

AGENDA.

Ordinary Council Meeting

27 October 2020

Notice of Meeting

Mayor and Councillors

The next Ordinary Council Meeting of the City of South Perth Council will be held on Tuesday 27 October 2020 as an eMeeting commencing at 6.00pm.



GEOFF GLASS
CHIEF EXECUTIVE OFFICER

23 October 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

- Mayor Greg Milner – Impartiality Interest in Item 10.1.2 as ‘A number of nominees for the City of South Perth Volunteer of the Year Award Program for 2020 are personally known to me.’
- Councillor Carl Celedin – Impartiality Interest in Item 10.1.2 as ‘Many of the applicants are known to me personally’.
- Councillor Glenn Cridland – Impartiality Interest in Item 10.1.2 as ‘I have met/know some of the confidential nominees.’

6. PUBLIC QUESTION TIME

6.1 RESPONSES TO PREVIOUS QUESTIONS TAKEN ON NOTICE

6.2 PUBLIC QUESTION TIME: 27 OCTOBER 2020

7. CONFIRMATION OF MINUTES AND TABLING OF NOTES OF BRIEFINGS

7.1 MINUTES

7.1.1 Ordinary Council Meeting Held: 22 September 2020

Officer Recommendation

That the Minutes of the Ordinary Council Meeting held 22 September 2020 be taken as read and confirmed as a true and correct record.

7.2 CONCEPT BRIEFINGS

7.2.1 Council Agenda Briefing - 20 October 2020

Officers of the City presented background information and answered questions on Items to be considered at the 27 October 2020 Ordinary Council Meeting at the Council Agenda Briefing held 20 October 2020.

Attachments

7.2.1 (a): Council Agenda Briefing 20 October 2020 - Briefing Notes

7.2.2 Concept Briefings and Workshops

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

Date	Subject
29 September 2020	Workshop #1 – Local Planning Scheme 7
30 September 2020	Major Strategic Community Plan Review Workshop 2
5 October 2020	Recreation and Aquatic Facility (RAF) – Business Case Briefing
6 October 2020	Major Strategic Community Plan Review Workshop 3
13 October 2020	Workshop #2 – Local Planning Scheme 7
	Improving the presentation of financial information to Council Workshop
19 October 2020	Old Mill Project Variations Briefing
	Recreation and Aquatic Facility (RAF) – Stakeholder Engagement Briefing
21 October 2020	CEO Selection Committee Briefing

Officer Recommendation

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

- 7.2.1 Council Agenda Briefing - 20 October 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 Endorsement of the City's Local Emergency Management Arrangements Plan and Local Recovery Plan

Location:	Not Applicable
Ward:	All
Applicant:	Not Applicable
File Ref:	D-20-81276
Meeting Date:	27 October 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:	1.3 Community Safety & Health

Summary

This report seeks Council's endorsement of the City of South Perth Local Emergency Management Arrangements (LEMA) Plan and City of South Perth Local Recovery Plan to provide guidance on how the City will coordinate and operate during the response and recovery phases of a local emergency.

Officer Recommendation

That Council endorses the City of South Perth Local Emergency Management Arrangements Plan shown as **Confidential Attachment (a)** and the City of South Perth Local Recovery Plan shown as **Confidential Attachment (b)**.

Background

Local governments have a legislative responsibility to ensure that effective local emergency management arrangements are prepared and maintained for their district and to manage community recovery following an emergency affecting the district.

The City of South Perth partners with the City of Canning to facilitate a shared Local Emergency Management Committee (LEMC) that oversees local emergency management planning for both municipalities. The LEMC is comprised of staff and elected member representatives from both local governments, WA Police, Department of Fire and Emergency Services, Department of Communities, SES, St John Ambulance, Curtin University and Perth Zoo.

In 2018/19 the City contracted an emergency management consultant to assist with its local emergency management planning. The engagement led to the development of a suite of documents collectively referred to as the Local Emergency Management Arrangements (LEMA) comprising:

- Local Emergency Management Arrangements Plan
- Local Recovery Plan
- Risk Register and Treatment Schedule
- Emergency Contacts Register
- Resources/Assets Register
- Department of Communities Local Emergency Welfare Plan for the Cannington Region (supporting City of Belmont, Town of Victoria Park, City of Canning, City of South Perth) for the provision of Welfare Support.

The LEMA Plan and the Local Recovery Plan require endorsement by Council.

Comment

The City's LEMA will ensure that effective local emergency management arrangements will be in place for its district; and to manage community recovery following an emergency affecting its district.

The purpose of the LEMA is not to coordinate the first respondents or Hazard Management Authorities (HMAs) at an emergency. Its purpose is to provide structure as to how the City coordinates and operates during the response and recovery phases of an emergency. The LEMA is designed to ensure that appropriate strategies are in place to minimise the adverse effects on the community post a natural disaster, emergency or major incident. The LEMA also outlines the mechanisms and strategies for the City to effectively recover from the aftermath of a disaster or emergency, with the objective of having minimal impact on the community and to restore normality as quickly as possible. The LEMA Plan and Local Recovery Plan will be subject to minor reviews annually and a major review after five years to enable the documents to be updated to reflect current emergency management information, such as community profiling, contact information, hazards etc. Once endorsed, a publically accessible version of the LEMA Plan and Local Recovery Plan with the confidential information redacted will be made available for the public on the City's website to assist in achieving emergency management preparedness by the local community.

Consultation

During the development of the LEMA Plan and Local Recovery Plan consultation occurred with the Local Emergency Management Committee and East Metropolitan District Emergency Management Committee. Following this process, the City received confirmation that its proposed LEMA Plan and Local Recovery Plan complies with the legislative requirements. Following Council's endorsement, the plans are presented to the State Emergency Management Committee for noting. The table below outlines the consultation/approval process.

Action	Date	Outcome
Presentation of the City's LEMA Plan and Local Recovery Plan to the LEMC for endorsing.	11 September 2020	The City's LEMA Plan and Local Recovery Plan was endorsed by the LEMC.
Presentation of the City's LEMA Plan and Local Recovery Plan to the East Metropolitan District Emergency Management Committee (DEMC) for noting.	14 September 2020	The City's LEMA Plan and Local Recovery Plan was noted by the DEMC.
Presentation of the City's LEMA Plan and Local Recovery Plan to the South Perth Council for endorsing.	27 October 2020	To be advised.
Presentation of the City's LEMA Plan and Local Recovery Plan to the State Emergency Management Committee for noting.	4 December 2020	To be advised.

Policy and Legislative Implications

Emergency Management Act 2005 and the Emergency Management Regulations 2006.

Financial Implications

There are no financial implications associated with the endorsement of the LEMA Plan and Local Recovery Plan. Any future actions resulting from the documents such as emergency management training would be subject to Council consideration in subsequent City operational budgets.

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 safety and health
 Strategy: Develop and implement effective Emergency Management Arrangements

Attachments

- 10.1.1 (a):** Local Emergency Management Arrangements Plan (*Confidential*)
10.1.1 (b): Local Recovery Plan (*Confidential*)

10.1.2 City of South Perth Volunteer of the Year Awards Program - Assessment and Recommendations for 2020

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-20-81278
Meeting Date:	27 October 2020
Author(s):	Rene Polletta, Community Development Officer (Youth & Children)
Reporting Officer(s):	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Community: A diverse, connected, safe and engaged community
Council Strategy:	1.1 Culture & Community

Summary

This report seeks Council's approval of the eligible nominations submitted for the 2020 City of South Perth Volunteer of the Year Awards Program.

Officer Recommendation

That Council approves the Award recipients for the City of South Perth Volunteer of the Year Award Program for 2020, as shown in **Confidential Attachment (a)** in the following categories:

- a) Volunteer of the Year – Adult (over 25 years);
- b) Volunteer of the Year - Youth (18-25 years); and
- c) Volunteer of the Year - Junior (under 18 years).

Background

In December each year International Volunteer Day is celebrated around the world to recognise the important role that volunteers play in building healthy and vibrant communities.

Local governments are encouraged to acknowledge and reward those individuals who volunteer their time and expertise in their communities.

The City facilitates an annual 'Thank a Volunteer Day Celebration' in December to acknowledge and celebrate the contributions of volunteers who service our community. As part of this event, the City of South Perth Volunteer of the Year Awards are presented to recognise outstanding individual volunteering contributions in the community.

There are three Volunteer of the Year Award categories, as follows:

1. *Adult Volunteer of the Year Award*

This Award is open to individuals who reside or volunteer within the City of South Perth and are aged over 25 years.

2. Youth Volunteer of the Year Award

This Award is open to individuals who reside or volunteer within the City of South Perth and are aged between 18 and 25 years.

3. Junior Volunteer of the Year Award

This Award is open to individuals who reside or volunteer within the City of South Perth and are aged under 18 years.

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

1. The level of involvement of the volunteer;
2. The significance of the volunteering contribution to the local community; and
3. The inspiring impact of the volunteering activity to enhance community life.

Presentation of the Awards will be made at the City's Thank a Volunteer Day Celebration on 3 December 2020. The winner of each category will be recognised with a certificate and trophy. All other eligible nominees will receive a certificate and public acknowledgement of their volunteering contributions at the event.

Comment

This year the City received a total of 51 nominations comprising:

- 34 x Adult Volunteer of the Year nominations;
- 4 x Youth Volunteer of the Year nominations; and
- 12 x Junior Volunteer of the Year nominations

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

The assessment panel found that the standard of nominations this year was exceptionally high and there were a number of outstanding individuals who scored very strongly. All eligible nominations were considered meritorious, as they demonstrated the variety of ways that volunteers make significant contributions to the local community. For this reason, a letter will be sent to all nominees to thank them for their outstanding volunteering contributions and inviting them to attend the Thank a Volunteer Day Celebration event being held in December 2020.

Consultation

The City commenced promotion of the Volunteer of the Year Award Program in August 2020. Emails were sent to local community groups, sporting clubs, schools and volunteer organisations. The Award Program was also advertised in the City eNews and on the City's website. Nominations closed on 30 September 2020.

Policy and Legislative Implications

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

Financial Implications

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

Strategic Implications

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

Strategic Direction: Community
Aspiration: A diverse, connected, safe and engaged community
Outcome: Culture and community
Strategy: Foster volunteerism to build social capital in the community

Attachments

10.1.2 (a): Summary of Nominations and Assessment (*Confidential*)

10.1.3 Request for Additional Budget - Old Mill & Cottage Walls Conservation Works Contract

Location:	Melville Place
Ward:	Mill Point Ward
Applicant:	Not Applicable
File Ref:	D-20-81279
Meeting Date:	27 October 2020
Author(s):	Jac Scott, Manager Business & Construction
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

The City is currently progressing a contract to undertake conservation works at the Old Mill and Cottage.

This report has been prepared to advise Council of other works required, unknown and hidden until the project commenced and as such the City requests Council to approve additional funds required to protect and make safe the Old Mill and Cottage.

Officer Recommendation

That Council:

1. Authorises additional expenditure of \$135,000 in excess of the current budget for Request for Quote 16/2020 Old Mill and Cottage Walls Conservation Works in response to latent conditions experienced and further contingency if required; and
2. Notes that additional funds will be allocated to the Old Mill budget from savings identified as part of the mid-year review, scheduled for consideration at the February 2021 Council meeting.

Absolute Majority required

Background

The Old Mill is the oldest commercial building in Perth, having been constructed in 1835, and remaining in operation until 1859. On adoption of the 2020/2021 Annual Budget, Council approved two budget allocations totalling \$209,500 for conservation works to the Old Mill.

The works are being undertaken to conserve the building fabric comprising brick and limestone, and to undertake structural repairs to the timber sails and spars. Works are being implemented in accordance with the Australia ICOMOS (International Council on Monuments and Sites) Burra Charter, which was adopted in 1979 to reflect developing understanding of the theory and practice of cultural heritage management.

The City has been supported in the works by heritage consultant firm Hocking Heritage + Architecture. They are an award winning multi-disciplinary practice specialising in architecture, heritage, conservation, urban design and planning. Following a Request for Quotation process, a contract was awarded to Clinton Long Project Management (CLPM) to undertake the conservation works at a price of \$160,991.60 excluding GST. CLPM is a fully licensed and registered Western Australian building and construction company that specialises in Heritage Restoration and commercial and public building construction projects.

Comment

The works, currently underway, have uncovered a significant amount of latent conditions that now require urgent and essential repair. These include structural cracking, significantly greater termite infestation and subsidence. These issues were not previously evident.

Latent conditions are defined in Clause 25.1 of the Conditions of Contract (AS4000) as:

“physical conditions on the site and its near surrounds, including artificial things but excluding weather conditions, which differ materially from the physical conditions which should reasonably have been anticipated by a competent Contractor at the time of the Contractor’s tender if the Contractor had inspected:

- *all written information made available by the Principal to the Contractor for the purpose of tendering;*
- *all information influencing the risk allocation in the Contractor’s tender and reasonably obtainable by the making of reasonable enquiries; and*
- *The site and its near surrounds.”*

Latent conditions are a deemed variation under Clause 25.3 of the contract i.e. they are priced as if they were a variation directed by the Superintendent and therefore remain a City liability.

The additional works do not vary the scope of the contract and are essential to protect and maintain the building in a safe and usable condition, however the value of the additional works exceeds the allocated budget.

It should be noted that the works are not complete and the possibility of further latent conditions being uncovered remains, though the likelihood is decreased given the progress of works to date. As a result, further contingency is recommended to be added to the project which results in a total additional budget request of \$135,000.

Savings in the Capital Budget to cover the revised budget for the Old Mill project will be provided for Council to approve in the mid-year review, scheduled for February 2021.

Consultation

Councillors were provided with an update on this matter at a Concept Briefing on Monday 19 October.

Policy and Legislative Implications

Part 6 of the *Local Government Act 1995*

Local Government (Financial Management) Regulations 1996

Policy P605 Purchasing

Council are advised that had the extent of the additional required works been known, the total work package would have likely required a Request for Tender rather than a Request for Quotation process.

Financial Implications

An additional budget of \$135,000 is recommended to complete the project. The savings to cover the additional capital budget will be included in the half year Budget review.

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

10.1.4 Collier Park Golf Course - Mini-Golf Project

Location:	Collier Park Golf Course
Ward:	Moresby Ward
Applicant:	Not Applicable
File Ref:	D-20-81281
Meeting Date:	27 October 2020
Author(s):	Jac Scott, Manager Business & Construction
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 updates Council on the progress of the mini-golf project as it progresses to the construction phase and seeks approval of the proposed fees for use of the facility.

Officer Recommendation

That Council:

1. Notes the progress of the Collier Park Golf Course mini-golf project;
2. In accordance with Section 6.19 of the *Local Government Act 1995*, gives local public notice of its intention to impose the proposed fees as contained in **Attachment (a)**, commencing 1 December 2020; and
3. In accordance with Section 6.16 of the *Local Government Act 1995*, imposes the fees contained in **Attachment (a)**.

Absolute Majority required

Background

At its meeting held on 24 March 2020, Council resolved to proceed with the Business Case for the provision of a mini-golf facility at Collier Park Golf Course.

The mini-golf is now progressing to the construction phase, and is expected to open in early 2021. The mini-golf will now be advertised particularly as an option for corporate golf bookings. In order to allow these bookings to be taken agreed fees and charges are required.

Comment

The concept design for the mini-golf is presented in **Confidential Attachment (b)**. The attachment is currently confidential because it contains the intellectual property (IP) of the operator and procurement of the construction contract is underway.

It is expected that construction will commence in November and the course is expected to be open from February 2021. The project is forecast on budget with more information to be provided following the completion of contractor procurement.

10.1.4 Collier Park Golf Course - Mini-Golf Project

In accordance with Section 6.19 of the *Local Government Act 1995*, if a local government wishes to impose any fees or charges after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of:

- (a) its intention to do so; and
- (b) the date from which it is proposed the fees or charges will be imposed.

The proposed fees have been determined via discussions with the operator and a review of other mini-golf facilities in the local area. The proposed fees for the mini-golf on opening are contained in **Attachment (a)**.

The fees and charges will be advertised immediately to apply from 1 December 2020 to ensure that advance bookings can be taken prior to the proposed completion date.

Consultation

The fees and charges have been set slightly ahead of the Collier Park Golf Course Business Plan, formally publically advertised, and with minor adjustments to allow for current market conditions. They were set in consultation with the City's golf course operator.

Policy and Legislative Implications

Sections 6.16 and 6.19 of the *Local Government Act 1995*.

Financial Implications

The proposed fees are in line with the mini-golf forecasts provided under the business plan.

Strategic Implications

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

Strategic Direction:	Community
Aspiration:	A diverse, connected, safe and engaged community
Outcome:	Community infrastructure
Strategy:	Plan, develop and facilitate community infrastructure to respond to changing community needs and priorities

Attachments

- 10.1.4 (a): Proposed Fees
- 10.1.4 (b): Mini-Golf Facility: Concept Visuals (*Confidential*)

10.3 STRATEGIC DIRECTION 3: ENVIRONMENT (BUILT AND NATURAL)

10.3.1 Proposed Six Grouped Dwellings at Lot 250, No. 154 Lockhart Street, Como

Location:	Lot 250, No. 154 Lockhart Street, Como
Ward:	Como Ward
Applicant:	Pinnacle Planning
File Reference:	D-20-81287
DA Lodgement Date:	21 July 2020
Meeting Date:	27 October 2020
Author(s):	Cameron Howell, 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

This report seeks Council's consideration of a development application to grant approval for six Grouped Dwellings (three storeys) on Lot 250, No. 154 Lockhart Street, Como.

This item is referred to Council as the building height exceeds 9.0 metres and therefore falls outside of the delegation to officers. The building height of the proposed development complies with the maximum height prescribed by the Canning Bridge Activity Centre Plan.

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 the proposal 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 Six Grouped Dwellings (three storeys) at Lot 250, No. 154 Lockhart Street, Como, **be approved** subject to the following conditions/advice notes:

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, a Detailed Material Schedule for all external finishes to the development must be submitted to, and approved in writing by, the City of South Perth. The approved Schedule shall be incorporated into all relevant building permit applications and prior to the submission of the occupancy permit application, these materials shall have been used and installed in the development.

3. 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.
4. Prior to the submission of a building permit, the applicant must be in receipt of an approved "Stormwater Drainage Application" that confirms the design is to the satisfaction of the City.
5. 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.
6. Prior to the submission of a building permit application, the finalised Landscaping Plan for the development site and the street verge, consisting of Hardscape and Softscape (Planting) Plans, must be submitted to, and approved in writing by, the City of South Perth.
7. Prior to the submission of an occupancy permit application, landscaping areas shall be installed in accordance with the approved landscaping plan. All landscaping areas shall be maintained thereafter to the satisfaction of the City.
8. Prior to the submission of:
 - i. A building permit application, a Public Art Concept for the subject development, or elsewhere in the Canning Bridge Activity Centre, with a minimum value of 1.0% of the total construction value must be submitted to and approved in writing by the City.
 - ii. An occupancy application, the approved Public Art Concept shall be implemented to the satisfaction of the City of South Perth.
9. Prior to the submission of a building permit application, the applicant shall supply certification confirming the design of all car parks and vehicle accessways are compliant with Australian Standard AS2890.1.
10. 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.
11. No street trees shall be removed, pruned or disturbed in any way, without prior approval from the City.
12. Prior to the submission of a building permit application, a tree protection zone shall be indicated on the plans for each verge tree and implemented during construction until occupancy stage, to protect each verge tree at all times, to the satisfaction of the City.
13. Prior to the submission of an occupancy permit application, the owner/applicant shall remove all existing crossovers, reinstate the verge and kerbing and construct the new crossovers / vehicle accessways between the road and the property boundary in accordance with the approved plans, to the satisfaction of the City of South Perth.
14. External clothes drying facilities shall be provided for each dwelling, and shall be screened from view from all streets or any other public place.

15. 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.
16. 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.
17. All fencing and blank walls at ground level are to be treated with a non-sacrificial anti-graffiti coating to discourage potential graffiti and/or be decorated in such a way to reduce the effect of blank facades, in accordance with Requirements 15.1 and 16.1 of the Canning Bridge Activity Centre Plan.
18. The development is to achieve a 5 Star Green Star rating or the equivalent under another formally recognised ecologically sustainable rating system. Prior to the submission of a building permit application, the applicant is to submit a sustainability report confirming the final green star strategy that will guide the construction stage of the development and beyond; this report shall clearly demonstrate that an equivalent sustainable design rating is to be achieved for the development. Where relevant, elements of the sustainability report and strategy should clearly be reflected in documentation and plans submitted with the building permit application.
19. Property line levels and footpath levels are to remain unaltered.

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

Development Site details

Zoning	Centre Zone Canning Bridge Activity Centre Plan Quarter: Davilak (Q4) CBACP Zone: H4 (Residential Development Up to 4 Storeys)
Density coding	Not Applicable
Lot area	1012 sq. metres
Building height limit	Four storey building height limit
Development potential	Multiple Dwelling, Grouped Dwelling, Single House, Aged or Dependant Person's Dwelling, Single Bedroom Dwelling, Corner Store, Recreation - Private, Recreation - Public, Residential Building, Home Occupation, Home Office
Plot ratio limit	n/a

Comment

(a) **Background**
Development Application

In July 2020, the City received an application for planning approval to construct six, three-storey Grouped Dwellings at Lot 250, No. 154 Lockhart Street, Como (the site). The site is located within the Canning Bridge Activity Centre Plan (CBACP). In accordance with Schedule 2 Clause 43(1) of the Planning & Development Regulations 2009, the City shall have due regard to the activity centre plan when considering this application for development approval.

It is noted that the site currently benefits from a valid planning approval for a four-storey, 20 Multiple Dwelling unit development with basement car parking (DAP/18/01548), approved on 15 March 2019.

Modifications to CBACP

Modifications to the CBACP were adopted by the Western Australian Planning Commission at its meeting of 22 September 2020. The purpose of the modifications are to improve the design quality of new buildings within the CBACP area. The modifications apply to buildings within Quarters 3, 4 & 5 (being those quarters within the City of South Perth) of the CBACP.

The modifications integrate the majority of Parts 3 & 4 and Design Elements 2.6 (Building Depth) and 2.7 (Building Separation) of State Planning Policy 7.3 Residential Design Codes – Volume 2 into the CBACP. These parts of the R-Codes include criteria relating to matters such as solar access/building orientation, visual privacy, deep-soil areas and tree retention. Assessment of these design elements is included as **Attachment (d)** of this report.

(b) Description of the Surrounding Locality

The site has a frontage to Lockhart Street to the west, access to Tulip Lane to the east, and located adjacent to single houses to the north and south, as seen in **Figure 1** below:

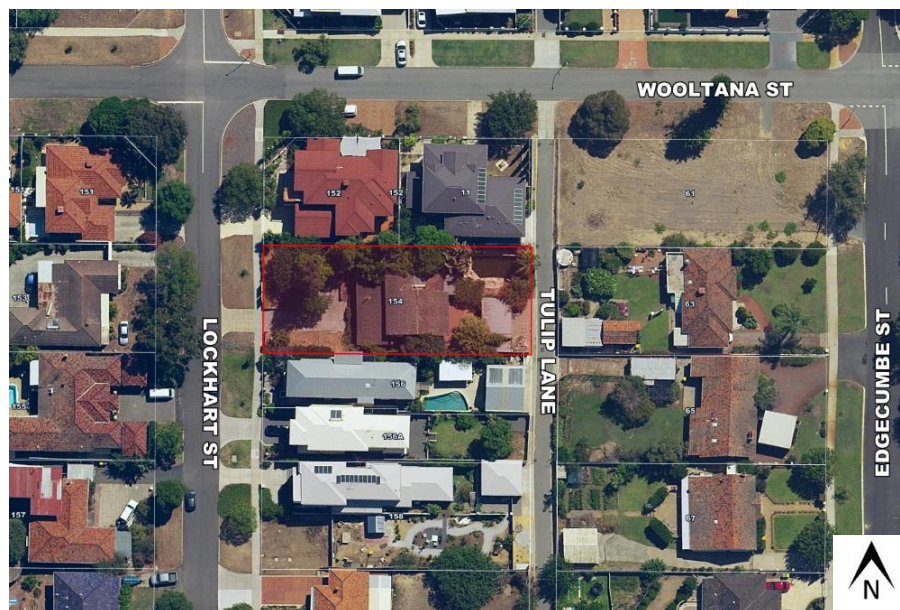


Figure 1: Site Aerial

(c) Description of the Proposal

The proposal will involve the demolition of the existing single dwelling and the construction of six grouped dwellings in a side-by-side configuration, as depicted in the submitted plans as **Attachment (a)**. The development proposes vehicular access via Lockhart Street and Tulip Lane. The site photographs show the relationship of the site with the surrounding built environment as **Attachment (b)**.

The following components of the proposed development require discretion under the Scheme, CBACP, and Council Policy requirements:

- (i) Street Setbacks
- (ii) Side and Rear Setbacks

- (iii) Facades
- (iv) Street Walls and Fences

The proposal is considered to satisfactorily meet the relevant requirements of the Scheme and the CBACP.

(d) Street Setback (Lockhart Street)

The proposal is seeking a street setback variation on the ground floor, first floor, and second floors. The minimum front setback proposed is 3.5m in lieu of 4m. The variations are considered to address the relevant Desired Outcomes of CBACP and are supported for the following reasons:

- The proposed setback variation incorporates an articulated façade to the street, staggering the building footprint to ensure portions of the build are behind the street setback line;
- The space between the building and street boundary encourages an active frontage by utilising the space for outdoor living area purposes.
- Balconies address Lockhart Street and provide for visual connection between the dwelling and streetscape. Further to this, the proposed street setback area consists of generous landscaping; and
- The variation is a minor departure from the deemed-to-comply and not considered to detrimentally alter the character of the streetscape.

(e) Side & Rear Setbacks

Element	Desired Outcome	Provided
Northern lot boundary setback	Min. 4m	Min. 3.6m
Southern lot boundary setback	Min. 4m	Min. 3.4m
Rear setback (eastern boundary)	Min. 4m	Min. 1.17m

The proposal is seeking side and rear setback variations to the northern, southern, and eastern boundaries. The variations are considered to address the relevant Desired Outcomes of CBACP:

Side northern lot boundary setback

The northern lot boundary setback variations relate to the vertical nibs throughout the height of the building, and portions of the balconies. The proposed side setback variation is considered to meet the desired outcomes of the CBACP and is supported for the following reasons:

- The nib portions of wall impinging on the northern lot boundary setback area are an architectural feature which results in minimal bulk. This aspect of the building provides a breaking of building bulk by providing articulation and a sense of separation between each tenancy;
- The balconies encroach the 4m side setback space, however the platform accessible to occupants is contained to the compliant 4m setback through the positioning of the balustrade. The minor portions encroaching into the side setback do not contribute to a sense of building bulk or confinement;
- The proposed setback is considered adequate in enabling access to western prevailing winds, adequate ventilation to the subject site and northern adjoining lot; and
- The orientation of the balconies and separation of the building along the lot boundary is adequate in providing an acceptable level of privacy to the north.

Side southern lot boundary setback

The southern lot boundary setback variation relates to vertical nib walls and non-accessible platforms cantilevering above the subject sites communal driveway. It is noted that the setback of the building's main walls parallel to the southern boundary are compliant. The proposed side setback variation is considered to meet the desired outcomes of the CBACP and are supported for the following reasons:

- The walls impinging on the required setback space do not contribute to a sense of confinement or intrusion to the southern adjoining lot, given the minor nature of the variation;
- The blade walls are provided as an architecture feature along the side southern boundary;
- The nib walls orientate perpendicular to the southern boundary, and are considered to have minimal impact on the southern lot by way of access to winter sun.

Rear eastern lot boundary setback

The proposed rear setback variation is considered to meet the desired outcomes of the CBACP and are supported for the following reasons:

- The setback to the eastern boundary has minimal impact to the eastern adjoining lot, given the sites are separated by Tulip Lane right-of-way;
- Given the site abuts Tulip Lane rather than a developed lot, the reduced rear setback is considered to have minimal impact in facilitating the ability for openings for access to ventilation; and
- The proposed eastern elevation results in a 5m separation to the rear boundary of No. 63 Edgecumbe Street, which is in excess of the (desired outcome) 4m rear setback.

(f) Facades

Element	Desired Outcome	Provided
Floor level height in relation to the street level	Floor Level: Max. 0.5m above footpath.	The ground floor is a maximum of 1.2m above the footpath level.

The development seeks a finished level to the ground floor of Townhouse 1 fronting Lockhart Street approximately 1.2m above the level of the adjacent footpath and verge level. The proposed variation is considered to meet the desired outcomes of the CBACP and is supported for the following reasons:

- The design of the development is considered to maintain a sense of place and interaction to the street frontage through providing a private courtyard at ground level and balconies to the street facade.
- The difference in level provides an adequate buffer to ensure privacy to ground floor courtyards fronting Lockhart Street without compromising connectivity.
- The front façade at ground level provides a wall approximately 1.4m in height and is visually permeable above 0.4m enclosing the courtyards facing Lockhart Street.
- The stepped design implies transition between public and private space and allows an occupant at the ground floor to directly view the footpath, providing a sense of connectivity to the public domain.

10.3.1 Proposed Six Grouped Dwellings at Lot 250, No. 154 Lockhart Street, Como

- The subtle differentiation in levels from the verge to the ground floor finished level is considered to heighten the sense of place and security.
- The difference in levels will result in more effective landscaping visible from the streetscape.

(g) **Street Fences & Walls**

Element	Desired Outcome	Provided
Street fences and walls	Max. 1.2m height – landscaping and fencing.	The street elevation incorporates fencing to 1.4m above the footpath level, with visual permeability above 0.4m.

The proposed variation is considered to meet the desired outcomes of the CBACP and is supported for the following reasons:

- The proposed height of the primary street fence containing the courtyard of Townhouse 1 is approximately 0.2m above the required maximum height of 1.2m for street fences and walls. It is noted that visual permeability above 0.4m in height is incorporated into the design of the fence; and
- The finish of the fence is clean, lightly coloured and considered aesthetically pleasing.

(h) **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.

(i) **Clause 67 Matters to be considered by Local Government – Planning and Development (Local Planning Schemes) Regulations 2015**

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 sections of Clause 67.

Consultation

(a) **Design Review Panel Comments**

The proposal was referred to the Canning Bridge Design Review Panel (DRP) as a formal application in August 2020 and September 2020. The applicant incorporated the suggested improvements through amended plans, which were supported by the City's DRP. The minutes from the Design Review Panel meeting are contained in **Attachment (c)** of this report.

(b) 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 'Area 1' consultation method, a total of 28 consultation/information notices were sent, with relevant property owners, occupiers and/or strata bodies being invited to inspect the plans and to submit comments during a minimum 14-day period.

During the advertising period, one submission was received. The comments from the submitter together with a response are provided in the table below.

Submitters' Comments	Officer's Responses
The applicant is utilising the width of the adjoining Tulip Lane to justify the reduced setback of balconies and walls to the eastern lot boundary.	The reduced setback has been carefully considered in relation to building separation and amenity requirements of the CBACP and Design WA, and has been supported. Further justification has been provided earlier in this report.
Traffic congestion within Tulip Lane will be experienced. The laneway is single-way and is not considered suitable in servicing the 10 bays onsite.	The vehicular access and subsequent traffic generated to Tulip Lane is considered acceptable. The development enables forward egress for vehicles exiting the internal laneway. Further to this, general planning principles state preference for primary vehicular access to be serviced via a private laneway, in lieu of a public street.

(c) Infrastructure Services

Infrastructure Services were invited to comment on a range of issues relating to car parking and traffic, arising from the proposal. Accordingly, planning conditions and important notes are recommended to address issues raised by this business unit.

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 (Built 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, the officers observe that the proposed outdoor living areas have access to winter sun, whilst adequately meeting relevant sustainability provisions. Hence, the proposed development is seen to achieve an outcome that has regard to the sustainable design principles.

Conclusion

The proposal is considered to satisfactorily meet the relevant requirements of the Scheme and the CBACP as it will not have a detrimental impact on adjoining residential neighbours and the streetscape. The building height complies with the maximum height prescribed by the CBACP and the proposal is seen to be consistent with the objectives of the CBACP which promotes the creation of a vibrant and rejuvenated area with housing catering to multiple users. Accordingly, it is considered that the application should be conditionally approved.

Attachments

10.3.1 (a):	Latest Revised Development Plans - 10 September 2020
10.3.1 (b):	Site Photos
10.3.1 (c):	Design Review Panel - DR3 Notes
10.3.1 (d):	CBACP Modification & SPP7.3 Table Assessment

10.3.2 Tender 6/2020 Supply, Installation & Maintenance of Irrigation Controllers and the Provision of Software Communication Support

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Reference:	D-20-81288
Meeting Date:	27 October 2020
Author(s):	Geoff Colgan, Acting Manager Programs Delivery
Reporting Officer(s):	Mark Taylor, Director Infrastructure Services
Strategic Direction:	Environment (built and natural): Sustainable urban neighbourhoods
Council Strategy:	3.3 Enhanced Environment & Open Spaces

Summary

This report considers submissions received from the advertising of Tender 6/2020 for the Supply, Installation & Maintenance of Irrigation Controllers and the Provision of Software Communication Support.

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 Aquamonix Pty Ltd for the Supply, Installation & Maintenance of Irrigation Controllers and the Provision of Software Communication Support in accordance with Tender Number 6/2020 for the period of supply up to October 2026 inclusive;
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

In 2003 the City undertook a tender process to identify the most appropriate centralised irrigation control system for its parks and reserves. At the conclusion of this process, Council resolved to endorse the Rainman Central Control system to operate the City's irrigation systems.

All of the City's irrigated reserves are now monitored and operated by the Rainman system. Data recorded from the Rainman system is gathered and reported to the Department of Water and Environmental Regulation. This is a requirement of their operating strategy to ensure compliance with the allocation of water the City can use to irrigate its reserves and streetscapes.

Request for Tender (RFT) 6/2020 for the Supply, Installation & Maintenance of Irrigation Controllers and the Provision of Software Communication Support was advertised in The West Australian on Saturday 7 March 2020 and closed on Tuesday 7 April 2020.

Tender 6/2020 Supply, Installation & Maintenance of Irrigation Controllers and the Provision of Software Communication Support

Tenders were invited as a Schedule of Rates contract.

The contract period is for two years with the option of two years, plus a further two years (up to October 2026), all at the City's discretion.

Comment

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

TABLE A – Tender Submissions

Tender Submissions
Aquamonix Pty Ltd
Total Eden Pty Ltd

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

TABLE B - Qualitative Criteria

Qualitative Criteria	Weighting %
1. Relevant Experience	40%
2. Key personnel, skills & resources	40%
3. Demonstrated Understanding	20%
Total	100%

Based on the assessment of the submissions received for Tender 6/2020, it is recommended that the tender submission from Aquamonix 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.*

10.3.2 Tender 6/2020 Supply, Installation & Maintenance of Irrigation Controllers and the Provision of Software Communication Support

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. Budget allocations for the Supply, Installation & Maintenance of Irrigation Controllers and the Provision of Software Communication Support will be proposed in future annual budgets.

Strategic Implications

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

Strategic Direction: Environment
Aspiration: Sustainable Urban Neighbourhoods
Outcome: Enhanced Environment and Open Spaces
Strategy: Improve the amenity value and sustainable uses of our streetscapes, public open spaces and foreshores

Attachments

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

10.4 STRATEGIC DIRECTION 4: LEADERSHIP

10.4.1 Listing of Payments - September 2020

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-20-81289
Meeting Date:	27 October 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 September 2020 and 30 September 2020 for information. During the reporting period, the City made the following payments:

EFT Payments to Creditors	(476)	\$6,432,592.33
Cheque Payment to Creditors	(5)	\$1,849.62
Total Monthly Payments to Creditors	(481)	\$6,434,441.95
EFT Payments to Non-Creditors	(51)	\$271,214.41
Cheque Payments to Non-Creditors	(7)	\$4,597.10
Total EFT & Cheque Payments	(539)	\$6,710,253.46
Credit Card Payments	(7)	\$21,699.68
Total Payments	(546)	\$6,731,953.14

Officer Recommendation

That Council receives the Listing of Payments for the month of September 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 September 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 September 2020

10.4.2 Monthly Financial Statements - September 2020

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-20-81290
Meeting Date:	27 October 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 30 September 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. The State Government extended the emergency period and it is now 30 March 2020 to 28 March 2021, concerns regarding a second wave are still present but not predominant.

Actual income from operating activities for September year-to-date (YTD) is \$48.59m in comparison to budget of \$47.97m, favourable to budget by 1.3% or \$627k. Actual expenditure from operating activities for September is \$13.86m in comparison to budget of \$15.41m, favourable to budget by 10% or \$1,55m. Variations in the first quarter of the financial year are common with lower activity following the budget adoption. The September Net Operating Position of \$34.73m was \$2.17m favourable in comparison to budget.

Actual Capital Revenue YTD is \$50k in comparison to the budget of \$795k. Actual Capital Expenditure YTD is \$1,19k in comparison to the budget of \$3,23k. Timing variations, mainly responsible for these variances included in the above are not uncommon in the first quarter of the financial year. As described during the Budget deliberations, the estimation of Capital projects that may carry-forward from one year to the next is challenging as it is dependent on estimating the completion of work by 30 June by a contractor. As in previous years, there may be a number of Capital projects that may require a Budget adjustment.

The Cash and Investments balance is \$65.99m. Traditionally the September cash balance is higher following the rates being issued and payments being received, with expenditure being incurred gradually during the course of the financial year. 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 0.6% 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 26.25% of its investments in institutions that do not provide fossil fuel lending. The Summary of Cash Investments illustrates the percentage invested in each of the non-fossil fuel institutions and the short term credit rating provided by Standard & Poors for each of the institutions.

Consultation

Nil.

Policy and Legislative Implications

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

Financial Implications

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

Strategic Implications

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

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

Attachments

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

10.4.3 Endorsement of the Rivers Regional Subsidiary Business Plan and Charter

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Rivers Regional Council
File Ref:	D-20-81293
Meeting Date:	27 October 2020
Author(s):	Jac Scott, Manager Business & Construction
Reporting Officer(s):	Mark Taylor, Director Infrastructure Services
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

Summary

This report seeks Council endorsement of changes to the Rivers Regional Subsidiary Charter, and acceptance of the Business Plan following public advertising.

Officer Recommendation

That Council endorses the:

1. Rivers Regional Subsidiary Business Plan 2020-2025 as contained in **Attachment (a)**; and
2. Amended Charter of the Rivers Regional Subsidiary as contained in **Attachment (b)**.

Background

The Rivers Regional Council has been considering its future following approval to construct the Avertas Energy Waste to Energy Plant in Kwinana.

At its meeting held 28 May 2019, Council resolved as follows:

1. *Resolve to approve the windup of the Rivers Regional Council and the transition to a regional subsidiary as soon as all approvals can be obtained; and*
2. *Seek resolution of the advocacy approach prior to the transition.*

At its meeting held 25 February 2020 Council resolved as follows:

That Council endorses the advertising of the Rivers Regional Subsidiary Business Plan and Charter in the Southern Gazette for six weeks seeking submissions about the proposal.

Comment

Since the finalisation of the Business Plan and Charter there have been modifications to the Charter requested by the Shire of Serpentine Jarrahdale.

Council approval of the revised Charter document is requested. The document with changes tracked is included in **Attachment (b)**.

10.4.3 Endorsement of the Rivers Regional Subsidiary Business Plan and Charter

The amendments are not significant and have been endorsed by the Rivers Regional Council, on which the City has Councillor and officer representation. In addition, the Charter was included in the original advertising for completeness only, so it is not a requirement for it to be re-advertised.

Consultation

Public consultation of the revised charter is not required under the Local Government (Regional Subsidiaries) Regulations 2017. The business plan has not been amended since advertising and is included in **Attachment (a)**.

Policy and Legislative Implications

Local Government (Regional Subsidiaries) Regulations 2017.

Financial Implications

Nil.

Strategic Implications

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

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

Attachments

- 10.4.3 (a): Rivers Regional Subsidiary Business Plan
- 10.4.3 (b): Rivers Regional Subsidiary Charter - Proposed Changes

10.4.4 City of South Perth Public Places and Local Government Property Local Law Review

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-20-81294
Meeting Date:	27 October 2020
Author(s):	Christine Lovett, Senior Governance Officer
Reporting Officer(s):	Geoff Glass, Chief Executive Officer
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

Summary

This report proposes that the Council, in accordance with section 3.12(4) of the *Local Government Act 1995*, makes the City of South Perth Public Places and Local Government Property Amendment Local Law 2020 which will amend the City of South Perth Public Places and Local Government Property Local Law 2011.

Officer Recommendation

That Council, pursuant to section 3.12 of the *Local Government Act 1995*, make the City of South Perth Public Places and Local Government Property Amendment Local Law 2020 as contained in **Attachment (a)** which provides a statutory means to effectively manage the care, control and management of property of and under the care, control and management of the City.

Absolute Majority required

Background

In accordance with section 3.16 of the *Local Government Act 1995* (the Act), local governments are required, within a period of eight years, to review their local laws to determine whether or not it considers the local law should be repealed or amended. The Public Places and Local Government Property Local Law 2011 was published in the Government Gazette on 18 October 2011 and commenced on 1 November 2011. The Local Law deals with the use of property under the City's care, control and management such as reserves, libraries, halls etc.

Not long after Gazettal, the Delegated Legislation Committee wrote to the City advising that clause 4.7 of the Local Law needed to be deleted as it was invalid on the grounds of unreasonableness. A small typographical error was also identified that needed amending.

In December 2011, the City gave the Delegated Legislation Committee a written undertaking to make the amendments as advised. In March 2012 the City resolved to make the changes and an amendment local law was gazetted on 26 March 2012. The renumbering of affected clauses was not considered during this amendment.

In 2016, an amendment was proposed to the Local Law to regulate the operation of drones from City property. However, Council resolved in November 2016 not to progress with the amendment as drones are generally governed by Federal Government legislation and the Civil Aviation Safety Authority.

At the Ordinary Council meeting held 15 October 2019, Council endorsed the City commencing the process of reviewing the City of South Perth Public Places and Local Government Property Local Law 2011. On 14 November 2019, the City gave statewide and local public notice that it proposed to amend the local law. The submission period for public consultation closed on 3 January 2020 and no submissions were received at that time. A short time later, it was identified that further minor amendments may be needed. Therefore, it was decided to recommence the local law making process and re-invite submissions from the public.

It was also determined that the other minor amendments were not necessary and that following advice given by the Department of Local Government, Sport and Cultural Industries on another local law, it was decided that the renumbering of clauses as proposed to the 15 October 2019 Council Meeting was not necessary. Therefore, it is proposed that the City of South Perth Public Places and Local Government Property Local Law 2011 be amended to correct references to the *Health Act 1911*.

Comment

In accordance with the Council resolution from 28 July 2020 and section 3.12(3) of the Act, statewide public notice of the City's intention to make the local law was advertised in the West Australian newspaper on 13 August 2020, the Southern Gazette on 13 August 2020 and the City's website, with the closing date for public submissions being 2 October 2020. A copy was provided to the Minister for Local Government; Heritage; Culture and the Arts in accordance with sections 3.12(3)(a) and 3.12(3)(b) respectively, with acknowledgement of receipt being received by the City on 7 September 2020.

In accordance with section 3.12(4) of the Act, after the last day for public submissions in relation to a local law, the local government is to consider any submissions received and may resolve, through an absolute majority, to either make the local law as proposed or to make a local law that is not significantly different from what was proposed.

The submission period for public consultation closed on 2 October 2020 and no submissions were received by the City. Council may now resolve, through an absolute majority decision, to make the local law in **Attachment (a)**.

Should Council resolve to make the City of South Perth Public Places and Local Government Property Amendment Local Law 2020 as proposed, the City would be required to publish the local law in the Government Gazette, provide a copy to the Minister for Local Government; Heritage; Culture and the Arts and to give local public notice that the local law has been made. In addition, the City would be required to provide a copy of the local law and an explanatory memorandum prepared in accordance with the Minister's Local Laws Explanatory Memoranda Directions 2010 to the State Government's Joint Standing Committee on Delegated Legislation.

Consultation

Public consultation has been sought on the proposed amendments.

Policy and Legislative Implications

Section 3.12 of the *Local Government Act 1995* which outlines the procedure for making local laws.

Financial Implications

Advertising costs and other associated costs relating to the adoption of the local law are contained within the City's 2020/21 operating 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

10.4.4 (a): Public Places and Local Government Property Amendment Local Law 2020

11. APPLICATIONS FOR LEAVE OF ABSENCE
12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
13. QUESTIONS FROM MEMBERS
14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING
15. MEETING CLOSED TO THE PUBLIC
16. CLOSURE