

MINUTES

Ordinary Council Meeting

22 June 2021

Mayor and Councillors

Here within are the Minutes of the Ordinary Council Meeting of the City of South Perth Council held Tuesday 22 June 2021 in the City of South Perth Council Chamber, corner Sandgate Street and South Terrace, South Perth.



MIKE BRADFORD
CHIEF EXECUTIVE OFFICER

24 June 2021

Acknowledgement of Country

Kaartdjinin Nidja Nyungar Whadjuk Boodjar Koora Nidja Djining Noonakoort kaartdijin wangkiny, maam, gnarnk and boordier Nidja Whadjuk 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 - Minutes

Minutes of the Ordinary Council Meeting held in the City of South Perth Council Chamber, corner Sandgate Street and South Terrace, South Perth at 6.00pm on Tuesday 22 June 2021.

1. DECLARATION OF OPENING

The Presiding Member declared the meeting open at 6.00pm.

2. DISCLAIMER

The Presiding Member read aloud the City's Disclaimer.

3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Nil.

4. ATTENDANCE

Mayor Greg Milner (Presiding Member)

Councillors

Como Ward
Como Ward
Manning Ward
Manning Ward
Moresby Ward
Moresby Ward
Mill Point Ward
Mill Point Ward

Councillor Carl Celedin
Councillor Glenn Cridland
Councillor Blake D'Souza
Councillor André Brender-A-Brandis
Councillor Samantha Bradder
Councillor Stephen Russell
Councillor Mary Choy
Councillor Ken Manolas

Officers

Chief Executive Officer
Director Corporate Services
Director Development and Community Services
Director Infrastructure Services
Manager Development Services
Manager Finance
Acting Manager Governance
Manager Strategic Planning
Communications and Marketing Coordinator
Acting Governance Coordinator
Strategic Planner – Economic Development
Governance Officer

Mr Mike Bradford
Mr Colin Cameron
Ms Vicki Lummer
Mr Mark Taylor
Ms Fiona Mullen
Mr Abrie Lacock
Ms Toni Fry
Mr Warren Giddens
Ms Lisa Williams
Ms Christine Lovett
Ms Madeline Yull (retired at 6.46pm)
Mr Morgan Hindle

Gallery

There were approximately 11 members of the public present.

4.1 APOLOGIES

Nil.

4.2 APPROVED LEAVE OF ABSENCE

Nil.

5. DECLARATIONS OF INTEREST

- Councillor Ken Manolas – Impartiality Interest in Item 10.3.1 as ‘neighbour to property known to me.’
- Councillor Mary Choy – Impartiality Interest in item 10.3.1 as ‘the neighbour of the adjoining property at number 8 Jubilee Street is known to me and I have also met the applicant of 10 Jubilee Street at a social event.’
- Councillor Mary Choy – Impartiality Interest in Item 10.3.2 as ‘one of the spokespeople who made a Deputation at the Council Agenda Briefing, Mr Joe Algeri, is known to me.’
- Councillor Stephen Russell – Impartiality Interest in Item 10.3.2 as ‘Mr Joe Algeri representing the applicant is known to me.’
- CEO Mike Bradford - Financial Interest in item 10.5.1 as ‘the report involves my contract of employment.’

6. PUBLIC QUESTION TIME

6.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

6.2 PUBLIC QUESTION TIME: 22 JUNE 2021

The Presiding Member opened Public Question Time at 6.03pm.

There being no questions, the Presiding Member closed Public Question Time at 6.03pm.

7. CONFIRMATION OF MINUTES AND TABLING OF NOTES OF BRIEFINGS

7.1 MINUTES

7.1.1 Ordinary Council Meeting Held: 25 May 2021

0621/090

Officer Recommendation AND COUNCIL DECISION

Moved: Mayor Greg Milner

Seconded: Councillor Carl Celedin

That the Minutes of the Ordinary Council Meeting held 25 May 2021 be taken as read and confirmed as a true and correct record.

CARRIED (9/0)

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

Against: Nil.

7.2 CONCEPT BRIEFINGS

7.2.1 Council Agenda Briefing - 15 June 2021

Officers of the City presented background information and answered questions on Items to be considered at the 22 June Ordinary Council Meeting at the Council Agenda Briefing held 15 June 2021.

Attachments

7.2.1 (a): Briefing Notes

7.2.2 Concept Briefings and Workshops

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

Date	Subject	Attendees
24 May 2021	Councillor Leadership Development Session	Mayor Greg Milner and Councillors Samantha Bradder, André Brender-A-Brandis, Carl Celedin, Mary Choy, Blake D'Souza, Ken Manolas,
1 June 2021	Finance Workshop #3 – Budget Book	Mayor Greg Milner and Councillors Samantha Bradder, André Brender-A-Brandis, Carl Celedin, Mary Choy, Ken Manolas, Stephen Russell
8 June 2021	Waste to Energy & FOGO Presentation	Mayor Greg Milner and Councillors Samantha Bradder, André Brender-A-Brandis, Carl Celedin, Blake D'Souza, Ken Manolas
8 June 2021	Waste Contracts Briefing	Mayor Greg Milner and Councillors Samantha Bradder, André Brender-A-Brandis, Carl Celedin, Blake D'Souza, Ken Manolas

Attachments

Nil

0621/091

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Blake D'Souza

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

- 7.2.1 Council Agenda Briefing - 15 June 2021
- 7.2.2 Concept Briefings and Workshops

CARRIED (9/0)

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

Against: Nil.

8. PRESENTATIONS

8.1 PETITIONS

Nil.

8.2 PRESENTATIONS

Nil.

8.3 DEPUTATIONS

Deputations were heard at the Council Agenda Briefing meeting held 15 June 2021.

9. METHOD OF DEALING WITH AGENDA BUSINESS

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

The Chief Executive Officer confirmed all the report items, with the exception of Item 15.1.1 Contract 13/2020 Provision of Waterbird Refuge - Contract Variation, Delegation and Approval were discussed at the Council Agenda Briefing held 15 June 2021.

ITEMS WITHDRAWN FOR DISCUSSION

- 10.4.4 Adoption of the Annual Budget 2021/22
- 10.5.1 Chief Executive Officer Key Performance Indicator Report

0621/092

COUNCIL DECISION

Moved: Councillor Ken Manolas
Seconded: Councillor André Brender-A-Brandis

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

- 10.1.1 Tender 01/2021 Provision of Tree Pruning, Stump Grinding and Tree Removal within the Streets and Amenity Areas of the City of South Perth
- 10.1.2 City of South Perth 'Innovate' Reconciliation Action Plan 2021-2023
- 10.1.3 Sculpture Exhibition titled 'Wild About Babies' in South Perth in 2022
- 10.2.1 Draft Economic Development Plan
- 10.3.1 Proposed additions and alterations to two multiple dwellings. Lot 13 No. 10 Jubilee Street, South Perth

- 10.3.2 State Development Assessment Unit (SDAU) Referral of Significant Development Application - Lots 3 & 4 (Nos. 109 & 111) Robert Street, Como and Lots 118 & 119 (Nos. 469 & 471) Canning Highway, Como
- 10.4.1 Listing of Payments - May 2021
- 10.4.2 Monthly Financial Statements - May 2021
- 10.4.3 eQuote - Provision of Waste Collection and Disposal Services
- 10.5.2 Audit Register - Progress Report
- 10.5.3 Internal Audit Report - Building Licence Approvals
- 15.1.1 Contract 13/2020 Provision of Waterbird Refuge - Contract Variation, Delegation and Approval
- 15.1.2 Information Systems Audit (External) Report

CARRIED (9/0)

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

Against: Nil.

10. REPORTS

10.1 STRATEGIC DIRECTION 1: COMMUNITY

10.1.1 Tender 01/2021 Provision of Tree Pruning, Stump Grinding and Tree Removal within the Streets and Amenity Areas of the City of South Perth

Location:	City of South Perth
Ward:	All
Applicant:	Not Applicable
File Reference:	D-21-46824
Meeting Date:	22 June 2021
Author(s):	Steve Atwell, Manager Programs Delivery
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 01/2021 for the Provision of Tree Pruning, Stump Grinding and Tree Removal within the Streets and Amenity Areas of the City of South Perth.

This report will outline the assessment process used during the 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.

0621/093

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Ken Manolas
Seconded: Councillor André Brender-A-Brandis

That Council:

1. Accepts the tender submitted by Arbor West Pty Ltd, trading as Classic Tree Services for Tender 01/2021 for the Provision of Tree Pruning, Stump Grinding and Tree Removal within the Streets and Amenity Areas of the City of South Perth, for an initial two year contract period with three additional one year options exercised at the City's absolute discretion;
2. Accepts the tender price of \$6,127,273 excluding GST included in **Confidential Attachment (a)**; and

CARRIED BY EXCEPTION RESOLUTION (9/0)

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

Against: Nil.

Background

A Request for Tender (RFT) 01/2021 for the Provision of Tree Pruning, Stump Grinding and Tree Removal within the Streets and Amenity Areas of the City of South Perth, was advertised in The West Australian Newspaper on 17 April 2021 and closed at 2.00pm on 11 May 2021.

The scope of work includes, but is not limited to the following services:

- Street tree pruning below Western Power transmission lines.
- Street tree pruning for horticultural amenity, vehicle and pedestrian safety and access.
- Street and parkland tree removal.
- Tree stump grinding.
- Removal of tree pruning material and tree trunks.
- Traffic Management to facilitate tree pruning and removal.

Tender 01/2021 represents one of the City's most significant annual operating expenses. There are approximately 22,000 street trees and a further 20,000 parkland trees, which require regular maintenance.

Tenders were invited as a schedule of rates contract for a period up to five years, being an initial two year contract period, with three additional one year options exercised at the City's absolute discretion.

Comment

At the close of the tender advertising period four submissions had been received, as detailed in Table A below:

TABLE A – Tender Submissions

Tender Submissions
1. Beaver Tree Services Australia Pty Ltd
2. Arbor West Pty Ltd, trading as Classic Tree Services
3. Radiant Nominees Pty Ltd
4. Tree Care WA Pty Ltd

The tender submissions were initially assessed for compliance and OS&H credentials. Conforming tenders proceeded to evaluation in accordance with the qualitative criteria detailed in the RFT and summarised in Table B below.

TABLE B - Qualitative Criteria

Qualitative Criteria	Weighting %
1. Relevant Experience Demonstrate relevant experience in offering similar services to local governments over the past five years.	25%

2. Skills and experience of key personnel Explain the capacity of the Company to deliver the services.	40%
3. Demonstrated understanding of the required tasks Detail process intended to implement to achieve the requirements of the Specification.	25%
4. Live Program Data Sharing: Demonstrate work reporting using web application describing program progress and whereabouts of work teams.	10%
TOTAL	100%

For the purposes of tender assessment, the prices submitted were considered separately relative to the qualitative criteria (non-price weighted methodology).

Based on the assessment of the qualifying submissions received for Tender 01/2021 for the Provision of Tree Pruning, Stump Grinding and Tree Removal within the Streets and Amenity Areas of the City of South Perth, it is recommended that the tender submission from Arbor West Pty Ltd, trading as Classic Tree Services be accepted by Council.

More detailed information about the assessment process can be found in the Tender 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 sub regulation (2) states otherwise.*

The following City Policies also apply:

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

Financial Implications

The detail of the tendered schedule of rates for tree pruning, tree removal and stump grinding together with forecast costs is detailed in **Confidential Attachment (a)**.

Annual tree pruning, tree removal and stump grinding costs within the City of South Perth, average approximately \$1.2m per annum. The total value of the contract over the possible total tender period ((5) years) is estimated to be approximately \$6.1m. Funding for these activities is included within the Infrastructure Services annual operating budgets.

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:	3.3 Enhanced Environment and Open Spaces
Strategy:	3.3.3 Improve the amenity value and sustainable uses of our streetscapes, public open spaces and foreshores.

Attachments

10.1.1 (a): Provision of Tree Pruning Tree Removal Stump Grinding
Evaluation Panel Recommendation Report (*Confidential*)

10.1.2 City of South Perth 'Innovate' Reconciliation Action Plan 2021-2023

Location:	City of South Perth
Ward:	All
Applicant:	Not Applicable
File Ref:	D-21-46770
Meeting Date:	22 June 2021
Author(s):	Patrick Quigley, Manager Community, Culture and Recreation
Reporting Officer(s):	Vicki Lummer, Director Development and Community Services Colin Cameron, Director Corporate Services
Strategic Direction:	Community: A diverse, connected, safe and engaged community
Council Strategy:	1.1 Culture & Community

Summary

Since 2010 the City of South Perth has been actively involved in a range of Aboriginal reconciliation projects, including the establishment of an Aboriginal Reference Group and the development and implementation of an Aboriginal Engagement Strategy.

The next stage in this reconciliation journey is the development of a Reconciliation Action Plan (RAP) to further build on the reconciliation outcomes achieved and strengthen relationships, respect and trust between the wider Australian community and Aboriginal and Torres Strait Islander peoples.

In March 2020, the City presented a draft RAP to Council, with Council subsequently resolving to provide 'in principle' endorsement of the RAP for the purposes of public advertising to invite community and stakeholder comment.

In June/July 2020, stakeholder engagement was undertaken on the draft Reconciliation Action Plan document.

In May 2021, Reconciliation Australia provided its final feedback on the draft Reconciliation Action Plan.

The revised 'Innovate' Reconciliation Action Plan 2021-2023 is now presented for final endorsement, which is shown as **Attachment (a)**.

0621/094

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Ken Manolas

Seconded: Councillor André Brender-A-Brandis

That Council endorses the City of South Perth 'Innovate' Reconciliation Action Plan 2021-2023, which is shown as **Attachment (a)**.

CARRIED BY EXCEPTION RESOLUTION (9/0)

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

Against: Nil

Background

In 2010 the City started its reconciliation journey with Council resolving for the City to develop an 'Indigenous Engagement Strategy', which was intended to lead to the establishment of a Reconciliation Action Plan (RAP).

In 2013 the City's Aboriginal Engagement Strategy was endorsed by Council and since then the City has been implementing the actions outlined in the Strategy, such as:

- Establishment and facilitation of an Aboriginal Reference Group.
- Acknowledgement and/or welcome to country at civic events and functions.
- Aboriginal flag is flown out the front of the Civic Centre.
- Written and oral Aboriginal history in the City's library collections.
- NAIDOC week celebrations.
- Aboriginal design/art/names included in some City buildings (e.g. meeting rooms).
- Noongar/Bibbulmun history on the history page of the City's website.
- Cultural awareness training for City officers and elected members.
- Noongar language on some signs in the City, including entry signs.

Strong relationships have been built with the local Aboriginal community. As a result of the positive reconciliation work undertaken by the City in recent years, the Aboriginal Reference Group has supported the City to develop a Reconciliation Action Plan.

All Reconciliation Action Plans are developed in association with Reconciliation Australia, who is the lead body for reconciliation in the nation. Reconciliation Australia is an independent not-for-profit organisation that promotes and facilitates reconciliation by building relationships, respect and trust between the wider Australian community and Aboriginal and Torres Strait Islander peoples.

Under Reconciliation Australia's framework, there are four types of Reconciliation Action Plans that an organisation can develop, namely:

1. *Reflect* – entry level plan that sets out the steps in preparing an organisation for reconciliation initiatives in successive plans.
2. *Innovate* – second level plan that allows an organisation to be aspirational and innovative to advance reconciliation.
3. *Stretch* – third level plan that is best suited to organisations that have well developed strategies and established a strong approach towards advancing reconciliation internally and within the organisation's sphere of influence.
4. *Elevate* – most advanced plan level for organisations that have a proven track record of embedding effective reconciliation initiatives in their organisation and are ready to take on a leadership position to advance national reconciliation.

Reconciliation Australia provides organisations with a framework and template for the development of each RAP which the City has followed. Each type of Reconciliation Action Plan is designed to suit an organisation at a different stage of their reconciliation journey. In 2018 the City engaged consultants to assist with the development of its Reconciliation Action Plan.

As the City had previously developed an Aboriginal Engagement Strategy and was more advanced in its reconciliation journey, the City has been able to develop a plan at the second 'Innovate' level.

In March 2020, the draft Reconciliation Action Plan was presented to Council with Council subsequently resolving to provide 'in principle' endorsement of the RAP for the purposes of public advertising to invite community and stakeholder comment.

Feedback gathered during the community and stakeholder engagement phase has led to some structural amendments of the draft Reconciliation Action Plan, which are summarised below:

- Timeframe Amendments – the overall implementation timeframe for the RAP has been changed from 2020-2022 to 2021-2023 and the specific dates for each deliverable fall within this timeframe.
- Refinement of Deliverables - some of the deliverables have been reworded to clarify intent or more effectively align with the community and stakeholder feedback.
- Action Plan Amendments – the first version of the draft RAP contained 85 deliverables, however, this number was reduced to 46 deliverables following elected member feedback in 2020 that some of the deliverables should be merged together where possible to avoid duplication and ensure the City has capacity to implement the RAP. Reconciliation Australia subsequently advised the City to separate the deliverables to ensure the actions do not become too complex; and to ensure the inclusion of deliverables that it considered were mandatory. The final version of the RAP now contains 68 deliverables. Although this amount may be considered a high amount of deliverables, the City is confident that most (if not all) would be achievable within the two year timeframe. The majority of deliverables (52 out of 68 or 76%) are already implemented (i.e. highlighted in green on the attached RAP) or are in the process of being implemented (i.e. highlighted in orange on the attached RAP) as part of the City's usual operations to deliver community programs and services. Only 16 of the 68 deliverables (24%) have not yet commenced. This illustrates the City's capacity to be able to implement the RAP effectively.

The City has recently completed the engagement process on the draft RAP, with the revised 'Innovate' Reconciliation Action Plan 2021-2023 now being presented for final endorsement, which is shown as **Attachment (a)**.

Comment

Our community is comprised of people from diverse cultural backgrounds. The total number of local residents from Aboriginal and Torres Strait Islander backgrounds is estimated at 532 people, which represents 1.2% of the total overall local population. Reconciliation is about strengthening relationships between Aboriginal and Torres Strait Islander peoples and non-Indigenous peoples, for the benefit of all Australians. For this reason, the City's 'Innovate' Reconciliation Action Plan 2021-2023 is targeted at all local residents, workers, tourists and visitors, regardless of their cultural background.

The Reconciliation Action Plan is aimed at continuing the reconciliation journey within the local community. The actions are grouped into four 'Innovate' pillars, namely:

1. Relationships;
2. Respect;
3. Opportunities; and
4. Governance.

Within these four Reconciliation Action Plan pillars are goals and actions/deliverables that have been identified to implement the Reconciliation Action Plan over a three-year prescribed period. This information is presented in a table format to clearly outline the overarching pillar; description of the actions and deliverables; level of City involvement; and the suggested implementation timeframes. Measuring the success of the actions related to the delivery of the Reconciliation Action Plan will vary according to the project, program or service development identified. All actions will be measured using a range of tools and methods i.e. both qualitative and quantitative data.

Consultation

External Consultants

In 2018 the City engaged consultants to assist with the development of its draft Reconciliation Action Plan. As the City had previously developed an Aboriginal Engagement Strategy and was more advanced in its reconciliation journey, the City has been able to develop a plan at the second 'Innovate' level.

Specific Consultation Actions

The 'Innovate' Reconciliation Action Plan 2021-2023 has been developed through an extensive consultation and stakeholder engagement process, involving: the City of South Perth Aboriginal Reference Group; Reconciliation Australia; local residents; community groups; the City of South Perth Residents Association; schools; the wider public; and City Officers and Elected Members. The specific consultation actions are detailed in the table below.

<u>Timeline</u>	<u>Consultation process</u>
June to December 2018	Workshops were held with local community and stakeholders regarding the purpose of the Reconciliation Action Plan.
September 2018	An introductory workshop was held with the City's Leadership Team to meet the consultants; learn about Aboriginal history; and have a preliminary discussion about the Reconciliation Action Plan process.
October 2018	A second workshop was held with nominated City officers to explore the Reconciliation Action Plan process in greater detail; and discuss potential actions within the Plan.

February 2019	Councillor workshop was held to meet the consultants: provide a summary of issues faced by Aboriginal community; and invite Councillor's feedback about local government's role in assisting Aboriginal members in the local community (leadership, advocacy resolving issues and/or providing opportunities).
April-June 2019	A cross-directorate City Working Group was established to work alongside the consultant to develop a draft Reconciliation Action Plan.
October 2019	Reconciliation Australia provided its preliminary feedback on the draft Reconciliation Action Plan.
November 2019	A second Councillor workshop was held to review the draft Reconciliation Action Plan.
February 2020	A third Councillor workshop was held to review the draft Reconciliation Action Plan. A meeting was also held between representatives from the Aboriginal Reference Group and Residents Association to review the draft Reconciliation Action Plan.
March 2020	Draft Reconciliation Action Plan presented to Council for its review, with Council subsequently resolving to provide 'in principal' endorsement of the Plan for the purposes of community and stakeholder consultation.
June/July 2020	Stakeholder Engagement was undertaken for feedback on the draft Reconciliation Action Plan including: online feedback form and question and answer tool on 'Your Say' portal on the City's website; hard copy feedback form available from the Civic Centre and the libraries; two drop-in consultation sessions held in South Perth (Angelo Street) and Karawara (Waterford Plaza); It was promoted through City communication channels including the Peninsula magazine article; e-newsletter advertising; posters and postcards disseminated at the City's community facilities; social media advertising via Facebook, Instagram and Twitter; and direct mail sent to community groups and schools.
March 2021	Draft Reconciliation Action Plan sent to Reconciliation Australia for its final review.
May 2021	Reconciliation Australia provided its final feedback on the draft Reconciliation Action Plan.

Stakeholder Engagement Program and Results

During June and July 2020, the City conducted a Stakeholder Engagement Program seeking feedback on the draft RAP document, which included two drop-in sessions; online and hard copy feedback forms; and question and answer tools on *Your Say South Perth*.

Approximately 29 people attended the drop-in sessions; 12 feedback forms were completed online; two hard-copy feedback forms were received; and feedback was also received via face to face meetings (2) and electronically (4). Information received by these methods was also entered into *Your Say South Perth* for analysis.

Between the stakeholder engagement program period, the draft RAP document drew the following audience on *Your Say South Perth*:

- 319 'aware' people visited the project page 433 times
- Of those 120 'informed' visitors interacted with the page in some way, by clicking on a link, reading an FAQ or viewing a video.

All relevant feedback gathered during the above consultation processes has been incorporated into the City's 'Innovate' Reconciliation Action Plan. The Stakeholder Engagement Summary Report is shown as **Attachment (b)**.

Next Steps

Following Council approval of the City's Reconciliation Action Plan, the Plan will be formerly submitted to Reconciliation Australia for final endorsement. Following endorsement by Reconciliation Australia, the final document will be graphically designed and communicated to the community and associated stakeholders through the City's usual communication channels (website, social media, Peninsula Magazine etc.).

Policy and Legislative Implications

Nil.

Financial Implications

There are 68 deliverables within the Reconciliation Action Plan. Of these, the majority (62 deliverables or 91%) will be delivered using existing staffing resources. It is estimated that City officers will spend approximately eight hours per week (400 hours per annum) implementing the deliverables. Only six deliverables (9%) will require some professional external consultation/participation, namely: formal cultural learning workshop for City's leadership staff and RAP working Group; 'Welcome to Country' performed at designated community events; NAIDOC Week activities; opportunities for local Aboriginal artists to participate in art projects; opportunities for local Aboriginal people to use the community garden for 'bush tucker'; and for the City to increase the library collection to include items by and about Aboriginal and Torres Strait Islander people.

The estimated cost to the City to implement the Reconciliation Action Plan deliverables is \$5,000 per year. The Reconciliation Action Plan is intended to be delivered over a period of two financial years from 1 July 2021 to 30 June 2023 inclusive. Funds required for the actions/deliverables will be sought using a combination of City funds, additional external funding and/or contributions from stakeholders; and will be requested as part of the annual operational budget process for assessment by Council.

Strategic Implications

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

Strategic Direction: Community

Aspiration: A diverse, connected, safe and engaged community

Outcome: 1.1 Culture and community

Strategy: 1.1.1 Develop and facilitate events, services and programs to respond to changing community needs and priorities

Attachments

10.1.2 (a): City of South Perth 'Innovate' Reconciliation Action Plan 2021-2023

10.1.2 (b): City of South Perth 'Innovate' Reconciliation Action Plan 2021-2023 - Stakeholder Engagement Summary Report

10.1.3 Sculpture Exhibition titled 'Wild About Babies' in South Perth in 2022

Location:	South Perth Foreshore and Windsor Park
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-21-46771
Meeting Date:	22 June 2021
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

This report seeks Council approval for a sculpture exhibition titled 'Wild About Babies' by Australian Artists Gillie and Marc, comprising the display of 21 bronze animals on part of Sir James Mitchell Park and/or Windsor Park for a period of up to 12 months commencing in 2022.

0621/095

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Ken Manolas

Seconded: Councillor André Brender-A-Brandis

1. That Council approves a Licence Agreement to Gillie and Marc Pty Ltd to use part of Sir James Mitchell Park and/or Windsor Park to undertake a sculpture exhibition titled 'Wild About Babies' 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 and/or Windsor Park comprising an area of approximately 3,000-4,000sqm.
 - b. Term: up to 12 months.
 - c. Permitted Use: Temporary installation of up to 21 bronze animal sculptures as described in the proposal, which is shown as **Attachment (a)**.
 - d. 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.
 - e. Fees and Charges: The artists being able to secure sponsorship to cover the cost of the artworks and agree with the City on the

payment of costs associated with the installation, which are contained in **Confidential Attachment (b)**.

- f. Ministerial consent being provided.
 - g. Other Approvals: 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.
2. Authorises the Mayor and Chief Executive Officer to sign and affix the Common Seal to the licence documentation between the City of South Perth and Gillie and Marc Pty Ltd for its use of part of Sir James Mitchell Park and/or Windsor Park for the temporary exhibition.

CARRIED BY EXCEPTION RESOLUTION (9/0)

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

Against: Nil.

Background

In March 2021, the City of South Perth was contacted by South Perth resident and Western Australian businessman, Mr Tony Aveling, with a proposal by Australian Artists Gillie and Marc for a temporary exhibition of bronze animals sculptures on the South Perth foreshore, which is provided as **Attachment (a)**.

Although Mr Aveling is a collector of Gillie and Marc's artworks, his involvement in the proposed 'Wild about Babies' project is on a voluntary basis without payment from the Artists.

The 'Wild About Babies' exhibition in South Perth is one of six similar exhibitions being planned around the world from May 2022 (i.e. the display would occur mostly in the 2022/23 Financial Year). At this stage exhibitions have been confirmed for Melbourne and Washington DC. South Perth has been proposed because of its attractive foreshore setting and central city accessibility and amenity, and also because of its proximity to Perth Zoo.

As detailed in **Attachment (a)**, the exhibition consists of 21 bronze sculptures, comprising 20 baby animal sculptures (1m-1.5m tall) that are all endangered species, and one large Gorilla sculpture (3.4m tall). The exhibition is intended to raise awareness about the plight of these wild animals, and the artists have committed to donating 30% of the proceeds from the sale/sponsorship of the sculptures to the World Wildlife Fund.

The City has been presented with an opportunity to purchase the full collection of 21 sculptures. Alternatively, if the City was willing to provide a suitable site for the installation, the artists and their team would pursue sponsorship to sell the individual sculptures so that the installation could proceed with minimal cost to the City. Sponsors would have the opportunity to name the baby animal sculptures and have their sponsorship acknowledged whilst the sculptures were on display, and would take possession of the sculptures after the exhibition period.

In May 2021, a report on the proposed exhibition was presented to the City's Public Art Advisory Group (PAAG), with the PAAG subsequently resolving to provide 'in principle' support for the project to proceed.

Comment

Gillie and Marc are Australian artists with an international profile, who are very effective promoters of their own work. There is little doubt that the proposed sculptural exhibition will have broad appeal, and can be expected to attract visitors to the City whilst it is on display. There are also synergies between the wildlife conservation theme and its proximity to Perth Zoo and the other existing animal themed public artworks featured in and around Mindeerup.

The City has identified two potential sites that may be suitable for the exhibition. Site 1 is a portion of Zone 3 on the South Perth Foreshore immediately to the West of Mindeerup, and Site 2 is Windsor Park.

The site plan for the proposed exhibition is highlighted in **Figure 1** below:



Figure 1: Aerial photograph of the subject site (2021).

Both sites are currently available for hire/use by individuals, groups or commercial organisations, but are booked relatively infrequently, so hosting a sculptural display for 12 months at either of these locations would be achievable.

Both sites have strong connections to Perth Zoo. Site 1 being close to the Ferry and to Mindeerup – a major pedestrian gateway to the Zoo. Site 2 being along the major pedestrian route between the river and the Zoo, and intimately connected to the Zoo site itself and Zoo parking.

The table below outlines the perceived pros and cons associated with this project.

Pros	Cons
<ul style="list-style-type: none"> The City's Community Strategic Plan seeks to "(2.2.3) Reinforce the South Perth Peninsula as the City's primary activity centre by reinvigorating key assets and destinations". This project has potential to deliver a good outcome over 12 months in direct fulfilment of this strategy, and potentially at little or no cost to the City – assuming that the 	<ul style="list-style-type: none"> The sculptures are not site-specific, and exclusively feature animals that are exotic in our Western Australian context. So alignment with the conservation priorities and goals of Perth Zoo may not be as strong as it would appear on face-value.

<p>artist/exhibition team can secure enough sponsorship.</p> <ul style="list-style-type: none"> • Dealing with just one artist in this instance, and robust and broadly appealing artworks, would simplify the planning and management; and would potentially be advantageous on the first occasion that the City has been involved in such an installation. • This exhibition provides a unique opportunity for the City to test the water and demonstrate the potential that may exist for other similar temporary art displays on the South Perth foreshore that might in time be further developed by the City as a key cultural attraction. • The display is a promotional opportunity for the City and may be leveraged in a way that is similar to the “Big Splash” (Perth Children’s Hospital Foundation, 2018) and “Cow Parade” (City of Perth, 2016) projects – and there is potential for some global exposure and connections with other cities where the exhibition is going ahead. • The exhibition may be an opportunity to establish and strengthen relationships with businesses who might get involved in sponsorship, and also with Perth Zoo. • There may be opportunity to link this exhibition to Perth Festival or Fringe World programming and so benefit from additional exposure through those connections. 	<ul style="list-style-type: none"> • Ideally this kind of large scale and long term display within the City would provide opportunity to feature the work of a range of artists, including local artists – rather than exclusively featuring the work of one artist duo from interstate/overseas. • There will be some impacts on the use and maintenance of either site during the extended exhibition period, and other impacts on the City’s operations. Some of which we can anticipate, and others which may be more difficult to anticipate (e.g. potential traffic or noise issues associated with large crowds). • The City does not have a current project budget for this proposal, so the success of the exhibition would be reliant upon the artist team’s success in securing sponsorship from a range of third parties. This might mean risk of delays or the exhibition not proceeding if sponsorship is not secured in full or in a timely manner.
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Attendance

If approved, the exhibition attendance is unknown because it hasn’t been held in Australia before. Also the attendance will be influenced by various factors, including: weather conditions; level of community interest; marketing/promotion undertaken; COVID-19 impacts etc.

The exhibition may be comparable to Sculptures by the Sea in Cottesloe, which attracts approximately 220,000 people over an 18 day period (i.e. 12,000 people per day). However, Sculptures by the Sea is an established and short term exhibition. Another attendance comparison may be the Perth Zoo, which attracts approximately 700,000 people per annum.

As an educated guess, the exhibition is likely to attract in the vicinity of 200-500 people per day on weekdays; and 500-1,000 people per day on weekends/public holidays. In summary, this would equate to approximately 110,000-240,000 people over the proposed 12 month exhibition period.

Consultation

Preliminary consultation regarding the proposed exhibition has been undertaken with relevant City internal departments; and also the Perth Zoo.

In terms of the location options, the City's administration considers that there are challenges with accommodating the display at either location, albeit not insurmountable. Parking may be an issue at either site, as parking is already limited and well-patronised by visitors coming for existing attractions. However, parking is more readily available to visitors at the South Perth foreshore, than at Windsor Park.

Zone 3 on the foreshore is also a site where there is more opportunity to spread out the exhibit, than in Windsor Park. However, it is recognised that at this site there is likely to be more engagement needed with residents.

At both sites, the exhibition is likely to impact on some of the turf quality, due to increased foot traffic and also due to impacts of securing the 21 artworks at the site. The City's administration considers that that there would be negligible extra work for the Parks maintenance crews to maintain the grass around the sculptures during the 12 month exhibition period and to repair/replace the turf at the location/s after the exhibition.

Site 1 is the preferred location and this is also likely to be preferred by the artists, and is a more prominent location that will help to activate Mindeerup and the foreshore. Crowd management, parking, and other hazards/risks associated with the exhibition would have to be managed effectively by the exhibition organiser, in consultation with the City.

Additionally, the feedback from Perth Zoo is outlined below:

- Perth Zoo is supportive of the project and can see benefit in the project inspiring conversations and actions about conserving wildlife. The opportunity to have the exhibition in South Perth would be complementary to the Zoo's work in inspiring people to act to save wildlife. Whilst unable to contribute financially, the Zoo would be able to assist in raising the profile of the exhibit via our range of social media channels.
- Perth Zoo is supportive of both sites options, but prefers Windsor Park, or with some works displayed at Mindeerup and others at Windsor Park.

The artists have advised that they are open to considering either location, or even splitting the exhibition between the two sites. They have also indicated that they are willing to consider a display that does not include all 21 sculptures, and/or an exhibition period that may not be a full 12 months; although their preference is to show all works for 12 months.

Furthermore, it is understood that the artists have been actively approaching a number of cities worldwide with the proposal, and may decide to pursue the project elsewhere if they feel that the Wild About Babies project is compromised or overly constrained here in South Perth.

Policy and Legislative Implications

The City has a policy (P106) and management practice (M106) that provides guidance on use of City Reserves and Facilities. These guiding documents require 'large scale events or activities' (i.e. any event/activity that has the capacity to accommodate more than 500 people at any given time) facilitated by commercial organisations to be referred to Council for determination. The exhibition organiser would be required to provide the City with the following:

- Site Plan
- Risk Management 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 (if required)
- Amenities/Toilets Plan
- Waste Management Plan

Both sites being considered are Crown Land, and so the exhibition would also be subject to approval from the Minister, in addition to Council approval.

Financial Implications

The expectation is for minimal costs to be incurred by the City to host the proposed exhibition. The estimated exhibition costs and City's fees and charges associated with the exhibited are shown in **Confidential Attachment (b)**.

If the exhibition proceeded, the City may also give consideration to purchasing one of the baby animal sculptures in the future, subject to consideration from the Public Art Advisory Group. If acquired, the new artwork would provide an extension of the existing 'animal walk' artworks installed from Mindeerup to Perth Zoo, as outlined in the City's Connect South Masterplan.

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:	1.1 Culture and community
Strategy:	1.1.2 Facilitate and create opportunities for social, cultural and physical activity in the City

Attachments

- 10.1.3 (a):** Wild About Babies Proposal
- 10.1.3 (b):** Confidential Exhibition Costs and Fees and Charges – Gillie and Marc Pty Ltd – Wild About Babies Sculpture Exhibition
(Confidential)

10.2 STRATEGIC DIRECTION 2: ECONOMY

10.2.1 Draft Economic Development Plan

Location:	Not Applicable
Ward:	All
Applicant:	Not Applicable
File Ref:	D-21-46773
Meeting Date:	22 June 2021
Author(s):	Matthew Andrews, Strategic Planning Officer Madeline Yull, Strategic Planner - Economic Development
Reporting Officer(s):	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Economy: A thriving City activated by innovation, attractions and opportunities
Council Strategy:	2.1 Local Business

Summary

The City has developed a draft Economic Development Plan (EDP), contained in **Attachment (a)** which is submitted for Council's endorsement for the purpose of public advertising.

The preparation of an EDP is an action of the Corporate Business Plan 2020-2024. The EDP sets out how the City will support its existing local businesses and create a business-friendly environment that boosts local employment and attracts investment and tourism over the next four years.

0621/096

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Ken Manolas
Seconded: Councillor André Brender-A-Brandis

That Council:

1. Resolves to endorse the draft City of South Perth Economic Development Plan as contained in **Attachment (a)**;
2. Authorises the draft City of South Perth Economic Development Plan to be publically advertised for a period of not less than 28 days; and
3. Following completion of the public comment period, receives a further report detailing the outcomes of the public comment period, including any submissions received, for further consideration.

CARRIED BY EXCEPTION RESOLUTION (9/0)

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

Against: Nil.

Background

A draft Economic Development Plan (EDP) has been prepared for the City of South Perth. The EDP sets out how the City will support its existing local businesses, grow local employment, and attract investment and tourism over the next four years.

The preparation of the EDP is an action of the City's Corporate Business Plan 2020-2024 and was identified as a key plan to be prepared in the Economic Discussion Paper 2019, prepared for the City. The EDP forms part of the City's Thriving Neighbourhoods suite of projects; along with the Integrated Transport Plan (ITP) and Local Planning Scheme 7 (LPS7). These projects work together to manage the City's growth over the next 10-15 years.

In January 2021, the City engaged Pracsys, a private consultant, to prepare an Economic Development Report (EDR). The EDR was used to develop the draft EDP and included a SWOT analysis of the City's local economy and influences from a growing local population.

The preparation of the EDR was informed by the City of South Perth Local Business Survey undertaken in June 2020, and workshops held with Elected Members on 1 December 2020 and 29 March 2021.

The recommendations of the EDR were tested at a Business Breakfast Forum held on the 9 March 2021. At this event, participants from local businesses within the City provided feedback on how they believed the City should address the recommendations. This feedback was used to refine the actions proposed within the EDP.

Figure 1 illustrates the process of the EDP development. The major outputs of the EDP are highlighted in orange.

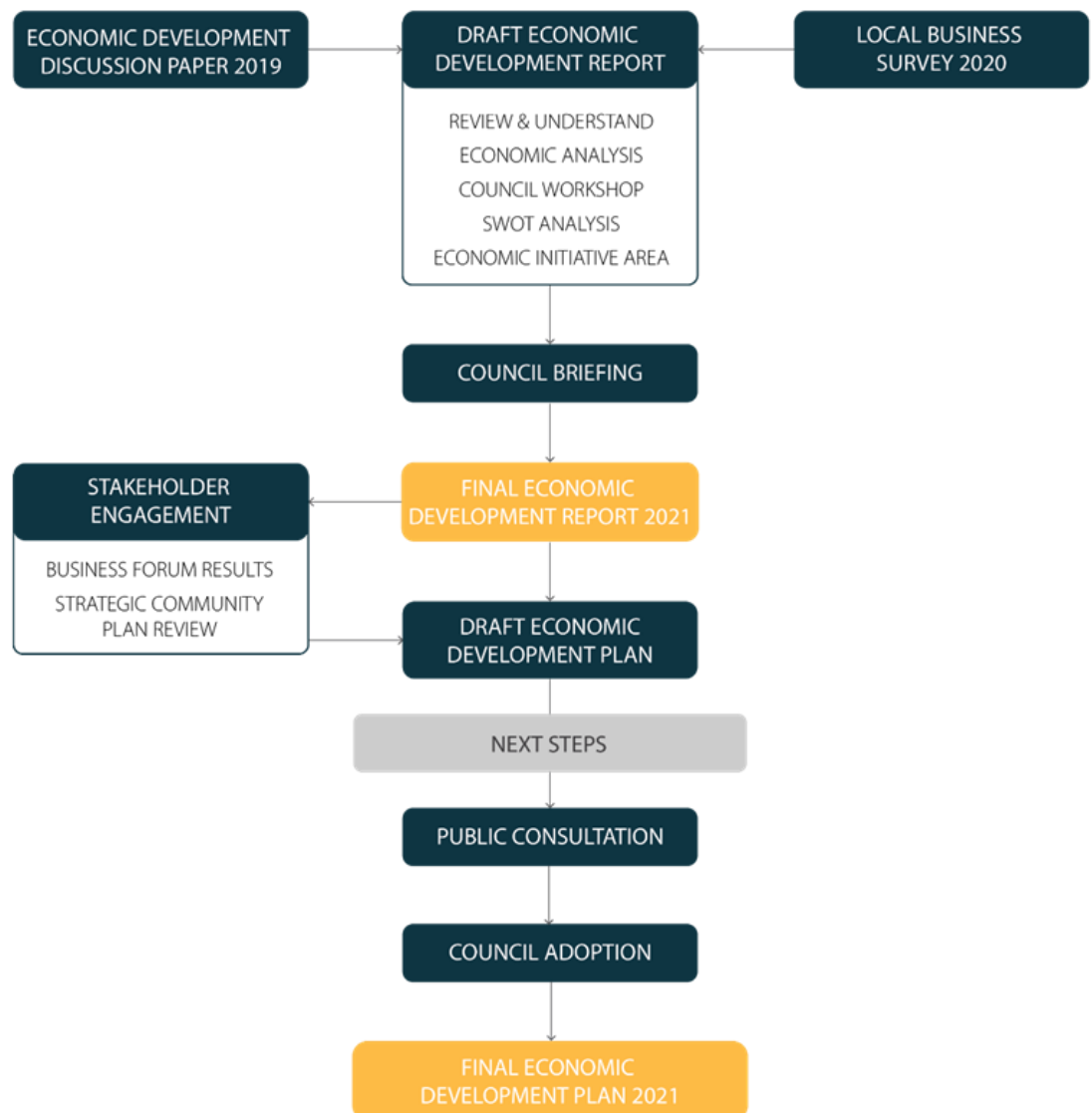


Figure 1- Economic Development Plan Process

Comment

The EDP builds upon the Strategic Community Plan 2020 - 2030 (SCP) vision of a thriving City activated by innovation, attractions, and opportunities.

The purpose of the EDP is to:

- Articulate how the City will guide and support local economic activity over the next four years
- Ensure the City's planning policies, investments and decision-making achieve economic development goals
- Encourage development of centres to support a growing population and attract high quality employment opportunities
- Promote economic activation of activity nodes

- Ensure the City provides effective support, advocacy, and communication to local businesses.

Economic Analysis

The EDP provides an analysis of the City's existing economic position identifying relevant global influences, internal and external strengths, weaknesses, opportunities, and threats as identified in the EDR. This analysis includes discussion on:

- The major global influences that could impact the City
- The City's strengths
- Areas for the City to improve upon
- Opportunities for future economic development in the City
- Challenges to be faced by the City in growing its local economy

Economic Development Plan Objectives

The economic analysis informed the creation of four 'objectives' that the actions of the EDP seek to align to:

1. Encourage development of centres to support population growth and attract high quality employment
2. Promote activation of population and local tourism nodes
3. Effective business communication and support
4. Advocate for local business.

Actions of the Economic Development Plan

A range of actions are proposed to address the EDP's objectives. Each action includes a timeframe, cost, and priority. Actions have been prepared for five key focus areas outlining the following principles:

1. South Perth Peninsula: Increase tourism visitation and capture expenditure as the City's key tourism destination. Support development of commercial floorspace and encourage further concentration of existing strategic industries.
2. Technology Park: Encourage an agglomeration economy of the existing strategic industries, leveraging the opportunities that the future Recreation Aquatic Facility (RAF) will present for the area.
3. Consumer Centres: Focus on improving local amenity, activation and defining the roles and unique offering of each consumer centre.
4. Small Business Support: Support existing small businesses by providing advertising opportunities, building capacity, facilitating networking and education opportunities, and encouraging feedback.
5. City-wide: Ensure economic development success across the City, secure an Economic Development Officer position, improve and streamline processes, and encourage local employment and attraction opportunities.

All actions are subject to budget allocations. Where possible, the City will endeavour to seek partnership and grant opportunities to fund the initiatives.

Monitoring and Reporting

The implementation of the EDP will be staged over the next four years, subject to priority and budget. A progress report is intended to be prepared annually to document the City's activities and progress on actions. Relevant actions will also be referenced as part of the City's Corporate Business Plan to ensure they are being considered and budgeted for appropriately.

Consultation

Stakeholder feedback is proposed to occur over a 28-day period. The invitation to provide feedback will be supported by an engagement plan, focused on the feedback of local business owners through information and drop-in sessions. It will also provide an opportunity for the broader community to provide feedback on the content of the EDP and to participate in engagement events.

Policy and Legislative Implications

Nil.

Financial Implications

All costs associated with the development and advertising of the Economic Development Plan are included in the 2021/22 budget.

The individual actions range in cost and priority. Without adding to the City's Full Time Equivalent staff, allowance has been made in the 2021/22 budget to secure an Economic Development Officer which is action 5.1 of the draft plan and fundamental to delivery of the plan. All other actions are subject to budget allocation and the City will seek partnership and grant opportunities to fund the actions where possible.

Strategic Implications

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

Strategic Direction:	Economy
Aspiration:	A thriving City activated by innovation, attractions and opportunities
Outcome:	2.1 Local Businesses
Strategy:	2.1.1 Attract and support a broad range of small and medium- sized enterprises (SMEs) to the City

Attachments

10.2.1 (a): Draft City of South Perth Economic Development Plan

10.3 STRATEGIC DIRECTION 3: ENVIRONMENT (BUILT AND NATURAL)

Councillors Ken Manolas and Mary Choy disclosed an Impartiality Interest in Item 10.3.1.

10.3.1 Proposed additions and alterations to two multiple dwellings. Lot 13 No. 10 Jubilee Street, South Perth

Location:	Lot 13 No. 10 Jubilee Street, South Perth
Ward:	Mill Point Ward
Applicant:	DMG Architects
File Reference:	D-21-46775
DA Lodgement Date:	2 February 2021
Meeting Date:	22 June 2021
Author(s):	Tim Roberts, 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 planning approval for additions and alterations to two existing multiple dwellings on Lot 13 No. 10 Jubilee Street, South Perth.

This item is referred to Council as the application is required to be assessed in accordance with clause 6.2A (2) of Town Planning Scheme No. 6 for additions and alterations to pre-scheme developments. Any application assessed against this clause requires determination by Council in accordance with the City's delegation.

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

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

0621/097

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Ken Manolas
Seconded: Councillor André Brender-A-Brandis

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 additions and alterations to two multiple dwellings on Lot 1 No. 10 Jubilee Street, South Perth **be approved** subject to the following conditions:

1. The development shall be in accordance with the approved plans unless otherwise authorised by the City.
2. All stormwater from the property shall be discharged into soak wells or sumps located on the site unless otherwise approved by the City.

3. Prior to the submission of a building permit application, details of the proposed colour finishes and materials of the proposed additions shall be provided, and such colour finishes and materials shall match with those of the existing building, to the satisfaction of the City.
4. Prior to the submission of a building permit application, details of the proposed lift model shall be provided, to the satisfaction of the City.
5. 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.
6. Prior to completion of the additions, all balustrading, visual privacy screening, planter boxes or obscure glazing to Outdoor Active Habitable Spaces shown on the approved plans, shall be installed and remain in place permanently, to the satisfaction of the City.

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

CARRIED BY EXCEPTION RESOLUTION (9/0)

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

Against: Nil.

Development Site details

The development site details are as follows:

Zoning	Residential
Density coding	R40
Lot area	974 sqm
Building height limit	10.5m
Development potential	Pre Scheme Density Applicable

(a) Background

In February 2021, the City received an application for additions and alterations to two multiple dwellings on the subject site (the site). The current development on site is a three storey multiple dwelling building with a roof terrace comprising two apartments held in single ownership. The existing 13.17m building height was approved in 1998 prior to the current 10.5m building height limit being adopted under Town Planning Scheme No. 6 (TPS6) in 2003. The proposed additions and alterations propose a building height of 12.8m, which is above the permissible building height limit in TPS6. Clause 6.2A (2) of TPS6 allows the local government to approve additions and alterations to a pre-scheme development subject to certain criteria.

The application has been considered against special provisions for pre-scheme Development in accordance with clause 6.2A (2) of the City's TPS6.

(b) Description of the Surrounding Locality

The site is zoned residential and adjoins a two storey single house to the north eastern boundary and a three storey single house to the south western boundary. The subject site has a southern frontage to Jubilee Street and a northern rear boundary abutting Sir James Mitchell Park, as seen in **Figure 1** below:



(c) Description of the Proposal

The application proposes additions and alterations to two existing multiple dwellings on the subject site. The proposed works are largely cosmetic improvements to the existing external façade treatment, however the complete scope of works incorporates relocation of the existing ground floor swimming pool, removal of the ground floor communal kitchenette, incorporation of a lift shaft and development of a communal function room on an existing but expanded roof terrace. Proposed plans of development are provided as **Attachment (a)** to this report.

The following components of the proposed development require discretionary assessment against TPS6, the R-Codes and/or Council Policy requirements:

- (i) Building Height;
- (ii) Plot Ratio; and
- (iii) Visual Privacy.

The proposal complies with TPS6, the R-Codes and relevant Council policies, with the exception of the non-complying aspects identified above, which are discussed below.

(d) Dwelling Height (Pre-Scheme Development)

The existing land use of 'multiple dwelling' is classified as an 'X' (Prohibited) land use in Table 1 (Zoning - Land Use) of TPS6 for 'residential' zoned land with a density coding of less than R40.

The proposed additions and alterations exceed the building height requirements permitted under the current planning framework.

Clause 6.2A (2) allows the local government to approve additions or alterations to a pre-scheme development provided that:

- (a) Any proposed external walls do not extend higher than the highest point of any external wall of the pre-scheme development;
- (b) Where a pre-scheme development exceeds the maximum permissible number of dwellings, the number of dwellings is not increased; and
- (c) The proposed plot ratio area does not exceed the maximum prescribed under the Scheme.

The proposed additions and alterations are considered to meet the relevant discretionary criteria in clause 6.2A (2) of the Scheme and are supported for the following reasons:

- The pre-scheme development was constructed on site prior to adoption of TPS6 and has remained on site as two multiple dwellings since its construction;
- The highest point of the external wall of the pre-scheme development is 13.17m. The proposed additions of a communal meeting room to the roof terrace has a proposed building height of 12.8m. The proposed external walls therefore do not extend higher than the highest point on any external wall of the pre-scheme development;
- The additional height of 0.365m would not have an adverse impact on the locality of the proposal and is consistent with the surrounding residential development in terms of building bulk and scale.
- There are no changes to the maximum permissible number of dwellings and the number of existing dwellings is not being increased as part of this proposal; and
- The additions and alterations to the multiple dwellings provide an improved amenity for future residents by increasing usage of the existing roof terrace, providing quality outdoor spaces and installing a lift to allow for ageing in place.

(e) Plot Ratio

The proposed works include enclosing the area of the existing swimming pool on the ground floor to become an enclosed alfresco area and an area on the roof terrace is proposed to become an enclosed meeting room. This equates to an additional plot ratio area of 131 sqm.

The local government may approve additions or alterations to a pre-scheme development provided that the proposed plot ratio area does not exceed the maximum prescribed under the Scheme. As multiple dwellings are not a permitted use on land with a density coding of less than R40, there is no plot ratio calculation within the Scheme for this to be assessed against.

Notwithstanding, the additional plot ratio is considered to meet the relevant discretionary criteria in clause 7.8 (1) (a) of the Scheme and is supported for the following reasons:

- The additional plot ratio is considered to be consistent with orderly and proper planning of the precinct, as it would not detrimentally impact adjoining sites. The proposed additional plot ratio is confined within the existing building footprint;
- The additional plot ratio on the ground floor is framed by floor to ceiling glazing which still provides an element of perceived articulation to the building and the additional plot ratio on the roof terrace is centrally located within existing building height limits minimising building bulk;
- The proposed additions and alterations were advertised to adjacent landowners for comment and no comments were received during the consultation period;
- The additions and alterations to the two multiple dwellings provide an improved amenity for future residents by increasing usage of the existing roof terrace, providing quality outdoor spaces and installing a lift to allow ageing in place.

(f) **Visual Privacy**

Element	Required	Proposed
Clause 5.4.1 - Visual Privacy – Unenclosed Outdoor Active Habitable Spaces	7.5m	6.6m

The applicant has satisfied the visual privacy element objectives and design guidance of the R-Codes and is supported for the following reasons:

- There is no direct overlooking of active habitable spaces and outdoor living areas of the north-eastern adjoining dwelling, from the outdoor active habitable space (roof terrace) given sightlines are restricted by the setback of the planter and glass balustrading. **Attachment (b)**;
- Effective screening is proposed through the provision of planter boxes that redirect the line of sight up onto the adjoining roof at 12 Jubilee Street instead of down onto active outdoor living areas; and
- The proposed additions and alterations were advertised to adjacent landowners for comment over a 14 day period and no comments were received during the consultation period.

A condition is recommended requiring installation of planter boxes to protect the neighbour's privacy.

(g) **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.

(h) 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 1.6 of TPS6, which are, in the opinion of the local government, relevant to the development the subject of the application.

An assessment of the proposal against clause 67 is considered through the planning assessment above, the matters most relevant to the proposal and the City's response to each consideration.

The proposed development is considered satisfactory in relation to all of these matters, subject to the recommended conditions.

Consultation

(a) Neighbour Consultation

Neighbour Consultation has been undertaken for this proposal to the extent and in the manner required by Council Policy P301 'Consultation for Planning Proposals'. Under the standard consultation method, individual property owners and/or occupiers at Nos 8 & 12 Jubilee Street were invited to inspect the plans and to submit comments during a minimum 14-day period. No submissions were received.

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 & Natural)
Aspiration:	Sustainable Urban Neighbourhoods
Outcome:	3.2 Sustainable Built Form
Strategy:	3.2.1 Develop and implement a sustainable local planning framework to meet current and future community needs.

Sustainability Implications

Noting the favourable northern orientation of the lot, the proposed outdoor living area and roof terrace will have access to winter sun. The proposed development is therefore seen to achieve an outcome that has regard to the 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, in particular the design elements in relation to building height and visual privacy. Where discretions are sought, these are considered to be supportable for the reasons set out in this report. The proposal is considered to improve the amenity of the site and will not have any significant impact on adjoining residential properties.

The proposed additional building height is contained within the existing building height that was allowed when the multiple dwelling land use was approved. The development is supported against the discretionary provisions under Clause 6.2A (Pre-Scheme Developments) of TPS6 and proposes a well-resolved design to mitigate the impacts of amenity to achieve compatibility with the surrounding area.

Accordingly, it is considered that the application should be approved subject to conditions.

Attachments

- 10.3.1 (a):** Additions and Alterations to Pre-Scheme Development - 10 Jubilee Street, South Perth
- 10.3.1 (b):** Additions and Alterations to Pre-Scheme Development - 10 Jubilee Street, South Perth

Councillors Mary Choy and Stephen Russell disclosed an Impartiality Interest in Item 10.3.2

10.3.2 State Development Assessment Unit (SDAU) Referral of Significant Development Application - Lots 3 & 4 (Nos. 109 & 111) Robert Street, Como and Lots 118 & 119 (Nos. 469 & 471) Canning Highway, Como

Location: Lots 3 & 4 (Nos. 109 & 111) Robert Street, Como and Lots 118 & 119 (Nos. 469 & 471) Canning Highway, Como

Ward: Como Ward

Applicant: Como Baptist Church

File Reference: D-21-46777

DA Lodgement Date: 7 April 2021

Meeting Date: 22 June 2021

Author(s): Tim Roberts, Urban Planner

Reporting Officer(s): Vicki Lummer, Director Development and Community Services

Strategic Direction: Environment (built and natural): Sustainable urban neighbourhoods

Council Strategy: 3.2 Sustainable Built Form

Summary

The City of South Perth has received a referral from the State Development Assessment Unit of a Form 17B development application which relates to a Mixed Development over multiple properties at Lots 3 & 4 (Nos. 109 & 111) Robert Street, Como and Lots 118 & 119 (Nos. 469 & 471) Canning Highway, Como.

The WAPC must have due regard for the local planning framework in determining the application, however it has the ability to vary provisions within the City's Town Planning Scheme (TPS6), and also undertake a more strategic assessment to consider non-planning related matters.

The development as presented would not be capable of approval under the City's TPS6 due to conflicts with some Scheme provisions and it is therefore recommended that Council resolve to note that while the development cannot currently be approved under the City's TPS6 the WAPC should give due regard to the City's 'without prejudice' conditions of approval in the event the application is supported.

0621/098

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Ken Manolas

Seconded: Councillor André Brender-A-Brandis

That Council notes:

1. The development cannot be approved under the City's Town Planning Scheme No. 6 as it:
 - Does not meet all of the requirements to permit a variation to the 10 storey (32m) building height limit.

2. The City offers the following additional comments in relation to the development assessment:
 - The proposed Early Learning Centre is not listed as a preferred land use under Element 1 of the Canning Bridge Activity Centre Plan;
 - The proposed development does not comply with Element 4 'Street Setbacks', Element 5 'Side and Rear Setbacks', Element 6 'Linking Pathways', Element 7 'Canning Highway', Element 9 'Facades', Element 18 'Parking', Element 19 'Servicing and Functionality', Element 21 'Development Bonus based on Design Considerations' and Element 22 'Development Bonus based on Community Considerations' of the Canning Bridge Activity Centre Plan;
 - The City recommends that the Transport Impact Assessment be peer reviewed and approved by Main Roads Western Australia; and
 - The City notes that the consideration for bonus height and exemplary design is largely dependent on the part closure of the Robert Street road reserve to accommodate a proposed public plaza. The City recommends that this application not be approved until the part closure of the Robert Street road reserve is determined by the Council-
3. That if the Western Australian Planning Commission is of the view to support the proposal using the special provisions under Part 17 of the *Planning and Development Act 2005*, the City has included 'without prejudice' conditions of development approval in **Attachment (a)**.
4. The City will submit a separate advice letter to the State Development Assessment Unit (SDAU) addressing technical considerations including waste management, parking design, landscaping and related matters.

CARRIED BY EXCEPTION RESOLUTION (9/0)

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

Against: Nil

Development Site details

The development site details are as follows:

Zoning	Centre
Lot area	5,720 sqm
Building height limit	10 storeys (32m)
Plot Ratio	NA

Comment**(a) Background**

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

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

In accordance with s.276 (4) of the Act, the

WAPC must –

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

In December 2019, an initial concept design for Lots 3 & 4 Robert Street, Como was presented to the City's technical officers and was subsequently considered by the City's Design Review Panel (DRP) for the first time in February 2020.

Following the February DRP meeting and in response to the feedback received, the applicant substantially redesigned the proposal which included the acquisition of Lots 118 & 199 Canning Highway, Como. The redesigned proposal was presented to City officers in June 2020 and was considered a further two times by the DRP in July 2020 and September 2020.

The applicants briefed the Councillors and officers on this proposal on 18 May 2020 (via Teams) and conducted an onsite briefing for Councillors on 7 October 2020, in order to explain the proposal and answer questions.

In April 2021, the City received a referral from the WAPC, inviting any information, comment or recommended conditions relevant to this Application.

(b) Existing Development on the Subject Site

The existing development on Lots 3 & 4 (Nos. 109 & 111) Robert Street, Como currently features a place of worship, associated office, auditorium and early learning centre. Lots 118 & 119 (Nos. 469 & 471) Canning Highway, Como, are currently vacant aside from lot 119 containing a large Tuart Tree which is registered on the City's Significant Tree Register.

(c) Description of the Surrounding Locality

The site has a frontage to Canning Highway to the southeast, Cassey Street to the South, Robert Street to the north and Lily Lane to the west. The site immediately abuts two single storey houses and one two storey single house to the north, as seen in **Figure 1** below:



Figure 1: Site Aerial Photograph

(d) Description of the Proposal

The proposal involves the redevelopment of the existing site and the construction of a mixed use development that contains a substantial portion of the public realm between the two sites through the proposed closure of Robert Street.

Specifically, the proposed development comprises of three towers, two of which are to be located at Nos. 109 and 111 Robert Street (the West Site) and developed around the historical chapel, with the third tower located at Nos. 469 and 471 Canning Highway (the East Site). The tower on the East Site proposes a maximum height of 10 storeys, whilst the towers on the West Site proposes a maximum height of 15 storeys. Both the East and West sites will be serviced by two levels of basement parking, with an access point for each site's basement levels provided from Robert Street.

The proposed development on the West Site will retain the existing church functions through the physical retention of the chapel, as well as other associated church services. It is proposed to relocate the existing early learning centre to a new purpose built facility on the East Site which centres the outdoor play area around a large Tuart Tree which is registered on the City's Significant Tree Register.

The podium levels will also incorporate other commercial uses including retail, cafes and a medical centre, with the upper levels of the towers providing a variety of residential dwellings, along with communal facilities.

In all, the proposed development includes:

- (a) 224 residential apartments, comprising of:
 - (i) 12 studios apartments (0 west, 12 east);
 - (ii) 54 one-bedroom apartments (29 west, 43 east);
 - (iii) 138 two-bedroom apartments (95 west, 43 east);
 - (iv) 19 three-bedroom apartments (12 west, 7 east); and
 - (v) 1 four-bedroom apartment (1 west, 0 east).
- (b) Approximately 1,305m² of commercial, retail and medical space.
- (c) Approximately 2,005m² of Church, Early Learning Centre and community space;
- (d) Approximately 2,100m² of street level public plaza.
- (e) 258 car parking bays located within the basement levels.

The development plans can be viewed at **Attachment (b)**. The landscape plan can be viewed at **Attachment (c)**.

(e) Assessment Comments

The development has been designed based on the requirements and design guidance of the Canning Bridge Activity Centre Plan (CBACP). The proposal conflicts with some of these requirements, including provisions where the exercise of discretion to permit variations is not available. The WAPC, through the SDAU pathway, is not bound by a local planning scheme or activity centre plan when determining this type of application. Comments on the key non-compliant matters are listed below:

Building Height

Under CBACP, the M10 zone is assigned a 32m building height limit. A height bonus of 5 additional storeys (up to 48m) is permitted subject to the development satisfying specific criteria as well as demonstrating a number of community benefits. The proposed development exceeds the default 32m building height limit with a height of 49.75m being proposed. Additional height up to 48m can be permitted where:

- exemplary design is proposed in the opinion of the Design Review Panel;
- the relevant desired outcomes of all CBACP elements are met or exceeded; and
- the development includes the provision of a significant benefit to the community.

The development was referred to the City's DRP on 2 September 2020 who determined that exemplary design had not yet been achieved. It is considered that the proposal submitted to the SDAU for determination has not satisfactorily addressed the DRP comments for exemplary design to be achieved. The September 2020 DRP minutes can be viewed at **Attachment (d)**.

Further the officer's assessment, identified that not all relevant desired outcomes of the CBACP elements have been met or exceeded.

Variations have been proposed to the CBACP elements with respect to street setbacks, side and rear setbacks, colonnade depth and façade, car and bicycle parking and servicing and functionality.

Clause 21 of the CBACP stipulates that applicants are to submit a report demonstrating the proposed provision of a community benefit which is proportionate to the extent of the bonus height being sought and how that community benefit will be guaranteed into the future. It is noted that a report was not submitted by the applicant addressing this requirement.

It is therefore considered that as exemplary design has not been proposed in the opinion of the City's DRP and that all of the CBACP elements are not met or exceeded, the proposed development does not qualify for the bonus height allowed under Element 21 of the CBACP. The application is therefore required to be assessed against a 10 storey (32m) building height limit, to which the proposal does not comply.

Façade

The CBACP requires facades to be considered against Element 3.6 – Public Domain and 4.10 – Façade Design of R-Codes Volume 2. The proposed design was referred to the City's DRP who determined that the Canning Highway façade adjacent to the loading dock and ramp is a significant area for concern, particularly noting that exemplary design is required to support the additional building height proposed. The blank wall screening to the loading area on the ground floor adjacent to Canning Highway is un-sleeved with inactive and unoccupied uses leaving the public domain inactivated and without opportunities for public surveillance.

The City is not supportive of the East Site's ground floor façade design facing Canning Highway.

Car and Motorcycle Parking

The car parking areas are concealed from street view and are located on the under-croft levels of each building. The design and access arrangement are generally consistent with scheme and policy provisions. The CBACP requires the provision of 296 car parking spaces for this development. The development proposes 258 onsite car parking spaces. The CBACP parking requirements are based upon the opportunities that the activity centre plan area presents with respect to access to regional roads and public transport, proximity to services and pedestrian links.

The City is therefore not supportive of endorsing concessions to the CBACP car parking requirements.

Waste Management

The CBACP requires servicing and functionality to be considered against Element 4.17 – Waste Management of R-Codes Volume 2. Waste storage facilities are to minimise negative impacts on the streetscape, building entries and the amenity of residents. The location of the bin store and associated waste truck access for the East Site shares access arrangements with other vehicles, is centrally located to the public plaza and contributes to the identified weaknesses in the Canning Highway ground level façade.

The City is not supportive of proposed waste management arrangements for the East Site.

Traffic Impact

It is noted that a Traffic Impact Assessment (TIA) is required showing that the allowable additional floor space will not unduly impact on the surrounding centre. The proponent's TIA has been reviewed by the City's Network Operations department and was found to be deficient. It is recommended that the TIA be peer reviewed and approved by Main Roads Western Australia. This peer review will also assist with the proposal satisfying the criteria for eligibility for the bonus height provision.

(f) Referrals

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

Prior to lodging the development application, preliminary pre-lodgement plans had been presented to the City's Design Review Panel (DRP) on three occasions. The last DRP comments (2 September 2020) categorised the development as 'pending further attention' when assessed against the 10 Design Principles of State Planning Policy 7.0 'Design on the Built Environment'.

Policy and Legislative Implications

Comments have been provided elsewhere in this report, in relation to the various provisions of the Scheme, CBACP, the R-Codes and Council policies, where relevant. The WAPC has the ability to vary legal instruments specifically building height.

Financial Implications

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

Strategic Implications

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

Strategic Direction:	Environment (Built & Natural)
Aspiration:	Sustainable urban neighbourhoods
Outcome:	3.2 Sustainable built form
Strategy:	3.2.1 Develop and implement a sustainable local planning framework to meet current and future community needs

Conclusion

The presented design would not be eligible for approval if the proposal was submitted as a standard development application under the local planning scheme, as it conflicts with scheme provisions where no discretion to permit variations is available. Additionally, there are other significant components of the design which are not considered to achieve compliance with the performance based assessment criteria. In addition, the proponent has not submitted a Community Benefit Report to justify the additional bonus height being sought.

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

Next Steps

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

Attachments

- 10.3.2 (a):** Without Prejudice Conditions - Lots 3 & 4 (Nos. 109 & 111) Robert Street, Como and Lots 118 & 119 (Nos. 469 & 471) Canning Highway, Como
- 10.3.2 (b):** Proposed Development Plans - Mixed Use Development - Lots 3 & 4 (Nos. 109 & 111) Robert Street, Como and Lots 118 & 119 (Nos. 469 & 471) Canning Highway, Como
- 10.3.2 (c):** Proposed Landscape Plan - Mixed Use Development - Lots 3 & 4 (Nos. 109 & 111) Robert Street, Como and Lots 118 & 119 (Nos. 469 & 471) Canning Highway, Como
- 10.3.2 (d):** DRP Minutes 2 September 2020 - Lots 3 & 4 (Nos. 109 & 111) Robert Street, Como and Lots 118 & 119 (Nos. 469 & 471) Canning Highway, Como

10.4 STRATEGIC DIRECTION 4: LEADERSHIP

10.4.1 Listing of Payments - May 2021

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-21-46780
Meeting Date:	22 June 2021
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 May and 31 May 2021 for information. During the reporting period, the City made the following payments:

EFT Payments to Creditors	(349)	\$3,069,675.62
Cheque Payment to Creditors	(2)	\$1,088.60
Total Monthly Payments to Creditors	(351)	\$3,070,764.22
EFT Payments to Non-Creditors	(67)	\$67,723.82
Cheque Payments to Non-Creditors	(11)	\$4,399.69
Total EFT & Cheque Payments	(429)	\$3,142,887.73
Credit Card Payments	(7)	\$16,367.96
Total Payments	(436)	\$3,159,255.69

0621/099

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Ken Manolas

Seconded: Councillor André Brender-A-Brandis

That Council receives the Listing of Payments for the month of May 2021 as detailed in **Attachment (a)**.

CARRIED BY EXCEPTION RESOLUTION (9/0)

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

Against: Nil.

Background

Regulation 11 of the Local Government (Financial Management) Regulations 1996 requires the development of procedures to ensure the approval and authorisation of accounts for payment.

These controls are documented in Policy P605 Purchasing and Invoice Approval and Delegation DM605 sets the authorised purchasing approval limits.

After an invoice has been matched to a correct Goods Receipt Note in the financial system, payment to the relevant party is made and the transaction completed 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 May 2021 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:	4.3 Good governance
Strategy:	4.3.1 Foster effective governance through quality decision-making

Attachments

10.4.1 (a): Listing of Payments May 2021

10.4.2 Monthly Financial Statements - May 2021

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-21-46851
Meeting Date:	22 June 2021
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.

0621/100

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Ken Manolas
Seconded: Councillor André Brender-A-Brandis

That Council notes the Financial Statements and report for the month ended 31 May 2021.

CARRIED BY EXCEPTION RESOLUTION (9/0)

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

Against: Nil.

Background

Regulation 34(1) of the Local Government (Financial Management) Regulations 1996, requires each local government to present a Statement of Financial Activity reporting on income and expenditure as set out in the annual budget. In addition, regulation 34(5) requires a local government to adopt a percentage or value to report on material variances between budgeted and actual results. The 2020/21 budget adopted by Council on 7 July 2020, determined the variance analysis for significant amounts of \$10,000 or 10% for the financial year. Each Financial Management Report contains an Original and Revised Budget column for comparative purposes.

Comment

The Statement of Financial Activity, a similar report to the Rate Setting Statement, is required to be produced monthly in accordance with 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, with Australia now being regarded as officially coming out of recession. Council adopted a range of measures to support the community at its Special Council Meeting held 21 April 2020, as well as those contained within the Annual Budget 2020/21, adopted 7 July 2020. The full extent of the 2020/21 financial impact remains unclear it would appear however, far less extreme than initially anticipated. The State Government extended the State of Emergency to 18 June 2021, concerns regarding a second wave are still present.

The Legislated Budget Review was completed and Council approved the budget review adjustments at the Ordinary Council Meeting held 23 February 2021. Budget Review entries have been processed, budget phasing was also revised as part of the review.

Actual income from operating activities for May year-to-date (YTD) is \$57.02m in comparison to budget of \$56.68m, favourable to budget by .6% or \$0.34m. Actual expenditure from operating activities for May is \$52.75m in comparison to budget of \$54.35m, favourable to budget by 3% or \$1.61m. Increased spending and activity in the second half of the financial year are consistent with prior year trends. The May Net Operating Position of \$4.28m was \$1.95m favourable in comparison to budget.

Actual Capital Revenue YTD is \$1.91m in comparison to the budget of \$2.60m. Actual Capital Expenditure YTD is \$7.67m in comparison to the budget of \$11.18m, favourable to budget by 31% or \$3.51m. Timing variations are mainly responsible for the variances included in the above, an analysis is provided within **Attachment (e)** the Significant Variance Analysis. Capital spending typically accelerates in the second half of the year, as projects move from the design and procurement phase to construction. 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 have been a number of capital projects that required budget adjustment during the midyear review process.

Cash and Cash Equivalents amounted \$63.51m. Higher than the prior year comparative period mainly because of the sale proceeds of \$3.22m for 49-51 Angelo Street and a Federal Government Grant of \$5.5m received toward the Recreation and Aquatic Facility. Payment trends are somewhat similar to previous years. Consistent with previous monthly reports, the Cash and Cash Equivalents balance is contained within the Statement of Financial Position. In addition, further detail is included in a non-statutory report (All Council Funds).

The record low interest rates in Australia are impacting the City's investment returns, with banks offering average interest rates of 0.26% 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 20.64% 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:	4.3 Good governance
Strategy:	4.3.1 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 eQuote - Provision of Waste Collection and Disposal Services

Location:	City of South Perth
Ward:	All
Applicant:	Not Applicable
File Ref:	D-21-46783
Meeting Date:	22 June 2021
Author(s):	Jac Scott, Manager Business & Construction
Reporting Officer(s):	Mark Taylor, Director Infrastructure Services
Strategic Direction:	Environment (built and natural): Sustainable urban neighbourhoods
Council Strategy:	3.4 Resource Management & Climate Change

Summary

The City's waste collection and disposal contracts are up for renewal. When these were last approved, it was anticipated that the Waste to Energy facility would be in operation prior to their expiry. This is not the case, so an interim contract is needed to cover waste operations until a long term contract can be developed.

This report seeks Council approval to award a one year contract, with options to extend for four, three-month periods, for the collection and disposal of the City's municipal waste and recycling, following a sole source procurement process utilising the WALGA Preferred Supplier Panel.

0621/101

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Ken Manolas

Seconded: Councillor André Brender-A-Brandis

That Council:

1. Endorses the procurement approach as detailed in the Procurement Plan **Confidential Attachment (a)** of a sole source WALGA eQuote from Cleanaway Pty Ltd for a one year contract with four consecutive three-month options to extend at the City's discretion;
2. Authorises the award of the contract to Cleanaway Pty Ltd subject to the terms noted; and
3. Notes that the City will commence the long-term procurement process for waste collection and disposal as soon as is practicable.

CARRIED BY EXCEPTION RESOLUTION (9/0)

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

Against: Nil.

Background

The City has four existing contracts with Cleanaway Pty Ltd for the following services:

- 7/2011 Provision of Services relating to the Collection of Refuse Material;
- 16/2011 Provision of Services relating to the Collection of Recyclable Material;
- 17/2011 Provision of Services relating to the Receiveal and Processing of Recyclable Material;
- 4/2019 Provision of Services relating to the Receiveal of Municipal Solid Waste Service.

These contracts have now exhausted the available options intended to extend them to the expected transition to disposal at the Waste to Energy (WtE) facility currently under construction. The facility was originally programmed to be operational in early 2021, however construction has encountered delays, primarily due to the sourcing of materials and equipment from overseas during the COVID-19 pandemic. The facility is now forecast to be commissioned from March 2022 and opening is scheduled for September 2022.

Comment

Waste contracts have a level of reliance on the disposal method of the waste, and this has informed the intention to align the new contract process with the commencement of the WtE facility.

Waste contracts are typically tendered for long terms due to the requirement for providers to acquire waste fleet specific to service the contracts. The impact of COVID-19 has extended the lead times for procurement of waste collection vehicles. It is therefore expected that the availability of a suitable fleet for companies wanting to tender for the City's next long-term contract(s) is likely to take longer than is typical.

The City has sought advice and guidance from the Western Australian Local Government Association's (WALGA) Procurement Service in confirming the best method to ensure the City has continuing contracts in place until the WtE facility is operational. WALGA has confirmed that a tender process for a short-term contract would not be preferable, as a significant lead time is required for tenderers to: develop a response; undertake due diligence; and acquire the infrastructure needed to service a contract of this size.

The following approach is therefore recommended.

- A short term (one year with four consecutive three month options) contract utilising the WALGA Preferred Supplier Program as the procurement medium. This will align with the expected opening of the WtE facility.
- The new short term contract will capture all four current individual contracts into a single contract.
- The inclusion of four individual three month options is recommended to extend the one year contract to cover the risk of timely resourcing waste plant and equipment in the current COVID-19 impacted market.

- On execution of the short term contract, work will commence immediately on development of the City's next long term waste collection and processing contract. This is expected to take six months to complete with allowance for a minimum of six months for the successful tenderer to appropriately resource the contractual requirements, if required.
- Should the commencement of the WtE facility be delayed further than the short term contract and options, the new long term contract will be developed to allow for transition to WtE at any point during its term.

Consultation

A Councillor Concept Briefing was held on 8 June to discuss this matter.

Policy and Legislative Implications

The procurement process is being undertaken utilising the WALGA Preferred Supplier Panel. This is a collective bargaining initiative established on behalf of local governments by WALGA. This is a permitted reason for not publically inviting tenders under Clause 11 (2) (b) of the Local Government (Functions and General) Regulations 1996.

The City has good reason to believe that only Cleanaway Pty Ltd is able to supply the services, which is a further permitted reason under Clause 11 (2) (f) of the Local Government (Functions and General) Regulations 1996.

Policy P605 – 'Procurement' places no clear impediment on the City utilising the WALGA Preferred Supplier Panel in the manner proposed (single source quotation), subject to value for money being achieved.

A Procurement Plan **Confidential Attachment (a)** has been developed to document the process and to ensure integrity and probity.

Financial Implications

The requirement to demonstrate value for money by utilising the recommended procurement method is documented in the Procurement Plan, noting the sensitivities of commercial in confidence pricing.

The recommended annual budgets related to the waste contract(s) for 2021/22 are:

- | | |
|---|-------------|
| • Refuse Collection (Green and Street Bins) | \$1,366,776 |
| • Refuse Disposal (Landfill) | \$2,275,840 |
| • Recycling Collection (Yellow Bins) | \$ 495,720 |
| • Recycling Processing (Materials Recovery) | \$ 448,994 |

Conclusion

A sole source procurement approach, as detailed in the Procurement Plan via a WALGA eQuote, recommends the engagement of Cleanaway Pty Ltd for a one year contract with four consecutive three-month options to extend at the City's discretion.

A competitive procurement process for the subsequent long-term contract for waste collection and disposal will be commenced as soon as is practicable.

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:	3.4 Resource management and climate change
Strategy:	3.4.2 Promote and implement sustainable water, waste, land and energy management practices

Attachments

10.4.3 (a): Procurement Plan (*Confidential*)

10.4.4 Adoption of the Annual Budget 2021/22

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-21-46834
Meeting Date:	22 June 2021
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 the Draft Annual Budget 2021/22, as attached, for adoption by Council.

The COVID-19 global pandemic has created significant economic uncertainty, with the City continuing to prudently manage its finances through this challenging time. The City is recommending a Rates increase of 1%, in line with the Perth CPI for March 2021. Although the Perth CPI March 2020 was 2.1%, due to COVID-19 Council adopted a -1% change last year (2020/21), and 1% the previous year (2019/20), based on the Perth CPI March 2019.

Staff recommend a 1% rate increase for 2021/22 that would result in rates for the average residential property (GRV \$21,320) increasing by \$16.44 or \$0.63 per fortnight. The City also recommends the annual residential waste charge of \$325 remain the same as the previous two financial years (2020/21 and 2019/20), being one of the lowest in the metropolitan area.

In response to the very low increase in rates (1%) and waste charge (0%) over the three Annual Budgets, the City has undertaken significant work to improve financial health by absorbing increased fixed costs and reducing costs, whilst being mindful of reducing the impact of this on services.

Pursuant to Section 6.38(1) of the *Local Government Act 1995* and Regulation 54 of the Local Government (Financial Management) Regulations, a service charge is imposed for the provision of Underground Power (UGP) within defined parts of the City of South Perth described as Collier and Manning. All charges (Network and Connection) will be recovered in 5 equal instalments over 5 financial years. The first instalment will be levied on the rates notice for the 2021/22 financial year. Total UGP Service Charges Revenue is \$13.60m (\$6.74m Collier, \$6.86m Manning). Cost are allocated in a tiered manner according to property Gross Rental Values as set out in Section 2, note 1 (g) Underground Power of the Annual Budget. Total costs for UGP of \$13.65m (\$6.76m Collier, \$6.89m Manning) is included in Materials and Contracts.

Officer Recommendation**Moved:** Mayor Greg Milner**Seconded:** Councillor Blake D'Souza

That Council adopts the Annual Budget 2021/22 for the City of South Perth which includes the following:

- a. a General Rate in the Dollar of 7.7836 cents is applied to the Gross Rental Value (GRV) of all rateable property within the City for the year ending 30 June 2022;
- b. a Minimum Rate of \$1,004.00 be set for the year ending 30 June 2022 notwithstanding the General Rate set out in part (a) above;
- c. the following rubbish service charges be applied for the year ending 30 June 2022:
 - i. a standard Rubbish Service Charge of \$325.00;
 - ii. a non-rateable property Rubbish Service Charge of \$448.00;
 - iii. a standard 1,100 litre bin Rubbish Service Charge of \$1,625.00;
 - iv. a non-rateable property 1,100 litre bin Rubbish Service Charge of \$2,240.00;
- d. the following Underground Power service charges be imposed on the owners of properties within the Collier area bounded by Canning Highway, Ryrie Avenue, Blamey Place and South Terrace for the year ending 30 June 2022:
 - i. Network charge of \$4,050 for Residential and Commercial properties per unit or dwelling with a GRV of \$13,000 or less, levied in 5 equal annual instalments, the first instalment of \$810 to be levied in the 2021/22 Financial Year;
 - ii. Network charge of \$5,450 for Residential and Commercial properties per unit or dwelling with a GRV between \$13,001 and \$21,000, levied in 5 equal annual instalments, the first instalment of \$1,090 to be levied in the 2021/22 Financial Year;
 - iii. Network charge of \$6,915 for Residential and Commercial properties per unit or dwelling with a GRV greater than \$21,000, levied in 5 equal annual instalments, the first instalment of \$1,383 to be levied in the 2021/22 Financial Year;
 - iv. Network charge of \$20,745 for other larger properties that are not held or used as Residential or Commercial, levied in 5 equal annual instalments, the first instalment of \$4,149 to be levied in the 2021/22 Financial Year;
 - v. Connection fee of between \$0 - \$750, dependant on existing type of connection and number of units or dwellings connected, applicable to properties as described in i-iv above, levied in 5 equal annual instalments, the first instalment of \$0 - \$150 to be levied in the 2021/22 Financial Year;
- e. the following Underground Power service charges be imposed on the owners of properties within the Manning area bounded by Manning Road,

Kwinana Freeway, Hope Avenue and Challenger Avenue for the year ending 30 June 2022:

- i. Network charge of \$3,800 for Residential and Commercial properties per unit or dwelling with a GRV of \$13,000 or less, levied in 5 equal annual instalments, the first instalment of \$760 to be levied in the 2021/22 Financial Year;
- ii. Network charge of \$5,040 for Residential and Commercial properties per unit or dwelling with a GRV between \$13,001 and \$21,000, levied in 5 equal annual instalments, the first instalment of \$1,008 to be levied in the 2021/22 Financial Year;
- iii. Network charge of \$6,365 for Residential and Commercial properties per unit or dwelling with a GRV greater than \$21,000, levied in 5 equal annual instalments, the first instalment of \$1,273 to be levied in the 2021/22 Financial Year;
- iv. Network charge of \$19,095 for other larger properties that are not held or used as Residential or Commercial, levied in 5 equal annual instalments, the first instalment of \$3,819 to be levied in the 2021/22 Financial Year;
- v. Connection fee of between \$0 - \$750, dependant on existing type of connection and number of units or dwellings connected applicable to properties as described in i-iv above, levied in 5 equal annual instalments, the first instalment of \$0 - \$150 to be levied in the 2021/22 Financial Year;
- f. the Swimming Pool Inspection Fee for the year ending 30 June 2022 of \$30.00;
- g. the following dates be set for payment of rates by instalments:

First instalment	7 September 2021
Second instalment	9 November 2021
Third instalment	11 January 2022
Fourth instalment	15 March 2022
- h. an Administration Charge of \$10.00 per instalment for payment of rates and charges by instalments be applied to the second, third and fourth instalment in accordance with Section 6.45(3) and (4) of the *Local Government Act 1995* and Regulation 67 of the Local Government (Financial Management) Regulations 1996;
- i. an Interest Rate of 5.5% be imposed on payment by instalments, to apply to the second, third and fourth instalment in accordance with Section 6.45(3) of the *Local Government Act 1995* and Regulation 68 of the Local Government (Financial Management) Regulations 1996;
- j. an Interest Rate of 7% be imposed on overdue rates in accordance with Section 6.51(1) of the *Local Government Act 1995* and Regulation 70 of the Local Government (Financial Management) Regulations 1996;
- k. an Interest Rate of 7% be imposed on unpaid Underground Power (UGP) Service Charges in accordance with Section 6.51(1) of the *Local*

Government Act 1995 and Regulation 70 of the Local Government (Financial Management) Regulations 1996;

- l. an Interest Rate of 7% be imposed on outstanding debtors in accordance with Section 6.13(1) of the *Local Government Act 1995*.
- m. a Monthly Maintenance Fee of \$440.00 (treated as 'Input Taxed' for the purposes of the GST) is applied to all units in the Collier Park Village for the period July 2021 to September 2021 inclusive, a Monthly Maintenance Fee of \$455.00 (treated as 'Input Taxed' for the purposes of the GST) is applied to all units in the Collier Park Village for the period from October 2021 to June 2022 inclusive;
- n. the Statutory Annual Budget for the year ending 30 June 2022 comprising Section 2 of the 2021/22 Annual Budget as distributed with this Agenda and tabled at this meeting, be adopted;
- o. the Management Account Summary Budget Schedules for the financial year ending 30 June 2022 as set out in Section 3 of the Annual Budget be endorsed;
- p. the Capital Expenditure Budget for the financial year ending 30 June 2022 as set out in Section 2, Note 4 of the Annual Budget is adopted;
- q. the Reserve Fund transfers for the financial year ending 30 June 2022 as set out in Section 2, Note 7 of the Annual Budget be approved;
- r. the Schedule of Fees and Charges as set out in the Fees and Charges Schedule for the year ending 30 June 2022 be adopted, including State Government Statutory Fees which are still to be determined at a later date than this Report;
- s. the effective date for all items detailed in the 2021/22 Schedule of Fees and Charges is 1 July 2021.
- t. Council adopt a definition of 'significant (material) variances' of \$10,000 or 10% (whichever is the greater) for each capital project and business unit operating revenue and expenditure line item.
- u. In addition to the measures already contained within this budget, the following are the specific measures to continue the City's response to COVID-19:
 - i. Waiver of all interest accrued on Rates, Emergency Services Levy (ESL), Underground Power service charges and Waste from 1 July 2021 to 30 June 2022, for residential and commercial properties in accordance with Policy P697 Financial Hardship Assistance, where Financial Hardship is determined by the City to be as a consequence of the COVID-19 pandemic;
 - ii. Provide relief in accordance with the Commercial Tenancies Code of Conduct and Policy P697 Financial Hardship Assistance.

Absolute Majority required

0621/102**COUNCIL DECISION****Moved:** Councillor Glenn Cridland**Seconded:** Councillor Ken Manolas

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

CARRIED (8/1)

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

Against: Councillor Stephen Russell.

0621/103**COUNCIL DECISION****Moved:** Mayor Greg Milner**Seconded:** Councillor Blake D'Souza

In accordance with Clause 8.10 of the City of South Perth Standing Orders Local Law 2007 Councillor André Brender-A-Brandis be granted an additional five minutes to speak.

CARRIED (9/0)

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

Against: Nil.

0621/104**Officer Recommendation AND COUNCIL DECISION****Moved:** Mayor Greg Milner**Seconded:** Councillor Blake D'Souza

That Council adopts the Annual Budget 2021/22 for the City of South Perth which includes the following:

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 - i. a standard Rubbish Service Charge of \$325.00;
 - ii. a non-rateable property Rubbish Service Charge of \$448.00;

- iii. a standard 1,100 litre bin Rubbish Service Charge of \$1,625.00;
- iv. a non-rateable property 1,100 litre bin Rubbish Service Charge of \$2,240.00;
- d. the following Underground Power service charges be imposed on the owners of properties within the Collier area bounded by Canning Highway, Rylie Avenue, Blamey Place and South Terrace for the year ending 30 June 2022:
 - i. Network charge of \$4,050 for Residential and Commercial properties per unit or dwelling with a GRV of \$13,000 or less, levied in 5 equal annual instalments, the first instalment of \$810 to be levied in the 2021/22 Financial Year;
 - ii. Network charge of \$5,450 for Residential and Commercial properties per unit or dwelling with a GRV between \$13,001 and \$21,000, levied in 5 equal annual instalments, the first instalment of \$1,090 to be levied in the 2021/22 Financial Year;
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 - iv. Network charge of \$20,745 for other larger properties that are not held or used as Residential or Commercial, levied in 5 equal annual instalments, the first instalment of \$4,149 to be levied in the 2021/22 Financial Year;
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- e. the following Underground Power service charges be imposed on the owners of properties within the Manning area bounded by Manning Road, Kwinana Freeway, Hope Avenue and Challenger Avenue for the year ending 30 June 2022:
 - i. Network charge of \$3,800 for Residential and Commercial properties per unit or dwelling with a GRV of \$13,000 or less, levied in 5 equal annual instalments, the first instalment of \$760 to be levied in the 2021/22 Financial Year;
 - ii. Network charge of \$5,040 for Residential and Commercial properties per unit or dwelling with a GRV between \$13,001 and \$21,000, levied in 5 equal annual instalments, the first instalment of \$1,008 to be levied in the 2021/22 Financial Year;
 - iii. Network charge of \$6,365 for Residential and Commercial properties per unit or dwelling with a GRV greater than \$21,000, levied in 5 equal annual instalments, the first instalment of \$1,273 to be levied in the 2021/22 Financial Year;
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- instalments, the first instalment of \$3,819 to be levied in the 2021/22 Financial Year;
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 - i. an Interest Rate of 5.5% be imposed on payment by instalments, to apply to the second, third and fourth instalment in accordance with Section 6.45(3) of the *Local Government Act 1995* and Regulation 68 of the Local Government (Financial Management) Regulations 1996;
 - j. an Interest Rate of 7% be imposed on overdue rates in accordance with Section 6.51(1) of the *Local Government Act 1995* and Regulation 70 of the Local Government (Financial Management) Regulations 1996;
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 - o. the Management Account Summary Budget Schedules for the financial year ending 30 June 2022 as set out in Section 3 of the Annual Budget be endorsed;

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- q. the Reserve Fund transfers for the financial year ending 30 June 2022 as set out in Section 2, Note 7 of the Annual Budget be approved;
- r. the Schedule of Fees and Charges as set out in the Fees and Charges Schedule for the year ending 30 June 2022 be adopted, including State Government Statutory Fees which are still to be determined at a later date than this Report;
- s. the effective date for all items detailed in the 2021/22 Schedule of Fees and Charges is 1 July 2021.
- t. Council adopt a definition of 'significant (material) variances' of \$10,000 or 10% (whichever is the greater) for each capital project and business unit operating revenue and expenditure line item.
- u. In addition to the measures already contained within this budget, the following are the specific measures to continue the City's response to COVID-19:
 - i. Waiver of all interest accrued on Rates, Emergency Services Levy (ESL), Underground Power service charges and Waste from 1 July 2021 to 30 June 2022, for residential and commercial properties in accordance with Policy P697 Financial Hardship Assistance, where Financial Hardship is determined by the City to be as a consequence of the COVID-19 pandemic;
 - ii. Provide relief in accordance with the Commercial Tenancies Code of Conduct and Policy P697 Financial Hardship Assistance.

CARRIED BY ABSOLUTE MAJORITY (9/0)

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

Against: Nil.

Background

The preparation of the Annual Budget is both a statutory requirement of the *Local Government Act 1995* and a responsible financial management practice. The annual budget is guided by the ten year Strategic Community Plan (SCP), which involves significant community consultation every four years, when undertaking a major review.

The SCP guides the development of a Corporate Business Plan (CBP) that describes the services, projects and measures for the next four years working to achieve the strategic vision. The long-term financial plan, asset management plans and workforce plan inform the SCP, CBP and annual budget, with outcomes contained in the Annual Report. The annual budget has been prepared in accordance with the requirements of Part 3 of the Local Government (Financial Management) Regulations 1996.

Comment

In framing the Annual Budget 2021/22, the City considered the current economic environment and the impact of COVID-19, the updated Strategic Community Plan 2020-2030 adopted in May 2020 and the Corporate Business Plan 2020-2024 adopted in June 2020.

The need to continue to deliver quality services to the community remains a priority, with the City conscious of community expectations in relation to household budgets.

Acknowledging some of our ratepayers are experiencing financial hardship, Council adopted Policy P697 Financial Hardship Assistance and other measures contained in the City of South Perth Local Community Response and Relief Package in April 2020, the Annual Budget 2020/21 and the Annual Budget 2021/22.

The COVID-19 pandemic, a world health crisis first and foremost, translating into a world economic crisis, has required unprecedented response from all levels of government. The Australian, Western Australian and WA Local Government sectors have played a significant role in supporting communities.

Whilst optimism has grown, further setbacks may require support and therefore a high level of uncertainty remains, in terms of both the health and economic issues. The City will continue to monitor and respond appropriately, as it has to this point.

Last year, developing an annual budget during a once in 100 year event was challenging, particularly in the context of the preceding years. The 2016/17 Annual Report described the impact of the downturn in the WA economy on the City finances, particularly relating to the flattening of revenue streams and increased expenditure pressure. A program commenced during the 2017/18 financial year to improve the results at each half year review and Annual Budget. The emphasis was to increase non-rate revenue and reduce operating expenditure, thereby increasing our ability to improve and maintain \$726m worth of community assets in order to deliver on the City vision: A City of active places and beautiful spaces.

Despite significant challenges, the City has made good progress on the continuous improvement journey. Had the City not undertaken these measures, the response to COVID-19 and the delivery of a balanced 2021/22 Budget would have been more challenging from a fiscal perspective.

Each year Council considers an appropriate Rate to cover the changes in costs, usually increases. For the Annual Budget 2018/19, Council adopted a rate increase of 1.6% based on the March Local Government Cost Index (LGCI).

LGCI is calculated by the Western Australian Local Government Association (WALGA), using the Australian Bureau of Statistics (ABS) Indices (weighted) to represent a local government basket of goods and services.

For the Annual Budget 2019/20, Council adopted a rate increase of 1.0% based on the March Consumer Price Index (CPI). CPI is based on a basket of household goods and services, with the annual change in prices calculated by the ABS quarterly.

Although the March 2020 CPI for Perth was 2.1%, due to COVID-19, Council adopted a -1% rate change, or a decrease of 1%. The valuations provided by the State Government (Valuer General) meant that this -1% was not uniform across all property owners, with around 30% of rates issued being higher than the previous year and 70% being significantly lower than -1%.

Fortunately, for the Annual Budget 2021/22 and 2022/23, revaluations will not occur, so any rate change adopted by Council will be consistent for every rate notice.

The second largest recurring revenue component is the waste service charge operating with a reserve account to ensure the service charge is aligned to the costs incurred. The Annual Budget 2021/22 is presented to Council for adoption with the same waste service charge as 2020/21 and 2019/20, being \$325.00 for the typical household.

The City's waste service charge continues to be one of the lowest in the metropolitan area. All other waste service charges remain the same as 2020/21 and 2019/20.

The City's (non-rate) revenue streams are still being negatively impacted in terms of volume/activity as a result of COVID-19. In 2020/21 the City did not increase its fees and charges. There has been a slight increase to some fees and charges for the 2021/22 Annual Budget.

In terms of the volume/activity, overall parking revenue is down significantly, by approximately \$1m and interest revenue by approximately \$0.8m impacted by the lower deposit rates, compared to the Annual Budget 2019/20.

The City completed three Budget Workshops with elected members as well as a number of workshops on Underground Power. The minor review of the Strategic Community Plan 2020-2030 was adopted by Council on 26 May 2020. The workshops considered the Corporate Business Plan 2020-2024 and the Annual Budget 2021/22 that are presented for consideration at this meeting.

Overall, in terms of the Statement of Comprehensive Income, the Annual Budget 2021/22 includes Revenue (Operating) of \$72.24m, Expenses (Operating) of \$76.40m and Non-Operating Grant income of \$4.82m. Operating Revenue includes Services Charges for underground power of \$13.60m, Operating Expenses includes expenditure relating to underground power of \$13.65m. Notwithstanding challenges, the City made significant progress to limit the increase in operating expenditure to only \$1.11m from the Annual Budget 2020/21. The challenge was difficult as a number of major costs have increased, in addition to issues that have previously been described such as servicing of additional infrastructure, as well as changes to Regulations requiring the City to write off all assets worth less than \$5,000.

The 2021/22 Capital Works program has a total of \$12.21m, funded from Grants/Trade-ins (\$5.17m), Reserves (\$1.54m) and Municipal funds (\$5.50m).

The Rate Notice will be issued to each assessable property within the City and will include three items; Rates, Waste and the Emergency Services Levy (ESL).

If the assessable property is in the designated area of Collier or Manning for the provision of Underground Power (UGP) additional items will be included. These are explained in more detail below.

Rates

Rates are calculated by using the Gross Rental Value (GRV), provided by Landgate (a State Government agency), multiplied by the rate in the dollar adopted by Council.

GRV is an estimation of the likely annual return on a property; for example a property with a \$21,320 GRV is equivalent to earning \$410 per week (\$410 x 52 weeks). Therefore the Rates calculation (GRV x Rate in \$ = Rates), in this scenario; \$21,320 (GRV) x \$0.077836 (rate in the dollar) = \$1,659.46 (Rates) for 2021/22, was \$1,643.02 (2020/21), representing an increase of \$16.44 for the year, or \$0.63 per fortnight.

The State Government (Landgate) provide a GRV for every property and the City is required to use these valuations. Property owners may challenge a valuation, via a Landgate process.

The recommended 1% rate increase requires a **\$0.077836** rate in the dollar (\$0.077065 in 2020/21) to be adopted. The Minimum Rate is recommended to increase to **\$1,004** (\$994 in 2020/21), for approximately 3,150 (15.22%) properties.

As with all budgets, there are a range of expenses that increase each year. In order to deliver a 1% rate increase, the City had to reduce or eliminate City operating and capital budgets.

In benchmarking against other metropolitan Local Government Authorities (LGA), the City continues to be competitive with its peers in relation to the rate in the dollar. Those LGAs with a lower rate in the dollar tend to have a large industrial and/or commercial rate base. In comparison, the City of South Perth commercial properties represent only 13.16% of the total Rates.

Waste service charges

The standard waste service charge for domestic rubbish for the Annual Budget 2021/22 remains at \$325.00, the same as the previous two years, being one of the lowest in the metropolitan area.

This service includes weekly rubbish pick-up, fortnightly recycling collection and three verge-side rubbish collections per year. The 1,100 litre rubbish service for rateable commercial properties remain the same being \$1,625.00. Non-rateable properties also remain the same, paying \$448.00 per standard rubbish service and \$2,240.00 for 1,100 litre bin services.

Residential ratepayers will continue to receive two green waste and one general waste pass to the Recycling Centre. As in previous years, two green waste and one general waste bulk verge-side rubbish collection will also be provided.

Emergency Services Levy (ESL)

The State Government ESL charge will again appear on all local government rate notices in 2021/22. This charge will be calculated based on the GRVs supplied to the City using a rates determined by the Fire & Emergency Services Authority.

The State Government issued the following statement:

“The Emergency Services Levy (ESL) will be \$28 lower in 2021-22 for the average household compared to 2019-20, despite a 4.3 per cent increase, following the McGowan Government's decision to pass on the benefit of lower gross rental values (GRVs) in 2020-21.”

Given the City 1% increase of Rates and 0% change in Waste, the 4.3% increase in the State Government tax (ESL) will be the most significant change on the Rate notice issued to owners (excluding those with Underground Power).

Underground Power (UGP)

The City is one of the few Local Governments that has embarked on a significant program of UGP, commencing in 1996 with the Council resolving to progress a whole of City approach. To date the City has completed Como (Round 1), South Perth (Round 2), Como East (Round 3) and Salter Point (Round 5). In 2016 six proposals were submitted for Western Power's consideration, these being Collier, Manning, Kensington West, Kensington East, Hurlingham and South Perth (remaining area from Round 2). Western Power approved Collier and Manning, with these projects included in the Annual Budget 2021/22.

Pursuant to Section 6.38(1) of the *Local Government Act 1995* and Regulation 54 of the Local Government (Financial Management) Regulations, a service charge is imposed for the provision of UGP within defined parts of the City of South Perth, described as Collier and Manning.

The projects involve the design, installation and commissioning of an underground electricity supply distribution system, these costs are recovered as a Network Charge. Included is the conversion of all existing overhead customer service connections to underground between the property boundary and meter box, cost recovery as a Connection Fee.

All charges (Network and Connection) will be recovered in 5 equal instalments over 5 financial years. The first instalment will be levied on the rates notice for the 2021/22 financial year. Total UGP Service Charges Revenue is \$13.60m (\$6.74m Collier, \$6.86m Manning). Cost are allocated in a tiered manner according to property Gross Rental Values as set out in Section 2, note 1 (g) Underground Power of the Annual Budget. Total costs for UGP of \$13.65m (\$6.76m Collier, \$6.89m Manning) is included in Materials and Contracts. The difference between Service Charges Revenue and costs included in Materials and Contracts relates to City properties in these areas.

During the 2019/20 Financial Year the Collier and Manning projects were progressed through their design phases. The result was an escalation in residents' share of project costs.

During the Annual Budget 2020/21 process, elected members requested City staff approach State Government agencies for possible stimulus funding due to the economic downturn caused by COVID-19. In late June 2020, Western Power, subject to State Government approval, offered assistance for the Manning and Collier projects, on the basis that the contractors were available to commence the project.

An additional \$2.2m State Government stimulus funding for the Manning and Collier projects was provided to facilitate commencement of the projects. The stimulus funding reduced the average cost per resident to the same values as was included in the original 2016 survey (\$5,850 for Manning and \$6,800 for Collier).

Western Power also offered to defer the cash calls on the projects until the City adopted the Annual Budget 2021/22. At the Ordinary Council Meeting of 22 September 2020 Council approved the acceptance for the stimulus funding and deferred cash calls and also the development of repayment options and loan composition as part of the Annual Budget 2021/22.

The two UGP projects, Hurlingham and South Perth, are in their final stages of analysis and should Council agree to proceed, would form part of the Annual Budget 2022/23.

Discussions will continue with Western Power on the final two projects, Kensington West and Kensington East, to achieve the ambition (whole of City) established by Council in 1996.

Whilst UGP is a State Government asset, the Council recognise the benefits to the community, being more than just securing supply during severe weather events. UGP has enabled an improved amenity through greater number and size of street trees, significantly reducing summer heat and positively contributing to the vision, a City of active places and beautiful places.

Employee Information

Salary and wages are included for all approved staff positions in the Annual Budget 2021/22. This includes the permanent establishment of 232 Full Time Equivalents (FTEs), the same as in 2020/21. Staffing in the budget reflects an appropriate mix of resources across the organisation to match our capacity with service expectations, as described in the Corporate Business Plan 2020-24.

The total payroll budget has increased to make allowances for the 1% pay increase as per the Enterprise Agreement (EA) and the legislated 0.5% increase in Superannuation Guarantee from 9.5% to 10%. In addition to staff employed under the terms of the EA, some staff are employed on fixed term contracts, in accordance with the *Local Government Act 1995*, as well as staff employed on fixed term contracts for the duration of a project (e.g. 1System project).

Loan Borrowings to fund UGP

Notwithstanding the stimulus funding to reduce the cost of UGP, the City recognises the significant cost per property for to cover the cost of UGP. In that regard, the City recommends these payments be recovered over five years, with an equal payment in each year. To finance this payment arrangement the City plans to borrow \$10.55m in the Annual Budget 2021/22. Information is provided at Note 6 of the Statutory Budget.

Reserve Funds

Included in the Annual Budget 2021/22 is an estimated net increase of the Reserves by \$10.52m, including interest earned, transfers in and funds applied. The transfer of \$11.65m to the Community Facilities Reserve is included in the net movement. It comprises of a \$7.0m Federal Government Grant for the Recreation and Aquatic Facility (RAF), \$4.23m from Municipal Funds, \$0.37m Mini Golf revenue and \$0.05m electricity cost savings from solar panel installations. The reserve provided the capital funding for the Mini Golf project and solar panels therefore the transfer of revenue and cost savings, to replace those funds.

Included in the 2020/21 Estimate is the transfer of \$8.84m to the Community Facilities Reserve funded with a \$5.5m Federal Government Grant for the RAF, \$3.22m from the sale proceeds of 49-51 Angelo Street and \$0.12m mini golf revenue.

The intended purposes of the various Reserves are disclosed in the Statutory Budget at Note 7, which includes the detail of the major transfers to and from those Reserves and the projected year end balances of each Reserve (and the aggregate movements to and from the Reserves).

Schedules of Capital Projects

The total Schedule of Capital Projects is \$12.21m, funded from municipal funds, reserves, loans and grants.

Fees and Charges Schedule

The attached Fees and Charges Schedule reflects an assessment of the costs of providing services to our community whilst recognising community service obligations. As appropriate, the fee schedule recognises fees determined on a variety of fee bases:

- Full cost recovery,
- Benchmarked / reference pricing,
- Statutory fees, and
- Partial recovery, based on community service obligations.

Collier Park Village (CPV) maintenance fees

The CPV resident's maintenance fee did not increase in 2019/20, this year it will increase marginally from \$440 to \$455 per month, a 3.41% increase. The increase is to recover cost increases and additional services requested by residents i.e. more frequent gutter cleaning and ant spraying. Consistent with previous year's alternative payment methods will be available.

In 2021/22, the four different pricing arrangements available to CPV residents are:

- \$440 per month to 30 September 2021, proposed increase to \$455 from 1 October 2021.
- \$340 per month and have the remaining \$100 deducted from Refundable Monies held in the CPV Residents Offset Reserve to 30 September 2021. Proposed increase to \$345 per month from 1 October 2021 and have the remaining \$110 deducted from Refundable Monies held in the CPV Residents Offset Reserve to 30 June 2022.
- \$330 per month and have the remaining \$110 deducted from Refundable Monies held in the CPV Residents Offset Reserve to 30 September 2021. Proposed increase to \$335 per month from 1 October 2021 and have the remaining \$120 deducted from Refundable Monies held in the CPV Residents Offset Reserve to 30 June 2022.
- \$285 per month and have the remaining \$155 deducted from Refundable Monies held in the CPV Residents Offset Reserve to 30 September 2021. Proposed increase to \$290 from 1 October 2021 and have the remaining \$165 deducted from Refundable Monies held in the CPV Residents Offset Reserve to 30 June 2022.

The Annual Amenities Charge is \$502 for the 2021/22 year, (\$497 in 2020/21), being half the Minimum Rates.

Statutory Budget

The Statutory Budget is prepared in accordance with all relevant professional accounting pronouncements. It contains all statutory statements and supporting schedules including:

- Comprehensive Income Statement by Nature or Type
- Comprehensive Income Statement by Reporting Program
- Statement of Cash flows
- Rate Setting Statement
- Notes to and forming part of the Budget

In summary, the draft Annual Budget 2021/22 is presented for adoption by Council, representing a balanced approach during these challenging times.

Monthly/Annual reporting of significant (material) variances

Regulation 34 of the Local Government (Financial Management) Regulations 1996, requires a financial activity statement to be prepared each month, with Regulation 34 (5) stating: “Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the Australian Accounting Standards (AAS), to be used in statements of financial activity for reporting material variances”.

Therefore it recommended that Council adopt a definition of ‘significant (material) variances’ of \$10,000 or 10% (whichever is the greater) for each capital project and business unit operating revenue and expenditure line item.

Consultation

No external consultation occurred in the development of the Budget, as extensive consultation is undertaken as part of each major review of the Strategic Community Plan (SCP). The SCP establishes the long term vision and community priorities, with Council responsible for adopting the Corporate Business Plan, and Annual Budget to that facilitate progress of the SCP. Each year progress is then reported through the Annual Report. Three Council Concept Briefings (Budget Workshops), as well as a specific UGP Workshop were undertaken from April through to June 2021.

Policy and Legislative Implications

The development of the Annual Budget has been conducted in accordance with the *Local Government Act 1995* and Regulations, the City’s Policy P601- Long Term Financial Plan & Annual Budget Preparation and Policy P604 - Use of Debt as a Funding Option.

Financial Implications

The financial implications of adopting the 2021/22 Budget are as disclosed in **Attachment (a)** of this report.

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:	4.3 Good governance
Strategy:	4.3.1 Foster effective governance through quality decision-making

Attachments

10.4.4 (a): Annual Budget 2021/22

10.5 MATTERS REFERRED FROM COMMITTEE MEETINGS

CEO Mike Bradford disclosed a Financial Interest in 10.5.1 and left the meeting accordingly at 6.35pm prior to consideration of this Item.

10.5.1 Chief Executive Officer Key Performance Indicator Report

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-21-46785
Meeting Date:	22 June 2021
Author(s):	Pele McDonald, Manager Human Resources
Reporting Officer(s):	Mike Bradford, Chief Executive Officer
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

Summary

This report seeks the CEO Evaluation Committee's consideration of the Chief Executive Officer's Key Performance Indicator Report, May 2021.

0621/105

Officer, Committee Recommendation AND COUNCIL DECISION

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

That the CEO Evaluation Committee recommends to Council that it receive the Chief Executive Officer's Key Performance Indicator Report, May 2021.

CARRIED (9/0)

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

Against: Nil.

Background

The Chief Executive Officer commenced with the City on 1 February 2021. In accordance with his contract of employment, the Council is required to undertake a probation review. The Key Performance Indicators also formed part of his contract of employment which will form the basis of the probation review.

Comment

The Chief Executive Officer has prepared a Key Performance Indicator Report, for the period 1 February 2021 to 30 June 2021 shown at **Confidential Attachment (a)**.

The CEO will speak to the Report and present observations that draw from his probation period.

Consultation

This report has been prepared in consultation with the City's Leadership Team.

Policy and Legislative Implications

Nil

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:	4.3 Good governance
Strategy:	4.3.1 Foster effective governance through quality decision-making

Attachments

10.5.1 (a): CEO Probation Assessment (*Confidential*)

10.5.2 Audit Register - Progress Report

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-21-46789
Meeting Date:	22 June 2021
Author(s):	Leah Horton, Business Improvement Coordinator
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 provides an update on the progress of actions included in the Audit Register. The Audit Register includes all open audit findings that have previously been accepted by the Audit, Risk and Governance Committee (ARGC).

0621/106

Officer, Committee Recommendation AND COUNCIL DECISION

Moved: Councillor Ken Manolas

Seconded: Councillor André Brender-A-Brandis

That the Audit, Risk and Governance Committee recommends to Council that it:

1. Notes the progress recorded against each item within the Audit Register in **Confidential Attachment (a)**; and
2. Approves the findings marked as Complete (100%) in the Audit Register, to be registered as closed and no longer reported to the Committee.

CARRIED BY EXCEPTION RESOLUTION (9/0)

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

Against: Nil.

Background

The confidential Audit Register lists internal and external audit findings, describes the progress of implementing improvements and percentage completion. This report is prepared for noting the progress and completion of findings since the last meeting.

Comment

It is important to note that the Audit Register **Confidential Attachment (a)** counts actions and totals by "Finding #".

Each finding may have more than one "Recommendation" and associated "Agreed Management Action", previously counted as **one** action. This can mean that some Recommendations within an Action will be completed (100%) and some will not. Only when all assigned Recommendations/Agreed Management Actions are marked as 100% complete and approved to be closed by the ARGC.

As requested, following the September 2020 ARGC meeting, the Audit Register has been formatted to ensure clarity with;

1. Each finding that has more than one agreed management action is represented with double lines around that entire finding,
2. Each finding that has been closed (100% for all agreed actions) is represented through a purple “Closed Tally” column on the right and numbered, and
3. All findings that are being recommended to close by the ARGC (100%) are filtered to the end of the register.

Following the December 2020 ARGC meeting, the Audit Register has been further formatted to ensure clarity with;

1. The insertion of a “Count” column on the far left to provide the cumulative number (sum) of all findings within the register. The final count number at the end of the register will therefore represent the total number of findings.

The ARGC is requested to recommend to Council to note the progress and officer comments. In addition, it is recommended all findings marked as complete (100%) in the Audit Register be registered as closed. All closed items will not form part of the Audit Register report for future meetings. The closed items are available for the Internal and External Auditors and Committee/Council to review.

It is requested to note the Audit Register in **Confidential Attachment (a)**.

A review of the Strategic Internal Audit Plan (SIAP) is underway with initial discussions held with the City’s Internal Auditor, Paxon. The intention with this review is to expand the scope to be a Strategic Audit Plan (SAP) so that we can adequately plan for and report against all audits, internal and external.

This review and the new SAP will be presented at the next Audit, Risk and Governance Committee Meeting to be held 14 September 2021.

Consultation

Nil.

Policy and Legislative Implications

The Internal Audit function is considered a business improvement process that will assist in compliance with Regulation 5 of the Local Government (Financial Management) Regulation 1996 (CEO’s duties as to financial management) and Regulation 7 of the Local Government (Audit) Regulations 1996 (CEO to review certain systems and procedures).

Financial Implications

The Internal Audit function (Paxon) has a budget of \$40,000 for the 2020/21 financial year, and it is anticipated that a budget of a similar amount is to be adopted each year. Officers' effort to undertake the improvements and report on progress has not been estimated.

The External Audit function (WA Auditor General) has a budget of \$65,000 for the audit of the 2019/20 Annual Financial Statements, undertaken and incurred during the 2020/21 financial year.

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:	4.3 Good governance
Strategy:	4.3.1 Foster effective governance through quality decision-making

Attachments

10.5.2 (a): Audit Register - June 2021 (*Confidential*)

10.5.3 Internal Audit Report - Building Licence Approvals

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-21-46792
Meeting Date:	22 June 2021
Author(s):	Leah Horton, Business Improvement Coordinator
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 tables the Internal Audit Report – Building Licence Approvals, in accordance with the City’s Strategic Internal Audit Plan. Building Licence Approvals are managed by the Development Services Business Unit within the Development and Community Services directorate. This is the first Internal Audit of Building Licence Approvals within the City, the report contains Paxon’s four detailed findings, with a number of notations relating to possible efficiencies and other observations.

The audit includes strengths, weaknesses, rating, issues, risk ratings, recommendations and management comments.

0621/107

Officer, Committee Recommendation AND COUNCIL DECISION

Moved: Councillor Ken Manolas

Seconded: Councillor André Brender-A-Brandis

That the Audit, Risk and Governance Committee recommends to Council that it:

1. Notes the Internal Audit Report – Building Licence Approvals contained in **Confidential Attachment (a)**; and
2. Accepts and adds the four recommendations contained in Section 5 of the Internal Audit Report – Building Licence Approvals report to the Audit Register.

CARRIED BY EXCEPTION RESOLUTION (9/0)

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

Against: Nil.

Background

For each Internal Audit completed, the reports are presented to the Audit, Risk and Governance Committee (ARGC) and then Council for acceptance of the recommendations if there are detailed findings. Paxon attend the relevant ARGC meeting to respond to questions relating to the report.

Management respond to Paxon's recommendations, in relation to their findings, and these are listed in the Audit Register.

Comment

The Internal Audit Report – Building Licence Approvals is a confidential report to be used for internal purposes to assist in improving business processes and systems. The report includes the strengths, weaknesses, rating, issues, risk ratings, recommendations and management comments.

Internal Audit is an essential component of the City's continuous improvement process and findings are welcome. This is the first Internal Audit of Building Licence Approvals within the City, the report contains Paxon's four detailed findings, with notations relating to possible efficiencies and other observations.

All items included in the Audit Register are reported at each subsequent ARGC meeting, including information relating to the progress of implementing the Agreed Management Actions, a percentage complete indicator and officer comments. As these issues are implemented, a recommendation will be included to close the item. Closed items will no longer be reported in the Audit Register to the ARGC, but will be accessible by the Internal and External Auditors to review compliance.

Consultation

Nil.

Policy and Legislative Implications

The Internal Audit function is considered a business improvement process that will assist in compliance with Regulation 5 of the Local Government (Financial Management) Regulations 1996 (CEO's duties as to financial management) and regulation 7 of the Local Government (Audit) Regulations 1996 (CEO to review certain systems and procedures).

Financial Implications

The Internal Audit function has a budget of \$40,000 for the 2020/21 financial year and it is anticipated that a budget of a similar amount is to be adopted each year.

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:	4.3 Good governance
Strategy:	4.3.1 Foster effective governance through quality decision-making

Attachments

10.5.3 (a): Internal Audit Report - Building Licence Approvals (Final)
(Confidential)

CEO Mike Bradford returned to the meeting at 6.36pm prior to consideration of Item 11.

11. APPLICATIONS FOR LEAVE OF ABSENCE

- Councillor Mary Choy for the period 3 July 2021 to 18 July 2021 inclusive.
- Councillor Glenn Cridland for the period 28 June 2021 to 28 July 2021 inclusive.

0621/108

MOTION TO APPROVE LEAVE OF ABSENCE APPLICATION AND COUNCIL DECISION

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Samantha Bradder

That Council approve the Leave of Absence applications received from Councillor Mary Choy for the period 3 July 2021 to 18 July 2021 inclusive and Councillor Glenn Cridland for the period 28 June 2021 to 28 July 2021 inclusive.

CARRIED (9/0)

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

Against: Nil.

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12.1 COUNCILLOR MARY CHOY - NOTICE OF MOTION - PLAY SPACE PLAN TO INCORPORATE COMMUNITY ENGAGEMENT

Location:	Not Applicable
Ward:	All
Applicant:	Not Applicable
File Ref:	D-21-46793
Meeting Date:	22 June 2021
Author(s):	Patrick Quigley, Manager Community, Culture and Recreation
Reporting Officer(s):	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Community: A diverse, connected, safe and engaged community
Council Strategy:	1.2 Community Infrastructure

Summary

Councillor Mary Choy submitted the following Notice of Motion prior to the Council Agenda Briefing held 15 June 2021.

0621/109

COUNCIL DECISION

Moved: Councillor Mary Choy
Seconded: Councillor Blake D'Souza

That the City incorporate into its Play Space Plan a clear community engagement aspect that ensures residents receive notification of and an opportunity to participate in certain aspects of decision making in relation to the provision of new playground infrastructure; or major alterations/upgrades of playground infrastructure in their locality.

CARRIED (8/1)

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

Against: Councillor Stephen Russell.

Background

Prior to the June Council Agenda Briefing, Councillor Mary Choy submitted a notice of motion recommending a community engagement aspect is included in the City's Play Space Plan.

The reasons provided are as follows:

1. *Recent experience with changes in playground infrastructure, such as with the Hurlingham Playground in South Perth brought before Council in April 2021, has demonstrated that there is strong desire by residents in our local community to have increased community engagement on changes to the playground infrastructure in their locality.*
2. *The Olives Reserve Playground upgrade in Como demonstrates what I understand to be a successful community engagement process that I believe should be consistent where appropriate across the City for major playground infrastructure alterations.*
3. *Having a community engagement section clearly defined in the Play Space Plan will ensure the expected level of community engagement will not just be considered but will be applied to future major playground changes across the City of South Perth.*

Comment

During the development of the Community Recreation Facilities Plan it was identified that there is currently no strategic process in place about playgrounds. A recommendation was subsequently included to develop a Play Space Plan to guide the planning, construction, maintenance and operation of the City's playgrounds into the future.

The City is supportive of this Notice of Motion as it is already intending to incorporate a community engagement aspect into the Play Space Plan.

It is expected that the Play Space Plan will be completed during 2021/22.

Consultation

Nil.

Policy and Legislative Implications

Play Space Plan (in development)
Policy P688 Asset Management
Policy P103 Stakeholder Engagement

Financial Implications

Nil.

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:	1.2 Community infrastructure
Strategy:	1.2.2 Manage the provision, use and development of the City's properties, assets and facilities

Attachments

Nil

13. QUESTIONS FROM MEMBERS

13.1 RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE

Nil.

13.2 QUESTIONS FROM MEMBERS

- Councillor Glenn Cridland
- Councillor Stephen Russell

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

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

Nil.

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.

The following reports were passed by exception resolution and there was no requirement for the meeting to be closed to the public.

15.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

15.1.1 Contract 13/2020 Provision of Waterbird Refuge - Contract Variation, Delegation and Approval

*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:	South Perth Foreshore
Ward:	Mill Point Ward
Applicant:	Not Applicable
File Ref:	D-21-45906
Meeting Date:	22 June 2021
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

0621/110

COUNCIL DECISION

Moved: Councillor Ken Manolas
Seconded: Councillor André Brender-A-Brandis

That Council:

1. Authorises additional expenditure of \$388,356.34 for Contract 13/2020 Provision of Water bird Refuge in response to variations submitted by the contractor for latent conditions experienced.
2. Notes that sufficient funds remain in the 2020/21 budget to cover the additional expenditure.
3. Receives a report early in the 2021/22 financial year confirming the final contract budget and identifying the source(s) of additional funds required over and above the project carry forward.
4. Notes that the CEO will undertake a review of Delegation DC608 - Acceptance of Contract Variations Relating to Tenders Approved by Council.

CARRIED BY EXCEPTION RESOLUTION (9/0)

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

Against: Nil.

15.1.2 Information Systems Audit (External) Report

*This item is considered **confidential** in accordance with the Local Government Act 1995 section 5.23(2) (f)(ii) as it contains information relating to "a matter that if disclosed, could be reasonably expected to endanger the security of the local governments property"*

Location: Not Applicable
Ward: Not Applicable
Applicant: Not Applicable
File Ref: D-21-46794
Meeting Date: 22 June 2021
Author(s): Jeff Jones, Manager Information Systems
Reporting Officer(s): Colin Cameron, Director Corporate Services
Strategic Direction: Leadership: A visionary and influential local government
Council Strategy: 4.3 Good Governance

0621/111

Officer, Committee Recommendation AND COUNCIL DECISION

Moved: Councillor Ken Manolas
Seconded: Councillor André Brender-A-Brandis

That the Audit, Risk and Governance Committee recommend to Council that it:

1. Notes the letter from the WA Auditor General contained in **Confidential Attachment (a)**; and
2. Accept the findings contained in the Information Systems Audit for the year ended 30 June 2020 **Confidential Attachment (b)** and include in the Audit Register.

CARRIED BY EXCEPTION RESOLUTION (9/0)

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

Against: Nil.

16. CLOSURE

The Presiding Member thanked everyone for their attendance and closed the meeting at 6.50pm.

APPENDIX

QUESTIONS FROM MEMBERS OCM 22 JUNE 2021

Councillor Glenn Cridland	Responses provided by: Mark Taylor – Director Infrastructure Services
1. Some parts of the City has 60km per hour on its road, other areas have 50 and some areas have 40km per hour. I was just wondering if there was particular reason why Douglas Avenue, on the side west of Canning Highway is 50km per hour I am told, and the part east is 60km per hour?	It depends on the structure of the road. That is why there are differing speeds on the two sections. Local roads are 50km per hour and larger traffic roads are 60km per hour in the City. What the City is looking at in the future will be, and I think the Integrated Transport Plan provides a cue for that, is that some roads will become 40km per hour and we will be looking specifically at the South Perth activity centre plan area. They may even be slower in some areas. That is generally where we are heading but specifically in terms of that part of Douglas avenue it is just that different sections of road are considered differently.

Councillor Stephen Russell	Responses provided by: Fiona Mullen – Manager Development Services
1. May the City please give me an update with respect to an overarching policy with respect to the Canning Bridge design review panel which requires an interface with the City of Melville?	I have held a meeting with my counterpart at the City of Melville. The City is in the process of preparing a policy.

DISCLAIMER

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

These Minutes were confirmed at the Ordinary Council Meeting held: Tuesday 27 July 2021

Signed _____ / /2021
Presiding Member at the meeting at which the Minutes were confirmed