

# MINUTES

## Audit, Risk and Improvement Committee Meeting

16 June 2026

Committee Members

Here within are the Minutes of the Audit, Risk and Improvement Committee Meeting held Tuesday 16 June 2026 in the City of South Perth Council Chamber, corner Sandgate Street and South Terrace, South Perth.



ANITA AMPRIMO  
ACTING CHIEF EXECUTIVE OFFICER

23 June 2026

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# Audit, Risk and Improvement Committee Meeting - Minutes

## 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at 7.11pm and welcomed everyone in attendance.

The Presiding Member welcomed Mr Indika Dias (Engagement Leader), Mr Raghav Singhal (Audit Manager) and Mr Paul Tilbrook (Acting Senior Director – Information Systems and Performance Audit) who presented and answered questions from Committee Members relating to the proposed Annual Financial Report Audit – Planning Summary.

## 2. ATTENDANCE

### Elected Members

Mayor  
Manning Ward  
Mill Point Ward  
Mill Point Ward  
Moresby Ward

Greg Milner  
Councillor André Brender-A-Brandis  
Councillor Jacqueline Raison  
Councillor Tim Houweling (Retired at 7.42pm)  
Councillor Stephen Russell

### Independent Members

Ms Leah Horton (Presiding Member)  
Ms Shona Zulsdorf (Deputy Presiding Member)

### Officers

Acting Chief Executive Officer	Ms Anita Amprimo
Acting Director Corporate Services	Ms Donna Shaw
Acting Director Development and Community Services	Ms Fiona Mullen
Acting Director Infrastructure Services	Ms Olaya Lope
Manager Finance	Mr Abrie Lacock
Acting Manager Governance	Mr Morgan Hindle
Communications Officer	Ms Raquel de Brito
Governance Officer	Ms Jane Robinson

### Guests

Office of the Auditor General	Mr Indika Dias (Retired at 7.24pm)
Office of the Auditor General	Mr Raghav Singhal (Retired at 7.24pm)
Office of the Auditor General	Mr Paul Tilbrook (Retired at 7.24pm)

### Gallery

There was 1 member of the public present.

## 2.1 APOLOGIES

- Councillor Bronwyn Waugh

## 2.2 APPROVED LEAVE OF ABSENCE

Nil.

## 3. DECLARATIONS OF INTEREST

- Mayor Greg Milner – Financial Interest in Item 6.6 as ‘this Item proposes revisions to Policy P649 (Mayoral Vehicle).’

## 4. CONFIRMATION OF MINUTES

### 4.1 AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD: 10 March 2026

#### Officer Recommendation AND COMMITTEE RECOMMENDATION

**Moved:** Ms Shona Zulsdorf

**Seconded:** Ms Leah Horton

That the Minutes of the Audit, Risk and Improvement Committee Meeting held 10 March 2026 be taken as read and confirmed as a true and correct record.

**CARRIED (7/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Tim Houweling, Jacqueline Raison and Stephen Russell, Ms Leah Horton and Ms Shona Zulsdorf.

**Against:** Nil.

## 5. PRESENTATIONS

Nil.

## 6. REPORTS

### 6.1 AUDIT REGISTER - QUARTERLY REPORT

File Ref: D-26-11305

Reporting Officer(s): Donna Shaw, Acting Director Corporate Services

#### Summary

This report provides an update on the progress of actions included in the Audit Register since last presented to the ARIC at the meeting on 10 March 2026.

#### Officer Recommendation AND COMMITTEE RECOMMENDATION

**Moved:** Ms Shona Zulsdorf

**Seconded:** Mayor Greg Milner

That the Audit, Risk and Improvement Committee notes the progress recorded against each item within the Audit Register in **Confidential Attachment (a)**.

**CARRIED (7/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Tim Houweling, Jacqueline Raison and Stephen Russell, Ms Leah Horton and Ms Shona Zulsdorf.

**Against:** Nil.

#### Background

The confidential Audit Register as contained in **Confidential Attachment (a)** is presented at each ARIC meeting. The Register:

- lists every open external and internal audit finding.
- describes the progress of implementing audit recommendations and tracks that as a percentage of completion.

The Audit Register is formatted to ensure clarity as detailed below:

1. The Audit Register presents audit outcomes by 'Finding' numbers. Any given Finding may have more than one 'Recommendation' and associated 'Agreed Management Action.'
2. Where a Finding has more than one Agreed Management Action, it is represented with double lines around that entire Finding.
3. Updates in relation to each Finding are displayed in chronological order i.e. latest update appears at the bottom of each Finding.
4. Each Finding that is to be closed (i.e. 100% complete for all Agreed Management Actions) is represented by a purple 'Closed Tally' column on the right.
5. All Findings that are being recommended for closure by the ARIC are filtered to the end of the register.

Only when all Agreed Management Actions related to a Finding are marked as 100% complete, will it be recommended that the Finding be closed.

## 6.1 Audit Register - Quarterly Report

All closed items will not form part of the Audit Register report for future meetings.

### Comment

The Audit Register is shown in **Confidential Attachment (a)**.

The following findings will be closed as they are complete:

Finding #	Finding
200	Non-payroll staff management
206	Disaster recovery and business continuity (Development of BCP & DRP)
207	Human resources – staff lifecycle management (Exit processes)
211	Vulnerability management
222	Crisis Management and Disaster Recovery Plan
233	Human resources – staff lifecycle management (Employee Code of Conduct)

### Consultation

Nil.

### Policy and Legislative Implications

*Local Government Act 1995*

*Local Government (Financial Management) Regulations 1996*

*Local Government (Audit) Regulations 1996*

### Financial Implications

The estimated cost of the OAG Audit for 2025/2026 is \$114,900 plus GST.

The Internal Audit function has a budget of approximately \$60,000 for the 2025/2026 financial year.

## Key Risks and Considerations

<b>Risk Event Outcome</b>	<p><b>Legislative Breach</b></p> <p>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</p>
<b>Risk rating</b>	Low
<b>Mitigation and actions</b>	<p>The City is subject to a comprehensive OAG Audit each year.</p> <p>The City has a Council endorsed three-year Strategic Internal Audit Plan which runs from 2024/25 to 2026/27.</p> <p>The City completes an annual Compliance Audit Return and undertakes Regulation 5 and 17 audits, as per legislation.</p> <p>The recommendations from those reports are reported on Quarterly reporting to ARIC and Council for transparency.</p>

## Strategic Implications

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

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

## Attachments

**6.1 (a):** Audit Register (*Confidential*)

## 6.2 CORPORATE BUSINESS PLAN - QUARTERLY REPORT

File Ref: D-26-11403

Reporting Officer(s): Donna Shaw, Acting Director Corporate Services

### Summary

This report provides an update on the progress of the Corporate Projects and Measures of Success identified in the Corporate Business Plan 2025/26 - 2028/29.

It is recommended that the Audit, Risk and Improvement Committee notes the progress recorded against each Corporate Project/Activity contained within the 2025/26 Corporate Business Plan Quarter 3 Report and notes the results for all Measures of Success (Key Performance Indicators) contained within the Corporate Business Plan Measures of Success Report.

### Officer Recommendation AND COMMITTEE RECOMMENDATION

**Moved:** Ms Shona Zulsdorf

**Seconded:** Mayor Greg Milner

That the Audit, Risk and Improvement Committee notes:

1. The progress recorded against each Project/Activity within the Corporate Business Plan as described in the report contained within **Attachment (a)**.
2. The results recorded against each Measure of Success within the Corporate Business Plan as described in the Key Performance Indicator report contained within **Attachment (b)**.

**CARRIED (7/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Tim Houweling, Jacqueline Raison and Stephen Russell, Ms Leah Horton and Ms Shona Zulsdorf.

**Against:** Nil.

### Background

The Strategic Community Plan (SCP) 2021-2031 was endorsed by Council at its Ordinary meeting held 14 December 2021. A minor review of the SCP was completed and endorsed by Council at its Ordinary meeting held 23 April 2024.

The Corporate Business Plan (CBP) translates the aspirations and strategies of the SCP into operational priorities and indicates how they will be resourced over a four-year period. The CBP outlines in detail the services and projects required to ensure delivery of the SCP and includes measures of success as an indication of performance.

The CBP for the period 2025/26 to 2028/29 was endorsed by Council at its meeting held 24 June 2025.

### Comment

This is the progress report for Quarter 3 of the 2025/26 planning year.

#### 2025/26 Corporate Business Plan – 3rd Quarter Update Corporate Actions

The following table provides an overview of the progress of the 36 Corporate Actions scheduled for delivery in the CBP for 2025/26:

On Track	Complete	On hold
30 (83%)	5 (14%)	1 (3%)

The CBP Report (**Attachment (a)**) is presented for information, with an officer comment in the 'Quarterly Updates' column.

### Measures of Success (KPIs)

The following table provides an overview of the progress of the 35 Key Performance Indicators (KPI's / Measures of Success) included in the CBP:

Achieved	Not Achieved
30 (86%)	5 (14%)

The KPI Report (**Attachment (b)**) is presented for information, with a description by the officer in the 'Result Comment' column when a KPI is not achieved.

The following table extracts information from this Report in relation to KPIs that were Not Achieved:

KPI Description	Performance Measure	2025 / 26 Target	Result	Result Comment
Library Attendee Targets - The number of people visiting or attending the City's two Library branches (Manning and South Perth)	= 5 visits per capita annually (ALIA minimum benchmark) (235,000 visits p.a. for 25/26)	176250	159572	Visitor numbers are lower than expected. The City has undertaken a community library survey, and will review the results to determine whether modifications to services or offerings are required to meet community need. The City is also aware that where large scale bookings are being undertaken in the community hall, the impact on car parking has deterred some library patrons.

Recreation Facility Condition Satisfaction - The percentage satisfaction rate of facility user survey respondents reporting satisfaction with the condition of the facility they have booked	Maintain satisfaction rate above 70%	70	59	Rating was derived from the recent MARKYT Community Scorecard that rated sport/recreation services and facilities at 59% (due to facilities unfit-for-purpose e.g. undersized indoor sports courts).
Parking Revenue - The percentage increase in parking revenue	Increase the City's revenue from parking by 10% each year	7.50	0.00	There is an increase of 11.6 % between Jan – Mar 25 to Jan to Mar 26. However, overall Year to Date there is a decrease of 6%.
Stakeholder Engagement Participation Opportunities - The number of projects in which stakeholders and the community have been provided with an opportunity to participate	The number of projects in which stakeholders and the community have been provided with an opportunity to participate	10.50	8.00	Performance measure not achieved in Q3 due to project delays.
Internal Audit Completion - The number of internal audits completed relative to the number of audits planned in the strategic internal audit plan (SIAP). (Complete/Planned)	Maintain completion rate above 75%	75	66	As per the SIAP, 3 internal audits were scheduled for the financial year. Two have been finalised.

### Consultation

Nil.

### Policy and Legislative Implications

*Local Government (Administration) Regulations 1996.*

### Financial Implications

All projects and activities listed in the CBP Quarter 3 update are fully funded within the 2025/26 Annual Budget.

## Key Risks and Considerations

<b>Risk Event Outcome</b>	<p><b>Reputational Damage</b></p> <p>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.</p>
<b>Risk rating</b>	Medium
<b>Mitigation and actions</b>	<p>Performance management by:</p> <ol style="list-style-type: none"> <li>1. Annual business planning with business units to identify new actions for the financial year.</li> <li>2. Monitor progress of SCP through             <ol style="list-style-type: none"> <li>a. Quarterly reporting of the Corporate Business Plan (CBP) Corporate Actions;</li> <li>b. Quarterly Key Performance Indicator reporting of CBP measures of success; and</li> </ol> </li> <li>3. Implementation of Audit findings in accordance with the Audit Register Progress Report.</li> </ol>

## Strategic Implications

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

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:	4.3.4 Maintain a culture of continuous improvement

## Attachments

<b>6.2 (a):</b>	Quarter 3 2025-26 CBP Project Status Updates
<b>6.2 (b):</b>	Quarter 3 2025-26 CBP KPI Status Updates

### 6.3 RISK MANAGEMENT, BUSINESS CONTINUITY AND WORK HEALTH AND SAFETY - QUARTERLY REPORT

File Ref: D-26-11306

Reporting Officer(s): Donna Shaw, Acting Director Corporate Services

#### Summary

This report outlines activities undertaken by the City of South Perth relating to Risk Management, Business Continuity and Workplace Health and Safety.

#### Officer Recommendation

**Moved:** Ms Shona Zulsdorf

**Seconded:** Mayor Greg Milner

That the Audit, Risk and Improvement Committee notes the details of the activities contained in the body of this report and in **Confidential Attachment (a)**.

During consideration of the Item, committee members requested that the meeting be closed to consider questions on the Confidential Attachment.

The Presiding Member called for a mover and seconder to close the meeting to the public:

#### COMMITTEE RECOMMENDATION

**Moved:** Ms Shona Zulsdorf

**Seconded:** Mayor Greg Milner

That the meeting be closed to the public to discuss matters pertaining to the Confidential Attachment at Item 6.3.

Reason: As information relates to the personal affairs of an individual in accordance with s5.23(4)(b) of the *Local Government Act 1995*.

**CARRIED (7/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Tim Houweling, Jacqueline Raison and Stephen Russell, Ms Leah Horton and Ms Shona Zulsdorf.

**Against:** Nil.

*The meeting was closed to the public at 7.36pm.*

**Officer Recommendation AND COMMITTEE RECOMMENDATION****Moved:** Ms Shona Zulsdorf**Seconded:** Mayor Greg Milner

That the Audit, Risk and Improvement Committee notes the details of the activities contained in the body of this report and in **Confidential Attachment (a)**.

**CARRIED (7/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Tim Houweling, Jacqueline Raison and Stephen Russell, Ms Leah Horton and Ms Shona Zulsdorf.

**Against:** Nil.**COMMITTEE RECOMMENDATION****Moved:** Ms Shona Zulsdorf**Seconded:** Mayor Greg Milner

That the meeting be reopened to the Public.

**CARRIED (7/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Tim Houweling, Jacqueline Raison and Stephen Russell, Ms Leah Horton and Ms Shona Zulsdorf.

**Against:** Nil.

In accordance with section 5.23(8)(f) of the *Local Government Act 1995*, the meeting was closed to the public for consideration of questions on the Confidential Attachment only.

*The meeting was reopened at 7.42pm.*

**Background**

Pursuant to regulation 16 of the *Local Government (Audit) Regulations 1996*, a function of the Audit, Risk and Improvement Committee (ARIC) is to receive and review reports on the appropriateness and effectiveness of the City's systems and procedures in relation to risk management.

This activity report provides an update on the City's risk management practices undertaken for the previous quarter in relation to Risk, Business Continuity and Workplace Health and Safety.

**Comment**Strategic Risk

At the 28 April 2026 Ordinary Council Meeting, Council carried the below recommendation from the 10 March 2026 ARIC Meeting:

*That Council:*

1. *Requests that the Chief Executive Officer hold a Strategic Risk Workshop with all Councillors and ARIC members invited and delivered using the framework and definitions within the existing Risk Framework at the City of South Perth, the existing Strategic Risk Register and the existing Strategic Community Plan.*
2. *That the OAG Exit Debrief 2019, OAG Exit Debrief 2020 and the paper tabled under item 7.6 Response to Notice of Motion be tabled at the June ARIC meeting.*

The strategic risk workshop has been scheduled for 7 July 2026. The workshop will consider the City's strategic risk register, including existing and emerging risks, risk controls, and treatment actions. Outcomes from the workshop will inform the refinement and updating of the Strategic Risk Register, which will be finalised following the completion of the review process and subsequently presented to ARIC.

### Operational Risk

In accordance with the Risk Management Framework 2024, all operational risks with a residual risk rating of High or Extreme are reported to the ARIC.

At its meeting held 23 April 2026, the Internal Risk Management Committee considered a Work Health and Safety (WHS) Business Unit-level risk relating to psychological illness and injury as contained in **Confidential Attachment (a)**. The risk was assessed with a consequence rating of 3 and a likelihood rating of 4, resulting in a residual risk rating of 12 (High).

The risk was subsequently escalated to the Executive Management Team (EMT) for consideration. Following its review, EMT determined that the risk should retain its high residual risk rating and be included on the City's Operational Risk Register.

The basis for this determination is outlined below:

#### Workforce capacity pressures

The current likelihood rating has increased from the previous reporting period, driven primarily by workforce pressures that have elevated exposure to several recognised psychosocial hazards under the framework. Key personnel are currently on leave, coinciding with a higher-than-usual number of employee vacancies across the organisation and an elevated number of employees working in acting/higher duty capacities. This combination has created conditions that heighten the likelihood of psychosocial harm, specifically across the following hazard categories:

- Job demands – Some employees are absorbing additional responsibilities to cover gaps, increasing workload, working hours, and cognitive load beyond what would ordinarily be expected of their roles.
- Low job control – Employees in acting roles and those backfilling responsibilities may have limited or perceived as limited authority or decision-making capacity relative to the demands placed upon them, reducing their ability to manage or prioritise their own work effectively.
- Poor support – With key personnel absent, the usual sources of guidance, supervision, and collegial support are reduced. Employees particularly those in acting arrangements may find it more difficult to access timely direction or assistance.
- Lack of role clarity – Acting arrangements and redistributed responsibilities create ambiguity around accountabilities, reporting lines, and expectations, increasing the risk of confusion and stress associated with unclear role boundaries.

### 6.3 Risk Management, Business Continuity and Work Health and Safety - Quarterly Report

- Poor organisational change management – The cumulative effect of simultaneous absences, vacancies, and acting arrangements represents a period of organisational disruption. Where these changes are not actively managed and communicated, employees can experience uncertainty and anxiety consistent with this hazard.

In accordance with Council Decision 0326/065 the A/CEO is currently undertaking a psychosocial risk assessment, and a report will be presented to Council with the findings.

#### Business Continuity Plan

The City has developed individual Business Continuity Plans (BCPs) for each Business Unit, which have collectively informed the development of the organisation-wide Business Continuity Plan. This overarching plan is designed to support the continued delivery of critical services and functions during and following disruptions. The plan, together with a separate accompanying report, is presented to the ARIC as a separate item for noting. The next phase of implementation will involve testing and exercising the BCP to assess its effectiveness across a range of disruption scenarios, validate key response and recovery arrangements, evaluate the City's preparedness to respond to and recover from incidents, and identify opportunities for ongoing improvement.

#### Work Health and Safety

During the last quarter, the following key WHS activities and initiatives were undertaken:

1. EMT held six monthly WHS Safety Management System Review Meetings to review annual targets and objectives. The 2026/27 annual targets and objectives will be provided for EMT review at the next meeting in July/August 2026.
2. Quotations for an organisational wide Psychosocial Risk Assessment were sought, with one provider being selected to conduct the assessment. First steps will include a review of the City's safety systems and processes, as well as an employee survey, prior to Elected Member engagement.
3. The annual employee Health & Wellbeing Survey on the Health & Wellbeing program took place during May 2026. The Health & Wellbeing program received a satisfaction rate of 81.7%, exceeding the target of 75%. The initiatives having the greatest positive impact on employee health and wellbeing included skin cancer checks, flu vaccinations, and team challenges.
4. Menopause friendly workplace initiatives introduced included desk fans available for use as well as sanitary products provided for in bathrooms.

#### **Consultation**

Nil.

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

*Local Government Act 1995*

*Local Government (Audit) Regulations 1996*

*Work Health and Safety Act 2020*

#### **Financial Implications**

All activities listed have been completed within allocated budget.

### Key Risks and Considerations

<b>Risk Event Outcome</b>	<p><b>Legislative Breach</b></p> <p>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.</p>
<b>Risk rating</b>	Low
<b>Mitigation and actions</b>	<p>Setting and quantifying risk appetite.</p> <p>Ensuring risk management functions are resourced.</p> <p>Regular risk reviews and identifying potential risks before they occur so that impacts can be minimised and opportunities realised.</p> <p>Embedding risk practices into City operations.</p>

### Strategic Implications

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

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:	4.3.4 Maintain a culture of continuous improvement

### Attachments

**6.3 (a):** WHS Risk (*Confidential*)

Councillor Tim Houweling retired at 7.42pm prior to consideration of Item 6.4.

## 6.4 BUSINESS CONTINUITY PLAN

File Ref: D-26-3744

Reporting Officer(s): Donna Shaw, Acting Director Corporate Services

### Summary

This report presents the City of South Perth Business Continuity Plan.

### Officer Recommendation AND COMMITTEE RECOMMENDATION

**Moved:** Mayor Greg Milner

**Seconded:** Ms Shona Zulsdorf

That the Audit, Risk and Improvement Committee notes the City of South Perth Business Continuity Plan as contained in **Confidential Attachment (a)**.

**CARRIED (6/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Jacqueline Raison and Stephen Russell, Ms Leah Horton and Ms Shona Zulsdorf.

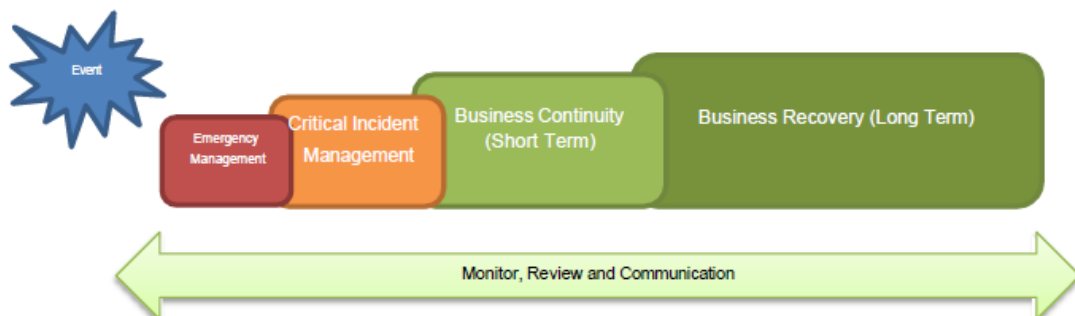
**Against:** Nil.

### Background

The City's Business Continuity Management Framework (BCMF) was presented to the Audit Risk and Improvement Committee (ARIC) at its meeting held 12 September 2023.

The Framework establishes the City's Business Continuity Management capability through four key components and further documentation:

1. Emergency Management Procedures (Emergency evacuation) – the immediate response to an event or critical incident with a focus on ensuring the safety of people followed by the protection of assets.
2. Critical Incident Management – the management of critical incident related issues including the management of stakeholders.
3. Business Continuity Plans – the process of restoring critical elements of City services and functions within the City's service model. This includes the recovery of IT systems by invoking the IT disaster recovery plan.
4. Business Recovery – the process of long-term recovery of all operational and functional capability and performance.



The BCMF provides the framework for the development and implementation of the City's Business Continuity Plans (BCPs).

The current organisation-wide BCP, endorsed by the Executive Management Team (EMT) in April 2019, serves as a risk management tool. It identifies potential threats to service delivery, assesses their impact on operations, and outlines mitigation and response measures to maintain continuity during unexpected events.

The City has developed an updated organisation-wide Business Continuity Plan (BCP) to ensure the continued delivery of critical services and functions during and following disruptions, which forms the basis of this report.

### Comment

While the BCP was last formally reviewed in 2023, business continuity matters have continued to be regularly considered and reported to EMT. A comprehensive review and update of the BCP was identified through an audit finding, however, completion of this work was delayed due to competing priorities and capacity constraints within the Governance Business Unit. The updated BCP, contained in **Confidential Attachment (a)**, incorporates the outcomes of this review and is presented to the ARIC for noting.

The purpose of this BCP is to enable the City to respond effectively to incidents, safeguard people and assets and recover normal operations in a timely and coordinated manner. Aligned with the City's Risk Management Framework, policies and practices, the BCP provides structured guidance and information to support informed decision-making in the event of a business interruption.

The objectives of this BCP are to:

- Define, prioritise and re-establish critical business functions.
- Establish clear strategies and actions for a swift return to normal business activities or where all business activities are not possible, ensure critical functions are able to be resumed.
- Minimise down time.
- Protect critical resources such as personnel, facilities, data and mitigate financial loss.
- Safeguard reputation and comply with statutory requirements.

The BCP details the City's response to maintain continuity of service in the event of disruption such as natural hazards, human threat, technical hazards and industrial hazards.

The BCP assigns business continuity categories based on the maximum risk consequence likely to be experienced if the service is not delivered and how quickly that impact will be experienced. Each category defines the timeframe within which focus on service delivery should be initiated:

Business Continuity Service Categories	Maximum time before disruption impact becomes intolerable			
	1-48 hours	Week 1	Month 1	>1 Month
Critical Services	X	X		
Vital Services		X	X	
Deferred Services			X	X

The BCP provides for the Crisis Management Team to be assembled following a disruptive event. The team is responsible for assessing the impact of the risk on City operations and approving the activation of the business continuity arrangements.

### Consultation

Significant consultation has occurred within the Administration.

In accordance with the BCMF, the City has developed individual business unit BCPs. These plans have informed the development of the City's overarching organisational BCP. As part of this process, Business Impact Analysis' (BIA) were undertaken by each business unit to:

- Obtain an understanding of the City's most critical business functions, the priority of each and the timeframes for resumption in the event of an unscheduled interruption.
- Assist the City make an informed decision on Recovery Time Objective figures for each critical function.
- Provide the resource information from which an appropriate recovery strategy can be determined/recommended.
- Outline dependencies that exist both internally and externally to achieve BCM objectives.

### Policy and Legislative Implications

ISO 22301:2019 Societal security - business continuity management systems – requirements

AS/NZS 5050 (Int):2020 Managing disruption-related risks

ISO 31000:2018 Risk Management

WA State Government Business Continuity Management Guidelines

*Local Government Act 1995*

*Emergency Management Act 2005*

Policy P695 Risk Management

### Financial Implications

Financial implications may arise should the City be required to respond to and recover from a critical or emergency incident.

## Key Risks and Considerations

<b>Risk Event Outcome</b>	<p><b>Business Interruption</b></p> <p>Incorporates the impact of events which impinge upon the City's capacity to deliver expected services to the community. These interruptions can range from minor inconvenience requiring an alternative method of service delivery being employed through to forced loss of ability to provide multiple services to all or some of the community. Knowledge loss, technological failure and property damage will also contribute to this outcome.</p> <p><b>Reputational Damage</b></p> <p>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.</p> <p><b>Legislative Breach</b></p> <p>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.</p>
<b>Risk rating</b>	Low
<b>Mitigation and actions</b>	<p>Internal stakeholder consultation to ensure detailed City wide BCP and business unit BCPs are prepared, understood and available.</p> <p>Annual testing of the BCP arrangements.</p> <p>Continuous review and improvement in relation to all Business Continuity activities.</p>

### Strategic Implications

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

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:	4.3.4 Maintain a culture of continuous improvement

### Attachments

6.4 (a):	Organisational Business Continuity Plan ( <i>Confidential</i> )
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## 6.5 ANNUAL REVIEW OF COUNCIL DELEGATIONS

File Ref: D-26-2553

Reporting Officer(s): Donna Shaw, Acting Director Corporate Services

### Summary

Council has a statutory obligation under the *Local Government Act 1995* to review its delegations each financial year. The Terms of Reference of the Audit, Risk and Improvement Committee include responsibility for reviewing the City's Delegations and making a recommendation to Council regarding the review.

### Officer Recommendation AND COMMITTEE RECOMMENDATION

**Moved:** Ms Shona Zulsdorf

**Seconded:** Mayor Greg Milner

That the Audit, Risk and Improvement Committee recommends to Council that, in accordance with section 5.46(2) of the *Local Government Act 1995*, it:

1. Adopts the 'minor changes' to the following Delegations shown at **Attachment (a)**:
  - DC370 Approve of Refuse Granting of a Building Permit
  - DC371 Approve of Refuse Granting of a Demolition Permit
  - DC372 Grant, or Refuse to Grant, Occupancy Permits or Building Approval Certificates
  - DC373 Approve or Refuse an Extension of the Duration of Occupancy Permits or Building Approval Certificates
  - DC378 Inspections and Copies of Building Records
  - DC602 Authority to Make Payments from the Municipal and Trust Funds
  - DC665 Cats – Local Government Functions
  - DC677 *Bushfires Act 1954* – Local Government Functions
  - DC679 Administer the City's Local Laws
  - DC692 Enforcement and Legal Proceedings – Illegal Development
  - DC703 Minor Amendments to Delegations Register and Policies
  - DC704 *Food Act 2008* – Determine Compensation
  - DC706 Food Business Registrations
  - DC707 Food Businesses List – Public Access
  - DC708 *Food Act 2008* – Prohibition Orders and Certificates of Clearance
  - DC709 Authorised Persons to Perform Specified Functions Under the *Local Government Act 1995* and *Local Government (Miscellaneous Provisions) Act 1960*
  - DC710 Appoint Authorised Officers and Designated Officers – Food Act 2008
2. Adopts the 'substantive changes' to the following Delegations shown at **Attachment (b)**:

DC374	Appoint Authorised Officers for the purposes of the Building Act 2011
DC375	Issue or Revoke Building Orders
DC377	Referrals and Issuing Certificates
DC379	Private Pool Barrier – Alternative and Performance Solutions
DC401	Graffiti Vandalism Act – Local Government Functions
DC511	Partial Closure of Thoroughfares
DC603	Investment of Surplus Funds
DC607	Tenders/E-Quotes/Common Use Agreements
DC609	Leases
DC612	Disposal of Surplus Property
DC617	Granting Discounts, Concessions, Fee Waiver and Debt Write Off
DC618	Commence a Prosecution for an Offence
DC664	Dogs – Local Government Functions
DC685	Inviting Expressions of Interest
DC690	Local Planning Scheme No.7
DC705	<i>Food Act 2008</i> – Debt Recovery and Prosecutions

3. Revokes the following Delegations as shown at **Attachment (c)**:

DC376	Infringement Notices Under the Building Regulations 2012
DC642	Appointment of Acting CEO
DC684	Sealed Documents
DC711	Appoint Authorised Officers And Designated Officers – <i>Food Act 2008</i> - List Of Officers Issuing Infringements
DC712	Appoint Authorised Officers and Designated Officers - <i>Food Act 2008</i> – List Of Officers (Administration Of Infringement Notices)

4. Adopts the following ‘new’ Delegations as shown at **Attachment (d)**:

DC380	Smoke Alarms – Alternative Solutions
DC512	Obstruction of Public Footpaths and Thoroughfares
DC513	Public Thoroughfare - Dangerous Excavation
DC514	Crossing - Construction, Repair and Removal
DC515	Private Works on, over or under Public Places
DC624	Powers of Entry
DC625	Declare Vehicle is an Abandoned Wreck
DC626	Confiscated or Uncollected Goods
DC627	Disposal of Sick or Injured Animals
DC619	Rate Record Amendment
DC620	Rate Record Objections
DC621	Agreement as to Payment of Rates and Service Charges
DC622	Recovery of Rates or Service Charges
DC623	Panels of Pre-Qualified Suppliers for Goods and Services
DC713	Appoint Authorised Officer or Approved Officer (Asbestos)
DC714	Designate Authorised Officers - <i>Public Health Act 2016</i>
DC715	Appoint Designated Officer – Information Sharing
DC716	Enforcement Agency Reports to the Chief Health Officer
DC717	Give Enforcement Orders and Issue Clearance Certificates
DC718	Enforcement Orders - Implement and Recover Costs
DC719	Dealing with Seized Items

**Absolute Majority Required**

**CARRIED (6/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Jacqueline Raison and Stephen Russell, Ms Leah Horton and Ms Shona Zulsdorf.

**Against:** Nil.

### Background

Section 5.42 of the *Local Government Act 1995* (the Act) provides that Council may delegate to the Chief Executive Officer (CEO) the exercise of any of its powers or the discharge of any of its duties under the Act, other than those referred to in section 5.43.

In addition to the powers and duties that can be delegated under the Act and its subsidiary legislation, other legislation such as the *Food Act 2008* and *Bush Fires Act 1954*, allow for the delegation of powers and duties to the CEO.

Delegations assist the City's administration to efficiently deal with a wide range of operational matters that are administrative in nature. By incorporating certain conditions into delegations, such as limiting the use of when a delegation can be exercised, Council can set parameters to the extent in which its decision-making powers can be exercised by delegates.

Section 5.44 of the Act allows the CEO to delegate or sub-delegate any of their powers to another employee and to place conditions on any delegations. This is separate from Council's delegation power.

Section 5.46 of the Act requires delegations to be reviewed by the delegator at least once every financial year for delegations made under the Act. This also presents an opportunity to review delegations made under other legislation.

The last annual review of delegations was presented to the Committee at its 11 March 2025 meeting and endorsed by Council at the 25 March 2025 Ordinary Council Meeting.

### Comment

A detailed review of the Delegated Authority Register (**Register**) has been undertaken against the WALGA Template Delegations Register and applicable legislation to consider the operational effectiveness of current delegations, whether they remain relevant and appropriate and whether legislative amendments necessitate any revisions.

Separately to Council's review, a review of the CEO's delegations and sub-delegations to employees will be undertaken. These delegations will also be incorporated into the Register to provide a centralised source for all delegations.

The following global changes have been applied to the Register to improve clarity and readability including:

- Inclusion of the Delegator, which could be Council or the CEO.
- Including the title of each relevant legislative provision, rather than referencing section or regulation numbers only.
- Inclusion of reference to the express power for the CEO to sub-delegate a power or duty where permitted by legislation.

6.5 Annual Review of Council Delegations

For the purposes of this review, delegations are presented in the following categories:

- (a) Amended Delegations (Minor)
- (b) Amended Delegations (Substantive)
- (c) Revoked Delegations
- (d) New Delegations

Amended Delegations (Minor)

The delegations listed below and included in **Attachment (a)** have been amended to include the global changes detailed above. As these changes are considered to be minor administrative changes, no explanatory notes have been provided.

- DC370 Approve or Refuse Granting of a Building Permit
- DC371 Approve or Refuse Granting of a Demolition Permit
- DC372 Grant, or Refuse to Grant Occupancy Permits or Building Approval Certificates
- DC373 Approve or refuse an Extension of the Duration for Occupancy Permits or Building Approval Certificates
- DC378 Inspection and Copies of Building Records
- DC602 Authority to Make Payments from the Municipal and Trust Funds
- DC665 Cats – Local Government Functions
- DC677 Bush Fires Act 1954 – Local Government Functions
- DC679 Administer the City’s Local Laws
- DC692 Enforcement and Legal Proceedings – Illegal Development
- DC703 Minor Amendments to Delegations Register and Policies
- DC704 *Food Act 2008* – Determine Compensation
- DC706 Food Business Registrations
- DC707 Food Businesses List – Public Access
- DC708 *Food Act 2008* – Prohibition Orders and Certificates of Clearance
- DC709 Authorised Persons to Perform Specified Functions Under the Local Government Act 1995 and Local Government (Miscellaneous Provisions) Act 1960
- DC710 Appoint Authorised Officers and Designated Officers - *Food Act 2008*

Amended Delegations (Substantive)

The delegations listed below and included in **Attachment (b)** are proposed to be amended in addition to the global changes. The proposed amendments are detailed in the below table and shown by tracked changes in the attachment.

Delegation	Details
DC374 Appoint Authorised Officers for the purposes of the <i>Building Act 2011</i>	It is proposed that the powers currently contained within DC376 relating to the appointment of authorised officers for the issuing of infringement notices under the <i>Building Act 2011</i> be incorporated into DC374 for clarity and ease of reference by locating all powers relating to the appointment

	of authorised officers under this legislation within a single delegation.
DC375 Issue or Revoke Building Orders	<p>The following functions are proposed to be deleted from the delegation for the reasons provided in italics below:</p> <ul style="list-style-type: none"> <li>• Authority to specify a way in which an outward facing side of a particular close/boundary wall must be finished off. <i>This falls under the power already granted by point 1 of the delegation to issue Building Orders requiring certain action.</i></li> <li>• Authority to initiate a prosecution for non-compliance with a building order. <i>The CEO is delegated authority under point 5 of this delegation to take court action for non-compliance with a building order.</i></li> </ul>
DC377 Referrals and Issuing Certificates	It is recommended that an additional power be included in this delegation in line with the WALGA template register to delegate the authority to issue a certificate for Design Compliance, Construction Compliance or Building Compliance whether or not the land subject of the location is located within the City's District.
DC379 Private Pool Barrier – Alternative and Performance Solutions	<p>It is recommended that the following functions be deleted from DC379 for the reasons provided in italics below:</p> <ul style="list-style-type: none"> <li>• Authority to use alternative requirements for a barrier to a pre-May 2016 private swimming pool. <i>Covered by point 1 of the delegation.</i></li> <li>• Authority to arrange for an authorised person to inspect. <i>This comes under the power to appoint authorised officers for this function.</i></li> </ul>
DC401 Graffiti Vandalism Act – Local Government Functions	<p>In addition to the global changes, the proposed amendments to DC401 explicitly detail the specific powers that can be exercised by a local government under the <i>Graffiti Vandalism Act 2016</i> and in keeping with the WALGA template register.</p> <p>A new condition is proposed to require that obliterating graffiti on private property is subject to exercising Powers of Entry.</p>
DC511 Partial Closure of Thoroughfares	This delegation is proposed to be expanded in line with the WALGA template register to detail all applicable sections of the Act and confirm via the conditions that the delegation relates to temporary road closures only, with permanent road closures requiring referral for Council decision.

<p>DC603 Investment of Surplus Funds</p>	<p>The conditions on this delegation are proposed to be amended to:</p> <ul style="list-style-type: none"> <li>• Update condition (a) to replace the specific list of permitted Authorised Deposit-taking Institutions (banks, building societies and credit unions) with a requirement that all investments comply with regulation 19C of the <i>Local Government (Financial Management) Regulations 1996</i>, which sets out authorised institutions and investment requirements for local governments.</li> <li>• Include a new condition which formalises current practice to present a report on the investment portfolio in the monthly financial report to Council.</li> </ul>
<p>DC607 Tenders/E-Quotes/Common Use Agreements</p>	<p>This delegation has been amended to align with the WALGA template including:</p> <ul style="list-style-type: none"> <li>• Reordering the powers delegated to be in sequential order.</li> <li>• Addition of the following delegated powers: <ul style="list-style-type: none"> <li>○ Authority to, because of the unique nature of the goods or services or for any other reason it is unlikely there is more than one supplier, determine to contract directly with a suitable supplier.</li> <li>○ Authority to vary a tendered contract, after it has been entered into.</li> <li>○ Authority to exercise a contract extension option that was included in the original tender specification and contract.</li> </ul> </li> <li>• Addition of the following conditions regarding contract renewals and variations: <ul style="list-style-type: none"> <li>○ A decision to renew or extend the contract must only occur where the original contract contained the option to renew or extend its term and the contractor's performance has been reviewed evidencing the rationale for entering into the extended term.</li> <li>○ A decision to vary a contract before entry into the contract must include evidence that the variation is minor in comparison to the total goods or services that tenderers were invited to supply.</li> <li>○ A decision to vary a contract after entry into the contract must comply with Council Policy P701 Variations to Contract and must include evidence that the variation is necessary and does not change the scope of the contract.</li> </ul> </li> </ul>

<p>DC609 Leases</p>	<p>This delegation permits the CEO to enter into lease agreements with certain types of tenants including Not for Profit Sporting Organisations and Community Associations.</p> <p>The organisations detailed at condition d) of this delegation are proposed to be updated to align exactly with the organisations specified in Policy P609 Management and Sale of City Property.</p> <p>All new commercial leases are required to be brought to Council for consideration.</p>
<p>DC612 Disposal of Surplus Property</p>	<p>Condition 2 of this delegation is proposed to be amended to clarify that DC612 does not relate to the disposal of land by way of lease which is provided for by DC609.</p> <p>Existing condition 3 is proposed to be replaced by new condition 4 in line with the WALGA template, providing guidance on considerations when determining the method of disposal of property.</p>
<p>DC617 Granting Discounts, Concessions, Fee Waiver and Debt Write-Off</p>	<p>This delegation has been amended to:</p> <ul style="list-style-type: none"> <li>• Adjust the wording of the powers delegated to align with the relevant provisions of the Act and the WALGA template delegation.</li> <li>• Adjust the wording of the conditions to cover the entire delegation and not only write-offs.</li> <li>• Remove the condition requiring recordkeeping of exercise of delegation. This is a legislative requirement under section 5.46(3) of the Act.</li> </ul>
<p>DC618 Commence a Prosecution for an Offence</p>	<p>The power delegated to the CEO is proposed to be amended as shown below consistent with the WALGA template delegation:</p> <p><i>1. Authority to <del>initiate</del> authorise persons to commence prosecutions <del>for offences on behalf of the Local Government</del> under the Local Government Act 1995, all Regulations made under the Local Government Act 1995 and City of South Perth Local Laws [s.9.24(1)(c) and (2)(b)].</i></p>
<p>DC664 Dogs – Local Government Functions</p>	<p>Section 10AA(3) of the <i>Dog Act 1976</i> provides:</p> <p><i>“The delegation may expressly authorise the delegate to further delegate the power or duty.”</i></p> <p>It is proposed that DC664 be amended to expressly permit the Chief Executive Officer (CEO) to sub-delegate powers and duties to employees.</p>
<p>DC685</p>	<p>A new condition is proposed to be inserted providing that Expressions of Interest may only be called where there is an adopted annual budget for the proposed goods or services.</p>

Inviting Expressions of Interest	This is consistent with existing practices and provides additional clarity.
DC690 Local Planning Scheme No.7	<p>This delegation was reviewed by Council at the Ordinary Council Meeting held 24 March 2026. A further amendment to this delegation is proposed in relation to regulated trees and single house developments.</p> <p>Division 2A of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> (Performance of development approval functions in relation to single houses) establishes a statutory framework that:</p> <ul style="list-style-type: none"> <li>• mandates that prescribed single house applications are to be determined by the CEO; and</li> <li>• removes these applications from Council determination, subject to limited exceptions.</li> </ul> <p>Prescribed single house development means development that consists of:</p> <p>(a) the erection of, or alterations or additions to, a single house; or</p> <p>(b) the erection or installation of, or alterations or additions to, any of the following that is ancillary or incidental to a single house –</p> <ul style="list-style-type: none"> <li>(i) an ancillary dwelling;</li> <li>(ii) an outbuilding;</li> <li>(iii) an external fixture;</li> <li>(iv) a boundary wall or fence;</li> <li>(v) a patio;</li> <li>(vi) a pergola;</li> <li>(vii) a verandah;</li> <li>(viii) a deck;</li> <li>(ix) a garage;</li> <li>(x) a carport.</li> </ul> <p>In relation to Regulated Trees, DC690 provides condition (xv):</p> <p><i>Applications which propose tree damaging activity to a regulated tree in accordance with 7.2(c) of Local Planning Policy 3.2 – Tree Retention (i.e. where the redesign of the development to accommodate the regulated tree is unfeasible).</i></p> <p>Given tree damaging activity to a Regulated Tree can be considered development to which approval is required, it is recommended that condition (xv) is updated to clarify that it does not apply to applications involving prescribed single house development as follows:</p>

	<p><i>Except for applications involving ‘prescribed single house development’, applications which propose tree damaging activity to a regulated tree in accordance with 7.2(c) of Local Planning Policy 3.2 – Tree Retention (i.e. where the redesign of the development to accommodate the regulated tree is unfeasible).</i></p> <p>This will ensure that applications for prescribed single house development that include a Regulated Tree can be determined by the CEO as one application.</p>
DC705 <i>Food Act 2008 – Debt Recovery and Prosecutions</i>	<p>The following condition is proposed to be deleted from this delegation:</p> <p><i>Exercise of the power under s.54 is confined to the Chief Executive Officer, Director Development and Community Services, and Manager Development Services.</i></p> <p>as the above positions are listed as delegates within the “Delegated To” section of the delegation.</p>

#### Revoked Delegations

The five delegations listed below and provided at **Attachment (c)** are recommended for revocation. Explanatory notes are provided in the table below.

Delegation	Details
DC376 Infringement Notices	This delegation is proposed to be revoked and merged with ‘DC374 Appoint Authorised Officers for the purposes of the <i>Building Act 2011</i> ’ as detailed above.
DC642 Appointment of Acting CEO	<p>This delegation provides the CEO with “authority to appoint a Director as Acting CEO when absent on annual leave” under section 5.39(1a)(a) of the Act. However, this section of the Act deals with contracts for acting CEOs providing:</p> <p><i>(1) Subject to subsection (1a), the employment of a person who is a CEO or a senior employee is to be governed by a written contract in accordance with this section.</i></p> <p><i>(1a) Despite subsection (1) –</i></p> <p><i>(a) an employee may act in the position of a CEO or a senior employee for a term not exceeding one year without a written contract for the position in which the employee is acting;</i></p> <p>Section 5.39(1a)(a) does not contain a power capable of being delegated.</p> <p>Section 5.39C of the Act requires Council to adopt a policy setting out “the appointment of an employee to act in the position of CEO for a term not exceeding 1 year”. Council adopted Policy P639 CEO Recruitment, Performance and Termination in April 2021 which presently deals with the</p>

	<p>appointment of an Acting CEO by Council in the event the CEO becomes incapacitated or leaves the City but not acting appointments during periods of leave.</p> <p>P639 is considered the appropriate mechanism for dealing with the appointment of an Acting CEO when the CEO is on leave and has been presented for review on this basis within Item 6.6.</p>
<p>DC684 Sealed Documents</p>	<p>This delegation provides the CEO with authority under section 9.49A(2) of the Act to “affix the Common Seal of the City to any document that needs the City’s Common Seal to be legally effective”.</p> <p>Section 9.49A of the Act provides:</p> <p><i>(2) The common seal of a local government is not to be affixed to any document except as authorised by the local government.</i></p> <p><i>(3) The common seal of the local government is to be affixed to a document in the presence of –</i></p> <p><i>(a) the mayor or president; and</i></p> <p><i>(b) the CEO,</i></p> <p><i>each of whom is to sign the document to attest that the common seal was so affixed.</i></p> <p><i>(4) A local government may, by resolution, authorise the CEO, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.</i></p> <p>This delegation is not appropriate as subsection (3) explicitly provides the Common Seal is to be affixed in the presence of the Mayor and CEO.</p> <p>A Council Policy is recommended as the mechanism for Council to authorise the affixing of the Common Seal to documents, and to authorise the CEO and/or other employees to sign documents on behalf of the City. A new Execution of Documents Policy has been presented for consideration within Item 6.6.</p>
<p>DC711 Appoint Authorised Officers And Designated Officers – <i>Food Act 2008</i>- List Of Officers Issuing Infringements</p>	<p>The delegated authority for the CEO to appoint authorised officers for the purposes of issuing infringement notices under the <i>Food Act 2008</i> is delegated to the CEO in DC710. Sub-delegation of this power is not permitted.</p> <p>DC711 is not an instrument of delegation but rather a list of officers who have been authorised for the purpose of issuing infringements under the <i>Food Act 2008</i>. The list of authorised officers is appropriately detailed within the City’s Authorisations Register.</p> <p>This delegation is therefore proposed to be revoked.</p>

DC712 Appoint Authorised Officers and Designated Officers - <i>Food Act 2008</i> – list of officers (Administration Of Infringement Notices)	As above.
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### New Delegations

The delegations detailed below and at **Attachment (d)** are proposed for adoption. It is proposed these powers be delegated to the CEO as they are operational in nature.

Delegation	Details
DC380 Smoke Alarms - Alternative Solutions	This delegation has been drafted based on the WALGA template and provides authority under the <i>Building Regulations 2012</i> to: <ol style="list-style-type: none"> <li>1. Approve alternative building solutions which meet the performance requirement of the Building Code relating to fire detection and early warning.</li> <li>2. Approve or refuse to approve a battery powered smoke alarm and to determine the form of an application for such approval.</li> </ol>
DC512 Obstruction of Public Footpaths and Thoroughfares	This delegation proposes to delegate the following powers under the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> (ULP Regulations) to the CEO: <ul style="list-style-type: none"> <li>• Authority to serve notice on a person carrying out work near a local government footpath to require the footpath to be covered to prevent damage;</li> <li>• Authority to provide, or refuse to provide, permission for the obstruction of a public thoroughfare;</li> <li>• Authority to require an owner or occupier of land to remove any thing that has fallen from their land and obstructed a public thoroughfare; and</li> <li>• Authority to require an owner or occupier to remove any part of a structure, tree or plant that is encroaching on a public thoroughfare.</li> </ul>

<p>DC513</p> <p>Public Thoroughfare - Dangerous Excavation</p>	<p>Regulation 11 of the ULP Regulations provides a local government with powers in relation to dangerous excavations in or near public thoroughfares, being:</p> <ul style="list-style-type: none"> <li>• Authority to fill in or fence the excavation or require the owner or occupier of the land to take this action.</li> <li>• Authority to give permission or refuse to give permissions to make excavations in public thoroughfares.</li> </ul>
<p>DC514</p> <p>Crossing - Construction, Repair and Removal</p>	<p>Regulations 12 and 13 of the ULP provisions provide local governments with authority to:</p> <ul style="list-style-type: none"> <li>• Determine applications for crossover constructions;</li> <li>• Determine the specifications for crossover constructions;</li> <li>• Give notice to a landowner or occupier requiring the person to construct or repair a crossover; and</li> <li>• Carry out works where a person fails to comply with a notice and recover 50% of the associated costs from the person.</li> </ul>
<p>DC515</p> <p>Private Works on, over or under Public Places</p>	<p>Regulation 17 of the ULP provisions provides local governments with authority to:</p> <ul style="list-style-type: none"> <li>• Grant permission or refuse permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property; and</li> <li>• Impose conditions on such a permission.</li> </ul>
<p>DC624</p> <p>Powers of Entry</p>	<p>This delegation proposes to delegate authority to the CEO under the Act to exercise powers of entry on private property.</p>
<p>DC625</p> <p>Declare Vehicle is an Abandoned Wreck</p>	<p>This delegation proposes to delegate authority to the CEO under section 3.40A of the Act to declare that an impounded vehicle is an abandoned vehicle wreck. This will enable the administration to make decisions relating to impounded vehicles in a timely and efficient manner consistent with the requirements of the Act.</p>
<p>DC626</p> <p>Confiscated or Uncollected Goods</p>	<p>This delegation proposes to delegate authority to the CEO under sections 3.46 - 3.48 of the Act to withhold or dispose of confiscated or uncollected goods.</p>
<p>DC627</p> <p>Disposal of Sick or Injured Animals</p>	<p>This delegation proposes to provide the CEO with authority under section 3.47A of the Act to deal with sick or injured impounded animals where the animal's owner cannot be located.</p>

DC619 Rate Record Amendment	This delegation proposes to provide the CEO with the power to determine amendments to the rate record for the 5 years preceding the current financial year as provided by section 6.39(2)(b) of the Act.
DC620 Rate Record Objections	This delegation proposes to provide the CEO with the power to consider objections to the rate record under section 6.76 of the Act.
DC621 Agreement as to Payment of Rates and Service Charges	This delegation proposes to provide the CEO with the power to make payment agreements for the payment of rates or service charges as permitted by section 6.49 of the Act.
DC622 Recovery of Rates or Service Charges	<p>This delegation proposes to provide the CEO with authority to:</p> <ul style="list-style-type: none"> <li>• Recover rates or service charges in court proceedings.</li> <li>• Lodge and withdraw caveats in respect of land where rates or service charges are in arrears.</li> <li>• Take possession and sell or lease land to recover unpaid rates or service charges, where rates or service charges have remained unpaid for at least three years.</li> </ul>
DC623 Panels of Pre- Qualified Suppliers for Goods and Services	<p>Under the <i>Local Government (Functions and General) Regulations 1996</i>, a local government may establish panels of pre-qualified suppliers. Local governments intending to establish pre-qualified supplier panels must have a policy relating to panels. Council adopted Policy P611 Pre-Qualified Supplier Panels in 2019.</p> <p>This delegation proposes to delegate authority to the CEO under the Regulations to:</p> <ul style="list-style-type: none"> <li>• Invite submissions for pre-qualified supplier panels.</li> <li>• Evaluate submissions and: <ul style="list-style-type: none"> <li>○ Accept submissions where the total consideration under the panel arrangement is \$500,000 or less (consistent with the amount delegated to the CEO in respect of awarding tenders); or</li> <li>○ Recommend Council establish a pre-qualified supplier panel.</li> </ul> </li> <li>• Enter into contracts within pre-qualified supplier panels provided the term of the contract does not exceed 12 months.</li> </ul>

Delegations under the <i>Public Health Act 2016</i>	<p>The following new delegations are proposed under the <i>Public Health Act 2016</i> in preparation for the commencement of new provisions:</p> <ol style="list-style-type: none"> <li>1. DC713 Appoint Authorised Officer or Approved Officer (Asbestos)</li> <li>2. DC714 Designate Authorised Officers - <i>Public Health Act 2016</i></li> <li>3. DC715 Appoint Designated Officer – Information Sharing</li> <li>4. DC716 Enforcement Agency Reports to the Chief Health Officer</li> <li>5. DC717 Give Enforcement Orders and Issue Clearance Certificates</li> <li>6. DC718 Give Enforcement Orders - Implement and Recover Costs</li> <li>7. DC719 Dealing with Seized Items</li> </ol>
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### Consultation

The review of the Register was conducted by Governance in consultation with internal stakeholders.

A copy of the Register is published on the City's website.

### Policy and Legislative Implications

Section 5.46(2) of the Act requires delegations made under the Act to be reviewed at least once each financial year.

### Financial Implications

Nil.

### Key Risks and Considerations

<b>Risk Event Outcome</b>	<p><b>Legislative Breach</b></p> <p>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.</p>
<b>Risk rating</b>	Low
<b>Mitigation and actions</b>	Annual reviews in place.

### Strategic Implications

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

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

### Attachments

6.5 (a):	Minor Changes
6.5 (b):	Substantive Changes
6.5 (c):	Revoke
6.5 (d):	New

*Mayor Greg Milner disclosed a Financial Interest in Item 6.6 and accordingly left the meeting at 7.51pm prior to consideration of Item 6.6.*

## **6.6 POLICY REVIEW**

File Ref: D-26-10100

Reporting Officer(s): Donna Shaw, Acting Director Corporate Services

### **Summary**

A number of policies are presented for consideration by the Audit, Risk and Improvement Committee for review and referral to Council for adoption.

### **Officer Recommendation AND COMMITTEE RECOMMENDATION**

**Moved:** Ms Shona Zulsdorf

**Seconded:** Councillor Jacqueline Raison

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

1. Adopts the following revised policies as shown in **Attachment (a)**:
  - a. P605 Purchasing
  - b. P630 Workplace Health and Safety
  - c. P639 CEO Recruitment, Performance and Termination
  - d. P648 Motor Vehicles
  - e. P649 Mayoral Vehicle
  - f. P699 Breaches of the Councillor Code of Conduct
  - g. P700 Developers and Lobbyists
2. Adopts new Council Policy P704 Execution of Documents as shown in **Attachment (c)**.
3. Adopts new Council Policy P302 Development Fee Refunds as shown as **Attachment (d)**.

**CARRIED (5/0)**

**For:** Councillors André Brender-A-Brandis, Jacqueline Raison and Stephen Russell, Ms Leah Horton and Ms Shona Zulsdorf.

**Against:** Nil.

## Background

Section 2.7 of the *Local Government Act 1995* (Act) provides:

*(1) The Council*

*a) governs the local government's affairs; and*

*b) is responsible for the performance of the local government's functions.*

*(2) Without limiting subsection (1), the Council is to —*

*a) oversee the allocation of the local government's finances and resources; and*

*b) determine the local government's policies.*

Council is responsible for determining the strategic direction of the City. This is assisted by the adoption of Council policies reflecting this direction and guiding the City's decision-making processes.

Council policies should:

- Not duplicate legislation. If a policy conflicts with legislation, the legislation prevails.
- Be clear and concise.
- Not be overly prescriptive but rather provide guiding principles.
- Provide the City with clear direction to respond to issues and act in accordance with Council decisions and direction.
- Enable Council Members to adequately manage enquiries from external stakeholders relating to the role of Council in particular situations.
- Be separate from administrative management and operational procedures (which need to evolve to ensure continuous improvement).

The Terms of Reference of the Audit, Risk and Improvement Committee (ARIC) include responsibility for reviewing the City's policies and making a recommendation to Council for adoption.

## Comment

Policies are reviewed on a progressive basis during the calendar year separated by Directorate. The policy review timeline for 2026 has been scheduled as follows:

<u>Directorate</u>	<u>Meeting Cycle</u>
Corporate Services Directorate Development and Community Services Directorate	15 September ARIC Meeting
Infrastructure Services Directorate	9 November ARIC Meeting

Certain policies have been identified by the Administration for priority consideration by the ARIC and Council outside of the above review cycle.

The policies listed below and shown at **Attachment (a)** are recommended for review with amendments shown by track changes in each policy.

#### P605 Purchasing

Regulation 11A of the *Local Government (Functions and General) Regulations 1996* requires the City to adopt a purchasing policy in respect of purchases valued under \$250,000.00. Council Policy P605 – Purchasing (P605) was adopted in 2002 and last reviewed in October 2024.

This policy is a reference point for staff for all purchasing activities, and it is essential that it is easy to read and understand.

P605 has been reviewed and it is recommended to simplify and make clear what exemptions are available. Some exemptions were only listed, and others were in full paragraphs. No exemptions have been removed. The following exemptions are proposed to be added:

- Purchase of stock that is to be on sold (for example refreshments).
- Newspaper advertising (or online equivalent).
- Memberships, subscriptions and/or training courses that are of a unique nature.
- Annual services/software maintenance/support fees.
- Provision of utility services.
- Purchases for maintenance of equipment from Original Equipment Manufacturer (OEMs) and where warranty provisions may be void.
- This exemption replicates the Act: *“Purchases of urgent or unique nature or where exceptional circumstances arise and it is considered in the best interest of the City, an exemption may be granted by the CEO in writing.”*

Council Policy P607 – Tenders and Expressions of Interest and Delegation DC607 - Tenders /E-Quotes/Common Use Agreements apply in respect of tenders for goods and services valued over \$250,000.00.

#### P630 Work Health and Safety

P630 was adopted in July 2021 and last reviewed in November 2024.

It is being recommended that this policy be amended to ensure it captures Council’s commitment to a healthy and safe working environment for all Workers (employees, contractors, consultants and volunteers and Council members) in order to achieve the City’s strategic objectives.

P630 and the proposed amendments have been drafted to ensure the City remains compliant with and maintains its ISO 45001 Workplace Health and Safety accreditation.

### P639 CEO Recruitment, Performance and Termination

Reforms to the Act in 2021 required Council to:

- Adopt standards to be observed by the City that incorporate the model standards as contained within Schedule 2 of the Regulations (section 5.39B).
- Adopt a policy addressing the temporary employment or appointment of a CEO for a term not exceeding 1 year (section 5.39C).

In April 2021, Council adopted Policy P639 which establishes the minimum standards and guidelines for the recruitment and selection, performance review and termination processes for the position of CEO. Council subsequently adopted Model Standards consistent with Schedule 2 of the Regulations in August 2022.

Policy P639 currently provides for the appointment of an Acting CEO where the CEO becomes incapacitated or ceases employment with the City. Arrangements for Acting CEO appointments during periods of annual leave are addressed under Delegation DC642 – Appointment of Acting CEO however DC642 does not cover other types of leave and a delegation is not considered the appropriate instrument for these arrangements. It is therefore proposed that Delegation DC642 be revoked (refer Item 6.5) and its provisions incorporated into Policy P639 as required by section 5.39C of the Act.

The proposed amendments to Policy P639 include:

- Updating references throughout the policy to ensure consistent references to the Model Standards.
- Including reference to the requirement under the Regulations for Council to certify, as soon as practicable, that CEO recruitment and termination processes have been conducted in accordance with the Model Standards.
- Incorporating provisions from Delegation DC642 to provide that Council consents to the appointment of a Director as Acting CEO during periods of CEO leave (including annual, personal and long service leave etc.) for periods not exceeding 20 working days, with any longer appointment requiring a Council resolution.

### P648 Motor Vehicle

P648 was adopted in 2009 and last reviewed in December 2024. The policy outlines the principles for acquisition of the City's light vehicle fleet.

The policy is proposed to be amended to emphasise the City's preference to purchase hybrid or electric powered vehicles where possible and commitment to vehicles with a minimum 5-star ANCAP safety rating whilst focusing on operational suitability and fiscal responsibility.

### P649 Mayoral Vehicle

Part 5, Division 8 of the Act provides for fees, reimbursements and allowances to elected members in relation to the performance of their duties.

Section 5.98(2) of the Act provides for the reimbursement of certain expenses incurred by Elected Members. Council Policy P667 - Elected Member Entitlements provides for the reimbursement of travel expenses where elected members use their private motor vehicle in the performance of their official duties.

Regulation 34AD(1) of the *Local Government (Administration) Regulations 1996* also permits the provision of a motor vehicle owned by the local government for use by the Mayor as an alternative means of meeting expenses for which an elected member may otherwise be reimbursed. Regulation 34AD(2) provides the local government and the council member must sign an agreement setting out the responsibilities of the council member in relation to the use of the vehicle.

The reimbursement of expenses or provision of a Mayoral vehicle is separate from the payment of allowances, including the Mayoral allowance and meeting attendance fees, as these entitlements are authorised under separate provisions of the Act.

Policy P649 – Mayoral Vehicle was adopted in May 2011 and last reviewed in March 2018. In accordance with P649, the City provides the Mayor with a vehicle for use in connection with the performance of the Mayoral duties. The policy provides:

- The Mayor shall, for the purposes of carrying out the functions of the Mayoral office be entitled to receive a fully maintained local government vehicle to the equivalent standard of that provided to the Chief Executive Officer.
- The Mayoral vehicle:
  - *Is provided in lieu of travel/mileage claims otherwise claimable by the Mayor for use of their personal vehicle;*
  - *Can be used for private purposes (and not for any commercial purpose) on the basis that the cost of that private use is fully reimbursed by the Mayor to the City;*
  - *Will not occur at the reduction of the fees, allowances and reimbursement otherwise ordinarily payable to the Mayor's position as approved by Council accordance with the relevant provisions of the Act.*
- Calculation of the private use component to be reimbursed to the City by the Mayor is determined as follows:
  - *A logbook is to be kept of both official and private use of the vehicle;*
  - *On the basis that the predominant use of the vehicle will be for official purposes, only those vehicle costs of a 'variable' nature directly affected by the additional private use will be used for determining the payment for private use to be made by the Mayor. This includes fuel, vehicle servicing costs (and then only the additional servicing costs occasioned by the private use) and depreciation where it can be shown that the additional private use has negatively impacted on the trade value of the vehicle; and*
  - *At the conclusion of a log book period, the City will reimburse the Mayor for the private usage component via an equivalent increase in the Mayoral allowance (providing that the aggregate of the base allowance*

*and the reimbursement amount remains less than the statutory maximum for the Mayoral allowance).*

Review of P667 is considered prudent as the policy is inconsistent with the legislation in that it provides for reimbursement to the Mayor for private use of the vehicle through an equivalent increase in the Mayoral allowance. In practice, this provision lacks clarity and as outlined above, reimbursements and allowances are separate matters. Pursuant to Policy P667, Council has determined the Mayoral allowance to be paid at the maximum amount within the range determined by the Salaries and Allowances Tribunal.

#### Mayor Vehicles – Metropolitan Local Governments

A review of the provision of Mayoral vehicles at other metropolitan local governments has been undertaken and is provided at **Attachment (b)** for reference. In summary:

- 8 of 15 Band 1 metropolitan local government’s relevant policies provide for a Mayoral vehicle.
- Of the 8 Band 2 metropolitan local governments:
  - 6 do not publicly mention the provision of a Mayoral vehicle.
  - The City of Vincent provides an electric bicycle for all official duties connected to the office of Mayor.
  - The Town of Cambridge Council may resolve after each ordinary election to provide a suitable vehicle for the office of Mayor.
- No Band 3 or 4 metropolitan local governments provide a Mayoral vehicle.

#### Mayor Vehicle Options

The Mayor has a Toyota RAV4 Cruiser, purchased in August 2024 for \$45,192. Comparable vehicles within the City’s fleet typically sell for \$2,000–\$5,000 below purchase price at five years of age.

For the purposes of calculating the costs associated with each option, the Administration has utilised the approximate 2024/25 vehicle costs and kilometres travelled for the full financial year being:

- 3,000 approx. business kilometres travelled (27%);
- 8,000 approx. private kilometres travelled (73%);
- Total vehicle costs for the period including fuel, servicing, registration and insurance of approximately \$2,200; and
- Reimbursement payable of approximately \$1,600, representing 73% of the total vehicle costs for the period.

The current reimbursement rate prescribed by section 30.6 of the *Local Government Officers’ (Western Australia) Award 2021* is 67.72 cents per kilometre for travel within the metropolitan area using a vehicle with an engine displacement between 1600cc to 2000cc.

The Administration has outlined four options in the below table in relation to the Mayoral vehicle.

No.	Option	Details	Comment	Cost Implications
1.	Mayoral Vehicle – Private Use Reimbursed (Actual cost)	A Mayoral vehicle is provided with private use reimbursed proportionate to the running costs for the vehicle and the percentage of private kilometres travelled.	The calculation of the reimbursement for the private use is by way of a logbook in accordance with the of the Australian Taxation Office logbook method.	As outlined above, the estimated annual reimbursement to the City for this option is approximately \$1,600 subject to the number of kilometres travelled.  Under this option, the City would continue to meet the operating costs of the vehicle, with reimbursement by the Mayor for private use calculated proportionately based on actual vehicle running costs.
2.	Mayoral Vehicle – Private Use Reimbursed (Award Rate)	A Mayoral vehicle is provided with private use reimbursed to the City at the rate specified in section 30.6 of the <i>Local Government Officers' (Western Australia) Award 2021</i> .	This option retains the current arrangement while updating the reimbursement calculation methodology to align with the rate specified in the Salaries and Allowances Tribunal determination.	Based on the above figures, and assuming all travel is within the metropolitan area, the estimated annual reimbursement payable to the City is \$5,417.60, subject to the number of private kilometres travelled.

				Under this option, the City would continue to meet the operating costs of the vehicle, with reimbursement by the Mayor for private use calculated in accordance with the Award rate.
3.	Mayoral Vehicle – Official Use Only	A Mayoral vehicle is provided for official use only. No private use is permitted.	This option would remove the ability for private use of the Mayoral vehicle. The policy would require amendment on this basis.	Under this option, the City would bear the full cost of the Mayoral vehicle, including all operating and associated expenses.  No reimbursement would be payable by the Mayor for private use, as private use would not be permitted.
4.	No Mayoral Vehicle	No Mayoral vehicle is provided. The Mayor is reimbursed for authorised travel expenses in accordance with Council Policy P667 Elected Member Entitlements.	This option would be straightforward to administer and is consistent with the legislative framework and Salaries and Allowances Tribunal determination.	Assuming all travel is within the metropolitan area, the estimated annual cost to the City for reimbursement of authorised travel is \$2,031.60, subject to the number of kilometres travelled.  No additional vehicle-related costs would be

				incurred by the City.
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Option 1 is recommended. Accordingly, the policy has been amended, as shown in the attachment, to:

- Simplify the structure of the policy to improve readability.
- Provide for the calculation of the reimbursement for private use in accordance with the Australian Tax Office Logbook method.
- Provide that the City will invoice the Mayor for reimbursement of private use once per financial year retrospectively.
- Confirm that the provision of a Mayoral vehicle:
  - is in lieu of travel/mileage claims otherwise claimable by the Mayor for the use of their personal vehicle; and
  - does not affect the fees and allowances approved by Council under sections 5.98, 5.98A, 5.99 and 5.99A of the Act.
- Provide that details of the arrangement for the provision, use and responsibilities of the motor vehicle are to be stipulated in an agreement between the City and the Mayor in accordance with regulation 34AD(2) of the *Local Government (Administration) Regulations 1996*.

It is recommended that this policy be reviewed again ahead of the next Mayoral election.

#### P699 Breaches of the Councillor Code of Conduct

This policy was adopted in April 2021 and establishes the framework for assessing complaints of alleged breaches of Division 3 of the Council Member, Committee Member and Candidate Code of Conduct (**Code**). Annexed to the policy is a Code of Conduct Breach Form.

Following Council's review of the Code in February 2026 in response to legislative reforms, Policy P699 has been reviewed to ensure consistency with the amended Code.

The proposed amendments include:

- Updating terminology to refer to parties as the "Complainant" and "Respondent" for improved readability.
- Aligning policy language with the revised Code.
- Incorporating legislative changes including:
  - The requirement that complaints involving a Council Member who has been found to have committed more than two behavioural breaches after 1 January 2026 be referred to the Local Government Inspector.
  - Clarification that, in accordance with s 5.105(4) of the Act, a Council Member who is party to a complaint must not participate in the discussion or decision-making procedure in relation to that complaint.
- Introducing a provision that complaints will ordinarily be dealt with in the order they are received.

## 6.6 Policy Review

- Requiring the external body engaged to assess the complaint to provide the Complainant with an opportunity to discuss the complaint, in addition to the existing requirement to provide the Respondent with an opportunity to respond.
- Updating the Code of Conduct Breach Form to include additional information requirements including the office held by the Respondent, the specific provisions of the Code alleged to have been breached and a designated email address for lodgement of complaints.

### P700 Developers and Lobbyists

P700 was adopted in March 2022. The policy provides guidance to Elected Members on associations and interactions with developers and lobbyists, requiring prescribed contact to be disclosed and the CEO to maintain a register of disclosures of such interactions.

Policy P700 has been reviewed with the following changes proposed:

- Policy statement expanded to reflect the intention of the policy.
- Extension of the definition of Planning or Development Proposal to include a proposed Structure Plan, Local Development Plan or amendment to the City's Heritage List or the Metropolitan Region Scheme.
- Refinement of the provisions surrounding meeting with developers.

The policy listed below and shown at **Attachment (c)** is recommended for adoption by Council.

### P704 Execution of Documents

Council Delegation DC684 - Sealed Documents currently provides the Chief Executive Officer with authority under section 9.49A(2) of the *Local Government Act 1995* (the Act) to affix the Common Seal of the City to any document that needs the City's Common Seal to be legally effective. This delegation is not considered appropriate as section 9.49A(3) of the Act requires the affixing of the common seal to be authorised by the local government, rather than delegated.

Where a document is required to be executed under common seal, authorisation is typically provided through a resolution of Council. However, there are instances where documents are required to be executed without Council resolution by way of delegated authority or in the ordinary course of business.

To address this, a new Council Policy is proposed to govern the execution of documents by the City. The policy has been developed in accordance with the Act and outlines the types of documents the City may be required to execute, categorised as follows:

- Category 1 Documents - documents that require affixing of the Common Seal. Separated into two subcategories:
  - A. Documents requiring Council resolution i.e. Local Laws, Local Planning Schemes, land transaction documents; and
  - B. Documents that do not require a specific Council resolution i.e. Extensions of lease under the provisions of the original lease, loan documents where Council has resolved to raise the loan.

## 6.6 Policy Review

- Category 2 Documents - documents that require execution as a result of a Council resolution or a decision made under delegated authority or a legislative provision. This includes contracts for tenders, documents required in the management of land as landowner or under management order, documents prepared for registration at Landgate other than Category 1 Documents.
- Category 3 Documents - documents that are created in the normal course of business to enable employees to perform their duties consistent with City policies and Management Practices.

The policy articulates that Officers may only execute a document on behalf of the City where authorised to do so under delegated authority, statutory authority or operational authorisation.

Delegation DC684 - Sealed Documents is proposed to be revoked accordingly through the annual review of Council delegations.

The policy listed below and shown at **Attachment (d)** is recommended for adoption by Council.

### P302 Development Fee Refunds

Whilst Council Delegation DC617 - Granting Discounts, Concessions, Fee Waiver and Debt Write-Off provides the Chief Executive Officer with authority to waive or grant a concession in relation to any amount of money and write off an amount of money which is owed to the City, it is considered appropriate to adopt a policy that informs the circumstances / principles to be applied when determining a refund.

To address this, a new Council Policy is proposed to set out these circumstances, which has been proposed to apply for applications for development approval for regulated tree(s) and heritage protected places.

It is noted that a condition on DC617 is that it is limited to individual or cumulative sums below \$2,000. Applications for tree damaging activity to a regulated tree incur a fee of \$147. Applications for works to a heritage protected place are based on the estimated cost of development.

### **Consultation**

Some of the policies were discussed at the Council Policy Workshop held on 9 March 2026.

Each policy has been considered by the custodian business unit having the relevant technical expertise in relation to the policy content and subsequently by the Executive Management Team (EMT) representing each of the City's Directorates.

### **Policy and Legislative Implications**

*Local Government Act 1995*

### **Financial Implications**

Nil.

### Key Risks and Considerations

<b>Risk Event Outcome</b>	<b>Legislative Breach</b> 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.
<b>Risk rating</b>	Low
<b>Mitigation and actions</b>	Review of all City policies on an annual basis.

### Strategic Implications

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

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

### Attachments

<b>6.6 (a):</b>	Amended Policies - Tracked Changes
<b>6.6 (b):</b>	Comparison Table – Metropolitan Local Government Mayoral Vehicles
<b>6.6 (c):</b>	P704 Execution of Documents
<b>6.6 (d):</b>	P302 - Development Fee Refunds

Mayor Greg Milner returned to the meeting at 7.56pm following consideration of Item 6.6.

## 6.7 CORPORATE BUSINESS PLAN - MINOR REVIEW

File Ref: D-26-11782

Reporting Officer(s): Anita Amprimo, Acting Chief Executive Officer

### Summary

This report presents the draft Corporate Business Plan 2025/26 – 2028/29 for consideration by Council.

### Officer Recommendation AND COMMITTEE RECOMMENDATION

**Moved:** Mayor Greg Milner

**Seconded:** Ms Shona Zulsdorf

That the Audit, Risk and Improvement Committee recommends to Council that it adopts the Corporate Business Plan 2025/26 – 2028/29 as contained within **Attachment (a)**.

**CARRIED (6/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Jacqueline Raison and Stephen Russell, Ms Leah Horton and Ms Shona Zulsdorf.

**Against:** Nil.

### Background

In accordance with *the Local Government Act 1995* (the Act) and the Local Government (Administration) Regulations 1996 (the Regulations), the City of South Perth (the City) has developed an Integrated Planning and Reporting Framework (IPRF). The objective of this framework is to guide the City's planning and reporting processes to ensure alignment to, and delivery of the community's expectations.

Section 5.56(1) of the Act states that a local government is to "*plan for the future of the district*", and section 5.56(2) states that the plans are to be made "*in accordance with any regulations made about planning for the future.*" Division 3, 19C and 19DA of the regulations require a local government to prepare two documents to address section 5.56(1):

- a. A 10-year strategic community plan that identifies the vision, aspirations and objectives of the community in the district (Regulation 19C).
- b. A four-year corporate business plan that sets out how the local government will respond to the vision, aspirations and objectives identified in the strategic community.

A major review of the City of South Perth's Strategic Community Plan (SCP), which included extensive community engagement was undertaken in 2021/22 and adopted by Council at its meeting held 14 December 2021. A minor review of the SCP was undertaken in early 2024 and a revised SCP was adopted by Council at its meeting held 23 April 2024.

The Department of Local Government Sports and Communities IPRF and Guidelines state that every two years, local governments are required to undertake a review of the SCP, alternating between a minor and major review. A minor review, according to the

Departmental guidelines, is *“primarily a desktop exercise and usually focuses on resetting the Corporate Business Plan.”*

The Corporate Business Plan (CBP) 2024/25 – 2027/28 was adopted by Council at its meeting held 25 June 2024, and further reviewed and adopted at the 24 June 2025 Ordinary Meeting.

In accordance with Regulation 19DA(4) of the *Local Government (Administration) Regulations 1996* (the Regulations), the local government is to review the current CBP for its district every year. This report presents the CBP for adoption in accordance with the Regulations, and intended approach in light of legislative changes.

### **Comment**

Typically, the annual review and reset of the CBP drives the annual budgeting process and ensures alignment of operational requirements with the SCP and other informing plans. Proposed modifications to the CBP to reflect changes in circumstances or delays that have occurred since the last review are otherwise presented for adoption as part of the CBP minor review.

As a result of legislative changes, the City is in the process of developing a Council Plan which will see the SCP and CBP be superseded during 2026/27. As part of the Council Plan development, a review of corporate projects and measures of success (KPIs) in the CBP was to take place concurrently. Due to temporary key personnel staffing arrangements and priorities over the preceding months, whilst some work has progressed on the review of projects and KPIs, this project has been delayed.

Quarterly reporting will continue to be presented to the Audit, Risk and Improvement Committee and Council, to ensure oversight of the delivery of the current CBP.

Whilst this report presents the CBP for adoption in accordance with Regulation 19DA(4), the City intends to provide a further CBP review (review of corporate projects and measures of success), following progression of the development of the Council Plan.

Council will be invited to a further Council Plan workshop in the second half of 2026 to verify projects and KPI's as workshopped in February 2026 and to provide feedback on the draft Council Plan prior to the City commencing a community engagement process. Through this process, the work completed to date on the minor review of the CBP will be presented for Council's consideration. It is anticipated that following the community engagement process, amendments may be required (where appropriate) to the draft Council Plan, and it is anticipated the draft Council Plan will then be provided to Council for adoption in late 2026.

### **Consultation**

An Elected Member workshop was held in February 2026 with INK Consulting on the Council Plan development.

Since the February 2026 Council Workshops facilitated by INK Consulting on the Council Plan development, the City's Leadership Team attended a workshop with INK Consultants in early March 2026 to review and provide feedback on projects prioritised at the Council Workshops. Development of the Council Plan template commenced, and drafting has begun based on the Council identified projects and in line with the City's IPR Strategies and Plans Framework.

## Policy and Legislative Implications

### *Local Government (Administration) Regulations 1996*

Regulation 19DA requires a local government to prepare a corporate Business Plan covering a period of at least four financial years each financial year. The plan must contain priorities in line with the Strategic Community Plan, internal operations planning, resource management and other integrated matters relating to long term financial planning. Regulation 19DA (6) also requires Council to make a determination on the Business Plan via absolute majority.

## Financial Implications

The CBP 2025/26 – 2028/29 will help guide the City’s financial planning for the next four years and integrates with the City’s Long Term Financial Plan and Annual Budget.

## Key Risks and Considerations

<b>Risk Event Outcome</b>	<b>Legislative Breach</b> 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.
<b>Risk rating</b>	Medium
<b>Mitigation and actions</b>	Undertake a yearly review of the CBP.

## Strategic Implications

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

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

## Attachments

**6.7 (a):** Corporate Business Plan 2025/2026-2028/ 2029

## 6.8 COUNCIL RESOLUTION TRACKING

File Ref: D-26-11035  
Reporting Officer(s): Donna Shaw, Acting Director Corporate Services

### Summary

This report provides the Audit, Risk and Improvement Committee with an update on the status of Council Resolutions.

### Officer Recommendation AND COMMITTEE RECOMMENDATION

**Moved:** Ms Shona Zulsdorf  
**Seconded:** Councillor Jacqueline Raison

That the Audit, Risk and Improvement Committee notes the contents of this report.

**CARRIED (6/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Jacqueline Raison and Stephen Russell, Ms Leah Horton and Ms Shona Zulsdorf.

**Against:** Nil.

### Background

A Status Report on Council Resolutions is maintained and available on the City's website for the period 2021 to 2025.

A report is provided to each Audit, Risk and Improvement Committee (ARIC) meeting detailing Council resolutions and their status.

The Council Resolutions Register is managed as follows:

- After a Council Meeting, each resolution is entered on the Register.
- Each resolution is assigned to the relevant Manager/Director.
- The resolution is marked as in progress or completed.
- Items that have been completed are shown in green.
- Items that are not completed or are in progress are shown in red.

### Comment

At the ARIC meeting held 10 March 2026, the ARIC was presented with a report on Council Resolutions made in 2025 and their status.

Since the last report to the ARIC, the City held three Ordinary Council Meetings and three Special Council Meetings.

The Resolutions from the Ordinary Council Meeting held 26 May 2026 are not included in this report due to the proximity to the creation of this Agenda.

The table below details the number of Council Resolutions that were made at each meeting and their status:

Meeting Date	Number of Resolutions	Status
24 February 2026 (Reconvened on 4 March 2026)	23	18 completed 5 in progress
24 March 2026	13	12 completed 1 in progress
25 March 2026 (Special)	1	All completed
31 March 2026 (Special)	2	1 completed 1 In progress
16 April 2026 (Special)	1	All completed
28 April 2026	12	9 completed 3 in progress

The 2026 Register is presented as **Attachment (a)**.

#### 2025 Resolutions

At the last ARIC meeting held 10 March 2026, eight resolutions were noted as in progress. Three resolutions are now completed, with five in progress. These resolutions are presented at **Attachment (b)**.

#### **Consultation**

Resolutions are marked as in progress or complete by the responsible officer.

The Register is reviewed regularly by the Executive Management Team.

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

*Local Government Act 1995*

#### **Financial Implications**

Nil.

### Key Risks and Considerations

<b>Risk Event Outcome</b>	<p><b>Legislative Breach</b></p> <p>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.</p> <p><b>Reputational Damage</b></p> <p>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.</p>
<b>Risk rating</b>	Low
<b>Mitigation and actions</b>	<p>Council Resolutions are maintained in a register and there is visibility and accountability of the Register through the ARIC, Council and on the website.</p> <p>They are reviewed regularly by the Executive Management Team.</p>

### Strategic Implications

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

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

### Attachments

<b>6.8 (a):</b>	2026 Council Resolutions Register
<b>6.8 (b):</b>	2025 Council Resolutions Register - In Progress

## 6.9 COUNCIL DECISION 0426/091 - TABLING OF DOCUMENTS

File Ref: D-26-10936

Reporting Officer(s): Donna Shaw, Acting Director Corporate Services

### Summary

To table documents with the Audit, Risk and Improvement Committee in accordance with Council Decision 0426/091.

### Officer Recommendation AND COMMITTEE RECOMMENDATION

**Moved:** Ms Shona Zulsdorf

**Seconded:** Mayor Greg Milner

That the Audit, Risk and Improvement Committee notes the contents of this report.

**CARRIED (6/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Jacqueline Raison and Stephen Russell, Ms Leah Horton and Ms Shona Zulsdorf.

**Against:** Nil.

### Background

At the Audit, Risk and Improvement Committee (ARIC) meeting held on 10 March 2026, the Committee were presented with a quarterly update report on risk management (Item 6.6).

The officer recommendation for this item was “*That the Audit, Risk and Improvement Committee notes the details of the activities contained in the body of this report.*”

An alternative motion was carried by the Committee recommending that Council:

1. *Requests that the Chief Executive Officer hold a Strategic Risk Workshop with all Councillors and ARIC members attending and delivered using the framework and definitions within the existing Risk Framework at the City of South Perth, the existing Strategic Risk Register and the existing Strategic Community Plan.*
2. *That the OAG Exit Debrief 2019, OAG Exit Debrief 2020 and the paper tabled under item 7.6 Response to Notice of Motion be tabled at the June ARIC meeting.*

At the Ordinary Council Meeting held 28 April 2026, Council resolved in accordance with the Committee’s recommendation, with item 1 of the amended to replace the word “attending” with “invited” (Council Decision 0426/091).

### Comment

The documents referred to in point 2 of the Committee Recommendation and Council Decision have previously been tabled with the Committee and are attached to this item as follows:

- 10 June 2025: Item 7.6 Response to Notice of Motion – City of South Perth Financial Indicators. Provided at **Attachment (a)**.
- 14 December 2020: Annual Financial Audit Exit Brief for the financial year ended 30 June 2020 within Item 7.1 City of South Perth Annual Financial Report 2019/20. Provided at **Confidential Attachment (b)**.
- 18 November 2019: Annual Financial Audit Exit Brief for the financial year ended 30 June 2019 within Item 7.9 2018/19 Annual Financial Report. Provided at **Confidential Attachment (c)**.

### Consultation

Nil.

### Policy and Legislative Implications

Nil.

### Financial Implications

Nil.

### Key Risks and Considerations

<b>Risk Event Outcome</b>	<p><b>Reputational Damage</b></p> <p>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.</p>
<b>Risk rating</b>	Low
<b>Mitigation and actions</b>	Reports are presented to ARIC with appropriate context and explanation of actions undertaken in response to findings or recommendations.

### Strategic Implications

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

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:	4.3.3 Maintain a culture of fiscal efficiency

### Attachments

- 6.9 (a): Item 7.6 ARGC Meeting 10 June 2025
- 6.9 (b): Annual Financial Audit Exit Brief Year Ended 30 June 2020  
*(Confidential)*
- 6.9 (c): Annual Financial Audit Exit Brief Year Ended 30 June 2019  
*(Confidential)*

## 7. MEETING CLOSED TO THE PUBLIC

The meeting was closed to the public at 6.36pm and reopened at 6.42pm to consider the Confidential Attachment at Item 6.3.

## 8. CLOSURE

The Presiding Member declared the meeting closed at 8.09pm.

These Minutes were confirmed at the next Audit, Risk and Improvement Committee Meeting yet to be determined.

Signed: \_\_\_\_\_  
Presiding Member at the meeting at which the Minutes were confirmed.