# AGENDA.

# **Ordinary Council Meeting**

21 November 2023

**Notice of Meeting** 

Mayor and Councillors

The next Ordinary Council Meeting of the City of South Perth Council will be held on Tuesday 21 November 2023 in the City of South Perth Council Chamber, corner Sandgate Street and South Terrace, South Perth commencing at 6:00pm.

MAN MAL

MIKE BRADFORD CHIEF EXECUTIVE OFFICER

17 November 2023



# **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 - Agenda**

- 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS
- 2. DISCLAIMER
- 3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

# 4. ATTENDANCE

- 4.1 APOLOGIES
- 4.2 APPROVED LEAVE OF ABSENCE

Nil.

# 5. DECLARATIONS OF INTEREST

- Mayor Greg Milner Impartiality Interest in Item 10.1.1 as 'I know many of the nominees.'
- Councillor Jennifer Nevard Impartiality Interest in Item 10.1.1 as 'some of the participants are known to me.'

# 6. PUBLIC QUESTION TIME

- 6.1 RESPONSES TO PREVIOUS QUESTIONS TAKEN ON NOTICE Nil.
- 6.2 PUBLIC QUESTION TIME: 21 NOVEMBER 2023

# 7. CONFIRMATION OF MINUTES AND TABLING OF NOTES OF BRIEFINGS

- 7.1 MINUTES
- 7.1.1 Ordinary Council Meeting Held: 31 October 2023

### **Officer Recommendation**

That the Minutes of the Ordinary Council Meeting held 31 October 2023 be taken as read and confirmed as a true and correct record.



# 7.2 CONCEPT BRIEFINGS

### 7.2.1 Concept Briefings and Workshops

Officers of the City/Consultants and invited third party guests provided Council with an overview of the following matter at Concept Briefings and Workshops:

Date	Subject	Attendees
30 October 2023	Office of the CEO Induction (for New Elected Members)	Councillors Nic Coveney, Hayley Prendiville, Bronwyn Waugh.
30 October 2023	Corporate Services Induction (for New Elected Members)	Councillors Nic Coveney, Hayley Prendiville, Bronwyn Waugh.
7 November 2023	Waste Briefing	Mayor Greg Milner and Councillors André Brender-A- Brandis, Mary Choy, Blake D'Souza, Jennifer Nevard, Hayley Prendiville, Bronwyn Waugh.
7 November 2023	Development WA Briefing	Mayor Greg Milner and Councillors André Brender-A- Brandis, Mary Choy, Blake D'Souza, Jennifer Nevard, Hayley Prendiville, Bronwyn Waugh.
14 November 2023	Development and Community Services Induction (for New Elected Members)	Councillors Nic Coveney, Hayley Prendiville, Bronwyn Waugh.

### Attachments

Nil.

# 7.2.2 Council Agenda Briefing - 14 November 2023

Officers of the City presented background information and answered questions on Items to be considered at the November Ordinary Council Meeting at the Council Agenda Briefing held 14 November 2023

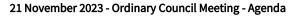
### Attachments

7.2.2 (a): Briefing Notes

#### **Officer Recommendation**

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

- 7.2.1 Concept Briefings and Workshops
- 7.2.2 Council Agenda Briefing 14 November 2023



# 8. **PRESENTATIONS**

# 8.1 PETITIONS

Nil.

# 8.2 GIFTS / AWARDS PRESENTED TO COUNCIL

Nil.

# 8.3 **DEPUTATIONS**

No Deputations were heard at the Council Agenda Briefing held 14 November 2023.

# 9. METHOD OF DEALING WITH AGENDA BUSINESS

# 10. **REPORTS**

# 10.1 STRATEGIC DIRECTION 1: COMMUNITY

### 10.1.1 City of South Perth - 2024 Auspire Community Citizen of the Year Awards -Nominations Assessment and Recommendations

File Ref:	D-23-54008
Author(s):	Marie Walker, Community Development Officer
Reporting Officer(s):	Donna Shaw, Director Development and Community Services

#### Summary

This report seeks Council's approval of the award recipients for the City of South Perth – 2024 Auspire Community Citizen of the Year Award.

#### **Officer Recommendation**

That Council approves the award recipients for the City of South Perth - Auspire Community Citizen of the Year Awards for 2024, as shown in **Confidential Attachment (a)** in the following categories:

- 1. Community Citizen of the Year Award Adult Category
- 2. Community Citizen of the Year Award Youth Category
- 3. Community Citizen of the Year Award Seniors Category
- 4. Active Citizenship Award Group or Event Category

### Background

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

The Awards recognise individuals and organisations within the City of South Perth who are making a notable contribution to community life and active participation in projects.

There are four categories for nominations:

- 1. Community Citizen of the Year (Adult Category) to acknowledge adults who have delivered outstanding service to the community.
- 2. Citizen of the Year Award (Youth Category) to acknowledge young people under 25 years of age who have delivered outstanding service to the community.
- 3. Citizen of the Year Award (Seniors Category) to acknowledge people aged 65 years and older who have delivered outstanding service to the community.
- 4. Active Citizenship (Group or Event Category) to acknowledge groups doing outstanding work, or for an outstanding event held in the local community during the past year.

Presentation of the Awards will be made at the City's Australia Day community event on 26 January 2024. The winner of each category is recognised with a framed certificate and all other eligible nominees receive a certificate of appreciation from the City of South Perth.

# 10.1.1 City of South Perth - 2024 Auspire Community Citizen of the Year Awards - Nominations Assessment and Recommendations

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

Selection criteria for nominees for the **individual** award categories:

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

Selection criteria for nominees for the **group / event** award category:

- 1. Group/ event that creates community engagement;
- 2. Group/event that creates initiatives for new employment; and
- 3. Created significant initiative that has brough about positive change.

#### Comment

This year a total of 16 nominations were submitted comprising:

- 5 x nominations for the Community Citizen of the Year Adult category
- 3 x nominations for the Community Citizen of the Year Youth category
- 5 x nominations for the Community Citizen of the Year Seniors category
- 3 x nominations for the Active Citizenship Group or Event category.

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

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

#### Consultation

The City commenced promotion of the Citizen of the Year Awards program in August 2023, with posters displayed in key venues around the City, including Libraries, the Civic Centre and George Burnett Leisure Centre. Communication was sent to community groups, sporting clubs, schools and volunteer organisations listed in the City's Community Information Directory. The Awards program was also advertised in the Peninsula Snapshot, City of South Perth website and through a state-wide campaign by Auspire. Nominations closed on 31 October 2023.

### **Policy and Legislative Implications**

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



# 10.1.1 City of South Perth - 2024 Auspire Community Citizen of the Year Awards - Nominations Assessment and Recommendations

#### **Financial Implications**

Funds are allocated in the City's 2023/24 Operating Budget for costs associated with the Community Citizen of the Year Award Program.

### **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	Low
Mitigation and actions	The City could potentially face adverse reputational impacts if it does not acknowledge local citizenship each year. The City's Community Citizen of the Year Awards is an effective risk management mitigation strategy as it provides a suitable method of acknowledging the contributions made by local individuals and community groups

### **Strategic Implications**

This matter relates to the following Strategic Direction identified within Council's <u>Strategic</u> <u>Community Plan 2021-2031</u>:

Strategic Direction:	Community
Aspiration:	Our diverse community is inclusive, safe, connected and
	engaged
Outcome:	1.1 Culture and community
Strategy:	1.1.4 Encourage volunteering that benefits our community

### Attachments

10.1.1 (a):	City of South Perth Community Citizen of the Year Awards 2024 -
	Assesment and Recommendations (Confidential)



# 10.3 STRATEGIC DIRECTION 3: ENVIRONMENT (BUILT AND NATURAL)

#### 10.3.1 Tender 9/2023 Provision of Weed Control in Roads and Pathways Services

File Reference:D-23-54009Author(s):Jan Augustin, Manager Engineering ServicesReporting Officer(s):Anita Amprimo, Director Infrastructure Services

#### Summary

This report considers submissions received from the advertising of Tender 9/2023 for the Provision of Weed Control Services in Roads and Pathways.

This report will outline the assessment process used during evaluation of the tenders received and recommend approval of the tender that provides the best value for money and level of service to the City.

#### **Officer Recommendation**

That Council:

- 1. Accepts the tender submitted by Environmental Industries Pty Ltd for the Provision of Weed Control in Roads and Pathways Services in accordance with Tender 09/2023 for the period of supply of three years with the option to extend for two additional one-year periods by sole direction of the principal;
- 2. Accepts the tender price included in **Confidential Attachment (a)**; and
- 3. Authorises the Chief Executive Officer to execute the contract with Environmental Industries Pty Ltd.

#### Background

A Request for Tender 9/2023 for the Provision of Weed Control in Roads and Pathways Services was advertised in The West Australian on 26 August 2023 and on the WALGA Preferred Supplier Portal on 23 August 2023 and closed at 2:00pm on 12 September 2023.

Tenders were invited on a fixed-price basis for the first year followed by standard rise and fall provisions for the remainder of the contract.

The contract is for the period of three years. The contract period does allow the option to extend the contract for an additional period of two further one-year periods exercisable at the sole discretion of the principal.



#### Comment

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

#### TABLE A – Tender Submissions

Tender Submission	
Environmental Industries Pty Ltd	
LD Total	
Supa Pest and Weed Control	

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

#### TABLE B - Qualitative Criteria

Qualitative Criteria	Weighting %
1. Demonstrated experience	20%
2. Skills and experience of key personnel	20%
3. Resources	20%
4. A demonstrated understanding of the required tasks	40%
Total	100%

Based on the assessment of all submissions received for Tender 9/2023 for the Provision of Weed Control in Roads and Pathways Services, it is recommended that the tender submission from Environmental Industries be accepted by Council.

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

#### Consultation

Public tenders were invited in accordance with the Local Government Act 1995 (the Act).



#### **Policy and Legislative Implications**

Section 3.57 of the Local Government Act 1995 - tenders for providing goods or services:

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

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

- (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$250 000 unless sub regulation (2) states otherwise.
- *(2) Tenders do not have to be publicly invited according to the requirements of this Division if*
  - *(b) the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program.*

The following Council Policies also apply:

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

#### **Financial Implications**

The full cost of the annual works is included in the 2023/24 budget. The supply costs for the subsequent years will be sought in the future City operational budgets for the life of the contract.

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	Medium
Mitigation and actions	Undertake a program of regular inspections of roads and pathways verges to ensure optimal application of herbicides.



21 November 2023 - Ordinary Council Meeting - Agenda

#### **Strategic Implications**

This matter relates to the following Strategic Direction identified within Council's <u>Strategic</u> <u>Community Plan 2021-2031</u>:

Strategic Direction: Aspiration:	Environment (Built and Natural) Sustainable, liveable, diverse and welcoming neighbourhoods that respect and value the natural and built environment
Outcome: Strategy:	<ul><li>3.3 Enhanced environment and open spaces</li><li>3.3.3 Improve the amenity value and sustainable uses of our streetscapes, public open spaces and foreshores</li></ul>

#### Attachments

**10.3.1 (a):** RFT 09/2023 - Provision of Weed Control in Roads and Pathways Services - Recommendation Report *(Confidential)* 



# 10.3.2 Draft Local Planning Policy - Child Care Premises (Final Adoption)

File Ref:D-23-54010Author(s):Samantha Taylor, Senior Strategic PlannerReporting Officer(s):Donna Shaw, Director Development and Community Services

#### Summary

The purpose of this report is for Council to consider adopting draft amended Local Planning Policy - Child Care Premises following advertising.

#### **Officer Recommendation**

That Council, pursuant to Schedule 2, Part 2, Clause 4 (3) of the Planning and Development (Local Planning Schemes) Regulations 2015 adopts draft amended Local Planning Policy - Child Care Premises as contained within **Attachment (b)**.

#### Background

At its meeting held 26 September 2023, Council resolved to advertise amendments to Local Planning Policy - Child Care Premises (draft Policy).

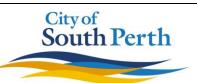
#### Comment

As a result of submissions received during the consultation period, it is recommended that the following amendments are made to the draft Policy:

- Providing for outdoor play areas to be located near adjoining noise sensitive premises such as dwellings and residential aged care facilities where a report by a suitably qualified acoustic consultant has been prepared in support of the proposal.
- Clarification that front fencing shall be visually permeable above a height of 1.2m from natural ground level, to optimise passive surveillance of the street, subject to alternative considerations such as noise mitigation and security.

The existing Local Planning Policy P307 - Family Day Care and Child Day Care Centres is contained as **Attachment (a)**. The draft Policy is contained as **Attachment (b)**, incorporating the above modifications.

The modifications to the draft Policy provide further guidance for applicants and assist in discretionary decision making. As such, it is recommended that Council adopts the draft Policy as amended.



#### 10.3.2 Draft Local Planning Policy - Child Care Premises (Final Adoption)

#### Consultation

Following Council's resolution on the matter, the draft Policy was advertised for public comment in the following manner:

- On the City's Your Say South Perth website for a period of 28 days, from 9 October 2023 to 6 November 2023;
- In the City's eNewsletter 'Peninsula Snapshot' on 1 November 2023; and
- Copies of the draft Policy and hard copy feedback forms were made available at the City's Civic Centre, South Perth Library and Manning Library.

At the close of public consultation period, 10 submissions were received on the draft Policy, providing support and/or comment. A schedule of submissions for the draft Policy is contained at **Attachment (c)**.

### Policy and Legislative Implications

After the expiry of the period within which submissions may be made, the local government must  $-\!$ 

*"(a) review the proposed policy in the light of any submissions made; and* 

- (b) resolve to -
  - *(i).* proceed with the policy without modification; or
  - (*ii*). proceed with the policy with modification; or
  - (iii). not to proceed with the policy."

If the local government resolves to proceed with the Policy, the local government must publish notice of the Policy in accordance with clause 87 of the Regulations.

### **Financial Implications**

Nil.



#### 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	If the local government resolves to proceed with the amended policy, the local government must publish notice of the policy in accordance with clause 87 of the Regulations.	

# Strategic Implications

This matter relates to the following Strategic Direction identified within Council's <u>Strategic</u> <u>Community Plan 2021-2031</u>:

Strategic Direction:	Environment (Built and Natural)
Aspiration:	Sustainable, liveable, diverse and welcoming neighbourhoods
	that respect and value the natural and built environment
Outcome:	3.2 Sustainable built form
Strategy:	3.2.1 Develop and implement a sustainable local planning framework to meet current and future community needs

#### Attachments

10.3.2 (a):	Policy P307 Family Day Care and Child Care Centres (current)
10.3.2 (b):	Draft Local Planning Policy - Child Care Premises (Final Adoption)
10.3.2 (c):	Draft Local Planning Policy - Child Care Premises - Schedule of Submissions



# 10.3.3 Draft Local Planning Policy - Advertising Signage (Final Adoption)

File Ref:D-23-54012Author(s):Samantha Taylor, Senior Strategic PlannerReporting Officer(s):Donna Shaw, Director Development and Community Services

#### Summary

The purpose of this report is for Council to consider adopting draft amended Local Planning Policy - Advertising Signage following advertising.

#### **Officer Recommendation**

That Council, pursuant to Schedule 2, Part 2, Clause 4 (3) of the Planning and Development (Local Planning Schemes) Regulations 2015 adopts draft amended Local Planning Policy - Advertising Signage as contained within **Attachment (b)**.

#### Background

At its meeting held 26 September 2023, Council resolved to advertise draft Local Planning Policy - Advertising Signage (draft Policy).

#### Comment

As a result of submissions received during the consultation period, and a recent State Administrative Tribunal decision to not support third party content within a large format digital sign (Major Holding Pty Ltd and Presiding Member of the Metro Inner South Joint Development Assessment Panel - [2023] WASAT 97), it is recommended that the following amendments are made to the draft Policy:

- Clarification that advertising signage shall, where possible, be integrated into the design of the building;
- Expanding the general requirements such that advertising signage shall only advertise services and products available on the premises;
- Include a new provision to ensure incidental elements such as supporting structures are concealed to the satisfaction of the City;
- Clarification that illuminated and digital signage shall not adversely detract from the amenity of the locality and not be located on sites zoned residential;
- Clarification that illuminated and digital signage larger than 3m<sup>2</sup> on Canning Highway shall orientate toward the highway itself;
- Clarification that roof signs do not include sky sign, and including a new sign type and associated criteria for sky signs (i.e. signs painted on the roof of a building);
- Amended definition for ground based portable signs to remove whether it is temporary or permanent, as well as requiring they be secured; and
- Modifications to tethered signage, ensuring the associated image depicts a compliant scenario.



#### 10.3.3 Draft Local Planning Policy - Advertising Signage (Final Adoption)

The existing Local Planning Policy P308 - Signs is contained as **Attachment (a)**. The draft Policy is contained as **Attachment (b)**, incorporating the above modifications.

Modifications to the draft Policy will provide clarification for applicants and assist in discretionary decision making. As such, it is recommended that Council adopts the draft Policy as amended.

### Consultation

Following Council's resolution on the matter, the draft Policy was advertised for public comment in the following manner:

- On the City's Your Say South Perth website for a period of 28 days, from 9 October to 6 November 2023;
- In the City's eNewsletter 'Peninsula Snapshot' on 1<sup>st</sup> November 2023; and
- Copies of the draft Policies and hard copy feedback forms were made available at the City's Civic Centre, South Perth Library and Manning Library.

At the close of public consultation period, nine submissions were received on the draft Policy, providing support and/or comment. A schedule of the submissions for the draft Policy is contained at **Attachment (c)**.

#### **Policy and Legislative Implications**

After the expiry of the period within which submissions may be made, the local government must —

"(a) review the proposed policy in the light of any submissions made; and

- (b) resolve to -
  - (i). proceed with the policy without modification; or
  - (ii). proceed with the policy with modification; or
  - (iii). not to proceed with the policy."

If the local government resolves to proceed with the Policy, the local government must publish notice of the Policy in accordance with clause 87 of the Regulations.

#### **Financial Implications**

Nil.



#### Key Risks and Considerations

10.3.3

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	If the local government resolves to proceed with the amended policy, the local government must publish notice of the policy in accordance with clause 87 of the Regulations.	

# Strategic Implications

This matter relates to the following Strategic Direction identified within Council's <u>Strategic</u> <u>Community Plan 2021-2031</u>:

Strategic Direction:	Environment (Built and Natural)
Aspiration:	Sustainable, liveable, diverse and welcoming neighbourhoods
	that respect and value the natural and built environment
Outcome:	3.2 Sustainable built form
Strategy:	3.2.1 Develop and implement a sustainable local planning
	framework to meet current and future community needs

#### Attachments

10.3.3 (a):	Local Planning Policy P308 - Signs (current)
10.3.3 (b):	Draft Local Planning Policy - Advertising Signage
10.3.3 (c):	Draft Local Planning Policy - Advertising Signage - Schedule of Submissions



### 10.3.4 Response to Notice of Motion - Waste Plan

File Ref:D-23-54013Author(s):Anita Amprimo, Director Infrastructure ServicesReporting Officer(s):Anita Amprimo, Director Infrastructure Services

#### Summary

This report provides information in response to the Notice of Motion passed at the Ordinary Council Meeting held 25 October 2022, titled 'Waste Plan Update'. This report follows a workshop held with Council on 7 November 2023.

#### **Officer Recommendation**

That Council accepts the information provided in this report as the response to the Notice of Motion – Waste Plan Update passed by Council at its meeting held 25 October 2022.

#### Background

At its meeting held 25 October 2022, Council supported a Notice of Motion presented by former Councillor Carl Celedin requesting the City hold a workshop and present a report to Council on the following:

- An update on discussions with the State Government and its objective to achieve separate Food Organics / Green Organics waste collection and processing;
- A status report on the Rivers Regional Council (RRC) proposed transition to become a Regional Subsidiary;
- An update in relation to completion and commissioning of the Avertas Waste to Energy Facility and any implications for the City's future waste disposal obligations;
- Any pertinent reports that have been prepared for the Rivers Regional Council and the administration's assessment of these reports.

A workshop was held 7 November 2023 with Elected Members in response to the Notice of Motion.

#### Comment

#### Discussions with the State Government

City Officers met with representatives from the Department of Water and Environmental Regulation in March 2023 to discuss the City's Waste Plan and alignment to the State Waste Strategy. The Department has currently assessed the City's Waste Plan as being inconsistent with the State Waste Strategy due to there being no specific plan to implement a three-bin Food Organics/Garden Organics kerbside collection by 2025.



#### 10.3.4 Response to Notice of Motion - Waste Plan

The City provided background on the current status of waste management and the contractual commitments that influence future services that can be provided. Specifically, the implications of the committed tonnage contracted to be delivered to the Avertas Waste to Energy facility when it becomes operational. The introduction of a three-bin system would result in the City not being able to provide the contracted tonnage, the potential for significant penalties and the possibility of being in breach of contract. The City affirmed a commitment to continue to explore the options for alignment with the State Waste Strategy.

The City also noted its intention to implement a number of other initiatives that supplement the State Waste Strategy such as Containers for Change (CDS) and alternatives to the current Bulk Verge Collection that promotes higher recovery such as a re-use shop in conjunction with other services.

The City currently provides a two bin kerbside collection for recyclables and general waste. The options for a three-bin collection system have also been explored and provision to transition is contained within the existing collection contract which expires in 2030. There are several uncertainties with estimating the potential costs for introduction of a three-bin system such as the cost of processing FOGO, the actual diversion rate and the levels of contamination. Below are indicative cost implications for the introduction of a three-bin collection system.

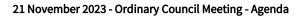
Collection System	Total Cost per annum	Roll out cost	Total Waste Charge (approx.)	Increase per charge (approx.)
Existing 2-bin	\$3.5 million	N/A	\$375	N/A
3-bin Garden Organics	\$4.5 million	\$0.8 million	\$420	\$45
3-bin FOGO	\$5.2 million	\$2.2 million	\$465	\$90

#### Status of transition of Rivers Regional Council to Rivers Regional Subsidiary

A report was presented to the Ordinary Council Meeting held 28 February 2023 where the officer recommendation to approve the updated Charter of the Regional Subsidiary was passed by Council. All Member Councils had previously endorsed the wind-up of Rivers Regional Council (RRC) with a transition to the Rivers Regional Subsidiary (RRS) and approved the original Charter. Following review by the Minister, the Charter required amendment and all Member Councils have now endorsed the revised Charter and the transition to the RRS is now anticipated for completion in quarter two of 2024.

#### Update on Completion of Avertas Waste to Energy Facility

A report was presented to the Ordinary Council Meeting held 27 June 2023 that approved contract amendments including updating the date for Practical Completion for the Waste to Energy plant to December 2024. The Principal (RRC) did not have the option under the contract to terminate at this time but was able to negotiate a number of concessions in exchange for an amendment to the Practical Completion date. The City remains contractually obligated to deliver waste to the plant when it becomes operational which is expected to be in late 2024.





#### 10.3.4 Response to Notice of Motion - Waste Plan

#### Administration's Assessment of Reports Prepared for the Rivers Regional Council

Reports prepared for the Rivers Regional Council are provided to the City's nominated Elected Representatives and the City's administration. The administration has no adverse comments relating to any of these reports.

#### Consultation

Nil.

### **Policy and Legislative Implications**

The City's obligations to submit and report on a Waste Plan are established under the *Waste Avoidance and Resource Recovery Act 2007.* 

The City of South Perth Health Local Law 2002 and the City of South Perth Waste Local Law 2007 are also relevant to the provision of waste services.

#### **Financial Implications**

There are no direct financial implications associated with this report however the report contains an outline of the financial implications of implementing a three-bin Food Organics/Garden Organics collection system.

#### **Key Risks and Considerations**

Risk Event Outcome	Not Applicable
Risk rating	Not Applicable
Mitigation and actions	Not Applicable

### Strategic Implications

This matter relates to the following Strategic Direction identified within Council's <u>Strategic</u> <u>Community Plan 2021-2031</u>:

Strategic Direction:	Environment (Built and Natural)
Aspiration:	Sustainable, liveable, diverse and welcoming neighbourhoods
	that respect and value the natural and built environment
Outcome:	3.4 Resource management and climate change
Strategy:	3.4.1 Actively manage and promote sustainable water, waste,
	land and energy practices

#### Attachments

Nil.



# 10.4 STRATEGIC DIRECTION 4: LEADERSHIP

### 10.4.1 Listing of Payments October 2023

File Ref:	D-23-54014
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 October 2023 to 31 October 2023 for information. It also includes purchase card transactions between 1 September 2023 to 30 September 2023 in line with new legislative requirements. The City made the following payments:

EFT Payments to Creditors	(408)	\$4,834,357.21
Cheque Payment to Creditors	(2)	\$512.20
Total Monthly Payments to Creditors	(410)	\$4,834,869.41
EFT Payments to Non-Creditors	(82)	\$803,954.93
Cheque Payments to Non-Creditors	(24)	\$19,284.00
Total EFT & Cheque Payments	(516)	\$5,658,108.34
Credit Card Payments	(16)	\$19,250.07
Fleet Card Payments	(53)	\$4,621.21
Total Payments	(585)	\$5,681,979.62

#### **Officer Recommendation**

That Council receives the Listing of Payments for the month of October 2023 as detailed in **Attachment (a)**.

#### Background

Council has delegated to the Chief Executive Officer (CEO) the exercise of 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 Council at the next Ordinary Meeting of the Council after the list is prepared. The Local Government (Financial Management) Regulations 1996 have been amended. Regulation 13A have been inserted requiring payments made with purchase cards to be included in the list of accounts paid.

#### Comment

The payment listing for October 2023 is included in Attachment (a).

The attached report includes a "Description" for each payment. The City's officers have used best endeavours to redact (in black) information of a private or confidential nature.



#### 10.4.1 Listing of Payments October 2023

The report records payments are classified as:

<u>Creditor Payments</u>

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

• <u>Non-Creditor Payments</u>

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

Purchase Cards

Purchase card payments are included in the listing of payments as required by the amended Regulations. The amended Regulations requires the City to prepare a list of the payments made with each card and to present it to Council. Due to the time lag between receiving the statements and the successful acquittal of transactions in the City's system this listing will always be for the month preceding the month for which creditor and non-creditor payments are being reported.

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. The 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, are also not provided in this report.

### Consultation

Nil.

### **Policy and Legislative Implications**

Regulations 12, 13(1) and 13A 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.



#### 10.4.1 Listing of Payments October 2023

#### 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 timelines exceeding statutory requirements	

#### **Strategic Implications**

This matter relates to the following Strategic Direction identified within Council's <u>Strategic</u> <u>Community Plan 2021-2031</u>:

Strategic Direction:	Leadership
Aspiration:	A visionary and influential local government that is receptive
	and proactive in meeting the needs or 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

10.4.1 (a):	Listing of Payments October 2023
10.7.1 (d).	



## 10.4.2 Monthly Financial Statements October 2023

File Ref:D-23-54016Author(s):Abrie Lacock, Manager FinanceReporting 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**

That Council notes the Financial Statements and report for the month ended 31 October 2023.

#### Background

Regulations 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. Regulation 34(3) specifies that the nature or type classification must be used. 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. In addition to the above Regulation 35 requires a local government to present a Statement of Financial Position. The 2023/24 budget adopted by Council on 27 June 2023, determined the material variance amounts of \$10,000 or 10% for the financial year. The Financial Management Reports contains an Original and Revised Budget column for comparative purposes.

#### Comment

The Statement of Financial Position and the Statement of Financial Activity is required to be produced monthly in accordance the Local Government (Financial Management) Regulations 1996. The Statement of Financial Activity is a 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.

Ongoing supply shortages an effect of COVID-19 and the war in Ukraine are responsible for stubborn inflation worldwide including Australia. The September 2022 to September 2023 Perth CPI of 5.8% and national CPI of 5.4% are still considerably higher than the Reserve Bank of Australia (RBA) target rates of between 2% and 3%.

To curb the high inflation the RBA have been raising interest rates since June 2022 increasing the cash rate target from 0.10% to 4.35%. At its November meeting the RBA increased the cash rate target by 25 basis points, breaking the trend of the four preceding meetings where the RBA decided to leave the cash rate target unchanged.



#### 10.4.2 Monthly Financial Statements October 2023

The RBA made the following statement at its Board meeting of 7 November 2023: "Inflation in Australia has passed its peak but is still too high and is proving more persistent than expected a few months ago. The latest reading on CPI inflation indicates that while goods price inflation has eased further, the prices of many services are continuing to rise briskly. While the central forecast is for CPI inflation to continue to decline, progress looks to be slower than earlier expected. CPI inflation is now expected to be around 3½ per cent by the end of 2024 and at the top of the target range of 2 to 3 per cent by the end of 2025. The Board judged an increase in interest rates was warranted today to be more assured that inflation would return to target in a reasonable timeframe."

In framing the Annual Budget 2023/24, the City considered the continued economic uncertainty. The City continues to prudently manage its finances through this challenging time whilst remaining conscious of the need to provide quality services to our community.

Actual income from operating activities for October year-to-date (YTD) is \$58.29m in comparison to budget of \$57.30m, favourable to budget by \$0.99m or 1.72%. Actual expenditure from operating activities for October is \$22.96m in comparison to the budget of \$23.47m, favourable to budget by \$0.51m or 2.18%. The October Net Operating Position of \$35.33m is \$1.50m favourable in comparison to budget.

Capital Revenue is lower than budget by \$0.46m, \$0.17m compared to budget of \$0.63m, revenue recognition is dependent on capital project completion. Actual Capital Expenditure YTD is \$1.94m in comparison to budget the budget of \$3.77m lower than budget by \$1.84m or 49%. A variance analysis is provided within **Attachment (e)** titled Significant Variance Analysis.

Cash and Cash Equivalents which amounted \$89.98m, \$6.10m more than the prior year comparative, mainly the result of rates falling due slightly earlier. 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).

Interest rates are still creeping higher albeit at a slower pace than the preceding 12 months, with banks offering average interest rates of 4.85% 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 the other investment criteria of Policy P603 Investment of Surplus Funds being met. At the end of October 2023, the City held 35.99% 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 regulations 34 and 35 of the Local Government (Financial Management) Regulations 1996.



#### 10.4.2 Monthly Financial Statements October 2023

#### **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 timelines exceeding statutory requirements	

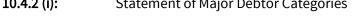
#### **Strategic Implications**

This matter relates to the following Strategic Direction identified within Council's <u>Strategic</u> <u>Community Plan 2021-2031</u>:

Strategic Direction:	Leadership	
Aspiration:	A 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	
	quality accesses making to access community provides	

#### 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 and 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 Metro Inner-South Joint Development Assessment Panel

File Ref:D-23-54018Author(s):Morgan Hindle, Governance CoordinatorReporting Officer(s):Garry Adams, Director Corporate Services

#### Summary

This report seeks the appointment of Councillors to the Metro Inner-South Joint Development Assessment Panel for the period 26 January 2024 to 26 January 2026.

#### **Officer Recommendation**

- 1. That Council nominates Councillor \_\_\_\_\_\_ as a member of the Metro Inner-South Joint Development Assessment Panel for the period 26 January 2024 to 26 January 2026.
- 2. That Council nominates Councillor \_\_\_\_\_\_ as a member of the Metro Inner-South Joint Development Assessment Panel for the period 26 January 2024 to 26 January 2026.
- That Council nominates Councillor \_\_\_\_\_\_ and Councillor \_\_\_\_\_\_ as alternate members of the Metro Inner-South Joint Development Assessment Panel for the period 26 January 2024 to 26 January 2026.
- 4. That the Minister for Planning be advised of the nomination of the City of South Perth's Joint Development Assessment Panel member and alternate members for the period 26 January 2024 to 26 January 2026.

### Background

Development Assessment Panels were introduced into the Western Australian planning system in July 2011 and are decision-making panels that are intended to enhance the planning expertise in decision-making by improving the balance between technical advice and local knowledge.

The City of South Perth is part of the Metro Inner-South Joint Development Assessment Panel (JDAP). JDAP members will be required when a JDAP meeting is held and will sit on the JDAP with three specialist members, with one of the specialist members being the presiding member.

Councillor Glenn Cridland is the City's only member with a term expiring 26 January 2024.

Prior to this expiry date, the local government is required to nominate four members for appointment by the Minister for Planning.

In accordance with Regulation 30 of the Planning and Development (Development Assessment Panels) Regulations 2011, all JDAP members must attend and satisfactorily complete training provided by the Department **before** performing the functions of a JDAP member. The Department will arrange training for new members after 27 January 2024.



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#### 10.4.3 Metro Inner-South Joint Development Assessment Panel

The schedule of fees as per the Planning and Development (Development Assessment Panels) Regulations 2011 are as follows:

### Schedule 2 — Fees for DAP Members

(Regulation 30, 31)

Item		Member fee
1.	Fee for presiding member per meeting to determine development applications	\$700
2.	Fee for any other member per meeting to determine development applications	\$425
3.	Fee per meeting for presiding member to determine applications to amend or cancel determination	\$200
4.	Fee per meeting for any other member to determine applications to amend or cancel determination	\$100
5.	Fee for presiding member attending proceeding in State Administrative Tribunal	\$700
6.	Fee for any other member attending proceeding in State Administrative Tribunal	\$425
7.	Fee for training for DAP members	\$400
8.	Fee for re-training for DAP members	\$200
9.	Fee for presiding member to determine dispute as to compliance with notice	\$200

#### Effective of 1 February 2017

Note: Only one member fee item applies per member for each meeting.

#### Example:

If a DAP meeting is scheduled to determine a Form 1 development application and a Form 2 application to amend or cancel a determination, the following DAP member fees apply if both applications are being considered by the same local authority:

- Presiding Member \$700
- Specialist Members \$425
- Local Government Members \$425

The following DAP member fees apply if different local authorities are considering the Form 1 and Form 2 applications:

- Presiding Member \$700
- Specialist Members \$425
- Local Government Members considering the Form 1 application \$425
- Local Government Members considering the Form 2 application \$100

#### Attachments

Nil.



# 10.4.4 Local Emergency Management Committee For Canning / South Perth -Delegates

File Ref:	D-23-54019
Author(s):	Morgan Hindle, Governance Coordinator
	Patrick Quigley, Manager Community, Culture and Recreation
Reporting Officer(s):	Garry Adams, Director Corporate Services

#### Summary

This report seeks the appointment of two Councillor Delegates to the Local Emergency Management Committee for Canning / South Perth for the period 21 November 2023 to 18 October 2025.

#### **Officer Recommendation**

- That in accordance with the provisions of the *Emergency Management Act* 2005, Section 38 Council appoints Councillor \_\_\_\_\_ as the City's Delegate to the Local Emergency Management Committee for Canning / South Perth for the period 21 November 2023 to 18 October 2025.
- That in accordance with the provisions of the *Emergency Management Act* 2005, Section 38 Council appoints Councillor \_\_\_\_\_ as the City's Deputy Delegate to the Local Emergency Management Committee for Canning / South Perth for the period 21 November 2023 to 18 October 2025.

#### Background

Under section 38 of the *Emergency Management Act 2005*, a local government is required to establish a Local Emergency Management Committee (LEMC) for the local government's district. However, local governments may also unite for the purposes of emergency management and establish a LEMC for their combined districts.

The City of Canning and City of South Perth share the management of the LEMC for its districts, which is co-chaired by two local government delegates and includes representation from organisations and agencies that play a key role in emergency management, namely: Police, Fire & Emergency Services, Department of Communities, State Emergency Services and others.

#### Comment

The LEMC meets quarterly generally on the first Tuesday of the months of February, May, August and November. The meeting locations are rotated between the City of Canning and City of South Perth offices.



#### 10.4.4 Local Emergency Management Committee For Canning / South Perth - Delegates

No additional fees or allowances are paid to LEMC representatives.

Elected Member attendance at the LEMC meetings will be recorded quarterly on a public register.

More information about the LEMC is outlined in the Terms of Reference, which is shown as **Attachment (a)**.

#### Attachments

10.4.4 (a): Terms of Reference



# 10.4.5 City of South Perth Public Health Reference Group

File Ref:	D-23-54020
Author(s):	Morgan Hindle, Governance Coordinator
	Patrick Quigley, Manager Community, Culture and Recreation
Reporting Officer(s):	Garry Adams, Director Corporate Services

#### Summary

This report seeks the appointment of a Councillor to the City of South Perth Public Health Reference Group for the period 21 November 2023 to 18 October 2025.

#### **Officer Recommendation**

That Council appoints Councillor \_\_\_\_\_\_ to the City of South Perth Public Health Reference Group for the period 21 November 2023 to 18 October 2025.

#### Background

The City established its Public Health Reference Group in 2021 to provide advice on local public health matters.

#### Comment

The purpose of the Public Health Reference Group (PHRG) is to:

- 1. Provide advice to the City on implementation of the City's Public Health Plan and other public health matters as requested by the City.
- 2. Explore current and emerging public health issues, including analysis of public health information and data.
- 3. Develop relationships and promote collaboration between the City, primary health networks, Curtin University and health care professionals and providers.
- 4. Provide guidance on public health initiatives to support implementation of the City's Public Health Plan and to optimise the health and wellbeing of the local community.

One of the key functions of the PHRG is to oversee the City's Public Health Plan 2020-2025, which provides an opportunity to make positive change in preventative health for residents.

Strategically, there are opportunities to influence public health planning across areas of healthy nutrition, increasing opportunities for physical activity, and limiting harm caused by smoking and alcohol. Working with priority groups of seniors, children and disadvantaged populations could be a focus, as well as looking at the emerging area of positive mental health and wellbeing. Decisions on where the preventative health direction within the City should be, are guided by the PHRG using the Public Health Plan.



#### 10.4.5 City of South Perth Public Health Reference Group

On a program level, the PHRG will be working within the suburb of Karawara to carry out an audit of public open space and local movement network, and incorporating this review with service providers in the area. The Healthy Active by Design principles, developed by the Heart Foundation of Australia, will be used to ensure that we reach best practice standards and amend environment and infrastructure accordingly. Improving accessibility, as well as activating spaces, will lead to better inclusion and stronger connection to local community.

The PHRG will meet quarterly on the third Monday of the month in February, May, August and November from 12.30pm – 2.30pm.

One Elected Member representative is sought for the PHRG. No additional fees or allowances are paid to PHRG representatives.

Elected Member attendance at the City's PHRG meetings will be recorded quarterly on a public register.

More information about the PHRG is outlined in the Terms of Reference, which is shown as **Attachment (a).** 

#### Attachments

10.4.5 (a): Terms of Reference



# 10.4.6 Appointment of Deputy Delegate to the Western Australian Local Government Association South-East Metropolitan Zone

File Ref:	D-23-54222
Author(s):	Morgan Hindle, Governance Coordinator
Reporting Officer(s):	Garry Adams, Director Corporate Services

#### Summary

This report seeks the appointment of the Chief Executive Officer as the Deputy Delegate to the Western Australian Local Government Association South-East Metropolitan Zone for the period 21 November 2023 to 18 October 2025.

#### **Officer Recommendation**

That Council appoints the Chief Executive Officer as the Deputy Delegate to the Western Australian Local Government Association South-East Metropolitan Zone for the period 21 November 2023 to 18 October 2025.

#### Background

At its Meeting held 31 October 2023, Council appointed Councillor Bronwyn Waugh as the City's Delegate to the Western Australian Local Government Association South-East Metropolitan Zone. A second delegate and a deputy delegate were not appointed.

#### Comment

The Western Australian Local Government Association (WALGA) is the single association for Local Governments in WA, representing the political and strategic interests of Local Government at State and Federal levels. The WALGA South-East Metropolitan Zone Committee provides input to the West Australian Local Government Association State Council on issues relating to Local Government affecting members of the Local Government Association.

The WALGA South-East Metropolitan Zone is comprised of representatives of the following Local Governments:

- City of Armadale
- City of Canning
- City of Gosnells
- City of South Perth
- Town of Victoria Park

The City of South Perth is entitled to two votes at WALGA South East Metropolitan Zone meetings. To ensure that the City is appropriately represented, it is recommended that the Chief Executive Officer be appointed as the Deputy Delegate.

#### Attachments

Nil.





# 11. APPLICATIONS FOR LEAVE OF ABSENCE

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 October 2023 Ordinary Council Meeting can be found in the Appendix of this Agenda.

### 13.2 QUESTIONS FROM MEMBERS: 21 NOVEMBER 2023

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

- 15. MEETING CLOSED TO THE PUBLIC Nil.
- 16. CLOSURE



# APPENDIX

# 13.1 QUESTIONS FROM MEMBERS taken on notice OCM 31 October 2023

Cour	ncillor Mary Choy	Response provided by: Toni Fry – Manager Governance	
Preamble: Newly elected members were welcomed to the Council last week and retired Councillor Ken Manolas was granted the opportunity to say a few words at his last council meeting last month.			
1.	I was wondering if anyone would like to say a few words for any former Councillors that aren't here this evening or didn't get a chance to say a few words when they left?	Outgoing Elected Members were acknowledged by the Mayor at the Ordinary Council Meeting held 26 September 2023. The City also acknowledges and thanks all former Elected Members for their contributions.	

