

AGENDA.

Ordinary Council Meeting

25 August 2020

Notice of Meeting

Mayor and Councillors

The next Ordinary Council Meeting of the City of South Perth Council will be held on Tuesday 25 August 2020 as an eMeeting commencing at 6.00pm.



GEOFF GLASS
CHIEF EXECUTIVE OFFICER

21 August 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.

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Ordinary Council Meeting - Agenda

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2. DISCLAIMER

3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

4. ATTENDANCE

4.1 APOLOGIES

4.2 APPROVED LEAVE OF ABSENCE

5. DECLARATIONS OF INTEREST

- Councillor Ken Manolas – Impartiality Interest in Item 10.1.3 as ‘I know people who live opposite both 214 and 215 in Coode Street.’
- Councillor Ken Manolas – Impartiality Interest in Item 10.3.1 as ‘I know a person who lives next door to this development and they may well have objected to it.’
- Mayor Greg Milner – Impartiality Interest in Item 10.7.1 as ‘I am the patron of the City of South Perth Historical Society.’
- Chief Executive Officer, Mr Geoff Glass – Impartiality Interest in Item 10.7.1 ‘As CEO I am a member of the South Perth Historical Society.’
- Councillor Carl Celedin – Impartiality Interest in Item 10.7.3 as ‘I am a Social Member of the Como Bowls Club. I rarely attend the Club except on the odd occasion (three or four times a year)’.
- Councillor Carl Celedin – Impartiality Interest in Item 10.7.4 as ‘I attended Trinity College however I have had nothing to do with the Trinity Aquinas Amateur Football Club during my time attending the school or since.’
- Mayor Greg Milner – Impartiality Interest in Item 15.1.2 as ‘I have previously been employed by a law firm engaged by Devwest. I understand that Devwest is related to Bradshaw 9 Pty Ltd.’

6. PUBLIC QUESTION TIME

6.1 RESPONSES TO PREVIOUS QUESTIONS TAKEN ON NOTICE

6.2 PUBLIC QUESTION TIME: 25 AUGUST 2020

7. CONFIRMATION OF MINUTES AND TABLING OF NOTES OF BRIEFINGS

7.1 MINUTES

7.1.1 Ordinary Council Meeting Held: 28 July 2020

Officer Recommendation

That the Minutes of the Ordinary Council Meeting held 28 July 2020 be taken as read and confirmed as a true and correct record.

7.2 CONCEPT BRIEFINGS

7.2.1 Council Agenda Briefing - 18 August 2020

Officers of the City presented background information and answered questions on Items to be considered at the 25 August 2020 Ordinary Council Meeting at the Council Agenda Briefing held 18 August 2020.

Attachments

7.2.1 (a): Council Agenda Briefing 18 August 2020 - 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
3 August 2020	Millers Pool Briefing
	Recreation and Aquatic Facility Background Briefing
4 August 2020	Long Term Financial Plan Briefing
10 August 2020	Audit, Risk & Governance Committee Workshop

Officer Recommendation

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

- 7.2.1 Council Agenda Briefing - 18 August 2020
- 7.2.2 Concept Briefings and Workshops

8. PRESENTATIONS

8.1 PETITIONS

8.2 GIFTS / AWARDS PRESENTED TO COUNCIL

8.3 DEPUTATIONS

8.4 COUNCIL DELEGATES REPORTS

8.5 CONFERENCE DELEGATES REPORTS

9. METHOD OF DEALING WITH AGENDA BUSINESS

10. REPORTS

10.1 STRATEGIC DIRECTION 1: COMMUNITY

10.1.1 eQuote 7/2020 Provision of Road Resurfacing, Rehabilitation and Ancillary Services

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Reference:	D-20-62496
Meeting Date:	25 August 2020
Author(s):	Lewis Wise, Infrastructure Projects Coordinator
Reporting Officer(s):	Mark Taylor, Director Infrastructure Services
Strategic Direction:	Community: A diverse, connected, safe and engaged community
Council Strategy:	1.2 Community Infrastructure

Summary

This report considers submissions received from advertising eQuote 7/2020 for the Provision of Road Resurfacing, Rehabilitation & Ancillary Services under the WA Local Government Association (WALGA) Preferred Supplier Panel – Road Building Materials Related Services.

This report outlines the assessment process used during evaluation of the eQuotes received and recommend approval of the submission(s) that provides the best value for money and level of service to the City.

Officer Recommendation

That Council:

1. Accepts the following schedule of rates submissions for eQuote 7/2020 – Provision of Road Resurfacing, Rehabilitation & Ancillary Services, as per the conditions and prices of the WALGA Preferred Supplier Panel – Roadbuilding Materials Related Services, for the period of supply up to 30 June 2021 inclusive:
 - i. Asphaltech Pty Ltd for Work Package 1; and
 - ii. WCP Civil Pty Ltd for Work Package 2.
2. Accepts the eQuote prices included in **Confidential Attachment (a)**; and
3. Notes that the estimated eQuote prices will be included in the Ordinary Council Meeting Minutes.

Background

The City has an annual road resurfacing program to ensure its roads meet service standards. Approximately \$2 million has been allocated for road related projects in the 2020/2021 Infrastructure Capital Works budget.

Projects were assigned to two work packages as detailed below;

1. Work Package 1 consists of works on local access roads of relative low complexity; and
2. Work Package 2 consists mainly of works on higher-order roads with night works activities of relative high complexity.

This allows the City to award two work packages to one or more (up to two) contractors. Each Work Package comprising of a number of projects (separable portions).

This is a risk management strategy used to distribute the effort and risk across contractors. This approach improves efficiency by maximising resources and generates an opportunity to execute multiple projects concurrently.

Concurrent resource allocation condenses the construction program which in-turn allows works to be undertaken in favourable weather conditions (October to March). This approach increases the likelihood of projects being delivered on time and on budget.

The City invited eQuote (7/2020) Provision of Road Resurfacing, Rehabilitation and Ancillary Services, as a schedule of rates contract from the WALGA Preferred Supplier Panel – ‘Roadbuilding Materials Related Services’.

The contract is expected to terminate on 30 June 2021. It was prescribed within the request for eQuote that it was the City’s intention to award two contracts (work packages) to one or two contractors.

Three suitably qualified contractors were selected to provide a response, with the invitation to quote closing at 5.00 pmon Friday 24 July 2020.

Comment

At the close of the e-quote advertising period three submissions had been received and these are tabled below:

TABLE A –eQuote Submissions

eQuote Submissions
1. Asphaltech Pty Ltd
2. Roads 2000
3. WCP Civil Group

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

TABLE B - Qualitative Criteria

Qualitative Criteria	Weighting %
Price	100%
Total	100%

Based on the assessment of all submissions received for eQuote 7/2020 Provision of Road Resurfacing, rehabilitation and Ancillary Services, it is recommended that:

- The quotation submission from Asphaltech Pty Ltd be awarded Work Package 1; and
- The quotation submission from WCP Civil Pty Ltd be awarded Work Package 2.

More detailed information about the assessment process can be found in the Recommendation Report – **Confidential Attachment (a)**.

Consultation

eQuotes were invited in accordance with the *Local Government Act 1995* and the Local Government (Functions and General) Regulations 1996.

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.*
- (2) *Tenders do not have to be publicly invited according to the requirements of this Division if –*
 - (b) *the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program*

The following Council 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 2020/2021 Capital Works budget.

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 City's properties, assets and facilities

Attachments

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

10.1.2 Tender 11/2020 Provision of Project Management and Construction Management Services for Road Rehabilitation Works

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Reference:	D-20-62498
Meeting Date:	25 August 2020
Author(s):	Lewis Wise, Infrastructure Projects Coordinator
Reporting Officer(s):	Mark Taylor, Director Infrastructure Services
Strategic Direction:	Community: A diverse, connected, safe and engaged community
Council Strategy:	1.2 Community Infrastructure

Summary

This report considers submissions received from the advertising of Tender 11/2020 for the Provision of Project Management and Construction Management Services for Road Rehabilitation Works.

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.

Officer Recommendation

That Council:

1. Accepts the tender submitted by Constructive Project Solutions Pty Ltd for the Provision of Project Management and Construction Management Services for Road Rehabilitation Works in accordance with Tender Number 11/2020 for the period of supply for a three year period with the option to extend for a further two years at the absolute discretion of the City;
2. Accepts the tender price included in **Confidential Attachment (a)**; and
3. Notes that the tender price will be included in the Ordinary Council Meeting Minutes.

Background

A Request for Tender (RFT) 11/2020 for the Provision of Project Management and Construction Management Services for Road Rehabilitation Works was advertised in The West Australian on 11 July 2020 and closed at 2.00pm on Wednesday 28 July 2020.

Tenders were invited as a Schedule of Rates tender based on a fixed price schedule. The required consultancy service comprises the management and supervision of road rehabilitation projects and programs delivered by the City's external contractor(s).

The service includes; preparation of procurement documentation, assisting in tender evaluations, site supervision, superintendent services, construction management, contract management, financial control, quality auditing and project closeout.

To meet the requirements of this request, extensive knowledge and experience in providing Project Management and Construction Management services for Local Government road rehabilitation projects is required.

The RFT seeks the provision of the required services for a three year period with the option to extend for a further two years at the absolute discretion of the City,

Comment

At the close of the tender advertising period 11 submissions had been received and these are tabled below:

TABLE A – Tender Submissions

Tender Submissions
1. Allied Projects
2. Arcadis Australia Pacific
3. Constructive Project Solutions Pty Ltd
4. Engineering Project Management
5. Lackon Pty Ltd
6. McDowall Affleck Pty Ltd
7. NS Projects
8. Pritchard Francis
9. Realcom Project Management
10. SMEC Australia Pty Ltd
11. Zorostar Pty Ltd

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

TABLE B - Qualitative Criteria

Qualitative Criteria	Weighting %
1. Demonstrated local government experience within scope and scale of projects and programs	50%
2. Appropriate qualifications of Key Personnel within scope and scale of projects and programs	25%
3. Resource availability and commitment to provide the required services for the duration of the requirements	25%
Total	100%

Based on the assessment of all submissions received for Tender 11/2020 Provision of Project Management and Construction Management Services for Road Rehabilitation Works, it is recommended that the tender submission from Constructive Project Solutions Pty Ltd be accepted by Council.

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 Council 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 2020/2021 budget.

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

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

10.1.3 Application for a Large Scale Event/Activation on the South Perth Foreshore - The Big Wedgie Pty Ltd

Location:	Sir James Mitchell Park
Ward:	Mill Point Ward
Applicant:	The Big Wedgie Pty Ltd
File Ref:	D-20-62500
Meeting Date:	25 August 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:	1.1 Culture & Community

Summary

The City has received a request from a commercial organisation called The Big Wedgie Pty Ltd to hire a portion of Sir James Mitchell Park to operate a temporary aquatic leisure activation (water slides business) from 19 December 2020 to 31 January 2021.

City of South Perth Policy 106 Use of City Reserves and Facilities requires large scale events and activations facilitated by commercial organisations to be referred to Council for approval.

This report recommends approval of the temporary water slides business subject to The Big Wedgie Pty Ltd complying with the stated terms.

Officer Recommendation

That Council approves a Licence Agreement to The Big Wedgie Pty Ltd to use part of Sir James Mitchell Park to operate a temporary large scale aquatic leisure activation (water slides business) pursuant to City of South Perth Policy 106 Use of City Reserves and Facilities and subject to the following terms:

- a. Licensed Area: Part of Sir James Mitchell Park comprising an area of approximately 6,000 square metres within Lot 214 and Lot 215 Coode Street South Perth.
- b. Term: 19 December 2020 to 31 January 2021 (plus two or three days for setup and dismantling of operation).
- c. Operating Times: 9am-7.30pm daily (except Australia Day being 12pm to 7.30pm).
- d. Permitted Use: Installation and operation of four inflatable waterslides with associated infrastructure comprised of a kiosk, ticket booth, shade shelters, inflatable dome, chlorine water filtration system, water tanks, storage compound, power leads, water hoses and perimeter fencing.

- e. Event Requirements: Site Plan, Risk Management Plan/COVID-19 Safe Plan, Noise Management Plan, Public Liability Insurance Coverage, Resident Notification Letter, Parking and Traffic Plan, Crowd Control Plan, First Aid Plan, Food and Beverage Plan, Amenities/Toilets Plan and Waste Management Plan.
- f. Special Conditions: Australia Day - The community shall receive free use of the water slides on 26 January 2021, as part of the City's Australia Day event.
- g. The payment of the Fees and Charges (excluding GST) contained in **Confidential Attachment (a)**.
- h. Other Approvals: In accordance with the Swan and Canning Rivers Management Regulations 2007, The Big Wedgie Pty Ltd will also require a permit from the Department of Biodiversity Conservation and Attractions, as the land requested for hire by the operator falls within the Swan River Trust Riverpark area.

Background

Over the last two years during the Christmas holiday periods, The Big Wedgie Pty Ltd has hired a portion of Sir James Mitchell Park (Lot 214 and 215 Coode Street South Perth) to operate a temporary water slides business for the community. Their business involved the installation and management of four inflatable water slides and associated infrastructure (i.e. kiosk, ticket booth, shade shelters, inflatable dome, chlorine water filtration system, water tanks, storage compound, power leads, water hoses and perimeter fencing).

In June 2020, the City received another reserve hire booking application from The Big Wedgie Pty Ltd to again hire a portion of Sir James Mitchell Park (Lot 214 and 215 Coode Street South Perth) to operate its water slides business for a temporary basis from 19 December 2020 to 31 January 2021.

City of South Perth Policy 106 Use of City Reserves and Facilities requires large scale events and activations facilitated by commercial organisations to be referred to Council for its approval.

Comment

There are various positive impacts on the community resulting from use of the City's reserves and facilities for large scale events and activations, such as:

- Activation of public spaces;
- Improves social connectedness;
- Promotes participation in physical activity;
- Commercial trade opportunities for local business; and
- Enhances overall community health and wellbeing.

Large scale events and activations are assessed in relation to the impact it may have on the venue and surrounding area. Consideration shall be given to:

- the number of people attending the event;
- other activities taking place in the area;
- the availability of parking facilities; and

- the possible impact of the event on the facility itself, facility users and local residents.

As large scale events have a greater potential impact on the community, the City has developed 'event suitability criteria' to guide the decision-making process regarding future large scale events on the South Perth Foreshore (see table below).

<u>Large Scale Event Suitability Criteria</u>	<u>City's Assessment</u>
Land Ownership and Permitted Land Use	The land requested to be used by The Big Wedgie Pty Ltd is freehold land owned by the City. The land has a 'Parks and Recreation' zoning. The proposed activation (water slides operation) is consistent with the permitted land use.
Compliance to Legislation/Local Laws/Policies	The Big Wedgie Pty Ltd has agreed to comply with all relevant legislation and associated regulations, namely: <ul style="list-style-type: none"> • City of South Perth Public Places and Local Government Property Local Law 2011 • Environmental Protection (Noise) Regulations 1997 • Swan and Canning Rivers Management Regulations 2007 • Policy P106 Use of City Reserves and Facilities
Alignment to the City's Strategic Plans	The proposed activation is compatible with the objectives of the City's Strategic Community Plan; Public Open Space Strategy; and South Perth Foreshore and Management Plan.
Compliance to the City's Event Planning and Risk Management Requirements	The Big Wedgie Pty Ltd has agreed to comply with all large scale event requirements, namely: Site Plan, Risk Management Plan/COVID-19 Safe Plan, Noise Management Plan, Public Liability Insurance Coverage, Resident Notification Letter, Parking and Traffic Plan, Crowd Control Plan, First Aid Plan, Food and Beverage Plan, Amenities/Toilets Plan and Waste Management Plan.
Compatibility to Community Expectations	The Big Wedgie Pty Ltd has operated in South Perth twice before (December 2018 to February 2019; and December 2019 to February 2020). The City received a small amount of feedback from the community (approx. 20 people) about the water slides during the previous hire periods, with people expressing their views both for and against the operation. People in favour of the water slides commented that it was a fun school holiday activity for the community. People against the water slides commented that it blocked their day-time views of the city; or it was not suitable for the Foreshore.

If this booking request is approved, The Big Wedgie Pty Ltd will be required to implement risk mitigation strategies to minimise anti-social behaviour and parking/noise disruptions to nearby residents. These strategies include:

- The operator will use a series of low voltage/low noise (10amp) air blowers to inflate the water slides;
- The slides will be inflated each morning/deflated each evening;

10.1.3 Application for a Large Scale Event/Activation on the South Perth Foreshore - The Big Wedgie Pty Ltd

- The slides will be installed inside a perimeter fence;
- Overnight security will be provided every day to minimize anti-social behaviour in and around the site;
- The activity will include low level background music at the site, which will be monitored by the City to ensure compliance to noise regulations.

It should be noted that The Big Wedgie's booking will include Australia Day. Whilst the City is not facilitating its usual Celebration Zone activities on Australia Day, the water slides attraction provided by The Big Wedgie will occupy a significant space on Sir James Mitchell Park to provide a popular leisure activity for the community.

Consultation

Various City officers have been consulted during the development of this report from the following business units: Community, Culture and Recreation; Governance; Development Services; Ranger Services; and Parks Operations.

Policy and Legislative Implications

The following are relevant to this report:

- City of South Perth Policy P106 Use of City Reserves and Facilities;
- City of South Perth Public Places and Local Government Property Local Law 2011;
- Environmental Protection (Noise) Regulations 1997; and
- Swan and Canning Rivers Management Regulations 2007.

Financial Implications

The City's 2020/21 Schedule of Fees and Charges includes the fees and charges setting mechanism that is applicable to commercially facilitated large scale events and activations. The licence fee is negotiated between the parties and comprises commercial information and is contained in **Confidential Attachment(a)**.

A reserve hire bond will also be levied and The Big Wedgie Pty Ltd will be required to reimburse the City for any legal costs for development and execution of the Licence Agreement.

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

10.1.3 (a): 2020-21 Fees and Charges - The Big Wedgie Pty Ltd (*Confidential*)

10.1.4 2021/22 Community Sporting and Recreation Facilities Fund (CSRFF) Annual/Forward Planning Grant Program

Location: Not Applicable
 Ward: Not Applicable
 Applicant: Not Applicable
 File Ref: D-20-62501
 Meeting Date: 25 August 2020
 Author(s): Jessica Fordham, Club Development Officer
 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

Each year the Department of Local Government, Sport and Cultural Industries calls for applications via its Community Sport and Recreation Facilities Fund (CSRFF) to invite eligible community groups and local governments to apply for funding to assist with sport and recreation infrastructure projects.

CSRFF applications must initially be presented to the relevant local government for its assessment to provide project ratings and prioritised rankings (in the case of multiple applications); and to request its in-principle support for the proposed project/s, including the financial contribution requested by the applicant under the CSRFF program.

Two internal applications are presented for the current round of the CSRFF Annual and Forward Planning Grants Program for 2021/22 namely:

1. Manning Bowling Club Universal Access Toilet and Clubhouse Upgrade Project; and
2. Como Bowling Club Universal Access Toilet and Clubhouse Upgrade Project.

Officer Recommendation

That Council:

1. Approves the submission of a funding application to the Department of Local Government, Sport and Cultural Industries via its Community Sport and Recreation Facilities Fund – Annual and Forward Planning Grants Program 2021/22, for the Manning Bowling Club Universal Access Toilet (UAT) and Clubhouse Upgrade Project; and Como Bowling Club Universal Access Toilet (UAT) and Clubhouse Upgrade Project, together with comments from the Officer report and the following ranking and ratings:

<u>Applicant</u>	<u>Project</u>	<u>Ranking</u>	<u>Rating</u>
City of South Perth	Manning Bowling Club UAT and Toilet Upgrades	1	A

City of South Perth	Como Bowling Club UAT and Toilet Upgrades	2	A
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2. Considers a provisional allocation of \$574,347 in the 2021/22 annual budget.

Background

The Department of Local Government, Sport and Cultural Industries (DLGSC) annually invites applications for financial assistance to assist community groups and local governments to develop sustainable infrastructure for sport and recreation under its Community, Sport and Recreation Facilities Fund (CSRFF).

In June 2020, the State Government announced a fast-tracked \$12 million in funding applications for community sport and recreation projects to expedite the projects and support Western Australia's economy as part of the COVID-19 recovery.

Applications for the CSRFF Annual and Forward Planning Grants of up to \$2 million was brought forward one month earlier. The grants will allow local not-for-profit sport, recreation or community groups and local governments to develop basic, sustainable infrastructure to increase participation in sport and recreation, while supporting the economy and creating jobs. Examples of the projects that will be considered include new playing surfaces, floodlighting and upgrades to change rooms and ablutions and improvements to clubrooms.

Annual and Forward Planning Grants will be expedited by three months with successful projects to be announced in late 2020.

The CSRFF programs aims to increase participation in sport and recreation with an emphasis on physical activity, through rational development of good quality, well designed and well utilised facilities. Priority will be given to projects that lead to facility sharing and rationalisation. Three CSRFF categories are offered (see table below for details).

Grant Category	Total Project Costs Range	Standard DLGSC Contribution	Frequency
Small Grants	\$7,500 - \$300,000	\$2,500 - \$100,000	Bi-Annual
Annual Grants	\$300,001 - \$500,000	\$100,000 - \$166,666	Annual
Forward Planning Grants	\$500,001 +	\$166,666 - \$2,000,000	Annual

The maximum grant awarded by DLGSC will be no greater than one-third of the project up to a maximum of \$2 million. The CSRFF grant must be matched by the applicant's own cash contribution equivalent to one third of the total project costs, with any remaining funds being sourced by the applicant. In some cases, funds provided by the DLGSC do not equate to one-third of the project costs and the applicants are advised that they are expected to fund any shortfall. The local government is not obliged to contribute funding to the project.

10.1.4 2021/22 Community Sporting and Recreation Facilities Fund (CSRFF) Annual/Forward Planning Grant Program

As stated in the CSRFF guidelines, annual grants and forward planning grants can be claimed up to three financial years following the date of approval, depending on the requirements and approved details of the project.

CSRFF applicants must initially be presented to the relevant local government to request its in-principle support of the project, including financial contribution requested by the applicant under the CSRFF application.

Comment

Two projects are being proposed by the City for the 2021/22 CSRFF Annual and Forward Planning Grants, namely: Manning Bowling Club UAT and Clubhouse Upgrade Project; and Como Bowling Club UAT and Clubhouse Upgrade Project. The estimated project cost, grant and City contribution are as follows:

1. Manning Bowling Club UAT and Clubhouse Upgrade Project
CSRFF Grant Sought \$164,407 (ex GST)
City's Contribution \$328,813 (ex GST)
Estimated Total Project Cost \$493,220 (ex GST)

2. Como Bowling Club UAT and Clubhouse Upgrade Project
CSRFF Grant Sought \$122,766 (ex GST)
City's Contribution \$245,534 (ex GST)
Estimated Total Project Cost \$368,300 (ex GST)

CSRFF Assessment Guidelines

Under the CSRFF guidelines, applications must initially be presented to the relevant local government to review and to request its in-principle support of the project, including the financial contribution required by the applicant under the CSRFF program. For this reason, a panel consisting of the Manager Community, Culture and Recreation; Recreation Development Coordinator; and Club Development Officer assessed and ranked the applications against the criteria in the table set out below by DLGSC.

A	Well planned and needed by the municipality
B	Well planned and needed by the applicant
C	Needed by the municipality, more planning required
D	Needed by the applicant, more planning required
E	Idea has merit, more preliminary work required
F	Not recommended

The results are summarised in the table below:

2021/22 CSRFF Annual and Forward Planning Grants

Applicant	Project	Ranking	Rating	City's Contribution	Total Project Cost
City of South Perth	Manning Bowling Club UAT and Clubhouse Upgrade Project	1	A	\$328,813	\$493,220
City of South Perth	Como Bowling Club UAT and Clubhouse Upgrade Project	2	A	\$245,534	\$368,300
				\$574,347	\$861,520

City Assessment of the CSRFF Application for Manning Bowling Club UAT and Clubhouse Upgrade Project

The Manning Bowling Club is located on Lot 300 on Deposited Plan 45674 held on Crown land title volume 3136 folio 436 and is vested in the City of South Perth for the purpose of recreation, with the power to lease and or sub lease. The Club has recently signed a new 21 year lease.

The Club is affiliated with Bowls WA and has 220 members, a slight increase on membership compared with 2018/19 (213). It is primarily used by Club members and local schools.

The Club's current UAT does not comply in size; there is no accessible shower available; and the toilet facilities are in need of replacing. The project involves renovating the male and female toilet areas, including provision for a shower and a secondary UAT in the female toilet area.

In 2019, the City developed a Community Recreation Facilities Plan that provides a strategic asset management framework to guide the planning, construction, maintenance and operation of local community recreation infrastructure. The Manning Bowling Club was identified in this Plan as being one of the five most critical sporting pavilions in need of an upgrade within the next 10 years.

In summary, the City recommends that the Manning Bowling Club UAT and Clubhouse Upgrade Project receive a '1' ranking; and an 'A' rating for the CSRFF program.

City Assessment of the CSRFF Application for Como Bowling Club UAT and Clubhouse Upgrade Project

Como Bowling Club (Lot 300 on Deposited Plan 45712 being a portion of the land comprised in Certificate of Crown Land Title Volume 3136, Folio 447 of Reserve 361). The City is currently negotiating a new lease with the Club.

The Club is affiliated with Bowls WA and has 243 members, which has remained steady over the past three years. It is primarily used by club members and local schools.

The Club's current UAT does not comply in size, there is no accessible shower available and the toilet facilities are in need of replacing. The project involves upgrading the existing toilets in the clubrooms and installing a new UAT with shower facilities.

In 2019, the City developed a Community Recreation Facilities Plan that provides a strategic asset management framework to guide the planning, construction, maintenance and operation of local community recreation infrastructure. Like the Manning Bowling Club, the Como Bowling Club was identified as being one of the five most critical sporting pavilions in need of an upgrade within the next 10 years.

In summary, the City recommends that the Como Bowling Club UAT and Clubhouse Upgrade Project receive a '2' ranking; and an 'A' rating for the CSRFF program.

Consultation

The City has undertaken preliminary consultation with the Manning and Como Bowling Clubs regarding the proposed projects and received their support. The City also advertised the CSRFF funding round by email notification to local clubs. No other CSRFF funding applications were submitted in this round.

Policy and Legislative Implications

The following are relevant to this report:

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

Financial Implications

The total cost of the two projects is estimated at \$861,520 for 2021/22. This report seeks Council's endorsement for the City to apply for a grant of \$287,173 (i.e. up to one-third of the total project cost) and to consider a provisional allocation of \$574,347 (City contribution) in the draft 2021/22 Capital Budget.

Under the CSRFF funding guidelines, a project is viewed more favourably by the Department if all stakeholders (i.e. local government and sporting club/community group) commit to making a financial contribution, but there is no obligation to do so. At this stage, the City has not received a written financial commitment from either Club for the proposed projects. If one or both of the projects receives CSRFF funding support, the City will also liaise with the Clubs to formally request a financial contribution from them. The current financial positions for the Clubs are attached in **Confidential Attachment (a)** and **Confidential Attachment (b)**.

Any funds that were able to be sourced from the Department and/or the Clubs would reduce the City's overall financial contribution required for the approved project/s.

Strategic Implications

This matter relates to the following Strategic Direction identified within the City'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 community needs

Attachments

- 10.1.4 (a): Financial Position - Manning Bowling Club - August 2020
(Confidential)
- 10.1.4 (b): Financial Position - Como Bowling Club - August 2020
(Confidential)

10.3 STRATEGIC DIRECTION 3: ENVIRONMENT (BUILT AND NATURAL)

10.3.1 Proposed Seven, Three-Storey Grouped Dwellings - Lots 1, 2, 3, 4, 5 and 6, No 14 Coode Street, South Perth

Location:	South Perth
Ward:	Mill Point Ward
Applicant:	Stewart Planning
File Reference:	D-20-62503
DA Lodgement Date:	11 May 2020
Meeting Date:	25 August 2020
Author(s):	Laura Kelliher, Senior 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 seven, three-storey Grouped Dwellings on Lots 1, 2, 3, 4, 5 and 6, No. 14 Coode Street, South Perth.

This item is referred to Council as the building height exceeds 9.0 metres and therefore falls outside of the delegation to officers.

It is considered that the proposed development achieves compliance with all of the discretionary considerations and does not pose any adverse amenity impacts to the future occupants, neighbouring properties or the locality.

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

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 planning approval for proposed seven, three-storey Grouped Dwellings on Lots 1, 2, 3, 4, 5 and 6, No. 14 Coode Street, South Perth **be approved** subject to:

1. The development shall be in accordance with the approved plans unless otherwise authorised by the City.
2. Prior to the submission of a building permit application, the applicant must be in receipt of an approved "Crossings Application" that confirms the design is to the satisfaction of the City.
3. Prior to the submission of a building permit application, the applicant must be in receipt of an approved "Stormwater Drainage Application" that confirms the design is to the satisfaction of the City.
4. Prior to the submission of a building permit application, all colours of external finishes to the development must be submitted and approved in writing by the City.

5. Prior to occupation of the dwellings, the surface of the sitting, guest/study and store boundary walls of Unit 3 to the southern boundary, shall be finished (rendered and painted) in a clean material to the same standard as the rest of the development, to the satisfaction of the City.
6. Prior to occupation of the dwellings, the surface of the entry, ensuite and sitting room boundary walls of Unit 4, to the southern boundary shall be finished (rendered and painted) in a clean material to the same standard as the rest of the development, to the satisfaction of the City.
7. Prior to occupation of the dwellings, all visual privacy screening to Major Openings and/or Outdoor Active Habitable Spaces shown on the approved plans shall be visually impermeable and comply in all respects with the visual privacy requirements of the Residential Design Codes of WA. The structures shall be installed and remain in place permanently, to the satisfaction of the City.
8. External clothes drying facilities shall be provided for each dwelling, and shall be screened from view from all streets or any other public place.
9. External fixtures, such as air-conditioning infrastructure, shall be integrated into the design of the building so as to not be visually obtrusive when viewed from the street and to protect the visual amenity of residents in neighbouring properties, to the satisfaction of the City.
10. The height of any wall, fence or other structure, shall be no higher than 0.75 metres within 1.5 metres of where any driveway meets any public street, to the satisfaction of the City.
11. Hard standing areas approved for the purpose of car parking or vehicle access shall be maintained in good condition at all times, free of potholes and dust and shall be adequately drained, to the satisfaction of the City.
12. Prior to the submission of a building permit application, a Construction Management Plan must be submitted to, and approved in writing by, the City of South Perth. The approved Plan shall be implemented and adhered to at all times during the construction stage, to the satisfaction of the City.
13. Prior to the submission of a building permit application, details of the proposed lighting to pathways and car parking areas shall be provided, to the satisfaction of the City.
14. Prior to the submission of an occupancy permit application, the approved landscaping plan shall be implemented and adhered to at all times, with all landscaping areas to be maintained thereafter to the satisfaction of the City.
15. Prior to the submission of a building permit application, the finish and colour of the solid masonry boundary wall of 1.8 metres in height to be constructed along the southern boundary, is to be submitted to the City for approval.
16. No street trees shall be removed, pruned or disturbed in any way, without prior approval from the City.

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

(a) **Background**

In May 2020, the City received an application proposing seven, three-storey Grouped Dwellings with roof terraces on Lots 1, 2, 3, 4, 5 and 6, No. 14, Coode Street, South Perth (the site).

A subdivision application was also received in May 2020, proposing to subdivide the parent lot (No. 14 Coode Street) into seven survey strata lots with associated common property proposed as the designated vehicle access for each lot. The subdivision application was subsequently approved by the Western Australian Planning Commission on 20 July 2020.

(b) **Description of the Surrounding Locality**

The site has a frontage to Coode Street to the west, four, three-storey grouped dwellings with roof terraces to the north, eight, two and three-storey grouped dwellings to the south, and the communal street (Witcomb Place), which services existing two-storey grouped dwellings to the east, as seen in site photos at **Attachment (b)** and in **Figure 1** below:



Figure 1: Aerial photograph of the subject site (2019).

(c) **Description of the Proposal**

The application proposes seven, three-storey Grouped Dwellings and roof terraces on the subject site, as depicted in the submitted plans at **Attachment (a)**. The site photographs show the relationship of the site with the surrounding built environment at **Attachment (b)**.

10.3.1 **Proposed Seven, Three-Storey Grouped Dwellings - Lots 1, 2, 3, 4, 5 and 6, No 14 Coode Street, South Perth**

The following components of the proposed development requires discretionary assessment against the City of South Perth Town Planning Scheme No. 6 (Scheme; TPS6) the Residential Design Codes of WA 2019 Volume 1 (R-Codes) and/or Council Policy requirements:

- (i) Lot boundary setback (north);
- (ii) Boundary walls (south);
- (iii) Outdoor living areas;
- (iv) Parking (visitor car parking);
- (v) Visual privacy.

The proposal is considered to meet the relevant Design Principles or discretionary criteria of the Scheme, Residential Design Codes (R-Codes) and relevant Council policies.

(d) Lot Boundary Setbacks

The following setback variations are proposed along the northern boundary of Unit 7, as follows:

- Ground Floor setback of 1.0 metre in lieu of 1.5 metres;
- First Floor setback of 1.0 metre in lieu of 1.5 metres;
- Second Floor setback of 1.0 metre in lieu of 1.4 metres and 2.0 metres in lieu of 2.6 metres;
- Roof Deck wall setback of 1.0 metre in lieu of 1.5 metres and 2.0 metres in lieu of 3.0 metres.

These lot boundary setback variations are considered to satisfy the relevant design principles 5.1.3 P3.1 of the R-Codes for the following reasons:

- Varying setbacks have been provided on each level of Unit 7 together with a sufficient separation distance between the neighbouring dwelling to the north to ensure there is no perceived scale and bulk impacts, as viewed from the neighbouring property.
- Setback variations contain minor openings and do not result in any loss of privacy or overlooking to the adjoining property.
- Due to the orientation of the site, there will be no impact on access to direct sun, ventilation and shadow cast to the adjoining property, as a result of the proposed setback variations.

(e) Boundary Walls – Unit 4 Ground and First Floor

Variations are sought for the boundary walls along the southern side of the lot. The variations are considered to satisfy the relevant design principles 5.1.3 P3.2 of the R-Codes and clause 2 of Council Policy P350.2.

Ground Floor Entry Boundary Wall (south side)

The entry boundary wall is supported for the following reasons:

- The proposed boundary wall abuts the common property driveway of No. 16 Coode Street and is therefore not considered to have a significant building bulk impact.
- This boundary wall does not result in any shadow cast to the adjoining neighbours' outdoor living area or major openings. The three-storey dwelling (Unit 6), at No. 16 Coode Street is setback 4.0m from the

10.3.1 Proposed Seven, Three-Storey Grouped Dwellings - Lots 1, 2, 3, 4, 5 and 6, No 14 Coode Street, South Perth

proposed shared boundary, which allows for sufficient ventilation and direct sun access to the unit.

- There are no visual privacy concerns raised, as there are no major openings proposed along this boundary.
- The boundary wall is setback approximately 33 metres from Coode Street, behind Unit 3 and will not be visible from the street.

First Floor Ensuite Wall (south side)

The ensuite boundary wall is supported for the following reasons:

- The proposed boundary wall has a maximum wall height of 6.05 metres, for a length of 3.25m. While it is acknowledged that the boundary wall is two storeys in height, it is also established that the boundary wall abuts the common property driveway of No. 16 Coode Street and is therefore supported in this location as it does not abut any outdoor living area or major openings.
- As clarified above, the three-storey dwelling (Unit 6) No. 16 Coode Street is setback 4.0m from the shared boundary which will allow for sufficient ventilation and direct sun access, thereby not having a significant building bulk impact on Unit 6.
- The boundary wall does not result in any shadow cast to the neighbouring property's outdoor living area or major openings.
- There are no visual privacy concerns as there are no major openings being proposed on this boundary wall.
- As the boundary wall is located behind Unit 3 and setback approximately 33 metres from Coode Street, it is therefore not visible from the street.

(f) Outdoor living areas

The applicant is seeking to vary the outdoor living area requirements for each unit, by proposing roof terraces for each dwelling as the designated outdoor living area. Whilst they are not directly accessible from a habitable room of the dwelling and Unit's 4, 5 and 6 do not meet the minimum dimensions of 4m, the variations are considered to satisfy the relevant design principles 5.3.1 P1.1 of the R-Codes for the following reasons:

- Each roof top terrace is easily accessible via a lift or stairs and are a minimum of 31sqm in area with a maximum of 47sqm, which is in excess of the minimum 16sqm minimum outdoor living area required for each dwelling.
- The roof terraces are north orientated, uncovered and are therefore open to winter sun and ventilation.
- Multiple additional outdoor living areas have been provided within each dwelling that are capable of use in conjunction with a habitable room. These areas include central courtyard areas on the ground floor, rear back yards, street facing courtyards & balconies and rear balconies.
- It is also noted that the subject site is within 20 metres of Sir James Mitchell Park and the South Perth foreshore, and is within 60 metres of Clydesdale Park, which are readily available for access and use by residents.

(g) Parking

The proposal is seeking a variation to the provision of on-site visitor car parking, which requires one visitor car parking space. This variation is considered to satisfy the relevant design principles 5.3.3 P3.2 of the R-Codes for the following reasons:

- There are 14 on-street car parking bays available for visitors along Coode Street adjacent to the development, which are available for a maximum of four hours from Monday – Sunday, 8am – 6pm at no charge.
- The development is also located within 150m of the Boat Shed Café public carpark (car park 14) which has 128 car bays available and is within 100m of the Coode Street Boat Ramp public carpark (car park 15) which has a total of 38 car bays available.

(h) Visual Privacy Setback

The proposal is seeking variations to the visual privacy setback requirements from major openings to the northern and eastern boundaries.

Northern boundaryUnit 1

- i. First floor balcony - setback of 6.5 metres in lieu of 7.5 metres;
- ii. Second floor balcony – setback of 5.0 metres in lieu of 7.5 metres;
- iii. Roof deck - setback of 5.3 metres in lieu of 7.5 metres.

These variations are considered to satisfy the relevant design principles 5.4.1 P1.1 and P1.2 of the R-Codes for the following reasons:

- The cones of vision from these major openings extends to the neighbouring property to the north and falls onto the shared communal driveway and do not affect any active habitable spaces.
- There is no loss of privacy as a result of these reduced visual privacy setbacks.

Unit 7

- i. First Floor rear main suite - setback of 3.9 metres in lieu of 4.5 metres;
- ii. Second Floor living room - setback of 3.4 metres in lieu of 6.0 metres;
- iii. Roof deck major opening - setback of 2.0 metres in lieu of 7.5m

These variations are considered to satisfy the relevant design principles 5.4.1 P1.1 and P1.2 of the R-Codes for the following reasons:

- These cones of vision do not affect any active habitable spaces or major openings as they fall within the 1.5 metres side setback towards the rear of the adjoining property, as depicted in the overlooking aerial plans provided by the applicant at Attachment (e).
- There is no loss of privacy as a result of these reduced visual privacy setbacks.

Eastern boundary

Unit 4 – 7 First floor, Second Floor and Roof Decks

- i. Unit 4 main suite - setback of 3.7 metres in lieu of 4.5 metres;
- ii. Unit 5 main suite - setback of 3.3 metres in lieu of 4.5 metres;
- iii. Unit 5 balcony - setback of 4.2 metres in lieu of 7.5 metres;
- iv. Unit 6 main suite - setback of 3.3 metres in lieu of 4.5 metres;
- v. Unit 6 balcony - setback of 4.05 metres in lieu of 7.5 metres;
- vi. Unit 7 main suite - setback of 3.3 metres in lieu of 4.5 metres;
- vii. Unit 4 living - setback of 3.4 metres in lieu of 6.0 metres;
- viii. Unit 5, 6 and 7 living - setback of 3.2 metres in lieu of 6.0 metres;
- ix. Unit 4 living - setback of 4.4 metres in lieu of 7.5 metres;
- x. Unit 5, 6 and 7 roof decks - setback of 4.2 metres in lieu of 7.5 metres.

These variations are considered to satisfy the relevant design principles 5.4.1 P1.1 and P1.2 of the R-Codes for the following reasons:

- While the above major openings seek reduced visual privacy setbacks to the eastern boundary, it is noted that the cones of vision which extend past the rear property boundary falls onto the communal street (Witcomb Place) and the vehicle access driveways of the two-storey grouped dwellings (as depicted in the overlooking aerial plans provided by the applicant at Attachment (e).
- The cones of vision do not fall onto any major openings or active habitable spaces.
- There is no loss of privacy to any of the neighbour dwellings to the east and screening devices to these major openings are not considered necessary.

(i) **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, subject to the recommended conditions.

(j) **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. An assessment of the proposal against Clause 67 is considered through the planning assessment above.

Consultation

(k) Neighbour Consultation

Neighbour Consultation has been undertaken for this proposal to the extent and in the manner required by Council Policy P301 Community Engagement in Planning Proposals. Under the standard consultation method, individual property owners, occupiers and/or strata bodies were invited to inspect the plans and to submit comments during a minimum 14-day period.

During the advertising period, a total of 54 consultation notices were sent, and six submissions were received, some of which were objecting to the application and some seeking clarification on the plans. Notwithstanding, the initial concerns raised in these submissions are addressed below. Following the submission of amended plans, the objectors reviewed the responses and no further comments have been provided at the time of writing this report.

Submitters' Comments	Officer's Responses
Building Height The proposed building height appears to be overheight for this development	<ul style="list-style-type: none"> The building height of 10.5 metres is compliant with the requirements of the City's Town Planning Scheme No. 6 and complies with the maximum Building Height Limit of 10.5 metres; Please also refer to the Building Heights Analysis in Attachment (e) which visually details that the development satisfies the requirements of TPS6.
Boundary Wall(s) – Building Bulk	<ul style="list-style-type: none"> For the reasons outlined in the report, the boundary walls are considered to satisfy the applicable design principles in respect to building bulk.
Over Development of Site and Setback Variations	<ul style="list-style-type: none"> The development is proposed at a density which is appropriate to the City's TPS6 and R-Codes. As discussed earlier in the report, the setbacks variations are considered to satisfy the applicable design principles.
Overshadowing impact	<ul style="list-style-type: none"> The proposed development complies with the overshadowing requirements of the R-Codes. The overshadowing plans at Attachment (e) submitted by the applicant demonstrates the extent of shadow cast which will fall onto the neighbouring property in both winter and summer time.
Visual Privacy	<ul style="list-style-type: none"> For reasons outlined in the report visual privacy setbacks are considered to satisfy the relevant design principles of the R-Codes. There is considered to be no loss of privacy to the adjoining properties and for this reason, visual privacy screening is not considered necessary.

Concerns regarding replacement of dividing fence to the south	<ul style="list-style-type: none"> The applicant has confirmed that the existing dividing fence to the south will be replaced with a solid rendered and painted masonry wall of 1.8 metres in height at the applicants expense.
Potential restriction of views	<ul style="list-style-type: none"> A significant view assessment has been carried out in accordance with Policy P350.9 Significant Views which confirms that there is no impact on significant views as a result of this development proposal. In addition to the above, the applicant has submitted written justification and imagery which demonstrate views are still available from neighbouring properties. Please refer to Attachment (e).

(l) City of South Perth Design Review Panel

This application has been presented to the City's Design Review Panel (DRP) at two formal meetings, the first at pre lodgement stage and the second after the development application had been lodged with the City. The City's DRP formed the view that the plans submitted for development approval are supported in relation to each principle of design. Furthermore, the DRP concluded that the proposed development is "a good design and befitting the location, streetscape and context of the area". Refer to **Attachment (c)** for more comprehensive details on the DRP reporting and minutes.

(m) Assets & Design

The application was referred to the City's Assets & Design Business Unit for comment. Officers advised they have no concerns or comments with the proposal.

(n) Urban Design

The City's Urban Design Officer provided comments with respect to the proposed landscaping plans. Landscaping advice was provided to the applicant in this respect and amended plans were received by the City addressing the officer's comments.

Policy and Legislative Implications

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

Financial Implications

This determination has some financial implications, to the extent that if the applicant were to appeal a decision, or specific conditions of approval, the City may need to seek representation (either internal or external) at the State Administrative Tribunal.

Strategic Implications

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

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

Sustainability Implications

Noting the favourable orientation of the lot, officers observe that the balconies along the streetscape, a number of north facing windows and rooftop terraces all have access to winter sun. Hence, the proposed development is seen to achieve an outcome that has regard to sustainable design principles

Conclusion

It is considered that the proposal meets all of the relevant Scheme, R-Codes and/or Council Policy objectives and provisions, as it is not considered to have a detrimental impact on adjoining residential neighbours and streetscape. Notwithstanding the number of areas of the development seeking discretion, it is considered that the applicant has adequately addressed the matters of variation (setbacks, visual privacy etc) by amending plans and relevant justification. The site is being developed to a density compliant with the City's Town Planning Scheme No. 6 and R-Codes. Accordingly, it is recommended that the application should be conditionally approved.

Attachments

- 10.3.1 (a): Development Plans
- 10.3.1 (b): Site Photographs
- 10.3.1 (c): Design Review Panel Report
- 10.3.1 (d): Summary of Submissions and Applicant's Responses
- 10.3.1 (e): Applicant's Additional Justification

10.3.2 Proposed Three-Storey Single House - Lot 804, No. 10 Clarence Street, South Perth

Location:	South Perth
Ward:	Mill Point Ward
Applicant:	Atrium Homes Pty Ltd
File Reference:	D-20-62504
DA Lodgement Date:	14 July 2020
Meeting Date:	25 August 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 a three-storey Single House on Lot 804, No. 10 Clarence Street, South Perth.

This item is referred to Council as the building height exceeds 9 metres and therefore falls outside of the delegation to officers.

It is considered that the proposed development satisfies all of the discretionary considerations and does not pose any adverse amenity impacts to the future occupants, neighbouring properties or the locality.

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

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 a three-storey Single House at Lot 804, No. 10 Clarence Street, South Perth **be approved** subject to:

1. The development shall be in accordance with the approved plans unless otherwise authorised by the City.
2. Prior to occupation of the dwelling, the surface of the boundary walls on the eastern side of the lot shall be finished in a clean material to the same standard as the rest of the development, to the satisfaction of the City.
3. Prior to the submission of a building permit application, the applicant must be in receipt of an approved "Stormwater Drainage Application" that confirms the design is to the satisfaction of the City.
4. Prior to the submission of a building permit application, the applicant must be in receipt of an approved "Crossings Application" that confirms the design is to the satisfaction of the City.

5. The height of any wall, fence or other structure, shall be no higher than 0.75 metres within 1.5 metres of where any driveway meets any public street, to the satisfaction of the City.
6. No street trees shall be removed, pruned or disturbed in any way, without prior approval from the City.
7. Prior to occupation of the dwelling, a minimum of one tree not less than 3.0 metres in height at the time of planting shall be planted within the street setback area as indicated on the approved plans. The tree/s shall be maintained in good condition thereafter, to the satisfaction of the City.
8. Prior to occupation of the dwelling, all visual privacy screens and/or obscure glass panels to Major Openings and/or Active Habitable Spaces shown on the approved plans, shall prevent overlooking in accordance with the visual privacy requirements of the Residential Design Codes of WA. The structure shall be installed and remain in place permanently, to the satisfaction of the City.
9. External fixtures, such as air-conditioning infrastructure, shall be integrated into the design of the building so as to not be visually obtrusive when viewed from the street and to protect the visual amenity of residents in neighbouring properties, to the satisfaction of the City.
10. The alfresco is to remain unenclosed on a minimum of two sides.
11. External clothes drying facilities shall be provided for each dwelling, and shall be screened from view from all streets or any other public place.

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

(a) Background

In May 2020, the City received an application for a three-storey Single House on Lot 804, No. 10 Clarence Street, South Perth. The subject site has a building height limit of 10.5m which permits three-storey development.

(b) Description of the Surrounding Locality

The site has a frontage to Clarence Street and forms part of four recently subdivided lots. The subject site is generally surrounded by residential development, as seen in **Figure 1** below:



Figure 1: Aerial photograph of the subject site.

(c) Description of the Proposal

The application proposes a three-storey Single House on the subject site, as depicted in the submitted plans at **Attachment (a)**. The site photographs show the relationship of the site with the surrounding built environment at **Attachment (b)**.

The following components of the proposed development requires discretionary assessment against the City of South Perth Town Planning Scheme No. 6 (Scheme; TPS6) the Residential Design Codes of WA Volume 1 (R-Codes) and/or Council Policy requirements:

- (i) Lot boundary setback;
- (ii) Boundary wall;
- (iii) Garage width;
- (iv) Retaining/site works; and
- (v) Dividing fence height.

The proposal is considered to meet the relevant Design Principles or discretionary criteria of the Scheme, R-Codes and relevant Council policies.

(d) Lot boundary setback (north and east)

Two lot boundary setback variations are proposed to the north and eastern boundaries.

Northern lot boundary setback variation

The first floor setback on the northern elevation requires a 1.3m setback to the boundary. However the applicant is proposing a 1.2m setback. This lot boundary setback variation is considered to satisfy the relevant design principles of the R-Codes for the following reasons:

- It is considered that the setback variation will not result in any perceived building bulk impact as viewed from the adjoining property to the north. The length of the northern elevation of the first floor is 7.5m which is considered to be relatively minor and would not

contribute to a significant sense of confinement to the northern adjoining property.

- The setback would allow for necessary ventilation and sunlight access to No. 13 King Edward Street to the north.
- The setback does not result in any adverse overlooking to adjoining properties.

Eastern lot boundary setback variation

The first floor on the eastern elevation to bedroom 3 is required to be setback at 1.3m from the boundary. However the applicant is proposing a 1m setback. The lot boundary setback variation is considered to satisfy the relevant design principles of the R-Codes for the following reasons:

- The setback variation is unlikely to result in any perceived building bulk impact as viewed from the adjoining property to the east. The length of the eastern elevation of the first floor to bedroom 3 is 3.2m, which equates to only 20% of the length of the eastern boundary (3.2m/16m).
- The setback would allow for necessary ventilation and sunlight access to No. 12 Clarence Street to the east. The distance from the approved alfresco area at the eastern adjoining property to the bedroom 3 wall would be 2.6m in total.
- The setback does not result in any adverse overlooking to adjoining properties.

(e) Boundary wall (east)

A boundary wall is proposed on the eastern boundary, from the porch to kitchen on the ground floor. The proposed boundary wall would abut the approved location of a boundary wall at No. 12 Clarence Street to the east. It is noted that the adjoining landowners of No. 12 Clarence Street have no objection to the proposed location of the boundary wall at No. 10 Clarence Street.

A small portion of the eastern boundary wall to the rear of No. 10 Clarence Street does not completely align with the approved boundary wall at No. 12 Clarence Street. This component of the boundary wall is considered to satisfy the design principles of the R-Codes for the following reasons:

- The ground floor portion of the boundary wall that abuts the approved alfresco location to the east is not considered to contribute to a significant sense of confinement or a building bulk impact, noting its relatively minor length at approximately 2.5m.
- There is still some access to necessary ventilation and sunlight toward the north-western aspect of No. 12 Clarence Street.
- This portion of the boundary wall would result in a negligible overshadowing impact to the eastern adjoining property (cast to the south).

(f) Garage width

The application proposes a minor variation to garage width, owing to the narrow frontage of 11.3m. The garage width deemed-to-comply is 50% (5.65m) and the application proposes a width of 53% (6m). The garage width variation is considered to satisfy the design principles of the R-Codes for the following reasons:

- While it is acknowledged that the upper floor does not extend the full width of the garage, it assists in reducing the perception of the garage overwhelming or dominating the frontage.
- Visual connectivity between the dwelling and the street is maintained by virtue of major openings positioned on the street elevation.
- The entry to the dwelling is still visible, with a clearly defined porch area designating the entrance to the house.

(g) Retaining / site works

The maximum extent of retaining and fill proposed in this application is up to 1 metre from natural ground level to the northern and eastern boundaries. It is acknowledged that there is a cross-fall which runs diagonally from south-west to north-east over the site. As a result, some fill is required to create a relatively level pad for the ground floor level and to reduce the number of different finished floor levels (FFLs). On balance, the site works and retaining proposed in this application are considered to satisfy the relevant design principles of the R-Codes for the following reasons:

- The retaining results in land that can effectively be used for the benefit of residents, and generally responds to the natural features of the site.
- The retaining is not considered to detrimentally impact the adjoining sites. There already is an imbalance in terms of the topography between surrounding properties, and the retaining proposed is not considered to significantly exacerbate this differential.
- It is noted that the development complies with visual privacy requirements, and attempts to minimise the level of fill proposed by stepping down the FFL from the porch area to a lower level at the rear (north) of the ground floor.

(h) Dividing fence height

The inclusion of retaining walls up to 1m high on the northern boundary will require the installation of a new dividing fence to a maximum of 2.8m in height from natural ground level. This dividing fence height is considered to satisfy the discretionary criteria of Policy P350.07 for the following reasons:

- It is considered that the fencing adequately maintains a sense of visual privacy, and does not result in an adverse overshadowing or building bulk impact to the northern adjoining property.
- The area immediately abutting to the north contains no major openings with this portion of the dwelling at No. 13 King Edward Street comprising a laundry, bathroom and a blank wall. These are not considered to be sensitive spaces.

(i) **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.

(j) **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

(k) **Neighbour Consultation**

Neighbour Consultation has been undertaken for the proposal to the extent and in the manner required by Council Policy P301 Community Engagement in Planning Proposals. Under the standard consultation method, individual property owners, occupiers and/or strata bodies surrounding the site were invited to inspect the proposal and to submit comments during a minimum 14-day period.

During the advertising period, one submission was received in relation to retaining walls on the western boundary and this matter has since been addressed by the applicant through an amended plan.

(l) **Western Power**

The development application was referred to Western Power as the subject site abuts high voltage transmission lines. Western Power provided a response outlining guidelines to minimise the risk of damage to this asset during the construction phase of the development. This advice was passed on to the applicant and is a separate requirement to the development application being considered by the City.

Policy and Legislative Implications

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

Financial Implications

This determination may have some financial implications, to the extent that if the applicant were to appeal a decision, or specific conditions of an approval granted, the City may need to seek representation (either internal or external) at the State Administrative Tribunal.

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 proposal meets all of the relevant Scheme and/or Council Policy objectives and provisions. In particular, where the proposal requires the exercise of discretion to be considered the proposal is considered to satisfy the relevant considerations and is supported. In addition, the proposal will not have a detrimental impact on the streetscape or on adjoining residential neighbours. Accordingly, it is recommended that the application should be conditionally approved.

Attachments

10.3.2 (a):	Amended Plans
10.3.2 (b):	Site Photos

10.4 STRATEGIC DIRECTION 4: LEADERSHIP

10.4.1 Listing of Payments - July 2020

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-20-62506
Meeting Date:	25 August 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 July 2020 and 31 July 2020 for information. During the reporting period, the City made the following payments:

EFT Payments to Creditors	(379)	\$3,293,765.09
Cheque Payment to Creditors	(3)	\$37,345.50
Total Monthly Payments to Creditors	(382)	\$3,331,110.59
EFT Payments to Non-Creditors	(49)	\$84,344.39
Cheque Payments to Non-Creditors	(8)	\$4,174.74
Total EFT & Cheque Payments	(439)	\$3,419,629.72
Credit Card Payments	(7)	\$24,719.57
Total Payments	(446)	\$3,444,349.29

Officer Recommendation

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

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 July 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 July 2020

10.4.2 Monthly Financial Statements - July 2020

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-20-62508
Meeting Date:	25 August 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.

Officer Recommendation

That Council notes the Financial Statements and report for the month ended 31 July 2020.

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, with continued concerns over a second wave affecting Western Australia as is currently happening in the Eastern States.

Actual income from operating activities for July year-to-date (YTD) is \$46.09m in comparison to budget of \$45.90m, favourable to budget by 0.004% or \$188k. Actual expenditure from operating activities for July is \$4.23m in comparison to budget of \$5.37m, favourable to budget by 21% or \$1,14m. Variations in the month of July are common with a lower activity awaiting the Budget adoption, as well as many year-end processes currently being undertaken. The July Net Operating Position of \$41.87m was \$1.33m favourable in comparison to budget.

Actual Capital Revenue YTD is \$0.0m in comparison to the budget of \$0.26m. Actual Capital Expenditure YTD is \$63k in comparison to the budget of \$94k. Timing variations such as these are not uncommon in July. 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.

The Cash and Investments balance is \$46.52m. Traditionally July is a low point of the annual cash cycle, prior to the rates being issued and payments being received during August. Consistent with previous monthly reports, 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 0.7% 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 12.22% 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

10.7 MATTERS REFERRED FROM COMMITTEE MEETINGS

10.7.1 Proposed lease for the City of South Perth Historical Society at Heritage House, Lot 444, No. 2 Mends Street, South Perth

Location:	2 Mends Street, South Perth
Ward:	Mill Point Ward
Applicant:	Not Applicable
File Ref:	D-20-62509
Meeting Date:	25 August 2020
Author(s):	Shonay Mitkus, Governance and Facilities Officer 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

To seek Council's approval to enter into a new lease with the existing tenant City of South Perth Historical Society for a five year term with an option of renewal for a further five year term.

Officer Recommendation

That the Property Committee recommends to Council that it:

1. Approves a new lease between the City of South Perth and the City of South Perth Historical Society at Heritage House, Lot 444, No. 2 Mends Street, South Perth subject to the following terms:
 - a. A term of five years;
 - b. A further term of five years;
 - c. An annual rental of \$1.00 if demanded; and
 - d. An annual payment of \$1,000 per annum as a contribution towards utility costs.
2. Authorises the Mayor and Chief Executive Officer to sign and affix the Common Seal to the new lease documentation between the City of South Perth and the City of South Perth Historical Society at Heritage House, Lot 444, No. 2 Mends Street, South Perth.

Background

The City of South Perth Historical Society (Society) is situated inside 'Heritage House' that is located on Lot 444, No. 2 Mends Street, South Perth which is Crown reserve 28021 under a Management Order to the City. Lot 444 has a total area of 835 sqm and comprises the land contained in Certificate of Crown Title Volume 3060 Folio 644. The proposed site plan for the exclusive use of Heritage House is approximately outlined in blue in **Figure 1**.

10.7.1 **Proposed lease for the City of South Perth Historical Society at Heritage House, Lot 444, No. 2 Mends Street, South Perth**

The reserve is for the purpose of municipal endowment, with the power to lease for any term not exceeding 21 years subject to the approval of the Minister for Lands and is zoned as a ‘civic and cultural’ precinct under the City’s Local Planning Scheme No 6.

The subject site has been leased by the City to the Society since 1959 for civic and cultural purposes. The Society entered into the last lease on 1 July 2013 for a five year term with annual rental payments waived as the Society agreed to engage in activities to activate and promote Heritage House.

The former lease agreement expired on 30 June 2018 and the Society has continued occupation of the premises under a holding over clause in the lease on the existing terms.

The site plan is shown in **Figure 1** below.



Figure 1: Site Plan – South Perth Historical Society

Heritage House is also utilised to store and display the City of South Perth’s Artwork Collection which includes the May and Herbert Gibbs Collection that was acquired by the City through the May Gibbs Trust in 1997. The City of South Perth Historical Society facilitates the exhibition, security and day-to-day management of these artworks within Heritage House.

Comment

In January 2018, the City wrote to the Society advising arrangements for a new lease agreement would be prepared, however agreement could not be reached on a number of terms.

The City has continued discussions with the Society and in July 2020, agreed to the terms for the new lease. These terms have been negotiated based on the following considerations that the Society:

- has a long history of providing history and heritage programs for the local community, and is willing and able to continue this role;
- operates on a small annual operating budget;
- is planning to assist with costs for the historical tram project and the associated opening event;
- has a low income generation ability; and
- has agreed to assist with the cost recovery of utility costs.

The Society have been a good tenant and the agreed terms represent a good outcome for both parties.

Consultation

The City has been in consultation with the Society over a new lease agreement and they have agreed to the proposed terms and conditions, including an annual payment of \$1,000 as a contribution towards the utility costs of the premises.

The City will be required to obtain consent from the Minister for Lands upon confirmation of the draft lease terms and conditions from the City of South Perth Historical Society.

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. Therefore, the Society 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;
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 community of South Perth.

Financial Implications

The estimated total cost to the City to operate Heritage House is \$33,000 per annum (i.e. comprised of grounds maintenance - \$10,000; building maintenance \$13,000; and exhibition costs - \$10,000). In addition, the City has previously paid all relevant utility charges for the use of the Premises at an estimated total cost of \$2,730 per annum (i.e. comprised of Emergency Services Levy - \$420; Waste Collection - \$830 and utilities - \$1,500).

Under the proposed new lease agreement the City will receive a contribution towards the cost of utilities of \$1,000 per annum.

Furthermore, it is recommended that a donation in subsidy of the rental amount be granted by resolution of Council, with a Peppercorn rent of \$1.00 charged to the Society in recognition of them undertaking annual activation programs to promote local history and heritage.

The Society's current financial position is attached in **Confidential Attachment (a)**.

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 provision, use and development of the City's properties, assets and facilities

Attachments

10.7.1 (a): Financial Position (*Confidential*)

10.7.2 Proposed lease for the South Perth Soccer Club at Lot 300, Challenger Pavilion, Challenger Avenue, Manning

Location:	Manning
Ward:	Manning Ward
Applicant:	Not Applicable
File Ref:	D-20-62510
Meeting Date:	25 August 2020
Author(s):	Shonay Mitkus, Governance and Facilities Officer Patrick Quigley, Manager Community, Culture and Recreation
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

To seek Council's approval to enter into a new lease with the existing tenant South Perth Soccer Club and to execute the lease documentation for a five year term with an option of renewal for a further five year term.

Officer Recommendation

That the Property Committee recommends to Council that it:

1. Approves a new lease between the City of South Perth and the South Perth Soccer Club at Lot 300, Challenger Pavilion, Challenger Avenue, Manning subject to the following terms;-
 - a. A term of five years with an option for renewal for a further five year term;
 - b. An annual rental of \$1,100 per annum (exclusive of GST) reviewed each year; and
 - c. Payment of all outgoings and utility costs.
2. Authorises the Mayor and Chief Executive Officer to sign and affix the Common Seal to the new lease documentation between the City of South Perth and the South Perth Soccer Club at Lot 300, Challenger Pavilion, Challenger Avenue, Manning.

Background

The South Perth Soccer Club (Club) is located on Lot 300, Challenger Pavilion, Challenger Avenue, Manning, which is a portion of Crown reserve 24329 under a Management Order to the City. Lot 300 has a total area of 79,244 sqm and comprises a portion of the land contained in Certificate of Crown Land Title Volume 3136 Folio 436. The proposed site plan for the exclusive use of the Challenger Pavilion is approximately outlined in blue in **Figure 1**. The reserve is for the purpose of recreation and park, with the power to lease for any term not exceeding 21 years subject to the approval of the Minister for Lands.

10.7.2 **Proposed lease for the South Perth Soccer Club at Lot 300, Challenger Pavilion, Challenger Avenue, Manning**

The subject site has been leased by the City for “football club and ancillary purposes” since 1990.

The last lease executed by the City for these premises was entered into by the Club for a five year term which expired on 31 October 2002. This lease was developed with an annual rental in accordance with Council Policy at that time and included the recovery of all utilities and outgoings.

Since expiry of the lease in 2002, the Club has continued occupation of the premises under a holding over clause with the same terms and conditions.

The City has undertaken an audit of all leases and licences held by sporting clubs and community groups to identify a prioritised order to finalise outstanding agreements. The agreement for the South Perth Soccer Club is being progressed with the Club’s Committee and negotiations have progressed.

The site plan is shown in **Figure 1** below.



Figure 1: Site Plan – South Perth Soccer Club

Comment

In January 2020, the City met with the Club outlining the potential options available for occupancy at the premises. This included potential lease terms, a hire agreement or use of a storage container on site. The Club wrote to the City on 7 February 2020 indicating they wanted to proceed with a lease agreement.

Under the new agreement the Club has agreed it would be responsible for the payment of annual rent, rates, fees, utility costs and all other outgoings.

As stated in all new City lease agreements, a redevelopment clause is included in the event the Building or the Premises is or is proposed to be the subject of a redevelopment.

It is therefore recommended that the new lease be approved.

Consultation

The City has been in consultation with the Club over the draft lease who have agreed to the terms and conditions including the payment of annual rent and all other fees, costs and charges. In addition, the City has received Ministerial consent for the new lease to the Club.

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. Therefore, the Club is exempt from Section 3.58 of the Act.

Under Policy P609 Management of City Property, Not for Profit Sporting Organisations Leases 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 to provide sporting clubs with security of tenure and the ability to attract funding; 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.

Financial Implications

The City will be responsible for the cost of preparation and lodgement of the lease document. This includes \$178.20 to surrender any existing, expired or superseded lease and a further \$178.20 to lodge the current lease agreement with Landgate. Additional fees may apply where further search checks or a copy of the certificate of title is required.

The new lease has an annual rental income of \$1,100 per annum (exclusive of GST), which is to be reviewed every year. The annual rent review adjustment will be based on 0.1% of the insured value of the premises.

The Club’s current financial position is attached in **Confidential Attachment (a)**.

10.7.2 Proposed lease for the South Perth Soccer Club at Lot 300, Challenger Pavilion, Challenger Avenue, Manning

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 provision, use and development of the City's properties, assets and facilities

Attachments

10.7.2 (a): Financial Position - South Perth United Soccer Club - August 2020 (*Confidential*)

10.7.3 Proposed lease for the Como Bowling & Recreational Club at Lot 300, No. 99 Hensman Street, South Perth

Location:	99 Hensman Street, South Perth
Ward:	Como Ward
Applicant:	Not Applicable
File Ref:	D-20-62514
Meeting Date:	25 August 2020
Author(s):	Shonay Mitkus, Governance and Facilities Officer Patrick Quigley, Manager Community, Culture and Recreation
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

To seek Council approval to enter into a new lease with the Como Bowling & Recreational Club for a 21 year term.

Officer Recommendation

That the Property Committee recommends to Council that it:

1. Approves a new lease between the City of South Perth and the Como Bowling & Recreational Club at Lot 300, No. 99 Hensman Street, South Perth subject to the following terms:
 - a. for a term of 21 years;
 - b. an annual rental of \$1,400 per annum (exclusive of GST) reviewed every three years; and
 - c. payment of all outgoings and utility costs.
2. Authorises the Mayor and Chief Executive Officer to sign and affix the Common Seal to the new lease documentation between the City of South Perth and the Como Bowling & Recreational Club at Lot 300, No. 99 Hensman Street, Manning.

Background

The Como Bowling & Recreational Club (Club) is located on Lot 300, No. 99 Hensman Street, South Perth, which is a portion of Crown reserve 3618 under a Management Order to the City. Lot 300 has a total area of 7477 sqm and comprises a portion of the land contained in Certificate of Crown Land Title Volume 3136 Folio 447. The proposed site plan for the exclusive use of the clubhouse and bowling greens is approximately outlined in blue in **Figure 1**. The reserve is for the purpose of recreation and park, and the City has the power to lease for any term not exceeding 21 years subject to the approval of the Minister for Lands.

The subject site has been leased by the City to the Club since 1950 for “bowling club and ancillary purposes”. The Club entered into the last lease on 1 November 2011 for a five year term. That lease contained a renewal clause in favour of the Club for a further five year term if there are no outstanding breaches of the lease at the expiry of the term, and if the Club had given three months written notice of the intention to renew prior to the expiry date of the lease.

A request to exercise the option to extend the lease was not received by the City three months prior to the expiry of the lease. The Club’s lease expired on 1 November 2016 with the Club continuing occupation of the premises under a holding over clause in the lease.

On 24 July 2019, the Club wrote to the City requesting a “long term” lease renewal of the premises. The Club advised that a “long term” lease renewal would be essential in enabling the Club to continue with its forward planning program, and further enhance Ernest Johnson Reserve as a premier sporting precinct.

Subsequently, the City commenced lease negotiations with the Club with an initial draft agreement proposed in September 2019.

The site plan is shown in **Figure 1** below.



Figure 1: Site Plan – Como Bowling Club

Comment

A new lease has been developed with the Club based on the same terms and conditions as their previous lease including the recovery of all other outgoings and utility costs. However, it is proposed that the new lease be for a term of 21 years, the maximum allowable, rather than a five year term as has been the previous case. The Club has a long history at the site and during this time has demonstrated consistent and sustainable management of its operations. Granting a new lease of the premises for 21 years will ensure continued provision of bowling facilities at this location and is consistent with other bowling club leases in the district.

It is therefore recommended that the new lease be approved.

Consultation

The City has been in consultation with the Club over the lease and they have agreed to the terms and conditions. In addition, the City has received Ministerial consent for the new lease to the Club with a proposed commencement date of 1 September 2020.

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 the 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. Therefore, the Club is exempt from section 3.58 of the Act.

In accordance with Section 3.58(3) of the *Local Government Act 1995*, authority is given to the CEO to enter into agreements to lease or licence property that the City owns or that it controls under a management order which confers the power to lease or licence. Under Delegation from Council DC609 Leases and Licences condition (b), the CEO may exercise this power in relation to a lease or licence subject to: Leases being for a maximum term of twenty one years for: Not for Profit Sporting Organisations, Not for Profit Organisations, Community Associations, Government Bodies, Committees and Associations, educational institutions and residential homes.

Financial Implications

The City will be responsible for the cost of preparation and lodgement of the lease document. This includes \$178.20 to surrender any existing, expired or superseded lease and a further \$178.20 to lodge the current lease agreement with Landgate. Additional fees may apply where further search checks or a copy of the certificate of title is required.

The new lease has an annual rental income of \$1,400 per annum (exclusive of GST), which is reviewed every three years. The rent review adjustment will be based on 0.1% of the insured value of the premises.

The Club’s current financial position is contained in **Confidential Attachment (b)** of Item 10.1.4 of this Agenda.

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 provision, use and development of the City's properties, assets and facilities

Attachments

Nil

10.7.4 Proposed lease for the Trinity Aquinas Amateur Football Club at Bill Grayden Pavilion, Lot 500, Bill Grayden Reserve, Thelma Street, Como

Location:	Bill Grayden Pavilion, Bill Grayden Reserve, Thelma Street, Como
Ward:	Moresby Ward
Applicant:	Not Applicable
File Ref:	D-20-62517
Meeting Date:	25 August 2020
Author(s):	Shonay Mitkus, Governance and Facilities Officer Patrick Quigley, Manager Community, Culture and Recreation
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

To seek Council's approval to enter into a new lease with the existing tenant Trinity Aquinas Amateur Football Club for a five year term with an option of renewal for a further five year term.

Officer Recommendation

That the Property Committee recommends to Council that it:

1. Approves a new lease between the City of South Perth and the Trinity Aquinas Amateur Football Club at Bill Grayden Pavilion, Lot 500, Bill Grayden Reserve, Thelma Street, Como subject to the following terms:
 - a. for a period of five years with an option of renewal for a further five year term;
 - b. an annual rental of \$1,900 per annum (exclusive of GST) reviewed annually; and
 - c. payment of all outgoings and utilities.
2. Authorises the Mayor and Chief Executive Officer to sign and affix the Common Seal to the new lease documentation between the City of South Perth and the Trinity Aquinas Amateur Football Club at Bill Grayden Pavilion, Lot 500, Bill Grayden Reserve, Thelma Street, Como.

Background

The Trinity Aquinas Amateur Football Club (the Club) is located at the Bill Grayden Pavilion at Bill Grayden Reserve on Lot 500, Thelma Street, Como, which is a portion of Crown reserve 36435 under a Management Order to the City. Lot 500 has a total area of 232,332 sqm and comprises a portion of the land contained in Certificate of Crown Land Title Volume 3170 Folio 620. The reserve is for the purpose of recreation and park, with the power to lease for any term not exceeding 21 years subject to the approval of the Minister for Lands.

10.7.4 Proposed lease for the Trinity Aquinas Amateur Football Club at Bill Grayden Pavilion, Lot 500, Bill Grayden Reserve, Thelma Street, Como

The proposed site plan for the exclusive use of the Bill Grayden Pavilion is approximately outlined in blue in **Figure 1**. The annual leased term is for the Winter Season from 1 April to 30 September with the Pavilion occupied by the South Perth Baseball Club for the alternate Summer Season. The terms and conditions of occupation, including liability and responsibility, for the South Perth Baseball Club are covered in a separate lease agreement which is also subject to the approval of the Minister for Lands.

The subject site has been leased by the City since 1991 to the Club for the purposes of a sports pavilion and club premises. The Club entered into the last lease on 1 April 2011 with an annual rental in accordance with the Policy at that time. That lease contained a renewal clause for a further five year term in favour of the Club if there are no outstanding breaches of the lease at the expiry of the term, and if the Club provides three months written notice of the intention to renew prior to the expiry date of the lease.

The Club wrote to the City on 21 September 2015 requesting to exercise the option to extend the lease however, this request was not received three months prior to the expiry of the lease.

On 5 October 2015 the City gave formal written notice to the Club advising the lease would not be renewed for a further term due to consistent antisocial behaviour and poor treatment of its community facilities. However, as a result of immediate behavioural improvement by the Club, the City subsequently reversed its position allowing the Club continuing occupation of the premises under a holding over clause in the lease.

An updated lease agreement was drafted and sent to the Club in January 2017 with an amended annual rental of \$1,900 per annum (exclusive of GST) and included the recovery of all rates, taxes, utilities and all other outgoings. The Club wrote to the City on 11 May 2017 advising a signed copy of the lease agreement would be delivered to the City for formal execution within “the next few days”, however this did not occur. Despite this, the Club has maintained its financial responsibilities with regards the payment of annual rental costs and the recovery of outgoings and utilities

The site plan is shown in **Figure 1** below.



Figure 1: Site Plan – Trinity Aquinas Amateur Football Club

Comment

The agreement for the Trinity Aquinas Amateur Football Club is being progressed with the Club's Committee and operations having stabilised as demonstrated over the last three years.

In January 2020, discussions recommenced between the parties for a new lease agreement to be developed. As such, the new lease developed with the Club is based on the same terms and conditions as the previous draft lease sent in January 2017.

It is therefore recommended that the new lease be approved.

Consultation

In July 2020, the Club wrote to the City accepting all terms and conditions of the updated draft lease agreement and requested the City proceed in obtaining Ministerial consent.

On 24 July 2020, the City requested Ministerial consent for the new lease to the Club with confirmation received from the Minister for Lands on 4 August 2020.

Various City officers from Community, Culture and Recreation, Infrastructure Services and Governance have been consulted during the development of this report.

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.

10.7.4 Proposed lease for the Trinity Aquinas Amateur Football Club at Bill Grayden Pavilion, Lot 500, Bill Grayden Reserve, Thelma Street, Como

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. Therefore, the Club is exempt from section 3.58 of the Act.

Financial Implications

The City will be responsible for the cost of preparation and lodgement of the lease document. This includes \$178.20 to surrender any existing, expired or superseded lease and a further \$178.20 to lodge the current lease agreement with Landgate. Additional fees may apply where further search checks or a copy of the certificate of title is required.

The new lease has an annual rental income of \$1,900 per annum (exclusive of GST), which is reviewed annually, and includes the cost recovery of all rates, taxes, utilities and all other outgoings. The rent review adjustment will be based on 0.1% of the insured value of the premises.

The Club's current financial position is attached in **Confidential Attachment (a)**.

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 provision, use and development of the City's properties, assets and facilities

Attachments

10.7.4 (a): Financial Position - Trinity Aquinas Football Club - August 2020
(Confidential)

11. APPLICATIONS FOR LEAVE OF ABSENCE

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12.1 NOTICE OF MOTION - COUNCILLOR ANDRÉ BRENDER-A-BRANDIS - MONTHLY FINANCIAL REPORTS - EMPLOYEE ENTITLEMENTS

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-20-62518
Meeting Date:	25 August 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

Councillor André Brender-A-Brandis submitted the following Notice of Motion prior to the August Council Agenda Briefing.

Notice of Motion Recommendation (Suggested Alternative Recommendation page 69)

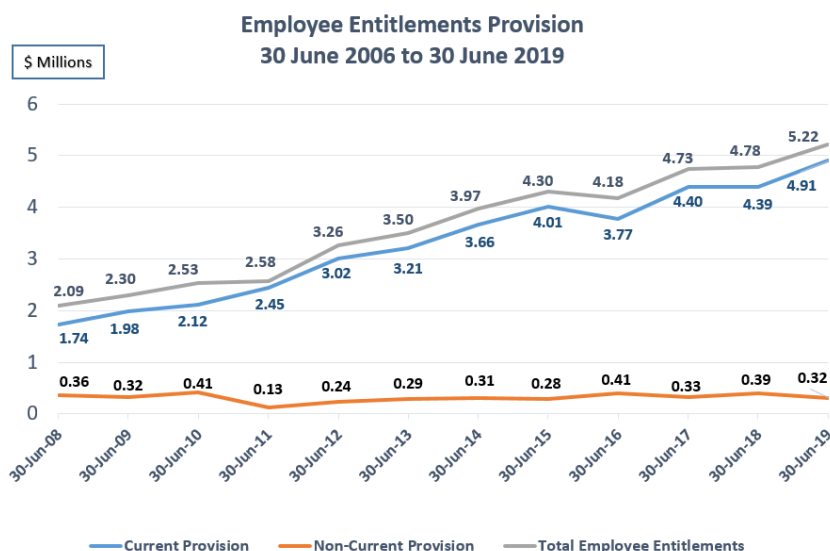
That the administration prepare Monthly Financial Statements including accounting for adjustments on a monthly basis for movements in the Annual Leave and Long Service Leave Employee Entitlements (Provisions). This is to ensure complete and transparent financial reporting, improved financial governance and compliance with Australian Accounting Standards prospectively from the August 2020 Monthly Financial Statements onwards.

Background

Councillor André Brender-A-Brandis submitted a Notice of Motion regarding Employee Entitlements in the Monthly Financial Reports. The reasons given are:

- 1. Employee Entitlements contained in the May 2020 Monthly Financial Statements had not been updated for eleven months for either the Liability (Provision for Employee Entitlements) or the Expenditure (Statement of Financial Activity and Operating Revenue & Expenditure Statements).*
- 2. The May 2020 Monthly Financial Statements, Statement of Financial Position discloses total Employee Entitlement Provisions of \$5.224 million (Current \$4.906 million and Non-Current \$0.318 million). This liability had not been revised since finalisation of the 30 June 2019 Annual Report (Financial Statements) and as at May 2020 is misstated.*

3. *An average annual increase of approximately \$330k in total Employee Entitlement Provisions has occurred between 30 June 2012 and 30 June 2019, with a cumulative total increase over this seven year period of \$2.64 million. The annual increments can be individually significant in any one year or collectively over a range of years.*
4. *Employee Entitlement movements during the year are due to the following reasons; increased accrued leave balances, leave taken during the period, increases in remuneration rates and changes in the underlying staff with leave balances transferred to and from the City. The financial impact of these movements were not updated and reflected in the leave liability balance or in the expenditure for the full year to May 2020.*
5. *The purpose of the Financial Statements is to ensure good governance through the provision of timely and complete financial information to inform users of the financial health, including; Financial Position (Balance Sheet), Financial Performance (Income Statement) and Cash Flows Statement (including the Rate Setting Statement for Local Governments). The financial information assists with; Management’s stewardship of resources, users to understand the financial health, establishing Budget estimates for the subsequent year and for those charged with governance to make decisions with complete, accurate and timely information.*
6. *Good financial governance requires compliance with the Australian Accounting Standards Board (AASB) including the recognition, measurement and disclosure of transactions, including Employee Entitlement Provisions and Expenditure.*
7. *AASB 101 Presentation of Financial Statements, requires the financial information to be presented fairly with faithful representations of the effects of transactions, events and conditions in accordance with the definitions and recognition criteria for assets, liabilities, income and expenses.*
8. *AASB 101 requires disclosure of information specifically for employee benefits expense, as the City discloses expenses (including staff costs) by nature in the Statement of Financial Activity and Operating Revenue & Expenditure Statements.*
9. *AASB 19 Employee Benefits; requires short-term benefits such as paid annual leave and long-term employee benefits such as long-service leave to be recognised, measured appropriately and disclosed in the Financial Statements.*
10. *AASB 137 Provisions, Contingent Liabilities and Contingent Assets requires a provision to be recognised when a present obligation (legal or constructive) results of a past event and it is probable an outflow of resources embodying economic benefits will be required to settle the obligation and the value can be reliably measured.*
11. *The chart below illustrates the Current Provision, Non-Current Provision and the total Employee Entitlements Provision from 30 June 2008 (\$2.09 million) to 30 June 2019 (\$5.22 million).*



Comment

A large number of the reasons given are general statements and/or simply a repetition of extracts from the Australian Accounting Standards. The City’s Annual Financial Statements are compliant with the Australian Accounting Standards as confirmed by the WA Auditor General.

Financial reporting in local government comprises two elements: annual financial statements and monthly financial statements, each with different requirements and for different purposes.

Annual Financial Statements (AFS) are prepared by most organisations in Australia. The preparation of AFS are governed by the Australian Accounting Standards, adopted by the Australian Accounting Standards Board, hence the prefix AASB before each standard number. These AASB standards determine the form and content of AFS and allow comparison between entities within Australia, and via the International Accounting Standards, across the world. AFS are detailed documents, taking two to three months to prepare. An external auditor reviews the AFS, notes and working papers to provide an opinion as to their merit within a determined level of materiality.

AFS comprise the full financial year and are used by analysts to identify trends of performance. For transparency the AFS, notes and working papers are very detailed. The responsibility for completing the external audit is the remit of the WA Auditor General for all WA State Government agencies and all WA Local Government authorities. The private sector, not for profit sector and other government entities have different external audit requirements, but in both instances the process is governed by AASB standards. All entities across Australia will have many accounting transactions that are only undertaken at the financial year end, as these transactions require significant reconciliation, professional judgement and provide little utility to be undertaken more regularly.

The majority of the organisations described above also prepare monthly financial statements, usually for internal management and board purposes only. The purpose of these monthly reports are to assist the management and board to determine if they are on plan (budget) or if there is some variation that needs to be attended to. These reports are usually prepared between 2-5 days following the end of the month.

These reports are not subject to AASB standards, nor are they audited in any way. Their intention is to assist management and the board to consider if adjustments need to occur to their plans. Therefore the method of profiling (monthly budget allocation) each budget should be developed in the same manner as the financial statements will be prepared each month. To depart from this approach would make monthly financial statement comparison meaningless.

Local Government Authorities are the only entities that are required to publish monthly financial statements, as described in the Local Government (Financial Management) Regulations 1996. As mentioned above, all other Australian entities use monthly financial statements for internal purposes only. Further, no other tier of government (State or Federal) publish monthly financial statements.

In terms of deciding what transactions should remain a year end process only, it is important to consider the cost versus benefit derived. By way of example the capitalisation of infrastructure assets created through the Capital Budget is best completed at year end, once all the transactions have been accounted for, as it also involves an element of judgement in accordance with AASB standards. To undertake this exercise monthly would be costly in terms of human effort, potentially require adjustment at year end and provide very little, if any, utility in terms of measuring budget versus actual results.

Another year end process, for the City and most entities is accruals relating to employee entitlements. That is because there are significant fluctuations throughout the year on the employee entitlement accrued, and the actual leave taken. As an example, school holidays are traditionally a time that more annual leave is taken, if reporting monthly it may appear that leave is increasing each month, only to then drop back during school holidays. For that purpose, the City has budgeted that the increase in employee entitlements will occur in June each year, as a result of the year end process.

In terms of the increase depicted in the graph, the increase in the value of employee entitlements predominately relates to the fact that wages increase, as is the case for all organisations across Australia. The City of South Perth's approach to employee entitlements, is consistent over many years and with many WA Local Governments. Some large WA Local Governments, with a significant Accounting department (25 to 40 FTEs) may update the employee entitlements quarterly or half yearly, however it is how they develop their budget, so the actual comparison is relevant. This City has a relatively small Accounting team, relying on two qualified accountants to prepare the monthly financial statements within 5 days each month, which puts pressure on our month end processes. For these reasons, it is considered there is little utility in undertaking monthly adjustments to the employee entitlements liability.

As the major change each year relates to the increase afforded within the Enterprise Agreement, it may be sensible to make this adjustment for the July monthly financial statements each year. In addition to this being the largest adjustment, the calculation (in August) would also occur at the same time as the previous year Annual Financial Statements are being calculated. This may be a productive way to handle the majority of the change and have confidence in the transaction, given it is being prepared for annual audit purposes.

Essentially there are three options for Council, these being:

Option 1 – Maintain the current practice, with the change to employee entitlements budgeted in June each year and the actual calculated as part of the year end process. It is important to note that for the first time, the 2019/20 employee entitlements accrual transaction was processed in time for the production of the June 2020 Monthly Financial statements. This is recommended as the benefits of changing to a monthly adjustment cannot be justified from a cost benefit analysis.

Option 2 – Update adjustments to the employee entitlements liability either monthly, quarterly or half yearly. This is not recommended due to the monthly fluctuations, additional workload for a very small team and the little utility that it provides.

Option 3 – Undertake an adjustment to employee entitlements in July and June (as part of yearend) each year. Whilst Option 1 is preferred, Option 3 would handle the largest component of a change in the value and be undertaken at the same time as the prior year end (June) is being calculated, thereby ensuring its accuracy. It should be noted that the budget profile (monthly budget) would need to be adjusted. This option is recommended if Council considers this would assist in their interpretation of monthly financial statements.

Consultation

No external consultation is undertaken.

Policy and Legislative Implications

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. Option 2 may result in additional resources to establish this process, as well as a reduction in the productivity of existing staff. An estimate of this costs has not been undertaken.

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

Alternative Recommendation

Notwithstanding officers do not recommend a change to the current practice, if Council wish to adjust the current standard practice, the following is recommended:

Suggested Alternative Recommendation

That the City adjusts the:

1. Provision for employee entitlements in July and June each year, as part of the preparation of the annual financial statements, also incorporated within the July and June monthly financial statements; and
2. Budget profile (month of each budget) accordingly.

Attachments

Nil

13. QUESTIONS FROM MEMBERS

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

15. MEETING CLOSED TO THE PUBLIC

The Chief Executive Officer advises that there are matters for discussion on the Agenda for which the meeting may be closed to the public, in accordance with section 5.23(2) of the *Local Government Act 1995*.

15.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Officer Recommendation

That the following Agenda Items be considered in closed session, in accordance with s5.23(2) of the *Local Government Act 1995*:

- Item 15.1.1 Millers Pool Café
- Item 15.1.2 Contract for Sale of Land in Manning

15.1.1 Millers Pool Café

*This item is considered **confidential** in accordance with section 5.23(2)(c) of the Local Government Act 1995 as it contains information relating to "a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting"*

Location:	Reserve 33804
Ward:	Mill Point Ward
Applicant:	Not Applicable
File Ref:	D-20-62519
Meeting Date:	25 August 2020
Author(s):	Bernadine Tucker, Manager Governance
Reporting Officer(s):	Geoff Glass, Chief Executive Officer
Strategic Direction:	Economy: A thriving City activated by innovation, attractions and opportunities
Council Strategy:	2.2 Activated Places

15.1.2 Contract for Sale of Land in Manning

*This item is considered **confidential** in accordance with section 5.23(2)(c) and (d) of the Local Government Act 1995 as it contains information relating to "a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting and legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting"*

Location:	Manning
Ward:	Manning Ward
Applicant:	Not Applicable
File Ref:	D-20-62523
Meeting Date:	25 August 2020
Author(s):	Bernadine Tucker, Manager Governance
Reporting Officer(s):	Geoff Glass, Chief Executive Officer
Strategic Direction:	Economy: A thriving City activated by innovation, attractions and opportunities
Council Strategy:	2.2 Activated Places

16. CLOSURE