

MINUTES

Ordinary Council Meeting

22 February 2022

Mayor and Councillors

Here within are the Minutes of the Ordinary Council Meeting of the City of South Perth Council held Tuesday 22 February 2022 in the City of South Perth Council Chamber, corner Sandgate Street and South Terrace, South Perth.



MIKE BRADFORD
CHIEF EXECUTIVE OFFICER

25 February 2022

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 February 2022.

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member welcomed everyone to the meeting and acknowledged and paid respect to the traditional custodians of the land, the Whadjuk people of the Noongar nation and their Elders past and present.

As this was the first full meeting of Council for 2022 the Presiding Member advised it was important to set the scene for the year ahead and welcomed Mr Matthew McGuire to perform a Welcome to Country Ceremony.

Following the Welcome to Country Ceremony the Presiding Member declared the meeting open at 6.07pm.

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 Jennifer Nevard
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 Governance
Manager Finance
Governance Coordinator
Governance Officer

Mr Mike Bradford
Mr Garry Adams
Ms Vicki Lummer
Mr Mark Taylor
Ms Bernadine Tucker
Mr Abrie Lacock
Ms Toni Fry
Mr Morgan Hindle

Gallery

There were approximately 22 members of the public present.

4.1 APOLOGIES

Nil.

4.2 APPROVED LEAVE OF ABSENCE

- Councillor Glenn Cridland for the period 1 February 2022 to 28 February 2022 inclusive.

5. DECLARATIONS OF INTEREST

- Councillor André Brender-A-Brandis – Financial Interest in Item 10.3.2 as ‘I am a property owner within the boundaries of this underground project’.
- Councillor Mary Choy – Financial, Proximity and Impartiality Interest in Item 10.3.2 as ‘my husband and I live and own property within the Hurlingham project area. I also have extended family members and close friends who live and own properties in both South Perth and Hurlingham project areas.’

6. PUBLIC QUESTION TIME

6.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

6.2 PUBLIC QUESTION TIME: 22 FEBRUARY 2022

The Presiding Member opened Public Question Time at 6.10pm

Written questions were received prior to the meeting from:

- Mr Michael Morrissey of Como.
- Mr Troy Marley of Como.
- Ms Mel Berryman of Como. (Read out by Ms Kris)
- Dr Louise Johnston of Como.
- Ms Sue Doherty of Como.
- Ms Cecilia Brooke of South Perth.

At 6.26pm the Presiding Member called for a Motion to extend Public Question Time to hear those questions not yet heard.

COUNCIL DECISION

0222/001

Moved: Mayor Greg Milner

Seconded: Councillor Carl Celedin

That in accordance with Clause 6.7 of the City of South Perth Standing Orders Local Law 2007, Public Question Time be extended to hear those questions not yet heard.

CARRIED (9/0)

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

Against: Nil.

- Mr Trevor Wilkinson of Como.

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

There being no further questions, the Presiding Member closed Public Question Time at 6.39pm.

7. CONFIRMATION OF MINUTES AND TABLING OF NOTES OF BRIEFINGS

7.1 MINUTES

7.1.1 Ordinary Council Meeting Held: 14 December 2021

Officer Recommendation AND COUNCIL DECISION

0222/002

Moved: Councillor Ken Manolas

Seconded: Councillor André Brender-A-Brandis

That the Minutes of the Ordinary Council Meeting held 14 December 2021 be taken as read and confirmed as a true and correct record with the following amendment:

- That page 30 of 139 in the Minutes be amended as follows –
 2. Accepts the eQuote price of \$1,082,491 excluding GST.

CARRIED (9/0)

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

Against: Nil.

7.2 CONCEPT BRIEFINGS

7.2.1 Council Agenda Briefing - 15 February 2022

Officers of the City presented background information and answered questions on Items to be considered at the February Ordinary Council Meeting at the Council Agenda Briefing held 15 February 2022.

Officer Recommendation AND COUNCIL DECISION

0222/003

Moved: Councillor Blake D'Souza

Seconded: Councillor Ken Manolas

That Council notes the following Council Briefing was held:

- 7.2.1 Council Agenda Briefing - 15 February 2022

CARRIED (9/0).

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

Against: Nil

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
8 February 2022	RAF Briefing	Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Blake D'Souza, Ken Manolas, Jennifer Nevard and Stephen Russell.
9 February 2022	Preston Street Update, South Perth ACP and Amendment 61	Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Blake D'Souza, Ken Manolas, Jennifer Nevard and Stephen Russell.

Attachments

Nil

Officer Recommendation

Moved: Mayor Greg Milner

Seconded: Councillor Blake D'Souza

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

- 7.2.2 Concept Briefings and Workshops

COUNCIL DECISION

0222/004

Moved: Councillor Stephen Russell

Seconded: Councillor André Brender-A-Brandis

That the preamble statement for Item 7.2.2 be revised to:

1. Officers of the City/Consultants and invited third party guests provided Council with an overview of the following matters at Concept Briefings and Workshops:
 - a. That Preston Street Update be amended to 'Preston Street Update inclusive of a third party presentation by Australian Property Collective for the redevelopment of the Cygnet Theatre site'.

Date	Subject	Attendees
8 February 2022	RAF Briefing	Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Blake D'Souza, Ken Manolas, Jennifer Nevard and Stephen Russell.
9 February 2022	Preston Street Update inclusive of a third party presentation by Australian Property Collective for the redevelopment of the Cygnet Theatre site, South Perth ACP and Amendment 61	Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Blake D'Souza, Ken Manolas, Jennifer Nevard and Stephen Russell.

Reasons for Change

I have an issue with this Item in that the Item's preamble states purely 'officers of the City/Consultants provided Council with an overview of the following matters at Concept Briefings and Workshops'. If the public were to view this then they would come to a reasonable conclusion that only city officers or city engaged consultants were the presenters. However a representative of Australian Property Collective gave a presentation with respect to the future development of the Cygnet Theatre Site under Preston Street update on the 9th of February.

Hence as I do not believe the Australian Property Collective presenter fits the term consultant as noted in the preamble, this amendment seeks to remove this ambiguity and by doing so the amendment also makes clear what third party presentations were given to the Council.

The amendment was put and declared CARRIED (9/0)

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

Against: Nil.

CARRIED (9/0)

8. PRESENTATIONS

8.1 PETITIONS

Nil.

8.2 PRESENTATIONS

- **Message Stick presented to the City of South Perth by Mr Joe Collard at the Australia Day Ceremony.**

Mayor Greg Milner thanked Mr Joe Collard on behalf of the City of South Perth for the Message Stick.

8.3 DEPUTATIONS

Deputations were heard at the Agenda Briefing held 15 February 2022.

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 were discussed at the Council Agenda Briefing held 15 February 2022.

ITEMS WITHDRAWN FOR DISCUSSION

- 10.3.1 Proposed Significant Tree - 32 Jubilee Street, South Perth
- 10.3.2 Retrospective Underground Project South Perth and Hurlingham
- 10.4.4 Monthly Financial Statements – January 2022
- 10.4.5 Council Caretaker Policy
- 10.4.7 Budget Review for the Period ended 31 December 2021

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

Officer Recommendation AND COUNCIL DECISION

0222/005

Moved: Councillor Carl Celedin

Seconded: Councillor André Brender-A-Brandis

10.4.1 Listing of Payments - December 2021

10.4.2 Monthly Financial Statements - December 2021

10.4.3 Listing of Payments – January 2022

10.4.6 Live Streaming of Council Meetings

CARRIED (9/0)

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

Against: Nil.

10. REPORTS

10.3 STRATEGIC DIRECTION 3: ENVIRONMENT (BUILT AND NATURAL)

10.3.1 Proposed Significant Tree - 32 Jubilee Street, South Perth

File Ref: D-22-7981
Author(s): Steve Atwell, Manager Programs Delivery
Reporting Officer(s): Mark Taylor, Director Infrastructure Services

Summary

This report seeks Council endorsement of a recently issued Tree Preservation Order in favour of a Port Jackson Fig (*Ficus rubiginosa*) tree located on private property at Lot 50, 32 Jubilee Street, South Perth, and its inclusion on the City's Significant Tree Register.

The Tree Preservation Order was issued after the City became aware that the Body Corporate of the strata property was considering removal of the tree.

The Strata Company for this property has advised the City that the owners propose to pursue its redevelopment in the future, and this will impact on the tree.

Endorsing the Tree Preservation Order will ensure the tree remains at least until a considered assessment can be made of its future retention in respect to any proposed redevelopment of the site.

Officer Recommendation

Moved: Councillor Carl Celedin
Seconded: Councillor Jennifer Nevard

That Council:

1. Endorses the establishment of a Tree Preservation Order for the Port Jackson Fig (*Ficus rubiginosa*) tree (Tree I.D. 37294) located on private property at (Lot 50) 32 Jubilee Street, South Perth as per **Attachment (a)**;
2. Approves the addition of the Port Jackson Fig on the City's Register of Significant Trees; and
3. Notes that the City will advise the Strata Company of 32 Jubilee Street, South Perth, that it does not support their request to amend the tree preservation order in favour of the Port Jackson Fig tree at this time.

COUNCIL DECISION**0222/006****Moved:** Councillor Stephen Russell**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, Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Jennifer Nevard and Stephen Russell.

Against: Nil.

Officer Recommendation AND COUNCIL DECISION**0222/007****Moved:** Councillor Carl Celedin**Seconded:** Councillor Jennifer Nevard

That Council:

1. Endorses the establishment of a Tree Preservation Order for the Port Jackson Fig (*Ficus rubiginosa*) tree (Tree I.D. 37294) located on private property at (Lot 50) 32 Jubilee Street, South Perth as per **Attachment (a)**;
2. Approves the addition of the Port Jackson Fig on the City's Register of Significant Trees; and
3. Notes that the City will advise the Strata Company of 32 Jubilee Street, South Perth, that it does not support their request to amend the tree preservation order in favour of the Port Jackson Fig tree at this time.

CARRIED (9/0)

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

Against: Nil.

Background

The City of South Perth established provisions to prevent the damage, cutting, pruning or interference to trees via the establishment of Tree Preservation Orders under amendment No. 17 of the previous Town Planning Scheme No.5 in 1995. Tree Preservation Orders, when established, are recorded in the City's Significant Tree Register.

In November 2002, Council recognised the potential loss of tree canopy cover, due to increasing infill development within the City and adopted Policy P205 'Tree Preservation'. P205 reinforces the City's commitment to preserving trees by seeking to protect them via establishing Tree Preservation Orders and listing them on the Significant Tree Register.

The provisions of the current Town Planning Scheme 6 (part 6.13 Tree Preservation) facilitate the preservation of a tree based on an assessment of its aesthetic quality, historical association, rarity, or other characteristics, which make the tree worthy of preservation. The City has developed an assessment model, adapted from the process utilised by the Tree Society and National Trust, to determine if a Tree Preservation Order and subsequent inclusion on the Significant Tree Register is warranted.

Where a tree is identified as being suitable for preservation and subsequent inclusion on the Significant Tree Register, the procedural requirements established within the Town Planning Scheme facilitates the City's establishment of a Tree Preservation Order and its subsequent registration. If the tree in question is located on private land it is necessary to either:

- Seek agreement or comment from the landowner prior to recommending Council endorse the establishment of the Tree Preservation Order; or
- Seek Council endorsement of the establishment of the Tree Preservation Order and listing on the Register with acknowledgement that the landowner is to be advised after registration and invited to make submissions on whether the order should be retained, amended or repealed.

Town Planning Scheme 6 also provides that where a tree growing on private land is assessed as being significant and is considered to be at risk of imminent damage or removal, the City can issue an "emergency" tree preservation order in favour of the tree. In such a scenario the City routinely seeks Council's endorsement of the establishment of the preservation order. The City, when advising the landowner of the establishment of the tree preservation order, must also provide the landowner an opportunity to support its establishment, or alternatively to seek its amendment or its repeal.

Further to the objectives of both the Town Planning Scheme part 6.13 'Tree Preservation' and Policy P205, Council adopted the City of South Perth Urban Forest Strategy (UFS) in July 2018. The UFS provides for planting of additional, retention of existing and continuing maintenance of suitable trees. The UFS proposes a number of targets designed to assist in meeting the objectives within the strategy, including an intention to increase the number of trees protected within the Significant Tree Register by 25%. Council Policy P206 'Urban Forest' supports the objectives of the UFS.

To date, the Council has endorsed the establishment of 189 Tree Preservation Orders for significant trees which are included on the Significant Tree Register. Preservation details and tree locations are recorded within a hard copy register which is available for inspection at the Civic Administration Centre and are identified within the City's GIS Mapping System.

Comment

In late 2021 the City received a number of written and verbal enquiries from members of the community in relation to the status of a large and old Port Jackson Fig tree (*Ficus rubiginosa*) located within the strata unit development at Lot 50, 32 Jubilee Street, South Perth. Community members advised that they were aware that the Strata Company was considering the removal of the tree to address ongoing maintenance concerns and to facilitate the future redevelopment of the site. The community members expressed their concern and dissatisfaction with any intention to remove the tree.

The Port Jackson Fig tree had not previously been considered for assessment and therefore was not listed on the Significant Tree Register. Following confirmation that the Strata Company was considering the removal of the tree, the City reviewed the original 1976 development approval for the property and identified that the tree was referenced on the approved development plan with "plan notes" referring to limiting pruning of the tree

to a minimum dimension (16m diameter) and only under supervision. It was also evident that the approved building development was designed in a manner which facilitated retention of the existing tree.

City officers subsequently viewed and assessed the Port Jackson Fig tree and determined that it is significant. The assessment process involves scoring the tree on a number of “primary” and “secondary” criteria. The total scores under the primary and secondary categories determine whether the tree is significant.

The tree is approximately 15m high and some 26m in diameter and has heritage significance as it is estimated to be in excess of 100 years old. The tree is structurally sound, provides valuable fauna habitat and contributes to tree canopy cover within the district. **Attachment (b)** is an aerial photograph circa 1930 which shows the tree, already established within the market gardens at this location.

In addition, the tree contributes significantly to the visual amenity of the current development being a central focus within the complex. The tree compliments the scale of the current development and may add significantly to landscape values for any future development proposal.

Subsequent to the assessment the City wrote to the Strata Manager for 32 Jubilee Street in early January 2022 requesting that it advise the Strata Company that the tree is referenced on the original approved development plans for the complex and that any works proposed to be conducted in relation to the tree would require prior approval from the City.

To further ensure the protection of the tree, the City initiated the urgent establishment of a Tree Preservation Order for the Port Jackson Fig tree as prescribed within Town Planning Scheme 6 in **Attachment (a)**.

Consultation

The City wrote to the Strata Manager on 12 January 2022 (letter dated 11 January) advising of the establishment of the Tree Preservation Order and inviting the Strata Company to respond in writing to this advice indicating the property owners’ support for the order to be retained or alternatively seeking it be amended or repealed.

In reply to this correspondence, the Strata Manager wrote to the City on 24 January 2022, on behalf of the 32 Jubilee Street Strata Council of Owners shown at **Attachment (c)**. The letter primarily states:

As owners of the land, we are seeking amendment of the tree preservation order to acknowledge that the Body Corporate propose to submit a Development Application in the foreseeable future.

We request that the Council acknowledge that the tree preservation order and status of the tree be reconsidered at that time.

The complex was established in the Mid 1970’s. It should be noted that the tree does create significant limitations on the site and any redevelopment would be difficult and cost prohibitive with the tree in the current location.

We would also like to inform you that the annual costs of the tree are somewhere in the order of \$3000 - \$4000 for maintenance involved with tree related issues.

Due to the above reasons, a recent survey of owners resulted in a majority in favour of removal of the tree.

We look forward to your favourable consideration of this matter....

10.3.1 Proposed Significant Tree - 32 Jubilee Street, South Perth

In addition to the correspondence from the Strata Manager on behalf of the Council of Owners, the City also received an email message from one of the property owners, seeking to make the City and the Council aware that in October 2021, a survey of owners was conducted which indicated a majority of owners were in support of removing the tree. The author of the email is also requesting the Council repeal the tree preservation order.

The City has also received one formal submission from a community member seeking the City's intervention to prevent the removal of the tree. A number of informal email and telephone enquiries have also expressed concern in relation to possible removal of the tree.

No broader consultation has been pursued in relation to this matter at this time.

Conclusion

The City considers the added protection provided via the establishment of a Tree Preservation Order for the Port Jackson Fig tree at Lot 50, 32 Jubilee Street is an important measure to ensure the significance of this tree is acknowledged and protected.

The City notes the Strata Company's advice that it proposes to pursue the redevelopment of Lot 50, 32 Jubilee Street in the future, which is likely to impact on the tree. The Tree Preservation Order will ensure the tree remains until a considered assessment can be made of its future retention in respect to any proposed redevelopment of the site.

Policy and Legislative Implications

City of South Perth Town Planning Scheme No.6 Text Section 6:13 - Tree Preservation

Policy P205 - Tree Preservation

Policy P206 - Urban Forest

City of South Perth – Urban Forest Strategy 2018

Financial Implications

Nomination of the tree to the register of significant trees will impose negligible additional administrative costs and will not affect maintenance costs.

Key Risks and Considerations

Risk Event Outcome	Environmental Damage Includes any detrimental impact upon the natural environment within the City. This includes pollutant spillages and leakages, failure to maintain or enhance the natural environment within the City or its connections with its natural or municipal neighbours
Risk rating	Low
Mitigation and actions	No Action Required – Action Consistent with Town Planning Scheme 6 Provisions

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2021-2031](#):

Strategic Direction:	Environment (Built and Natural)
Aspiration:	Sustainable urban neighbourhoods that respect and value the natural and built environment
Outcome:	3.4 Resource management and climate change
Strategy:	3.4.2 Manage the risks associated with climate change and finite resource availability. Actively manage and promote sustainable water, waste, land and energy practices

Attachments

10.3.1 (a):	32 Jubilee Street - Tree Preservation Order Form and Photos
10.3.1 (b):	32 Jubilee Street - 1930 Aerial Photo
10.3.1 (c):	32 Jubilee Street – Westpoint Apartments – Request for Amendment of Tree Preservation Order

Councillor André Brender-A-Brandis disclosed a Financial Interest in relation to Item 10.3.2 and accordingly left the Chamber at 7.07pm.

Councillor Mary Choy disclosed a Financial, Proximity and Impartiality Interest in relation to Item 10.3.2 and accordingly left the Chamber at 7.07pm.

10.3.2 Retrospective Underground Project South Perth and Hurlingham

File Ref: D-22-7982
Author(s): Rodney Markotis, Engineering Technical Officer
Reporting Officer(s): Mark Taylor, Director Infrastructure Services

Summary

This report discusses the progression of underground power in the South Perth and Hurlingham project areas as part of the Western Power Retrospective Undergrounding Program.

Western Power is offering to amalgamate the South Perth and Hurlingham projects into one project area. This will result in reduced costs to residents for both areas.

The City recommends that Council accept the offer from Western Power and proceed with the combined project by authorising the Chief Executive Officer to sign the funding agreement.

Officer Recommendation AND COUNCIL DECISION

0222/008

Moved: Councillor Carl Celedin
Seconded: Councillor Stephen Russell

That Council:

1. Authorises the Chief Executive Officer to sign the Western Power Retrospective Undergrounding Projects Co-Funding Agreement for the delivery of underground power to a combined South Perth and Hurlingham project area; and
2. Notes that options relating to the residential underground power charge, repayment options, and loan composition will be considered by Council as part of the development of the 2022/23 Annual Budget.

CARRIED (7/0)

For: Mayor Greg Milner, Councillors Carl Celedin, Glenn Cridland, Blake D'Souza, Ken Manolas, Jennifer Nevard and Stephen Russell.

Against: Nil.

Background

The State Underground Power Program (SUPP) is a State Government initiative through the Office of Energy with involvement by Western Power and participating local governments. Funding for projects is jointly between program partners.

The objectives of the SUPP are to:

10.3.2 Retrospective Underground Project South Perth and Hurlingham

- improve reliability and security of electricity supply for consumers;
- enhance streetscapes and visual amenity;
- reduce street tree maintenance costs for local governments;
- improve street lighting and community safety; and
- reduce maintenance costs for Western Power.

The SUPP was established in 1996 to improve the reliability of electricity supply after a severe storm in 1994 caused significant disruptions in Perth and southern parts of Western Australia. Western Power later reported that 80% of the power failures could be attributed to trees and branches falling on power lines. The SUPP has operated successfully since its inception, and about 55% of houses in the Perth metropolitan area now have underground power.

At the commencement of the SUPP, Council resolved to progress a 'whole of city' approach to underground power. The Guidelines for Funding require a participating local government to subdivide its area into manageable underground power areas, comprising between 1,000 to 1,200 properties. In 1996, the City was subdivided into seven underground power areas. In 2009, to satisfy the amended guidelines for Round Five, the remaining four regions were again subdivided to form seven underground power areas of between 500 and 800 properties.

The City has successfully participated in four projects in the five rounds of the SUPP completed to date. The projects were:

- Round One – Como
- Round Two – South Perth
- Round Three – Como East
- Round Four – No project
- Round Five – Salter Point

In 2016 the City submitted five projects for the sixth round of the SUPP.

1. Manning underground power area
Bounded by Challenger Avenue, Manning Road, Freeway, and Hope Avenue.
2. Collier underground power area
Bounded by Canning Highway, Ryrie Avenue, Blamey Place, and South Terrace.
3. Kensington West underground power area
Bounded by Banksia Terrace, George Street, Anketell Street, Rathay Street, Gwenyfred Road, and Canning Highway.
4. Kensington East underground power area
Bounded by South Terrace, George Street, Banksia Terrace, and Canning Highway.
5. South Perth underground power area
Bounded by Douglas Avenue, Canning Highway, Hovia Terrace, and Mill Point Road.

By applying Western Power's net benefit to a combined South Perth and Hurlingham project area, the project can be delivered at a discounted price. Had the South Perth SUPP proceeded in 2016, the residents of this project area would have contributed 80% towards the costs to underground powerlines. However, under the combined project, resident contribution will now be 64% of the total cost of the project.

The average cost per resident of the South Perth and Hurlingham RUP will therefore be \$4,820, which compares very favourably against the 2016 South Perth SUPP survey estimate of \$6,650 average cost per property owner.

The payment schedules (cash calls) that ensure contractors are paid as their work is completed are outlined in the Retrospective Undergrounding Projects Co-Funding Agreement shown at **Confidential Attachment (a)**. Western Power has approved the first cash call to be 28 July 2022. This will allow the Council to adopt the 2022/23 Annual Budget, facilitating the inclusion of underground power charges in the Rates notice to be issued in late July 2022.

The timing of the cash calls is consistent with those agreed for the Collier and Manning SUPP projects. The residential charge model, repayment options, and the funding and timing of loans will also be in line with the Collier and Manning SUPP projects as presented to Councillors at a Concept Briefing held on 7 September 2021.

If the project is endorsed and the funding agreement signed, it is expected that construction will commence in September 2022 and take approximately 15 months to complete.

Consultation

Elected members have been engaged via ongoing bulletin items and briefing sessions concerning the project most recently in September 2021.

Information relating to a combined South Perth and Hurlingham RUP has been updated on the City's website to advise residents that Council will be considering this project for construction.

Residents of the South Perth project area were surveyed about a potential SUPP in 2016. The results of the survey showed that a majority of residents were in favour of the project.

The Hurlingham RUP project area was not part of the SUPP process, therefore a resident survey was not undertaken. It is proposed to organise a session primarily for Hurlingham residents to communicate information about the project and its benefits. Western Power has indicated it will support the City with this engagement.

Policy and Legislative Implications

The proposal to charge the directly benefiting residents of the project is outlined within the *Local Government Act 1995*.

Financial Implications

If the funding agreement is endorsed, the total cost to residents within the project area is anticipated to be \$7,490,076, plus \$100,000 in administration and project management costs. The average price per resident is expected to be \$4,820.

The 2022/23 Annual Budget will include the underground power charging model, resident repayment options, and City loan options to finance the project over the period, all to be determined by Council.

Key Risks and Considerations

Risk Event Outcome	Reputational Damage Deals with adverse impact upon the professional reputation and integrity of the City and its representatives whether those persons be appointed or elected to represent the City. The outcome can range from a letter of complaint through to a sustained and co-ordinated representation against the City and or sustained adverse comment in the media.
Risk rating	Medium
Mitigation and actions	Approval of the project in a timely manner

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2021-2031](#):

Strategic Direction:	Environment (Built and Natural)
Aspiration:	Sustainable urban neighbourhoods that respect and value the natural and built environment
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

10.3.2 (a):	Retrospective Undergrounding Projects (RUP) Co-Funding Agreement – South Perth & Hurlingham (<i>Confidential</i>)
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10.4 STRATEGIC DIRECTION 4: LEADERSHIP

10.4.1 Listing of Payments December 2021

File Ref: D-22-7983
Author(s): Abrie Lacock, Manager Finance
Reporting Officer(s): Garry Adams, Director Corporate Services

Summary

This report presents to Council a list of accounts paid under delegated authority between 1 December 2021 and 31 December 2021 for information. During the reporting period, the City made the following payments:

EFT Payments to Creditors	(486)	\$8,301,071.92
Cheque Payment to Creditors	(5)	\$9,283.28
Total Monthly Payments to Creditors	(491)	\$8,310,355.20
EFT Payments to Non-Creditors	(88)	\$460,492.65
Cheque Payments to Non-Creditors	(25)	\$19,590.41
Total EFT & Cheque Payments	(604)	\$8,790,438.26
Credit Card Payments	(7)	\$18,675.80
Total Payments	(611)	\$8,809,114.06

Officer Recommendation AND COUNCIL DECISION

0222/009

Moved: Councillor Carl Celedin
Seconded: Councillor André Brender-A-Brandis

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

CARRIED BY EXCEPTION RESOLUTION (9/0)

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

Against: Nil.

Background

Council has delegated to the Chief Executive Officer (CEO) the exercise of its power to make payments from its Municipal and Trust Funds. In accordance with regulation 13(1) of the Local Government (Financial Management) Regulations 1996 a list of accounts paid by the CEO is to be prepared each month and presented to the Council at the next Ordinary Meeting of the Council after the list is prepared.

Comment

The payment listing for December 2021 is included at **Attachment (a)**.

The attached report includes a “Description” for each payment. City 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

Regulations 12 and 13(1) of the Local Government (Financial Management) Regulations 1996. Policy P602 Authority to Make Payments from the Municipal and Trust Funds.

Financial Implications

The payment of authorised amounts is within existing budget provisions.

Key Risks and Considerations

Risk Event Outcome	Legislative Breach Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation
Risk rating	Low
Mitigation and actions	Monthly Financial reporting time lines exceeding statutory requirements

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2021-2031](#):

Strategic Direction:	Leadership
Aspiration:	A visionary and influential local government
Outcome:	4.3 Good governance
Strategy:	4.3.1 Foster effective governance with honesty and integrity and quality decision making to deliver community priorities

Attachments

10.4.1 (a): Listing of Payments December 2021

10.4.2 Monthly Financial Statements- December 2021

File Ref: D-22-7993
Author(s): Abrie Lacock, Manager Finance
Reporting Officer(s): Garry Adams, Director Corporate Services

Summary

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

Officer Recommendation AND COUNCIL DECISION

0222/010

Moved: Councillor Carl Celedin
Seconded: Councillor André Brender-A-Brandis

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

CARRIED BY EXCEPTION RESOLUTION (9/0)

For: Mayor Greg Milner, Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Jennifer Nevard and 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 2021/22 budget adopted by Council on 22 June 2021, 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 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.

COVID-19 declared a pandemic on 11 March 2020 by the World Health Organisation, continues to cause havoc on the global health scene with a significant impact on world economic activities. Despite rising vaccination rates the COVID-19 variant Omicron continues to hit business in the eastern states hard.

The Council of Small Business of Australia said conditions were the worst they had been since the pandemic began, with businesses in eastern states reporting a dramatic fall in turnover, this may be as sign of what is to come for Western Australia.

In framing the Annual Budget 2021/22, the City considered the current economic environment and the impact of COVID-19, it may well be that the impact of ending Western Australia's isolation and Omicron has unforeseen budgetary outcomes. As Western Australia remains at risk the State Government continues to extend the emergency period initially enacted 30 March 2020. For now Western Australia continues its hard borders stance, committing to review the boarder restrictions during February 2022.

Actual income from operating activities for December year-to-date (YTD) is \$66.83m in comparison to budget of \$66.18m, favourable to budget by 0.99% or \$652k. Actual expenditure from operating activities for December is \$38.34m in comparison to budget of \$39.63m, favourable to budget by 3.24% or \$1.29m. Slower activity in the first half of the financial year are common, as the year progress this variance will reduce. The December Net Operating Position of \$28.49m was \$1.94m favourable in comparison to budget.

Actual Capital Revenue YTD is \$436k in comparison to the budget of \$1.08m. Actual Capital Expenditure YTD is \$3.34m in comparison to the budget of \$4.10m. Timing variations are mainly responsible for the variances included in the above. This is because 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 is a number of Capital projects that require a budget adjustment during the midyear review process.

Cash and Cash Equivalents amounted \$68.21m. Traditionally the December cash balance is higher following the rates being issued and payments received in the first half of the financial year. Consistent with previous monthly reports, the Cash and Cash Equivalents balance is contained within the Statement of Financial Position. In addition, further detail is included in a non-statutory report (All Council Funds).

The record low interest rates in Australia are impacting the City's investment returns, with banks offering average interest rates of 0.43% 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. At the end of December 2021 the City held 23.78% 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.

Key Risks and Considerations

Risk Event Outcome	Legislative Breach Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation
Risk rating	Low
Mitigation and actions	Monthly Financial reporting time lines exceeding statutory requirements

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2021-2031](#):

Strategic Direction:	Leadership
Aspiration:	A visionary and influential local government that is receptive and proactive in meeting the needs of our community
Outcome:	4.3 Good governance
Strategy:	4.3.1 Foster effective governance with honesty and integrity and quality decision making to deliver community priorities

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 and 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 Listing of Payments January 2022

File Ref: D-22-7995
Author(s): Abrie Lacock, Manager Finance
Reporting Officer(s): Garry Adams, Director Corporate Services

Summary

This report presents to Council a list of accounts paid under delegated authority between 1 January 2022 to 31 January 2022 for information. During the reporting period, the City made the following payments:

EFT Payments to Creditors	(323)	\$3,948,720.70
Cheque Payment to Creditors	(6)	\$1,848.22
Total Monthly Payments to Creditors	(329)	\$3,950,568.92
EFT Payments to Non-Creditors	(77)	\$385,785.55
Cheque Payments to Non-Creditors	(42)	\$35,483.40
Total EFT & Cheque Payments	(448)	\$4,371,837.87
Credit Card Payments	(7)	\$18,675.80
Total Payments	(455)	\$4,390,513.67

Officer Recommendation AND COUNCIL DECISION

0222/011

Moved: Councillor Carl Celedin
Seconded: Councillor André Brender-A-Brandis

That Council receives the Listing of Payments for the month of January 2022 as detailed in **Attachment (a)**.

CARRIED BY EXCEPTION RESOLUTION (9/0)

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

Against: Nil.

Background

Council has delegated to the Chief Executive Officer (CEO) the exercise of its power to make payments from its Municipal and Trust Funds. In accordance with regulation 13(1) of the Local Government (Financial Management) Regulations 1996 a list of accounts paid by the CEO is to be prepared each month and presented to the Council at the next Ordinary Meeting of the Council after the list is prepared.

Comment

The payment listing for January 2022 is included at **Attachment (a)**.

The attached report includes a “Description” for each payment. City 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

Regulations 12 and 13(1) of the Local Government (Financial Management) Regulations 1996. Policy P602 Authority to Make Payments from the Municipal and Trust Funds.

Financial Implications

The payment of authorised amounts is within existing budget provisions.

Key Risks and Considerations

Risk Event Outcome	Legislative Breach Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation
Risk rating	Low
Mitigation and actions	Monthly Financial reporting time lines exceeding statutory requirements

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2021-2031](#):

Strategic Direction:	Leadership
Aspiration:	A visionary and influential local government that is receptive and proactive in meeting the needs of our community
Outcome:	4.3 Good governance
Strategy:	4.3.1 Foster effective governance with honesty and integrity and quality decision making to deliver community priorities

Attachments

10.4.3 (a): Listing of Payments January 2022

Councillors André Brender-A-Brandis and Mary Choy returned to the Chamber at 7.08pm prior to consideration of Item 10.4.4.

10.4.4 Monthly Financial Statements- January 2022

File Ref: D-22-7996
Author(s): Abrie Lacock, Manager Finance
Reporting Officer(s): Garry Adams, Director Corporate Services

Summary

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

Officer Recommendation AND COUNCIL DECISION

0222/012

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

That Council notes the Financial Statements and report for the month ended 31 January 2022.

CARRIED (9/0)

For: Mayor Greg Milner, Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Jennifer Nevard and 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 2021/22 budget adopted by Council on 22 June 2021, 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 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.

COVID-19 declared a pandemic on 11 March 2020 by the World Health Organisation, continues to cause havoc on the global health scene with a significant impact on world economic activities. Despite rising vaccination rates the COVID-19 variant Omicron continues to hit business in the eastern states hard.

The Council of Small Business of Australia said conditions were the worst they had been since the pandemic began, with businesses in eastern states reporting a dramatic fall in turnover, this may be as sign of what is to come for Western Australia.

In framing the Annual Budget 2021/22, the City considered the current economic environment and the impact of COVID-19, it may well be that the impact of ending Western Australia's isolation and Omicron has unforeseen budgetary outcomes. As Western Australia remains at risk the State Government continues to extend the emergency period initially enacted 30 March 2020. Premier Mark McGowan committed to review Western Australia's boarder restrictions during February 2022 with staged boarder relaxation measures being introduced.

Actual income from operating activities for January year-to-date (YTD) is \$68.13m in comparison to budget of \$67.10m, favourable to budget by 1.54% or \$1.03m. Actual expenditure from operating activities for January is \$44.64m in comparison to budget of \$45.93m, favourable to budget by 2.81% or \$1.29m. The January Net Operating Position of \$23.49m was \$2.33m favourable in comparison to budget.

Actual Capital Revenue YTD is \$555k in comparison to the budget of \$1.39m. Actual Capital Expenditure YTD is \$3.73m in comparison to the budget of \$5.46m. 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 is a number of Capital projects that require a budget adjustment during the midyear review process.

Cash and Cash Equivalents amounted \$66.83m, almost at the same level than the prior year comparative period. Payment and spending trends are 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 0.48% 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. At the end of January 2022 the City held 23.65% 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.

Key Risks and Considerations

Risk Event Outcome	Legislative Breach Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation
Risk rating	Low
Mitigation and actions	Monthly Financial reporting time lines exceeding statutory requirements

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2021-2031](#):

Strategic Direction:	Leadership
Aspiration:	A visionary and influential local government
Outcome:	4.3 Good governance
Strategy:	4.3.1 Foster effective governance with honesty and integrity and quality decision making to deliver community priorities

Attachments

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

10.4.5 Council Caretaker Policy

File Ref: D-22-7997
Author(s): Bernadine Tucker, Manager Governance
Reporting Officer(s): Garry Adams, Director Corporate Services

Summary

On 28 September 2021, Council resolved that a report be prepared within the next 6 months, on the options for adoption of a Council Caretaker Policy. This report addresses this resolution.

Alternative Motion

Moved: Councillor Stephen Russell
Seconded: Councillor André Brender-A-Brandis

That the Officer's Recommendation be substituted with the following:

That Council authorises the CEO to:

- a. Progress the draft P697 Council Caretaker Policy, including additional Council workshop &/or briefing sessions as deemed necessary by the City, for Council consideration for approval, no later than the November 2022 Ordinary Council Meeting.
- b. If an applicable gazetted outcome of the local government reform process makes the policy already approved under (a) non-compliant, then the policy and / or other City instruments shall be revised to meet compliance.
- c. If an applicable gazetted outcome of the local government reform process is introduced prior to the policy being approved under (a), then the policy and / or other City instruments shall be revised to meet compliance.
- d. For (b) and (c) the revised policy and / or other City instruments shall be presented for Council approval, inclusive of workshop &/or briefing sessions as deemed necessary by the City, within a timeframe that endeavours to allow for its adoption for the October 2023 local government elections.

Reasons for Change

The reasons are as follows:

1. It is the opinion that since Item 5.6 "Standardised Election Caretaker Period" is on the reform agenda then it is a reasonable assumption that the caretaker period is recognised as requiring a consideration of its needs. This need had already been advocated for by the Department of Local Government for the 2017 local government elections and recognised by at least thirteen metropolitan local governments, which have adopted applicable policies. Hence there is a sound precedent that the City should already have a Caretaker Policy in place.

2. By way of an example, given that an unknown entity sought to influence the 2019 election results by masquerading itself as the City¹, then surely this very incident must warrant a policy need. It is the opinion that as this incident occurred coupled with its nature, then the risk rating should be higher than “Medium” in terms of reputational damage, as defined in the Officer’s report. Such a risk rating therefore needs a policy to mitigate the risk to a level that the community can be satisfied that this Council is acting for its betterment.

(Note 1: there is no suggestion here of any complicity by any candidate in this matter.)
3. The City currently has draft P697 Council Caretaker Policy which was workshopped with Council in May 2021. The City’s notes of this workshop notes that the majority of Elected Members at that time were present with the two ARG Committee External members, and that an outcome was on Elected Members to provide feedback to the City later that month. Noting therefore that the City has already engaged with the majority of the current Council group via this workshop and that a new Elected Member has joined the Council group, then the schedule proposed, with additional workshops as deemed necessary, is considered more than reasonable to deliver a policy that both the City and Council can have confidence in.
4. The proposed local government reform process is currently within or nearing the end of its consultation phase. Post the consultation period, there is no proposed schedule for the gazetting of an amended Act nor any other applicable legal instrument. Indeed, the Minister has not even publicly earmarked the October 2023 or any other subsequent election as the target date for the reforms. As such, there is no guarantee that any outcomes of Item 5.6 “Standardised Election Caretaker Period” will be gazetted within a timeframe to meet the October 2023 local government election. Hence there is a real risk that if the adoption of a Caretaker Policy is further delayed pending the outcomes of the proposed local government reform process, then the City and Council will have no policy for the upcoming 2023 local government election.
5. In summary considering the motion put forward and the supporting reasons given in that a policy need has been identified, there is no impediment to its development and the timing for this policy must be cognisant of the 2023 local government elections, then there is no valid reason for its deferral pending the outcomes of the local government reforms. I fear a reputational damage in that come the 2023 elections and no policy is in place, then the community would rightly ask questions of this Council as to why it did not move forward on this matter. This must be avoided.

LOST (4/5).

For: Councillors André Brender-A-Brandis, Carl Celedin, Glenn Cridland and Stephen Russell.

Against: Mayor Greg Milner, Councillors Mary Choy, Blake D'Souza, Ken Manolas and Jennifer Nevard.

During debate on the alternative motion, Mayor Greg Milner foreshadowed the following amended motion.

Amendment and COUNCIL DECISION

0222/013

Moved: Mayor Greg Milner

Seconded: Councillor Blake D'Souza

Amendment

That the Officer's Recommendation be amended as follows:

That a Council Caretaker Policy not be progressed at this time until the outcome of the local government reform process is known and that (in the meantime) the CEO write to the Minister for Local Government to enquire whether the proposed State-wide election caretaker period is intended to be in place prior to the 2023 local government elections.

If the CEO considers that the proposed State Government standardised election caretaker period will not be in place for the 2023 local government elections, that a report on the council caretaker period be presented to Council for consideration.

Reasons

As per the Officer Report. The purpose of the amendment is simply to seek an indication from the State Government as to whether the proposed State-wide election caretaker period is likely to be in place prior to the 2023 local government elections.

CARRIED (5/4).

For: Mayor Greg Milner, Councillors Mary Choy, Blake D'Souza, Ken Manolas and Jennifer Nevard.

Against: Councillors André Brender-A-Brandis, Carl Celedin, Glenn Cridland and Stephen Russell.

Officer Recommendation

That a Council Caretaker Policy not be progressed at this time.

Background

For the 2017 local government elections, the Department of Local Government, Sport and Cultural Industries (Department), advocated for Councils to adopt a Caretaker Policy - Bulletin 1 - Local Government Elections.

In this Bulletin, the Department gave information on the election process to keep local governments and the community informed of requirements for the upcoming local government elections and information on caretaker periods.

That Bulletin suggested a caretaker policy should cover:

10.4.5 Council Caretaker Policy

- decisions made by the Council
- materials published by the local government
- attendance and participation in functions and events
- use of the local government's resources
- access to local government information.

In August 2018, the WA Local Government Association (WALGA) developed a Draft Electoral Caretaker Period Policy for local governments to ensure that any perceptions of Council decisions being made that may advantage or disadvantage a candidate would be addressed.

In November 2021, the State Government announced the most significant package of major reforms for WA local government since the *Local Government Act 1995* was passed more than 25 years ago. A large focus on the new reform is oversight and intervention where there are significant problems arising within a local government and to ensure local governments work for the benefit of local communities.

The government have released their Local Government Reform – Summary of Proposed Reforms paper (Report) inviting comments on the proposed reforms. One of these recommended reforms relates to standardising election caretaker periods across local governments. The following is an excerpt from that Report:

5.6 Standardised Election Caretaker period	
<ul style="list-style-type: none">• There is currently no requirement for a formal caretaker period, with individual councils operating under their own policies and procedures.• This is commonly a point of public confusion.	<ul style="list-style-type: none">• A state-wide caretaker period for local governments is proposed.• All local governments across the State would have the same clearly defined election period, during which:<ul style="list-style-type: none">○ Councils do not make major decisions with criteria to be developed defining 'major'○ Incumbent councillors who nominate for re-election are not to represent the local government, act on behalf of the council, or use local government resources to support campaigning activities.○ There are consistent election conduct rules for all candidates.

Comment

Given it is proposed to introduce a state-wide caretaker period for all local governments, it is recommended the City not progress a Council Caretaker Policy until the outcomes of the governments consultation on this topic is known.

Consultation

Nil.

Policy and Legislative Implications

Section 2.7(2)(b) of the *Local Government Act 1995* – the Council determines the local government's policies.

Financial Implications

Nil.

Key Risks and Considerations

Risk Event Outcome	Reputational Damage Deals with adverse impact upon the professional reputation and integrity of the City and its representatives whether those persons be appointed or elected to represent the City. The outcome can range from a letter of complaint through to a sustained and co-ordinated representation against the City and or sustained adverse comment in the media
Risk rating	Medium
Mitigation and actions	Can be managed through policies and procedures and regular monitoring.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2021-2031](#):

Strategic Direction:	Leadership
Aspiration:	A visionary and influential local government that is receptive and proactive in meeting the needs of our community
Outcome:	4.3 Good governance
Strategy:	4.3.1 Foster effective governance with honesty and integrity and quality decision making to deliver community priorities

Attachments

Nil

10.4.6 Live Streaming of Council Meetings

File Ref: D-22-7998
Author(s): Garry Adams, Director Corporate Services
Reporting Officer(s): Garry Adams, Director Corporate Services

Summary

In response to a resolution of Council made at the September 2021 Ordinary Council Meeting, City Officers have investigated the options available to Council if it wishes to proceed with Live Streaming of Council Meetings. These are presented within this report for Council consideration.

Officer Recommendation AND COUNCIL DECISION

0222/014

Moved: Councillor Carl Celedin
Seconded: Councillor André Brender-A-Brandis

That Council:

1. Introduces audio live streaming of Agenda Briefings and Council Meetings (where such parts of the meeting are not confidential) by May 2022.
2. Approves funding of \$12,000 to be allocated to the introduction of the audio live streaming of Agenda Briefings and Council Meetings.
3. Does not introduce live video streaming of Agenda Briefings and Council Meetings at this time but commits to reviewing this position as part of the 2022-23 budget discussions, or if mandated to do so by the State Government.

CARRIED BY EXCEPTION RESOLUTION (9/0)

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

Against: Nil.

Background

At the September 2021 Ordinary Council Meeting, Council made the following resolution (0921/179):

That a report be prepared and provided to Council in the next six months on options (including costs) for internet live streaming Council meetings.

In accordance with this resolution, City Officers have identified three options in relation to live streaming:

1. Maintain the status quo (a recoding is uploaded to the website).
2. Live audio streaming.
3. Live audio and video streaming.

Clause 6.15 of the City of South Perth Standing Orders Local Law 2007 states that: A person is not to use any electronic, visual or vocal recording device or instrument to record the proceedings of the Council without the permission of the Presiding Member.

An audio recording of all Ordinary and Special Meetings of Council is currently made and uploaded to the City's website for members of the public to listen to.

The current cameras in the Council Chambers and the current Audio Visual equipment do not support the live video streaming of Council meetings. Fit for purpose equipment would need to be purchased to enable this to be achieved in a manner that provides a quality live streaming experience for viewers.

A number of metropolitan and rural Councils have introduced live video streaming. The intent being to make meetings more accessible to the public. Part of this uptake may be attributed to the declared State of Emergency related to COVID-19, when meetings were held electronically and Elected Members and members of the public were not always able or willing to attend in person. Feedback indicates that on average 20 to 35 individuals access these live streaming sessions.

The Department of Local Government, Sport and Cultural Industries recently released a Summary of Proposed Reforms for consultation. Under the heading of Transparency and Accountability, it is proposed that "Band 1 and 2 local governments would be required to livestream meetings and make video recordings available as public archives". At this point in time, it is uncertain as to when this will be mandated and what the exact requirements on Tier 1 and Tier 2 local governments will be. Given that the City of South Perth is a Tier 2 local government, it is highly likely that the City will be required to provide live audio and video streaming of Council meetings.

Option 1 - Maintain the Status Quo

The City currently audio records Agenda Briefings and Council Meetings. The recordings are made available on the City's website. The recordings have been made available to the public on the City's website since April 2020. For the last calendar year, the average number of people (unique views) accessing these recordings across all Agenda Briefings and Council Meetings is approximately 20.

The availability of these recordings gives a degree of openness, transparency and accountability with regard to the decisions made by Council. It is provided at minimal cost as it utilises the City's existing recording software (Liberty Meeting Recorder) and staff have absorbed the additional workload. The City believes this option continues to provide transparency of the Meetings, within a reasonable risk level. However, the City acknowledges that this solution does not provide the ability for people to listen to meetings in real time and at some future date, it is likely that a live streaming option will be required.

Option 2 - Audio Live Streaming

This option provides for the audio live streaming of Agenda Briefings and Council meetings as they occur.

From a practical perspective the existing Liberty Meeting Recorder software, that the City uses in Council Chambers to record the meetings, has the functionality for additional technology to be added on to enable live streaming. Preliminary costing indicates the technology to achieve this be delivered at a cost of around \$12,000. This technology will come with the flexibility for cameras to be added at a later date.

The City understands the City of Wanneroo and City of Canning have recently selected this option. This option will require that meeting protocols are established.

For example, this would include determining what members of the public 'listen to' when the meeting has gone behind closed doors for confidential reasons.

The implementation of this option still creates a number of potential risks which are:

1. Defamation.
2. Infringement of Copyright.
3. Breach of privacy/disclosure of personal information.
4. Publishing of offensive material.
5. Publishing of confidential or privileged Council information.
6. Potential doctoring of recordings.
7. Use of recordings by public/media causing embarrassment.

The City of Canning has reported that the average number of people listening live is 10-15. Many more people listen to the audio, (up to 140 in some instances), once the recording is placed on the website. One reason for this is that people can just listen to the part that is relevant to them rather than sitting through the whole meeting.

Option 3 – Audio and Video Live Streaming

Currently, there are no fit-for-purpose cameras or video recording facilities in the Council Chambers to accommodate live audio streaming. These cameras would need to be installed.

The cost of video live streaming is influenced by the sophistication of the selected solution (numbers of cameras, viewing platform, add on features such as requirement for text overlay and Live Caption Systems and so forth). For instance, a pan tilt zoom (PTZ) camera that can move and position as a delegate unit (microphone) is more costly than a fixed camera. A PTZ option would require a considerable upgrade to the current recording system.

The provisional one-off costing provided by the main supplier of this type of equipment (Redfish Technologies Pty Ltd) indicated that the cost of installing a total audio-visual streaming solution would be approximately \$62,000 excluding GST. This solution provides for three fixed cameras and is similar to the installation being used by the City of Perth. The cost would obviously rise if additional functionality such as PTZ cameras was added.

This option will also require that meeting protocols are established. For example: what would members of the public see or hear when the meeting goes behind closed doors for confidential reasons.

This option also introduces similar risks and negative issues associated with Option 2, but perhaps at a higher level of risk given the added video functionality.

These are:

1. Defamation.
2. Infringement of Copyright.
3. Breach of privacy/disclosure of personal information.
4. Publishing of offensive material.
5. Publishing of confidential or privileged Council information.
6. Potential doctoring of recordings.
7. Use of recordings by public/media causing embarrassment.

Sector Position

The *Local Government Act 1995* and the related Regulations do not currently regulate the recording of Council Meetings. However, it is becoming more common practice for local governments to make meetings available using live streaming.

A number of metropolitan and rural councils have introduced some form of live streaming with most reporting that on average between 20 and 40 people are accessing the live stream.

Comment

The City notes and understands the move by many local governments to increase transparency and accessibility to Council Meetings through the use of live streaming. It is also noted that it is likely the City will be required to provide some form of live streaming with the introduction of the proposed LG Reforms.

Whilst some of the current audio-visual equipment in the Council Chamber has now reached the end of its 'technical, useful' life and should be replaced some will be retained and used as part of the overall live streaming solution. The indicative cost of replacing the required parts of the system with contemporary equipment capable of providing a quality live audio and video stream is approximately \$62,000. This is for a three-camera option similar to what has been installed in the City of Perth.

The estimated cost of Option 2 is less than \$12,000 and provides audio live streaming. The equipment to be installed to facilitate live audio streaming can be used and added on to when the existing system is replaced (for example, cameras can be built on to the audio equipment).

Given the City's current budget deficit position and if Council accepts the risks associated with live streaming, the City recommends Council approve Option 2: live audio streaming and allocates funding of \$12,000 in 2021/22 budget review. The additional cost to implement live video functionality can then be considered within the context of the 2022/23 budget and when there is certainty around the State Government mandate for live streaming.

Consultation

Consultation has been undertaken with other local governments and advice sought from the supplier of the City's current equipment.

Policy and Legislative Implications

Nil.

Financial Implications

The financial implication associated with adopting the officer's recommendation are in the vicinity of \$12,000 in the current financial year. Further cost implications to be considered for the 2022/23 budget of approximately \$50,000 will be associated with additional video streaming solutions.

Key Risks and Considerations

Risk Event Outcome	Reputational Damage Deals with adverse impact upon the professional reputation and integrity of the City and its representatives whether those persons be appointed or elected to represent the City. The outcome can range from a letter of complaint through to a sustained and co-ordinated representation against the City and or sustained adverse comment in the media.
Risk rating	Medium
Mitigation and actions	Elected members made aware of potential risks.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2021-2031](#):

Strategic Direction:	Leadership
Aspiration:	A visionary and influential local government
Outcome:	4.3 Good governance
Strategy:	4.3.1 Foster effective governance with honesty and integrity and quality decision making to deliver community priorities

Attachments

10.4.6 (a): Audio Visual Examples

10.4.7 Budget Review for the Period ended 31 December 2021

File Ref: D-22-8000
Author(s): Abrie Lacock, Manager Finance
Reporting Officer(s): Garry Adams, Director Corporate Services

Summary

A comprehensive review of the 2021/22 Adopted Budget, based on actual results for the period to 31 December 2021, has been completed, with comments on the identified variances. To date the impact of COVID-19 was less severe than initially anticipated, however it remains a source of significant uncertainty, given the recent outbreak of Omicron in WA.

As is the case for prior years, officers have looked for opportunities to reduce and manage operating expenditure. This effort together with increased revenue has resulted in an improvement to the overall financial position of the City.

A Statement of Financial Activity is included, similar to the report included in each month's Council meeting agenda. It compares the original adopted budget to the reviewed budget, illustrating the movements within the review. A summary of the forecasted Financial Ratios is attached, as well as schedules of detailed adjustments. The underlying theme of the review was to deliver an improved budget outcome.

Officer Recommendation AND COUNCIL DECISION

0222/015

Moved: Mayor Greg Milner

Seconded: Councillor Blake D'Souza

That Council adopts the mid-year budget review and changes contained in the Statement of Financial Activity **Attachment (a)**, as well as the detailed changes contained in **Attachments (b), (c) and (d)**.

CARRIED BY ABSOLUTE MAJORITY (9/0)

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

Against: Nil.

Background

Under the *Local Government Act 1995* and the Local Government (Financial Management) Regulations 1996, a local government is required to review the Adopted Budget and consider its financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year. The results of this Budget Review are forwarded to the Department of Local Government after adoption by Council.

Comment

A Statement of Financial Activity is included, based on the statements of financial activity presented to Council each month. It illustrates the adopted original budget, compared to the reviewed budget. It is recommended this report be reviewed first before considering the detail included within the schedules. In addition, a summary of the forecasted Financial Ratios has been included, illustrating the need for continued effort to focus on improving the Operating Surplus Ratio over time.

All adjustments are summarised within the Budget Review Statement of Financial Activity **Attachment (a)**. The detailed revenue and expenditure adjustments are described in **Attachment (b)**, with changes to capital and reserves contained in **Attachment (c)**.

A detailed examination of operating revenue and expenditure accounts along with capital revenue and expenditure has been undertaken to identify the required adjustments.

Where savings have arisen from completed capital projects, funds may be redirected towards other proposals. Projects and funding not carried forward from the prior financial year are now included, including the funding from capital grants. Adjustments to capital projects requires changes to the transfers to and from Municipal funds and Reserves.

The projected Budget Opening Position for 2021/22 was adjusted to reflect the actual figure at year end rather than the 'estimated' figure that was used in formulating the budget. This matter is discussed further in the Financial Implications section of this report. Amended Ratios based on these adjustments are included at **Attachment (d)**.

Overall the City's financial position has improved since the adoption of the Budget.

The review also considered the phasing (pattern of expenditure during the year) of the budget.

Consultation

Nil.

Policy and Legislative Implications

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Financial Implications

The Budgeted Net Operating Deficit in **Attachment (a)** the Statement of Financial Activity by Program is forecast to improve from \$4,155,526 by \$656,610 to a Net Operating Budget deficit of \$3,498,916. The detail of movements in Operating Revenue and Expenditure are described below.

The projected (at Budget adoption) Opening Net Current Assets in **Attachment (a)** the Statement of Financial Activity by Program brought forward from 2020/21 was \$3,691,484. This figure was adjusted to reflect the actual figure of \$7,646,978 at year end rather than the 'estimated' figure that was used in formulating the budget. The forecast net current assets closing position is \$3,885,179 which is a slight increase on the actual opening position.

On current projections, the FHI score will remain similar in comparison to the 2020/21 yearend score. As is the case every year, the estimated Budget Closing Position will continue to be closely monitored during the remainder of the year.

Operating Revenue

Operating Revenue is forecast to increase by a net amount of \$986k overall. The below commentary explains the significant contributors to this variance, commentary is not provided in this report on other less significant variances included in the totals as all adjustments are detailed in **Attachment (b)**. COVID-19 (at this stage) had less of an impact than anticipated. With reference to **Attachment (a)**, the Statement of Financial Activity by Program, the favourable variance of \$262k in Community Amenities is mainly due to the anticipated increases in planning fees being \$100k and the inclusion of a \$110k secondment fee recovery. The favourable variance of \$457k in Recreation and Culture derives from Collier Park Golf Course fees being up by \$137k, facility hire increasing by \$120k and operating grants being \$107k more than budgeted. In Economic Services Building fees were also above budget by \$200k.

Operating Expenditure

Operating expenditure is forecast to increase by a net amount of \$329k from the Original Budget. Similar to Operating Revenue above, commentary is not provided in this report on other less significant variances included in the totals as all adjustments are detailed in **Attachment (b)**. With reference to **Attachment (a)**, the Statement of Financial Activity by Program, the favourable variance in Governance of \$223k results from savings in consultancy and legal services of \$161k, and election expenses of \$39k. The unfavourable variance in Education and Welfare of \$100k, primarily resulted from structural changes at the South Perth Senior Citizens Centre following a review, which will continue generate savings in future financial years. A favourable \$242k variance in Community Amenities results from reductions in staff cost of \$133k and waste management of \$36k. Planning precinct studies and consultancy costs were reduced by \$118k with reduced internal allocations of \$160k. These are offset by increased legal costs of \$229k associated with the Pinnacle Apartments building safety matter.

The unfavourable variance of \$773k in Recreation and Culture is primarily driven by Collier Park Golf Course controller's fees increase of \$475k partially as a result of the cessation of the Job Keeper subsidy. This increase is partly offset by an increase in revenue as described in Operating Revenue above. Also included is \$325k Recreation and Aquatic Facility (RAF) preliminary cost being reallocated from the capital to the operating expenditure budget (funded from the Major Community Facilities Reserve). Australia Day costs increases of \$315k are also included in this variance. Reduced internal allocations of \$167k and other costs savings only partially offset the abovementioned increases resulting in the unfavourable variance.

Capital Grants

Grant revenue is expected to reduce by \$483k, largely the result of funding being withdrawn by State Government agencies with the City cancelling the associated projects. The main reason for the withdrawal of funding is due to the significant increase in construction costs in Western Australia. These projects include:

- The raised plateau construction – intersection of Mill Point Rd and Meds St
- The proposed roundabout at Axford & Brittain Street
- Como Beach Groyne Riverwall and Drainage

Additional funding of \$273k was allocated for, toilet upgrades at South Perth Bridge Club, Como and Manning Bowling Clubs.

Capital Expenditure

Capital expenditure is anticipated to be \$324k higher than the original budget. Building capital expenditure increased by \$361k, mainly due to increases of \$295k for the toilet upgrade works at the South Perth Bridge Club, Como and Manning Bowling Clubs, as articulated in the December OCM item 10.1.3.

Collier Park Village Unit refurbishment increased by \$139k (reserve funded)

Civic Centre internal upgrade increased by \$110k, Como Bowling Club Kitchen upgrade increased by \$103k and building awnings at the Manning Community Centre required a \$51k allocation.

The above items are offset by a reduction in RAF expenditure of \$400k being the reallocation to Operating Expenditure, as a described above.

Capital outlays required for Plant and Fleet reduced by \$356k, largely due to a reduction in Waste Plant and Fleet of \$259k and Collier Park Golf Course Weir Rectification being \$71k. The Waste Plant and Fleet item was budgeted for as a carry forward at the end of 2020/21, in this year's budget but it ended up being delivered just before financial year end.

The Acquisition of Artworks increase of \$115k relates to the RAC Intellibus Public Art project carry forward from 2020/21.

Capital outlays required for Infrastructure Assets increased by \$263k. As explained under Capital Grants withdrawal of funding resulted in reductions due to some projects not proceeding. These reductions are offset by increases in various projects being:

- McDougal Park Lake WSUD increasing by \$350k;
- The Black Swan Habitat Island \$458k increase resulting from a carry-forward from 2020/21;
- South Perth Esplanade – Bike and Pedestrian Path Upgrade of \$131k;
- Road works Barker Avenue -Talbot to Canning \$126k; and
- Mill Point Road - Coode to Douglas \$136k.

These projects were affected by increasing construction costs as described under Grants above. Grant funding has increased for the affected road works projects. Complete detailed adjustments for all capital expenditure items are contained in **Attachment (c)**.

Reserve Transfers

Transfer from reserves reduced by \$89k. Mainly due to a reduction in Waste Plant and Fleet of \$259k, relating to carry forward item as described in Capital expenditure. This reduced transfer out of reserve is offset by increased transfers out of reserve relating to Collier Park Village unit refurbishment of \$139k and emergency boiler renewal of \$36k. Transfer to reserves reduced by \$70k. Complete detailed adjustments are contained in **Attachment (c)**.

Sustainability Implications

The purpose of the Budget Review was to assess the year to date actual results compared to the original adopted budget and make the required adjustments.

Over the past two years, various factors including the economic conditions prevalent as a result of COVID-19, have caused uncertainty around setting the Original Budget and now the Budget Review. The challenge for the City remains to improve revenue and reduce costs to improve the Operating Surplus Ratio.

An improved economy, as well as prudent financial management will see this ratio improve over time, and ultimately improve the Financial Health Indicator (FHI) score. This review has resulted in an improved Net Operating Position, with a \$657k lower deficit. The City was able to forecast \$986k Operating Revenue increases. Regardless of the cost challenges described under the Operating Expenditure section only marginal operating cost increases of \$329k are forecast. Overall this is positive result, confirming the City's commitment to an improved net operating result and FHI score. However, it should be noted that significant uncertainty still exists due to the as yet unknown impacts of opening the WA borders and the spread of the COVID-19 Omicron variant.

Key Risks and Considerations

Risk Event Outcome	Legislative Breach Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation
Risk rating	Low
Mitigation and actions	Budget review reporting time lines exceeding statutory requirements

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2021-2031](#):

Strategic Direction:	Leadership
Aspiration:	A visionary and influential local government
Outcome:	4.3 Good governance
Strategy:	4.3.1 Foster effective governance with honesty and integrity and quality decision making to deliver community priorities

Attachments

10.4.7 (a):	Budget Review 2021-22 Statement of Financial Activity
10.4.7 (b):	Amendments identified from normal operations in the 31 December 2021 Budget Review
10.4.7 (c):	Amendments identified from capital operations in the 31 December 2021 Budget Review
10.4.7 (d):	Financial Ratios

11. APPLICATIONS FOR LEAVE OF ABSENCE

Councillor Glenn Cridland for the periods:

- 1 March 2022 to 21 March 2022 inclusive.
- 14 April 2022 to 26 April 2022 inclusive.
- 1 May 2022 to 30 May 2022 inclusive.

Councillor Stephen Russell for the period 9 March 2022 to 20 March 2022 inclusive.

The Presiding Member called for a Motion to approve the Leave of Absence application.

COUNCIL DECISION

0222/016

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Carl Celedin

That Council

1. Approve the Leave of Absence application received from Councillor Glenn Cridland for the periods:
 - 1 March 2022 to 21 March 2022 inclusive.
 - 14 April 2022 to 26 April 2022 inclusive.
 - 1 May 2022 to 30 May 2022 inclusive.
2. Approve the Leave of Absence application received from Councillor Stephen Russell for the period 9 March 2022 to 20 March 2022 inclusive.

CARRIED (9/0)

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

Against: Nil.

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

13. QUESTIONS FROM MEMBERS

13.1 RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE

Responses to questions from members taken on notice at the December 2021 Ordinary Council Meeting can be found in the appendix.

13.2 QUESTIONS FROM MEMBERS

- Councillor Stephen Russell
- Councillor Jennifer Nevard
- Councillor Blake D'Souza
- Councillor André Brender-A-Brandis
- Councillor Glenn Cridland

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

Nil.

16. CLOSURE

The Presiding Member thanked everyone for their attendance and closed the meeting at 8.31pm.

APPENDIX

6.2 PUBLIC QUESTION TIME: 22 February 2022

1. Mr Michael Morrissey, Como Received: 17 February 2022	Responses provided by: Vicki Lummer – Director Development and Community Services
<p><i>[Preamble]</i></p> <p><i>My questions relate to the loss and reduction of public open spaces in Collier Reserve. In reviewing the mapping of the proposed synthetic turf facility provided by the Wesley South Perth Hockey Club, I note that the installation of the fenced facility and clubhouse will result in the loss of public open space. Based on the standard measurements of a fenced hockey facility and clubhouse, this equates to approximately 8,000m² of land. The map also indicates that the current usable, public open space at Collier Reserve would be reduced in half, from approximately the size of three hockey grass pitches to 1.5.</i></p>	
1. Do you believe this loss of public open space supports the Strategic Community Plan's strategy of 'maintaining open space'?	The project is at the feasibility study stage only; and the City has not yet received the feasibility study report from the Club. Once the report is received, the City will be able to review the Club's recommendations and make its own assessment, including considering any associated effects of the proposal on access to public open space.
2. How would the 50% reduction of usable, public open space, improve the 'amenity value' for other sports group and park users within the community who do not play hockey?	See answer to Q1 above.
3. With population growth likely to increase demand for public open spaces, and a forecasted population increase of more than 20% by 2031 in our district, how committed is the City to preserving public open spaces?	See answer to Q1 above.

<p>2. Mr Troy Marley, Como Received: 17 February 2022</p>	<p>Responses provided by: Vicki Lummer – Director Development and Community Services</p>
<p><i>[Preamble]</i></p> <p><i>In reviewing the recommendations made by Poligras, the leading manufacturer of synthetic sports surfaces and the preferred supplier for the Olympic games, I note that ‘potable water is recommended for pitch irrigation’ and that ‘turf in a hot, sunny environment will use up to one litre of water per square metre every hour.’ In the case of the proposed synthetic turf facility at Collier Reserve, and calculations based on the standard pitch size of approximately 5,000m², this equates to 5,000L of drinking water per hour.</i></p>	
<p>1. How would such a facility support the Strategic Community Plan’s directive to ‘actively manage and promote sustainable water, waste, land and energy practices’?</p>	<p>The project is at the feasibility study stage only; and the City has not yet received the feasibility study report from the Club. Once the report is received, the City will be able to review the Club’s recommendations and make its own assessment, which may include consideration of the water, waste, land and energy use implications of the proposal.</p>
<p>2. Do you believe the use of approximately 5,000m² of synthetic turf, which will need to be replaced periodically and end up in landfills where it will take a very long time to break down, promotes sustainable waste practices?</p>	<p>Synthetic surfaces are common within the sporting sector and are used within the state, nationally and internationally. Examples include synthetic bowling greens, tennis courts, cricket pitches and hockey fields etc. The use of synthetic sporting surfaces have distinct pros and cons. Once the feasibility report is received, the City will be able to review the Club’s recommendations and make its own assessment.</p>
<p>3. Do you believe the environmental implications of water runoff containing synthetic materials and chemicals, such as those used to keep the turf free from moss and weed, promotes sustainable land practices?</p>	<p>See answer to Q2 above.</p>

<p>3. Ms M.Berryman, Como (Read out by Ms Kris) Received: 18 February 2022</p>	<p>Responses provided by: Vicki Lummer – Director Development and Community Services</p>
<p><i>[Preamble]</i></p> <p><i>My questions relate to the process undertaken by the City and the Wesley South Perth Hockey Club in determining Collier Reserve as the suitable site for the new hockey facility and the focus of the full feasibility study. Aside from Collier Reserve, the City has identified Ryrie Reserve, South Perth Foreshore, Collins Oval and Bill Grayden Oval, all of which are public open spaces, as other potential sites that were considered.</i></p>	
<p>1. Did the City or Club consider any other potential sites that are not public open spaces?</p>	<p>No decision has been made about Collier Reserve being the final site for the proposed hockey facilities. The intent of the current feasibility study being undertaken by the WAPS Hockey Club is to investigate if Collier Reserve is a suitable option for further consideration.</p>
<p>2. Did the City or Club investigate site options that would create more green spaces, such as locating the synthetic turf facility and its additional grass turfs on land that needs repurposing or rehabilitation?</p>	<p>The feasibility study is being managed by the WASPS Hockey Club, not the City. As part of its pre-feasibility study, the Club considered three parcels of land for its proposed hockey facilities, namely: Collier Reserve, Collins Oval and Bill Grayden Oval.</p>
<p>3. The City has indicated that the full feasibility report is expected to come back to the City in early 2022, so I am anticipating that this will happen any time soon as it is already February. Can I please get a more precise due date?</p>	<p>The Club advised the City in January 2022 that it is continuing to complete various tasks associated with its feasibility study. No further information has been provided about the expected timeframe for completion of the feasibility study.</p>

<p>4. Mr Murray Rosenberg, Como Received: 18 February 2022</p>	<p>Responses provided by: Vicki Lummer – Director Development and Community Services</p>
<p><i>[Preamble]</i></p> <p><i>My questions relate to the WASP hockey proposal. According to the minutes of the 24 November 2020 Ordinary Council Meeting, Collier Reserve is Crown land vested to the City for parks and recreation purposes, which means that sports clubs and community groups may lease and use this space directly from the City for various kinds of recreational activities. However, if the proposal is approved, 'it is anticipated the City would formalise a license/lease agreement with the Club under management of Wesley College under their existing Wesley College Sports Club'.</i></p>	
<p>1. If approved, would management of the public open space at Collier Reserve be transferred from the City of South Perth to Wesley College?</p>	<p>No decision has been made about Collier Reserve being the final site for the proposed hockey facilities. Collier Reserve is Crown land vested to the City for parks and recreation purposes. Management of this public open space remains with the City and it continues to be available for use by sporting clubs, hirers and the wider community.</p>
<p>2. Would this give Wesley College the power to dictate the lease-rates, and who can and cannot use the public open space at Collier Reserve?</p>	<p>There are various sporting clubs in the City with lease and/or licence agreements permitting them access to public open space for approved sporting activities on prescribed days and times. Members of the public continue to have access to this public open space as well.</p>
<p>3. Wesley College already has a long-term lease on Collins Oval, which is the land next to Collier Reserve. So, would this give them control over two adjacent public open spaces?</p>	<p>Collins Oval is Crown land directly leased to Wesley College from the Department of Planning, Lands and Heritage under a 21-year lease, due to expire in 2038. This is only for prescribed days and times. The public also has access to Collins Oval.</p> <p>No decision has been made about the adjacent Collier Reserve being the final site for the proposed hockey facilities.</p>

<p>5. Dr Louise Johnston, Como</p> <p>Received: 18 February 2022</p>	<p>Responses provided by: Vicki Lummer – Director Development and Community Services</p>
<p><i>[Preamble]</i></p> <p><i>Studies have shown that on a hot day, temperatures on synthetic grass can be more than twice as high as on normal grass, and that during a heatwave it can surpass 100 degrees. There are concerns that the proposed synthetic turf hockey facility at Collier Reserve will cause unsustainably high temperatures near and on the synthetic field, making the surrounding public open space unsafe for the community to use. This is especially so, considering how hot Perth gets, as seen during this Summer where we have experienced a total of 12 days above 40 degrees, and six of which are consecutive days. Not only would the facility remove the natural cooling properties of this greenspace, but it would create a heat island effect.</i></p>	
<p>1. How will the City and Club mitigate this effect?</p>	<p>The use of synthetic sporting surfaces have distinct pros and cons. Once the feasibility report is received, the City will be able to review the Club's recommendations and make its own assessment.</p>
<p>2. Do you believe this proposal supports the Strategic Community Plan's directive to 'improve the amenity value and sustainable uses of open spaces'?</p>	<p>See answer to Q1 above.</p>
<p>3. Do you believe this proposal supports the Strategic Community Plan's directive to 'provide proactive enhancement of the environment'?</p>	<p>See answer to Q1 above.</p>

6. Ms Sue Doherty, Como Received: 21 February 2022	Responses provided by: Mayor – Greg Milner
<p><i>[Preamble]</i></p> <p><i>Caretaker Policies for local governments provide more transparency around major decisions being made by Council in the lead up to local elections, protecting both the reputation of the local government's elected members and administration. It is common practice across the local government sector as it governs the conduct of Council members and candidates in local government elections.</i></p>	
<p>1. Why isn't the Council catching up with neighbouring Councils and providing good governance mechanisms that the Minister has told Councils to introduce such as a Caretaker Policy?</p>	<p>Local government decisions are transparent. They're made in an open Chamber, the audio recording of Council's deliberations and decision is made publicly available on the City's website, and the minutes are published on the City's website.</p> <p>The State Government's "Local Government Reform – Summary of Proposed Reforms" paper expressly states: "There is currently no requirement for a formal caretaker period, with individual councils operating under their own policies and procedures."</p> <p>That same State Government paper, and the City Officer report in tonight's Agenda, go on to say that a State-wide caretaker period for local government is one of things that the State Government has proposed as part of a significant package of major reforms for the Local Government sector. The State Government has invited comments on that proposal.</p> <p>The next local government election is scheduled for October 2023. There is a high likelihood that the State Government will have mandated a standard State-wide policy before then.</p> <p>That said, there is currently an Officer Recommendation before Council for consideration tonight, to the effect that the Council Caretaker Policy not be progressed at this time until the outcome of the local government reform process is known. Council will make its decision one way or another.</p>

<p>7. Ms Cecilia Brooke, South Perth</p> <p>Received: 21 February 2022</p>	<p>Responses provided by: CEO – Mike Bradford</p>
<p><i>[Preamble]</i></p> <p><i>In 2017 the State Government announced a review of the Local Government Act, 1995. This was the start of an important process of reform for Local Government reform that will impact on all local governments.</i></p> <p><i>CoSPRA & many local governments have already lodged submissions on this subject. In fact, CoSPRA have lodged submissions to the Department of Local Government, Sport and Cultural Industries, at two stages of the review, one in March 2019 and one in August 2019. We raised various concerns to protect our rights as ratepayers of this city.</i></p> <p><i>The public submission close off date for this final report to the Minister is 25th February this year.</i></p>	
<p>1. Will the city be making a submission on this local government reform, and if so, where is this submission up to?</p>	<p>The City's executive team will be putting forward a submission that captures the comments and views of the executive team and also raises some questions around how some of the reforms will be operationalised.</p>
<p>2. Have councillors been briefed on the "Local Government Review Panel - Final Report", and when will the CoSP submission be presented to council to determine the content of the submission?</p>	<p>On 12 November 2021, via a Councillor bulletin, Councillors were informed that the DLGSCI had released a summary of proposed reforms for comment. They were advised that they were able to submit comments via email and provided with a link to do so. As you can imagine, the extent of the reforms means that there will be a diversity of opinion among elected members that would be difficult to present as a single position of Council, it may also water down good ideas that come from individual submissions.</p> <p>The other reason why we encourage that approach is that the time that the reforms were announced, the deadlines for submissions was early February and we wouldn't have had a Council meeting before that to provide a Council opinion.</p>

<p>3. The City successfully streamed council meetings during COVID lockdowns last year. Why is continuing something that worked well not one of the alternatives being recommended to provide continued live streaming?</p>	<p>During periods of COVID lockdown, the City of South Perth, like many other local governments used the Zoom/Microsoft Teams platform to conduct meetings with elected members, staff and members of the public being in places other than this chamber. We will continue to have the capacity to do this, if similar circumstances arise. These systems are designed for that particular purpose and most local governments who were using them for live streaming have now moved away from them.</p> <p>The solution we are recommending is purpose built for all participants to be in the same place with the meeting being conducted as per normal standing orders but live-streamed to the web. It will enable high quality audio and video streaming and recording and meet all of our other obligations under legislation.</p>
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<p>8. Mr Trevor Wilkinson, Como</p> <p>Received: 20 February 2022</p>	<p>Responses provided by: Vicki Lummer – Director Development and Community Services</p>
<p><i>[Preamble]</i></p> <p><i>I put a question two months in a row to the former acting CEO why my request of a formal reply to her inquiry and the outcome had never been answered. The inquiry to be into initiation of my submission information fed to the developer.</i></p> <p><i>I have F.O.I proof+ the F.O.I was put through to internal review and onto external review by the information commissioners officer who advised me that not only did they fail to answer my letter of request, they also failed to carry out the inquiry.</i></p>	
<p>1. When will the Council alter their records to reflect an accurate and truthful account of their workings?</p>	<p>To address the preamble, I can advise that Mr Wilkinson, you lodged a FOI on 13/06/16 requesting all documents relating to an inquiry that you allege I said was needed.</p> <p>No documents were released to you in relation to this request as no documents could be found. The matter then went to the Office of Information Commissioner for external review. Following discussions with the OIC you withdrew your request for an external review.</p> <p>The fact that no documents could be found, does not mean that enquiries were not carried out by the City. Indeed we did enquire about whether those documents were around.</p> <p>Hence in answer to your question, amendments to the records are not necessary.</p>

[Preamble]

I have a document showing an easement within the property of 23 Brittain Street to carry the gas and power and services within that property. I have forwarded this document before. This document shows the Council stamp mark carrying the date and signature of approval.

This easement remains empty with the gas and power etc laid illegally under the driveway on top of the sewer main. I have been refused an inspection and rectification of this illegally installed services that remain and so stopping development of my property. Water Corp refuse also saying it is my problem, I have to fix it.

Council has a duty to rectify illegal works within the property, the building commission and other plumbers have confirmed you cannot do work on that sewer main whilst it remains over the top.

2. When will Council carry out an inspection and rectify the illegal works?

The location of easements and services within a property is a civil matter between the property owner and the service providers and the City is not party to these matters.

[Preamble]

Sumps missing with only one small and two others ever delivered and no apparent receptacle or grate to catch and retain water at the top is missing.

Later Council executed a special notice of order or directive to install a second sump alongside the original small sump at the Brittain Street boundary. A workman came and removed grass to expose and photograph the concrete lid of the original sump. I witnessed the installation of the original sump and placement. This photo was put forward to claim it being the new sump installed and so avoiding the carrying out of the notice of order. On attending the office it was openly and freely stated there was not two sumps there. Also freely stated that the photo did not show two sumps. I asked to see the photo and was refused, my F.O.I request was refused, my request to send the photo to the SAT hearing was also refused, as was my request to have an on site physical inspection. I might add I have written a letter with all of this in January to the Council and never been answered.

My property is devalued and development denied me. I can't alter my will to leave the property as I may desire. My whole life is absolutely destroyed.

3. When will the Council carry out a physical on site inspection?

Firstly, I can advise that the letter you wrote in January is being worked on and you will receive a full response to that. In regard to the preamble, Mr Wilkinson, you lodged an FOI on 30/06/17 which included a request for a copies of correspondence and evidence (photographs) showing the two sumps together.

	<p>No documents were released as we do not have a photo showing two sumps together.</p> <p>The City considers that all site requirements have been met and therefore no site inspection is required.</p>
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13.1 QUESTIONS FROM MEMBERS taken on notice OCM 14 December 2021

Councillor Stephen Russell	Responses provided by Vicki Lummer – Director Development and Community Services
<p><i>[Preamble]</i></p> <p>My question relates to the construction site at the corner of Henley and Edgecumbe Street. My understanding is that construction has been suspended but yet the exterior scaffolding which is several storeys high and adjacent to public areas is still in place. Again my understanding is that under WorkSafe it requires scaffolding above 4 metres to be inspected and certified every 30 days to ensure its integrity.</p>	
<p>1. Hence my question to the City is if they are satisfied that the scaffolding on this site whilst construction has been suspended, does not pose a risk to public safety?</p>	<p>The responsibility for regular inspection of scaffolding lies with the Building Permit holder. In this instance a new builder has been appointed and the Building Permit has been formally reassigned.</p> <p>As such it is the builders responsibility to ensure compliance with the requirements of WorkSafe who monitor such matters.</p>
<p><i>[Preamble]</i></p> <p>My question relates to policy P313 Local Heritage Listing, statement item five which requires the local heritage inventory to be updated annually. Now the LHI available to the public is a year 2018 version, then therefore I would have thought that an update in 2019, 2020 and 2021 would be necessary. I may be incorrect in that.</p>	
<p>2. My question is, am I correct in my observations and if so can I please have clarification?</p>	<p>The <i>Heritage of Western Australia Act 1990</i> requires a local government to update its Local Heritage Inventory annually and conduct a review every 4 years after compilation. In July 2019, the <i>Heritage of Western Australia Act 1990</i> was replaced by the <i>Heritage Act 2018</i>. The Guidelines for Local Heritage Surveys published by Department Planning, Lands and Heritage now recommends review of a Local Heritage Survey (formerly Local Heritage Inventory) every 5-8 years. There is no longer a timeframe specified to ‘update’ the LHI.</p>

13.2 QUESTIONS FROM MEMBERS OCM 22 February 2022

Councillor Stephen Russell	Response provided by: Vicki Lummer – Director Development and Community Services
<p><i>[Preamble]</i></p> <p><i>During research on 32 Jubilee Street, under amendment 19 in year 2010. lot 50 Jubilee Street was zoned from R40 to dual R40 R60. However Intramaps has 32 Jubilee Street made up of two lots, one being lot 50 and the other lot 3 and both have dual R40, R60 coding. I can see no reference in the scheme text to lot 3 being up coded.</i></p>	
<p>1. Therefore, is there a discrepancy in Intramaps?</p>	<p>The Intramaps are correct. The lot is split into two but both sides are lot 50 and in any event the dual coding in schedule 3 does not refer to the lot numbers, it refers to the split coding which is over both parts of lot 50. There is no error there.</p>
Councillor Jennifer Nevard	Responses provided by: Vicki Lummer – Director Development and Community Services
<p><i>[Preamble]</i></p> <p><i>The St Martin in the Field church is to retain a Category B heritage listing based on Council’s decision at the Ordinary Council meeting of December 2021. An important feature drawn to Councillors’ attention at the time of this consideration of the matter was the rarity of the combination of a heritage church and its hall (formerly used for services before the 1950s), making a companion couple.</i></p>	
<p>1. How might protection of the combination of the church and its hall be undertaken in a timely manner?</p>	<p>Both the Church and Hall are currently protected through the “B” classification on the heritage inventory and in turn TPS6.</p>
<p>2. What capacity does the City have in discouraging vandalism of the heritage site in a timely fashion?</p>	<p>Should the buildings or site fall into a state of disrepair or are vandalised, the City can serve a work order to the owner to maintain the site, in the event this does not occur the City can undertake the works and bill the land owner accordingly. The City has recently taken similar action at a property on Robert St, Como.</p>

Councillor Blake D'Souza	<p>Response to question 1 provided by: Mark Taylor – Director Infrastructure Services</p> <p>Responses to questions 2 and 3 provided by: Vicki Lummer – Director Development and Community Services</p>
<p><i>[Preamble]</i></p> <p>I have two questions, the first one concerns the Manning Rippers Football Club. Training has already started. 20 March is the first scratch match. Preseason is an important time for the club to set up for the year financially.</p>	
1. As such, can the City put back up the footy goals on James Miller oval and can it be done fairly soon?	Yes that is possible and we will be endeavouring to do that as soon as possible.
<p><i>[Preamble]</i></p> <p>This refers to numbers 15 and 17 Redmond Street in Salter Point. These were granted temporary use by the City as display homes. I understand these approvals are now expired. In the intervening time, locals have had to put up with a lot of traffic and noise, that comes with display homes in the middle of a quiet area.</p>	
2. What are the consequences of breach or noncompliance with this temporary approval?	Taken on notice.
3. If the city is contemplating retrospective development applications and approval. Will this come back to Council and will residents be consulted for their input?	Taken on notice.

Councillor André Brender-A-Brandis	<p>Responses to questions 1,2 and 3 provided by: Mark Taylor – Director Infrastructure Services</p> <p>Responses to questions 4, 5, 6 and 7 provided by: Garry Adams – Director Corporate Services</p>
1. I would like an update from the administration with regard to the Royal Perth Golf Club and whether there has been any advancement with regard to the trees they were planning on removing at ALL?	The City has met several times with Royal Perth Golf Club. The progress on this has stalled post Christmas because we had the Manager of Programs to move around, our environmental supervisor on leave. However the Club is aware of their commitments and requirements. There will be a report coming to Council in the next meeting or possibly April reporting on the trees that we propose to include on our significant register.
2. A follow up question with regard to trees, it would probably need to be taken on notice but was there any indication as to the number of applications that we have received over the last two calendar years of the requests to remove street trees as part of development applications?	Taken on notice.
3. Of those applications to remove street trees, how many of those have been approved by the administration over the two year period, 2020 and 2021 years?	Taken on notice.
4. Just following up on a couple of questions that I raised at the Agenda Briefing with regard to the mini golf revenue year to date and inception to date, just following up on whether we had any numbers at all?	An answer was provided and is on the HUB. Mini Golf revenue year to date at Collier Park Golf course totals \$164,000.
5. Just with regard to a previous question regarding the ageing of the debtors, in particular the 30 June balance which is just under \$4m in the graph. Just wondering if there was any ageing analysis performed on the debtors at all?	Again, there was an answer provided on the HUB. As explained at the Agenda Briefing there is no risk that attaches to these debts as they are in terms of the <i>Local Government Act</i> a charge against the land. I also clarified that set up of these types of analysis reports with in the City's rates system (Authority) is not standard in terms of a traditional age

	analysis and that a report would have to be constructed, a report will be provided in due course.
6. Does that include infringement parking debtors as well and is there any indication as to the amount of infringement debtors in that total?	Taken on notice.
7. With regard to the Recreation Aquatic Centre expenditure, could we have that disclosed as a separate line item as we continue spending money? Just for transparency and the ease in actually identifying the cost.	It is currently set up as its own GL account. We don't report at that level in terms of the Council reports but what we will do is make a notation under the area that it is reported, that is the business and construction area. We will make a notation in each of the monthly financials to report what the year to date expenditure is against that RAF line item.

Councillor Stephen Russell	Response to question 1 provided by: Mike Bradford - CEO Response to question 2 provided by: Bernadine Tucker - Manager Governance Response to question 3 provided by: Vicki Lummer – Director Development and Community Services
<i>[Preamble]</i> <i>I guess my question goes to MOU's.</i>	
1. I am just wondering are they accessible to the public or not, Are they confidential and therefore can Council see these MOU's?	Can you clarify what MOU's you are referring to?
2. Any MOU's, I don't know what MOU's the City have at the moment, I can't seem to find any register of MOU's?	The City has a number of MOU's with other local governments and other organisations. This relates normally to operational matters. So they don't become available to Council because it is not subject of a Council report or something that Council is deciding on. It is basically administrative and in relation to an agreement between the two organisations, the City

	and the other organisation that we agree to do something. So it is only an agreement, but they are not publicly available.
3. At last week's briefing I asked if the tree preservation order provisions within Town Planning Scheme 6 are included with LPS7. Now I have read the officers response and look I am sorry, it is still not clear to me if LPS7 has the same tree preservation authority as town planning scheme 7. I am just looking for a City responses either in the affirmative or otherwise.	There are no provisions for tree preservation in Town Planning Scheme 7 because like a lot of the stuff, as we have discussed in Town Planning Scheme 7, because of the model scheme text, some of the detail is taken out of the scheme and put into policy. So this is one of those areas that will be in policy rather than in the actual scheme document. However having said that, there are specific provisions for that site. The site we have been talking about today in Jubilee Street in proposed scheme 7.

Councillor Jennifer Nevard	Responses to questions 1,2, and 3 provided by: Mark Taylor – Director Infrastructure Services Response to question 4 provided by: Mark Taylor – Director Infrastructure Services and Mike Bradford - CEO
<i>[Preamble]</i> <i>City of South Perth is one of 48 local governments in Western Australia undertaking a commitment to 100% renewable energy for its contestable supply.</i>	
1. How is contestable supply identified and calculated? What percentage of the City's energy consumption is deemed 'contestable supply'?	<p>On average, the City consumes 4,973,295 kwh per annum across a total of 185 sites. This excludes unmetered Streetlight accounts. Out of this annual consumption, approximately 46% (2,295,804 kwh) is deemed contestable supply and accommodates 14 out of the 185 power consumption sites. That is the contestable supply, so it is only a small number of sites but it is large energy users.</p> <p>The WALGA-Synergy Contestable Energy Supply agreement , 563,674 kwh green energy provision is set to be purchased in 2024 equates to 394.57 tCO2e carbon emissions reduction. Council when they adopted this approach, we recommended an approach to moving down the green</p>

	energy provision in the last year of the agreement and Council approved that.
2. What portion of the renewable energy would be sources via methane generation from City waste?	<p>The City's municipal waste is currently managed by Cleanaway and disposed primarily to the Dardanup landfill, which the City understands does not have an active landfill gas generator (as of March 2021).</p> <p>The City is a participant member with the Rivers Regional Council in the establishment of a Waste to Energy plant. When it becomes operational it will receive and process the City's putrescible and general waste (not recycling). The City's waste fuel contribution will represent approximately 1.35 MW of the 36MW generated by the waste to energy plant.</p>
<p><i>[Preamble]</i></p> <p><i>The State proposal to reduce the number of watering times per week for residential bore and well owners is creating water consumption sensitivities for South Perth garden enthusiasts, amongst others.</i></p> <p><i>City of South Perth is a waterwise accredited local government.</i></p>	
3. What are the major strategies the City applies to reduce water usage within its jurisdiction, will there be any simple strategies the City might offer residents to encourage bore water and well owners to transit smoothly to two days a week of watering?	<p>It has been quite a long journey for the City, it has been going on for about 20 years, initially it was reducing our scheme water reliance. The City had a lot of street gardens on our traffic management devices and almost all of them were on scheme water so that was the first approach the City took, we actually removed a lot of those, so cut our reliance on scheme water. We are glad we did because things have got a lot tougher in that regard.</p> <p>You're talking more about bore water. What the City has done is we carefully monitor our annual groundwater consumption to ensure it does not exceed its abstraction licence. Unlike private residents, the City has extraction licenses. We have three, one for the South Perth Foreshore, one for the golf course and one for the rest of our parks. We are allocated a sum of water that we can use. So we have to manage that across all our</p>

	<p>parks, it is very tight and we have to be very careful about how we water. It is a challenge for our irrigation staff however we purchased a central control irrigation system over 20 years ago which has proved invaluable to us because that's developed over the years and we have computer control. It is related to a weather station, so we manage our water on evaporation and rainfall when we do get it in summer so we can then wind back our water supply.</p> <p>We have meters, we check on that, we create water budgets and we manage water that way. That is not necessarily going to help local residents as they won't go into that level of sophistication but that is the first thing we have done. That is quite technical and it is very well managed by our staff because if we go over our allocations, we get into trouble with the department of water and environmental regulation. It is tough, particularly in a hot summer to manage our water. Sometimes you will see parks drying off and the reason is, unlike the old days when we use to turn the water up and water and a bit of fertiliser used to cover all things in terms of turf management but nowadays we have to get a bit more sophisticated.</p> <p>There is a couple things there, the residents would need to look at probably moving to more local plants, I think you will notice with the City over time we are moving away from more water hungry street trees. We obviously have a lot of legacy ones that are still here but we are happier to move to dryer street trees, plants in our parks and gardens that are more durable. The City has also applied the principals of hydro-zoning and eco-zoning to its parks to reduce irrigation water consumption. You will see a lot of parks these days have a lot of mulch in them. Our new parks and even our sports grounds might have the boundaries mulched up and only the active areas are irrigated. We have had to become quite innovative and I think residents can do that but it really it is a response to a drying climate.</p>
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	<p>Over a number of years the City has been active in delivering annual community sustainability workshops which in part focus on water efficiency within a residential context. We have run plants to residents schemes with our community before promoting local plants. These are the sorts of things that residents need to accept. It is really now that the pain is being felt by residents. I think this is just an indication of where we are going.</p> <p>We are noticing that the State Government is also looking at reducing the water allocation from the Gnangara Mound, that is the most significant ground water mound that Perth has. It is only going to get tighter and harder. So I can see the City probably getting reduced allocations in the future and this will happen with private bore owners. I personally believe that residents are going to have to become more efficient in the way they water. I don't believe any program is going to assist and any petition from residents to change what the government wants to do is not going to win because it is just the facts that we are in drying climate. Times have changed but I think the City can help. There are opportunities if Council wants to look at that we can fund things through our budget to assist our community in better managing their water resource.</p>
<p><i>[Preamble]</i></p> <p><i>My enquiry relates to the events in the City of Swan where the City have placed their plans for a Recreation and Aquatic Centre on hold. Personally I would deem this a very brave and responsible decision for a City. Most major public projects will be suffering a similar financial supply and time challenges.</i></p>	
<p>4. Would this suggest that South Perth's RAF might also be experiencing greater than planned for challenges in progressing to the next stage?</p>	<p><i>Mark Taylor:</i> It is actually a really good question because it is something that we are dealing with. There was some discussion about that at the RAF concept briefing with Council a couple of weeks ago. The main issue for the RAF compared to Ellenbrook, is that the RAF is not as well advanced as Ellenbrook. The City of Swan went out for a construction tender late last year and there has obviously been some problems with</p>

	<p>getting supply. We are not entirely certain what happened there, Mr Bradford might have a little bit of information on that.</p> <p><i>Mike Bradford:</i> The City of Swan went to tender a couple of times and only awarded the contract in November, so it is a bit of a surprise that it is already delayed as soon as February. I am not sure what is going on there. We have also got a different project management methodology and approach.</p> <p><i>Mark Taylor:</i> The key thing is that the City of Swan is experiencing these issues right now and right now we believe is probably the peak of the problems with Covid supply chain issues, an over stimulus of the WA economy by the amount of grants that are in the system. We are seeing that through our other attempts to construct things such as Redmond Stairs, our roads programs. Prices are going through the roof. If Council resolve to approve the RAF, say mid year this year, say we got State Government funding and Council in its wisdom approve the RAF, we would not be constructing for at least 18 months maybe two years and we could be in a totally different situation by then. Obviously we will be monitoring, as we said in the briefing. We are monitoring through each milestone of the RAF, costs and cost blow outs. Certainly the ability to deliver the RAF will be highly dependent on what we can do with the price. We fixed the price at \$80m with Council, we made that commitment. We have done some value engineering already to keep the project within that price. So if it got to the stage where that wasn't possible then the officer would be recommending delaying the project until such time as it would be. It is a crystal ball really, something we need to talk about in the future. The main issue is Ellenbrook is now, we would be 18 months to two years away and a lot can change in two years.</p>
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Councillor Glenn Cridland	Responses provided by: Mike Bradford - CEO
<p><i>[Preamble]</i></p> <p><i>My first questions relate to Item 10.4.5 which is the Council Caretaker Policy , which people may remember was part of a suite of three motions that I moved to improve governance in the City and the Council. Now as set out in the report, the resolution was that a report be prepared on the options for adoption of a Council Caretaker Policy. That is what the Council resolved.</i></p>	
<p>1. My question is for the CEO, how is it that the report that came to Council does not in fact provide a single option for the adoption of a Council Caretaker Policy, when the resolution was that a report on options for adoption of such a policy be put to us?</p>	<p>We just dealt with what we see coming with the State Government local government reform. Whether they are going to impose a single standard one across the State. That would seem to be the option that is most likely.</p>
<p>2. Do you agree that there is not an option for adoption of a Council Caretaker Policy in this report?</p>	<p>I agree.</p>
<p><i>[Preamble]</i></p> <p><i>My question relates to the years of work and workshops that have been had on this subject and the 140 pages or so on our neighbouring cities caretaker policies that we have received thank you.</i></p>	
<p>3. How is it, that the report doesn't include any of the workshops and the development work and the draft policies in any of the texts, so that the public know that we have been working on this for years and how come none of the policies that we could have used that our neighbouring local governments have are in the attachments, so that the public can see what others have done?</p>	<p>We did not believe it was necessary to provide that information to support the report we provided.</p>

4. Was there any involvement of the Mayor in the preparation of this report, did he for example see the draft report before it went to Council?	I didn't discuss it with the Mayor in any detail at all and I don't believe he saw the draft report.
5. Was the recommendation discussed with him before it came to Council?	I don't believe I discussed the recommendation with him but I can't be certain.
<p><i>[Preamble]</i></p> <p><i>My next set of questions relate to the question asked by Ms Cecilia Brooke and the answers I heard in response to her questions about the local government reform submission. Which I say, surprised me.</i></p>	
6. Who is it that will authorise the City to put in a submission on local government reform?	The City often puts in submissions to reform agendas and other submissions. We are putting in a submission from the administration that will be circulated to the Council members.
7. Has the Mayor been involved in that?	No.
8. Has he seen the draft submission?	No.
9. Who made the decision to exclude the Council from having a role in determining what the submission on local government reform from the City of South Perth would be?	I did. I made that decision in November when the local government reforms were announced. The timeframes for those reforms also indicated that the submissions had to be in by 4 February. There was clear indication at that time, that that time was not going to be extended. There was no opportunity to take that submission to a council meeting to get a City submission and on that basis we decided to take the approach that we have taken.
10. When you say we do who do you mean?	I.
11. Did you consider sending the ideas or the draft submission out to the Councillors to comment on out of session?	That is still possible, we only finalised it today from a City perspective.

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 22 March 2022

Signed _____

Presiding Member at the meeting at which the Minutes were confirmed