclusion; a place where families are able to spend the day at no cost. The inclusion of a water playground or fountains ‘like at Forrest Place’ appealed to all community groups.

Opportunities for cultural experiences

The Aboriginal Key Stakeholder and Community Workshop had a number of considerations they wish included: places to meet, 'mia mias' (a temporary shelter or hut), access to the water and indigenous art. It is worth noting that the attendees from both the Disability and Access Workshop and the Community Action Group Workshop also felt the RAF would benefit from embedding Aboriginal art and stories of the Whadjuk people into the design of the RAF, including plant names and their uses and the story of the Noongar Six Seasons. They perceive that opportunities for cultural experiences will be one factor that sets the RAF apart and helps make it a regional destination.

An exceptional public realm

A strong desire for the RAF to provide an exceptional public realm emerged in all groups. To encourage daily use by local residents, it should offer a safe, secure and comfortable environment that includes protection from winter rain and summer heat. Access to the natural environment, protection of the wetlands, and retention of trees are all important, as is the provision of sufficient open space for the RAF to host festivals and community events. An all-abilities, enclosed adventure playground is a key inclusion, and one for which people say they will travel.

Councillor Concept Briefings

A series of concept briefings have been held with Councillors to inform them of progress of the RAF since the September 2019 Council resolution as follows:

- 10 February 2020 – Project architect tender and project update
- 3 August – Project background and update
- 1 September – Curtin University, plus project design and draft inclusions
- 14 September – Project partner presentations, plus Business Case outline
- 5 October – Business Case presentation
- 19 October – Stakeholder Engagement, plus Architect Presentation and Business Case discussion

The stakeholder and community feedback, along with a range of other stakeholder input and information, will help inform Council and assist in the decision making process for the next steps of the proposed facility.

Policy and Legislative Implications*Local Government Act 1995*

- Section 3.18 of the Act prescribes that a local government may provide services and facilities; and in doing so should satisfy itself that they are integrated and coordinated with services and facilities provided by the Commonwealth, the State and other entities
- Section 3.59 of the Act prescribes the requirements for preparation of a business plan detailing what this may include.

Local Government (Functions & General) Regulations 1996.

- Regulations 8A & 8 describe the amount prescribed for major trading undertakings; exempt trading undertakings prescribed (Act s. 3.59)

Policy 106 Use of City Reserves and Facilities

Policy 609 Management of City Property

Complying with Department of Planning, Lands and Heritage (DPLH) requirements with respect to necessary amendments to the management orders for the reserves. The requirements will be confirmed in consultation with DPLH as the project progresses.

City of South Perth Community Recreation Facilities Plan

At the September 2020 meeting Council adopted a Public Health Plan, a broad community wide plan which endeavours to work towards better health outcomes for the City. The Public Health Plan is a guide for the City to integrate a public health focus into existing services and facilities, such as the proposed RAF and future public health initiatives. The strategies adopted in the Public Health Plan align with the WA Government's Sustainable Health Review (2017) to develop a more sustainable health system for Western Australia and reduce the burden of chronic disease.

The proposed RAF is integral to Priority area 2 – Chronic Disease Prevention and Management of the Public Health Plan and improving the health outcomes of South Perth residents. Strategy 2.1 of the Public Health Plan details the role of the proposed RAF.

2.1 Increasing physical activity and program management

2.1.1 Planning for and building the Recreation and Aquatic Facility (RAF)

- A multi-purpose facility with an explicit focus on improving health outcomes and encouraging preventative health activities
- Collaboration with key stakeholders to deliver a range of exercise and health related programs to the community
- Provision of a wide range of sporting and recreational activities such as swimming, golf and playing courts
- Encourage social cohesion through participation in health related programs and sporting activities

Financial Implications

The funding target for delivery of the RAF is \$80 million. The current Project Definition Phase cost estimate is \$79,871,845 (excl. GST), which was provided by the project cost consultant.

This exceeds the project budget (target) of \$73 million adopted at feasibility stage, primarily due to the following changes or inclusions:

- Inclusion of a climbing centre;
- Increased size of the Community House to meet requirements (including by COTA and SEDA College);
- Provision of space for occupation by Curtin;
- Increased size of the health club to meet forecast demand;
- Increased size of food and beverage facilities;
- Increased infrastructure and servicing requirements; and
- Increased number of car bays.

Item	Cost (Excl. GST)
Demolition & Site Preparation	\$3,204,600
Building Works	
- Community House (Incl. Curtin University)	\$6,185,150
- Aquatic	\$15,935,400
- Sports Hall	\$15,293,750
- Health Club	\$3,956,000
- Common Facilities	\$3,773,000
- Food & Beverage	\$4,200,250
- Driving Range	\$2,479,000
- Plant	\$369,000
External Works & Services	\$9,363,695
Construction Sub-total	\$64,759,845
Design Contingency	\$2,591,000
Construction Contingency	\$3,368,000
Statutory Fees & Charges	\$354,000
Professional Fees	\$6,000,000
Headworks Fees & Charges	\$350,000
Public Art	\$500,000
Escalation	\$1,949,000
ESTIMATED TOTAL COST	\$79,871,845

Table 6 – RAF Project Definition Phase cost estimate

These costs are still preliminary and are expected to be refined to remain within the \$80 million target through the use of value management processes as the project matures.

Key Funding Partners

Federal Government

The Federal Coalition Government has committed \$20million to the project to construct the aquatic facilities.

State Government

Engagement at a state and local level has taken the form of a number of meetings with key representatives of the Department of Local Government, Sport & Cultural Industries and Department of Planning, Lands & Heritage. A financial commitment of \$20 million from the State Government will be sought as a priority.

SportWest

SportWest has provided a commitment to the project via an exchange of letters with the City, which includes a funding contribution of \$1 million, of which \$50,000 is a contribution towards the Project Definition and Business Case phase, with the balance a contribution towards the Community House fit-out.

Curtin University

The University has agreed to representation in project governance in line with an initial commitment of \$150,000 to fund the Stage 1 Project Definition and Business Case. Discussions with the University on capital funding will continue.

RAF Operator

The City has not yet determined how the RAF will be governed and managed, however the project team consider that management by a single external management agency is the preferred option.

If this option is chosen, the City will seek tenders (with initial Expressions of Interest (EOI) to test the market appetite) for an Operator. Subject to an agreement being established it is likely that the preferred operator will contribute capital funding through a contribution to fit-out costs in exchange for the establishment of a long-term management lease.

Other potential funding partners

These include state sporting associations, neighbouring municipalities, commercial tenants and a 'Naming Rights' partner.

City of South Perth Recommended Funding Commitment

It is important to note that a financial commitment to the project from the City of South Perth Council demonstrating its full commitment to the RAF development is a fundamental expectation of State Government and 'other partners'. This commitment is now required in order for the CEO to successfully progress requests for additional funding.

A recommendation of this report is for Council to make a clear funding commitment to the project of \$20 million, matching the existing Federal Government commitment, and being 25% of the estimated total cost.

The RAF will replace and improve the service level of two existing City assets (GBLC and CPGC buildings), and the \$20 million commitment sought is comparable to what would be required to upgrade those facilities were the RAF not to progress. In that sense, the \$20 million is already accounted for in the Long Term Financial Plan (LTFP) and therefore not considered a new funding request, but is primarily a reallocation of existing asset liabilities.

It is important to note that the LTFP informs the Annual Budget, however the Council has absolute discretion each year to determine in the Annual Budget the means to fund the Capital works program; the options being grants, reserves, loans, municipal funds or a combination.

The RAF project will straddle several Annual Budgets. Council will adopt the amount of annual capital payments and the required funding mix each year. By way of example, Council may choose to fund the capital payments entirely by Municipal funds, or entirely by Reserve funds, or entirely by loan funds, or a combination of two or three funding sources each year. A Council commitment to fund \$20 million (City contribution) of the RAF project does not lock in any particular funding mechanism.

For illustrative purposes, the OFR modelled the City's funding contribution as a \$20 million loan, this is as a conservative approach. The City may borrow at historically very low interest rates. Alternatively, the City may fund the project via Municipal funds and/or Reserves. In choosing one of these options the City would forgo interest revenue from investments, these too are also at historical low levels. For comparison, the interest expense for loan funds is currently 2.64% (fixed, for 20 years), in comparison to the 0.6% revenue interest that would be forgone should Council resolve to use Municipal or Reserve funds.

In summary, a \$20 million City contribution commitment to fund the RAF does not require the Council to determine how this commitment will be funded and the amounts described in the OFR have been prepared on a conservative basis, for illustrative purposes.

Summary Assessment

The RAF project has the ability to:

- Return existing revenue
- Cover Sinking fund
- Cover Loan requirements for 20 year loan (assuming full City funding by loan)

Progression of the RAF Project

There are a number of recommendations for the Council to consider and approve to enable the City to progress the RAF project. They are as follows:

1. Approve the Project Definition Plan and Operational Feasibility Report;
2. Endorse the outcomes of the stakeholder and community engagement to date;
3. Confirm a \$20 million capital expenditure commitment to the project;
4. Direct the Chief Executive Officer to continue to pursue the required funding for the \$80 million project proposal; and
5. Approve a Section 3.59 Business Plan for the project for state-wide public notice.

Section 3.59 Business Plan

Section 3.59 of the Local Government Act 1995 (Act) and Regulations 8 and 8A of the Local Government (Functions and General) Regulations 1996 (Regulations), require the City to prepare a business plan before it considers entering into a major land transaction and/or major trading undertaking. The City has received legal advice that signing of the Federal Grant Agreement and acceptance of payments would constitute “entering in a major trading undertaking”.

It is therefore now necessary for the City to advertise a Section 3.59 Business Plan prior to the execution of the Federal Grant Agreement, and to allow the City to take receipt of the first financial draw down of \$5.5million, due by the end of the 20/21 financial year.

Regulation 8A of the Regulations describes a major land transaction as the amount that is the lesser of \$10 million or 10% of the operating expenditure. For the City of South Perth, 10% of the total operating expenditure represents \$6,169,297 (Annual Budget 2020/2021).

Regulation 8 provides an exemption to produce a section 3.59 business plan if the local government enters into the transaction without intending to produce a profit. Given the mixed nature of the project, with a total estimated cost of \$80m, it is prudent for Council to comply with the requirements of a section 3.59 business plan.

A business plan, in accordance with section 3.59 of the Act requires consideration of public comments, prior to its commencement / implementation. The public comment period, advertised state-wide, is to be open for a period of not less than six weeks. During this advertising period, submissions are invited from members of the public. Council must consider any submission received during the advertised period before it decides to proceed (or not) with the business plan.

The adoption to advertise a business plan is not an approval to proceed. Approval to proceed may only occur once Council has considered any public comments received during the public comment period. Therefore, the earliest possible time for Council to adopt to proceed with the RAF project is February 2021.

A business plan for the RAF **Attachment (d)** has been developed to comply with the Act and the Regulations.

Subsequent to the Council's approval of the recommendations of this report, an indicative task list and timeline to progress the RAF project to completion is tabled below. It is important to recognise that there are a number of tasks to be undertaken before the RAF project is to progress to construction and that Council approval is required for several of these.

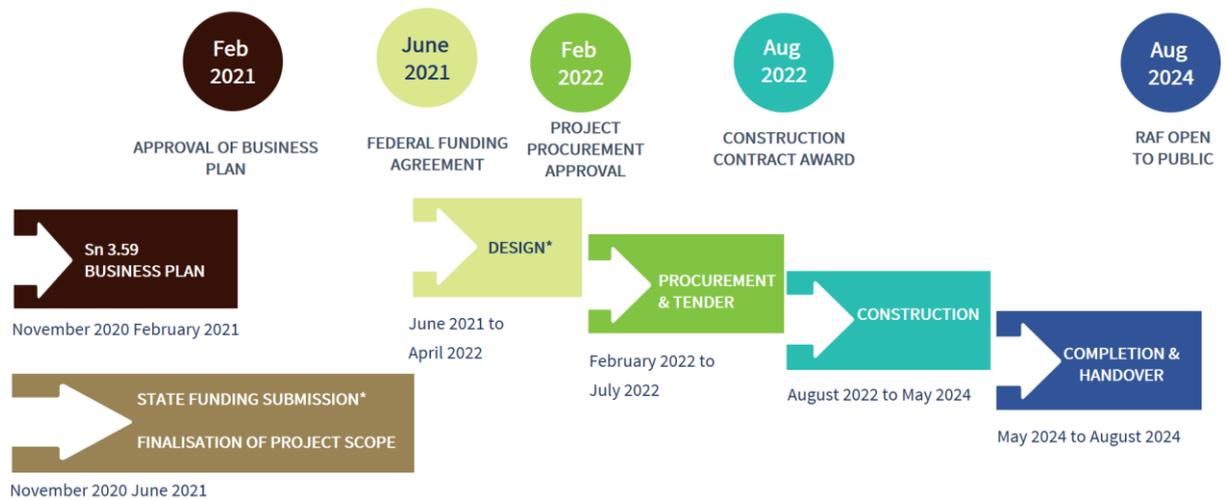


Table 7 – Project Timeline

Note:

* This programme assumes that design activities do not commence until June 2021, allowing for the project scope to be finalised based on final funding commitments (State funding). Design activities can commence earlier should the funding and therefore scope, be finalised prior to that date, which would result in an earlier RAF opening date. Conversely, should the project scope not be finalised by June 2021, any delays will have a consequent impact on the overall project programme.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2020-2030](#):

Strategic Direction: Community
 Aspiration: A diverse, connected, safe and engaged community
 Outcome: Community Infrastructure
 Strategy: Plan for and promote the development of recreation and aquatic facilities to service City of South Perth needs

Attachments

- 10.7.5 (a):** Stakeholder and Community Engagement Report for the Proposed Recreation and Aquatic Facility *(Under Separate Cover)*
- 10.7.5 (b):** Project Definition Plan *(Confidential) (Under Separate Cover)*
A [redacted version](#) of the above **Attachment (b)** has been made publically available on the City's website.
- 10.7.5 (c):** Operational Feasibility Report *(Confidential) (Under Separate Cover)*
- 10.7.5 (d):** Section 3.59 Business Plan *(Under Separate Cover)*

11. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

13. QUESTIONS FROM MEMBERS

13.1 RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE

Nil.

13.2 QUESTIONS FROM MEMBERS

Nil.

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

Nil.

15. MEETING CLOSED TO THE PUBLIC

Nil.

16. CLOSURE

The Presiding Member thanked everyone for their attendance and closed the eMeeting at 8.28pm.

APPENDIX

6.2 PUBLIC QUESTION TIME

<p>1. Mr Trevor Hill, 100A Forrest Street, South Perth. Received: 23 November 2020</p>	<p>Questions 1 and 2 - responses provided by: Colin Cameron, Director Corporate Services</p> <p>Question 3 – response provided by: Mark Taylor, Director Infrastructure Services</p>
<p><i>I note that many of the current councillors based a significant part of their recent election campaigns on the City's financial performance and financial ratios.</i></p>	
<p>1. What is the effect of a \$20m loan on the City's financial ratios over each year of the anticipated term of the loan?</p>	<p>Pages 85 and 86 in the Agenda, under Financial Implications, describes the inclusion of a \$20m loan for the City funding component included in the Operational Feasibility Report (OFR) was included for illustrative purposes. It is at the adoption of the Annual Budget, during the construction phase, that Council will determine the City funding; via a loan, municipal, reserve funds, or a combination of all three. Major projects impact the City's financial ratios in a number of ways. For example, the sale of the Civic Heart land funded the upgrades to John McGrath Pavilion and surrounding parkland in Ernest Johnson Oval as well as construction of the new Manning Library Hub. The sale of land resulted in a significant increase to ratios in that year, as well as changes to the ratios each year once the projects were commissioned. The RAF project will similarly alter ratios at different points in time depending on the decisions that Council make. In considering the best approach each year, Council will be informed by estimates, including implications for ratios based on the Annual Budget as well as forward estimates.</p>

	<p>It is important to note that the current legislated ratios are under review, as a result of significant industry criticism, particularly their value of indicating financial health. A similar exercise has been undertaken in other States in Australia.</p>
<p>2. What is the cost of the RAF project in the City's Long Term Financial Plan and how closely does the RAF revenue and expenditure forecasts match that in the most recently approved LTFP?</p>	<p>As described on page 85, in relation to the City's \$20m funding, the current LTFP includes upgrades to buildings on the Collier Park Golf Course (CPGC) and the George Burnett Leisure Centre (GBLC) which would not be required if the City proceeds with the RAF. The LTFP does not include revenue and expenditure estimates for the RAF as Council has yet to commit funding to the project. It is intended to update the LTFP each year, during the Annual Budget deliberations, to allow for all Council decisions made since the last refresh of the LTFP to be included. The OFR is indicating the implications to Net Operating are negligible.</p>
<p>3. What effect will the RAF project have on the City's capacity to execute projects contained in City masterplans, to maintain/replace aging infrastructure in the City and to implement any changes arising from the City's new Local Planning Strategy?</p>	<p>As indicated in the response to Q2 above the RAF will replace and improve the service level of two existing City assets (GBLC and CPGC buildings), and the \$20 million commitment sought is comparable to what would be required to upgrade those facilities were the RAF not to progress, there for only a reallocation of resources. As in the past, the City has the capacity to manage and execute large scale projects, update asset management and master plans through each iteration and does not foresee issues in relation to the Local Planning Strategy.</p>

<p>2. Mrs Cecilia Brooke, 8/20 Garden Street, South Perth. Received: 23 November 2020</p>	<p>Responses provided by: Mark Taylor, Director Infrastructure Services</p>
<p>1. The City previously had ideas of major upgrades of facilities eg Challenger Res, Richo Oval Canning R 4shore. If the RAF goes ahead will the timing and scope of these projects outlined in the dmp be affected?</p>	<p>The two priority major projects identified for renewal / replacement in the City's Long Term Financial Plan are George Burnett Leisure Centre and the Collier Park Golf facilities. These will be effectively superseded by the RAF development.</p> <p>The Canning River foreshore works under the relevant management plan are still proposed to proceed. There are no short to medium term plans for upgrading Challenger Reserve facilities and currently no plans for Richardson Reserve facilities to be upgraded.</p>
<p>2. If the RAF goes ahead, will the major works in the current budget, such as the Welwyn Shops lane, the Salter Point stairs and other projects in the 2020/21 budget continue as planned in the budget?</p>	<p>Yes.</p> <p>The 2020/2021 Capital Works program, including the Manning Hub works and Redmond Reserve stairs is currently being progressed. These projects will not be impacted by the continuation of the RAF project.</p>

<p>3. Mr Evan Stewart, Basketball WA, Floreat. Received: 23 November 2020</p>	<p>Responses provided by: Jac Scott, Manager Business and Construction</p>
<p><i>Community sporting organisations have consulted heavily with the City of South Perth staff on the unmet needs of community sport in the local area. This includes basketball where there it is agreed by all stakeholders that there is an undersupply of indoor basketball courts in the region. The feasibility study outlines that the City team have written up Indicative Heads of Agreement with key users who are non-funding partners including Clontarf, COTA and SEDA. However, there has been no attempt from the City staff to discuss an indicative Heads of Agreement with any community sporting organisations.</i></p>	
<p>1. Why has there been no Indicative Heads of Agreement discussed or outlined with key sporting organisations who will be critical users of the proposed South Perth Recreation and Aquatic Facility?</p>	<p>The City acknowledges the representations that Basketball WA have provided in support of the project. There is an Indicative Heads of Terms agreement with SportWest as a key City partner and managing tenant for the sporting entities.</p> <p>In developing the Project Definition Plan the City has undertaken workshops with a number of sporting organisations and potential users to confirm their requirements. The project team looks forward to further addressing the individual requirements of each tenant via future negotiations leading to formal tenancy agreements at the appropriate time.</p>
<p>4. Mr Grant Yonge, 34 Kent Street East Victoria Park. Received: 23 November 2020</p>	<p>Response provided by: Jac Scott, Manager Business and Construction</p>
<p>1. Perth Basketball Association is keen to see the development prioritise expanded court space. What consideration has the Council given to reduce spend on high cost items (such as stadium seating and climbing walls) in favour of immediate expansion to an eight court development?</p>	<p>The mix of facilities is driven by financial viability, and items such as the climbing wall have been included as a net contributor to the project financials.</p> <p>The provision of stadium seating is to ensure that this facility is suitable for a variety of key events. The number of courts provided will depend on the level of external funding the City receives.</p>

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 the Ordinary Council Meeting held: Tuesday 15 December
2020

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