



CITY of PERTH

Lord Mayor and Councillors,

NOTICE IS HEREBY GIVEN that the next meeting of the **Finance and Administration Committee** will be held in Committee Room 1, Ninth Floor, Council House, 27 St Georges Terrace, Perth on **Tuesday, 25 August 2015 at 4.00pm.**

Yours faithfully

**GARY STEVENSON PSM
CHIEF EXECUTIVE OFFICER**

20 August 2015

Committee Members:

Members:

Cr Davidson OAM JP (Presiding Member)
Cr Butler
Cr Yong

1st Deputy:

Cr Adamos

2nd Deputy:

Cr Harley

EMERGENCY GUIDE

Council House, 27 St Georges Terrace, Perth



CITY of PERTH

The City of Perth values the health and safety of its employees, tenants, contractors and visitors. The guide is designed for all occupants to be aware of the emergency procedures in place to help make an evacuation of the building safe and easy.

BUILDING ALARMS

Alert Alarm and Evacuation Alarm.

ALERT ALARM

beep beep beep

All Wardens to respond.

Other staff and visitors should remain where they are.

EVACUATION ALARM/PROCEDURES

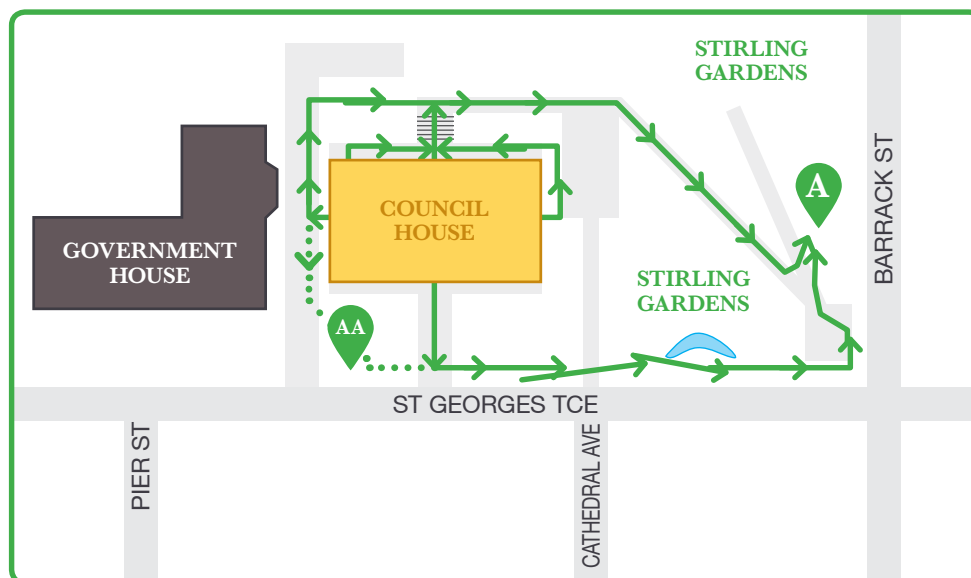
whoop whoop whoop

On hearing the Evacuation Alarm or on being instructed to evacuate:

1. Move to the floor assembly area as directed by your Warden.
2. People with impaired mobility (those who cannot use the stairs unaided) should report to the Floor Warden who will arrange for their safe evacuation.
3. When instructed to evacuate leave by the emergency exits. **Do not use the lifts.**
4. Remain calm. Move quietly and calmly to the assembly area in **Stirling Gardens** as shown on the map below. Visitors must remain in the company of City of Perth staff members at all times.
5. After hours, evacuate by the nearest emergency exit. **Do not use the lifts.**



EVACUATION ASSEMBLY AREA



 Assembly Area

 Alternate Assembly Area

FINANCE AND ADMINISTRATION COMMITTEE

Established: 17 May 2005 (Members appointed 22 October 2013)

Members:	1st Deputy:	2nd Deputy:
Cr Davidson OAM JP (Presiding Member)	Cr Adamos	Cr Harley
Cr Butler		
Cr Yong		

Quorum: Two
Expiry: October 2015

TERMS OF REFERENCE: [Adopted OCM 04/06/13]

1. To oversee and make recommendations to the Council on matters related to:
 - a. the financial management of the City including budgeting, payment of accounts, collection of debts, investment of funds and write-offs;
 - b. strategic and annual plans;
 - c. management of local government property including issues relating to the City's civic buildings (Council House, Perth Town Hall, Perth Concert Hall and the City of Perth Library);
 - d. business opportunities and proposals, including those related to parking, having the potential to achieve new income or savings for the City, which may have been initiated by other Committees of the Council;
 - e. Fees and charges levied by the City in accordance with Sections 6.16 or 6.32 of the Local Government Act 1995;
 - f. Elected Members, including protocols and procedures, benefits and allowances;
 - g. Council's policies, local laws and Register of Delegations;
 - h. the management and enforcement of permanent and temporary on-street parking proposals or restrictions and any associated fees or signage;
 - i. any other issues requiring a decision of the Council and not specifically defined in the Terms of Reference for any other Committee of the Council.
2. To determine:
 - a. public art, art purchases and management of the City's art collection with the authority to purchase artworks over \$5,000 (excluding GST) and the deaccession of artworks in accordance with Policy 18.2 - Collection Management;
 - b. requests for receptions referred to the Committee by the Lord Mayor, with authority to approve or decline requests of \$5,000 or less.

This meeting is open to members of the public.

INFORMATION FOR THE PUBLIC ATTENDING COMMITTEE MEETINGS

Question Time for the Public

- An opportunity is available at all Committee meetings open to members of the public to ask a question about any issue relating to the City. This time is available only for asking questions and not for making statements. Complex questions requiring research should be submitted as early as possible in order to allow the City sufficient time to prepare a response.
- The Presiding Person may nominate a Member or officer to answer the question, and may also determine that any complex question requiring research be answered in writing. No debate or discussion is allowed to take place on any question or answer.
- To ask a question please write it on the white Question Sheet provided at the entrance to the Council Chamber and hand it to a staff member at least an hour before the meeting begins. Alternatively, questions can be forwarded to the City of Perth prior to the meeting, by:-
 - Letter: Addressed to GPO Box C120, Perth, 6839;
 - Email: governance@cityofperth.wa.gov.au.
- *Question Sheets are also available on the City's web site: www.perth.wa.gov.au.*

Deputations

A deputation wishing to be received by a Committee is to apply in writing to the CEO who will forward the written request to the Presiding Member. The Presiding Member may either approve the request or may instruct the CEO to refer the request to the Committee to decide whether or not to receive the deputation. If the Presiding Member approves the request, the CEO will invite the deputation to attend the meeting.

Please refer to the 'Deputation to Committee' form provided at the entrance to the Council Chamber for further information on the procedures for deputations. These forms are also available on the City's web site: www.perth.wa.gov.au.

Disclaimer

Members of the public should note that in any discussion regarding any planning or other application that any statement or intimation of approval made by any Member or officer of the City during the course of any meeting is not intended to be and is not to be taken as notice of approval from the City. No action should be taken on any item discussed at a Committee meeting prior to written advice on the resolution of the Council being received.

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**FINANCE AND ADMINISTRATION COMMITTEE
25 AUGUST 2015**

ORDER OF BUSINESS

- 1. Declaration of Opening**
- 2. Apologies and Members on Leave of Absence**
- 3. Question Time for the Public**
- 4. Confirmation of Minutes – 4 August 2015**
- 5. Correspondence**
- 6. Disclosure of Members' Interests**
- 7. Matters for which the Meeting may be Closed**
- 8. Reports**
- 9. Motions of which Previous Notice has been Given**
- 10. General Business**
 - 10.1. Responses to General Business from a Previous Meeting**

Nil
 - 10.2. New General Business**
- 11. Items for Consideration at a Future Meeting**

Outstanding Reports:

 - Council Dining Room (raised FA30/09/14, updated 21/04/15).
- 12. Closure**

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ITEM NO: 1

INVESTMENTS AND INVESTMENT RETURNS FOR THE PERIOD ENDED 31 JULY 2015

RECOMMENDATION: (INFORMATION)

That the Finance and Administration Committee receives the report detailing investments and investment returns for the period ended 31 July 2015, as detailed in Schedule 1.

BACKGROUND:

FILE REFERENCE: P1031639-2
RESPONSIBLE DIRECTOR: Corporate Services
RESPONSIBLE UNIT: Finance
DATE: 13 August 2015
MAP / SCHEDULE: Schedule 1 – Investment Report for the period ended 31 July 2015, Short Term Investments and Institutional Credit and Ratings

Investments are made in accordance with Policy 9.3 – Management of Investments. The policy sets objectives and risk management guidelines for investing surplus and reserve funds not immediately required for any other purpose.

This report reviews the results for the month of July 2015.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation Section 6.14 of the *Local Government Act 1995*
Regulation 19C of the *Local Government (Financial Management) Regulations 1996*

Integrated Planning and Reporting Framework Implications **Strategic Community Plan**
Council Four Year Priorities: Community Outcome Capable and Responsive Organisation
A capable, flexible and sustainable organisation with a strong and effective governance system to provide leadership as a capital city and deliver efficient and effective community centred services.

Policy
Policy No and Name: 9.3 – Management of Investments

DETAILS:

	Actual \$	Budget \$	Variation \$
Interest Earnings	505,450	214,412	291,038

Average Rate	3.41%
Benchmark Rate	2.14%
RBA Cash Rate	2.00%

*Figures exclude rate arrears.

Call Accounts

Balance at 31 July 2015	\$24.0 million
Interest Earned	\$53,239
Rate for balances over \$2 million	2.50%

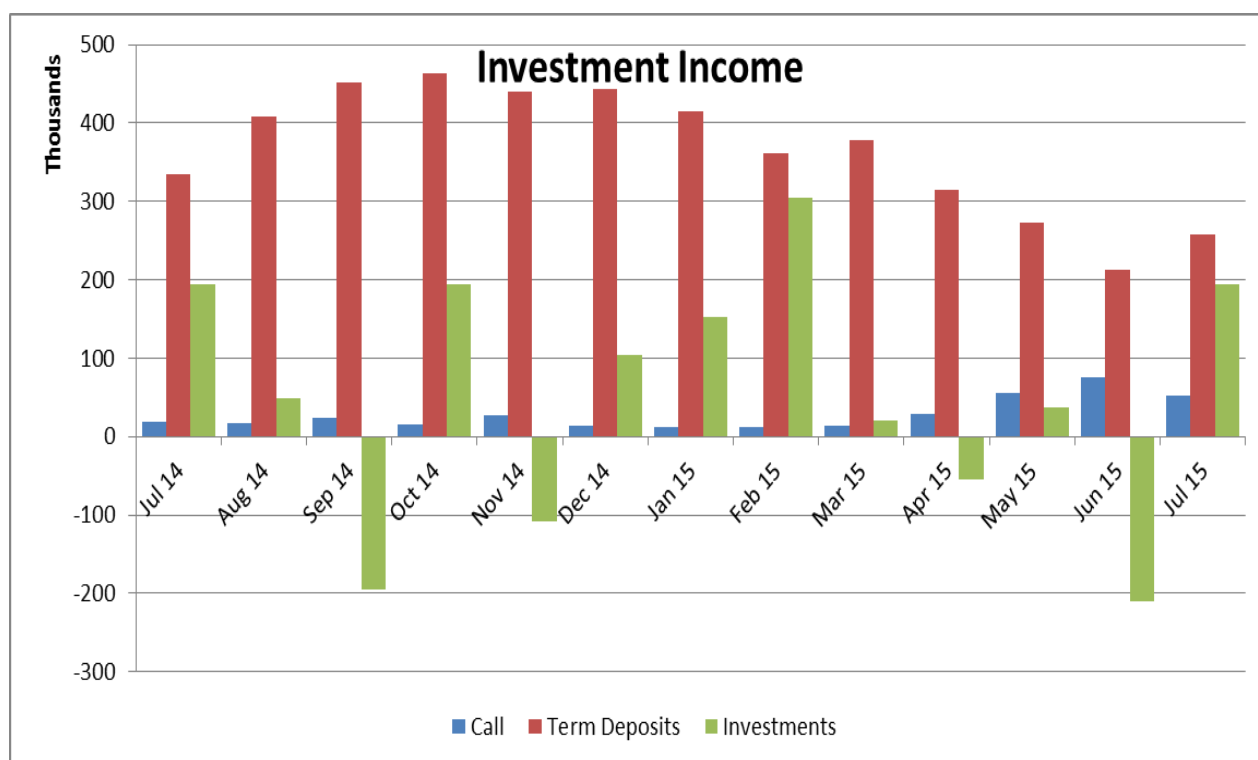
Term Deposits

Balance at 31 July 2015	\$111.8 million
Interest Earned	\$258,120
Average Rate (Municipal funds)	2.98%
Most Recent Rate (Municipal funds)	2.92%

Other Investments

	Interest Earned \$	Interest Rate %
Westpac Floating Rate Notes	1,985	3.02
Emerald Mortgage Backed Security	11,475	2.98
Colonial Share Index Balanced Fund	180,632	4.29

The Colonial Share Index Balanced Fund performed well in the month on the back of the ASX 200 climbing from 5,459 to 5,699 by month end.



Spread of Investments

The City's exposure to investment institutions is as follows:

ANZ	17%
ING	2%
Bank of Queensland	5%
BankWest	14%
NAB	35%
Suncorp Metway	19%
Others	8%
	<u>100%</u>

FINANCIAL IMPLICATIONS:

Reported investment earnings (excluding interest on rates arrears) at \$505,450 after Trust Account adjustments, were \$291,038 above budget in July.

COMMENTS

The City continues to adhere to its policy of obtaining the best returns commensurate with risk and the constraints imposed by the State Government regulations.

SCHEDULE 1

INVESTMENT REPORT	Market Value	Market Value	Cost & Impairment	% of	Interest Earned	Weighted Average Monthly	Interest Earned
31-Jul-15	30-Jun-15	31-Jul-15	31-Jul-15	Class	Jul	Rate	YTD
Municipal							
Short term Direct Investments							
Call	\$3,604,021	\$7,352,812	\$7,352,812	5.3%	\$18,156	2.50%	\$18,156
Term Deposits	\$18,500,000	\$40,500,000	\$40,500,000	29.2%	\$65,698	2.91%	\$65,698
Short	\$22,104,021	\$47,852,812	\$47,852,812		\$83,854	2.82%	\$83,854
Total Municipal - Cash Back Securities	\$22,104,021	\$47,852,812	\$47,852,812		\$83,854	2.82%	\$83,854
Total Municipal Investments	\$22,104,021	\$47,852,812	\$47,852,812		\$83,854	2.82%	\$83,854
Reserves							
Short term Direct Investments							
Call	\$17,739,950	\$14,202,080	\$14,202,080	10.2%	\$31,668	2.50%	\$31,668
Term Deposits	\$65,400,000	\$66,500,000	\$66,500,000	48.0%	\$177,926	3.03%	\$177,926
Total	\$83,139,950	\$80,702,080	\$80,702,080		\$209,593	2.95%	\$209,593
Floating Rate Notes/ CLNs							
WPAC- Sub Debt -FRN	3,000,510	\$0	\$0	0.0%	\$1,985	3.02%	\$1,985
Total	\$3,000,510	\$0	\$0		\$1,985	3.02%	\$1,985
Medium term Direct Investments							
Barclays - Emerald -MBS	2,766,406	2,766,406	\$2,766,406	2.0%	\$11,475	2.98%	\$11,475
Total	\$2,766,406	\$2,766,406	\$2,766,406		\$11,475	2.98%	\$11,475
Total Reserve - Cash Back Securities	\$88,906,866	\$83,468,486	\$83,468,486		\$223,053	2.96%	\$223,053
Balanced Funds							
Colonial Share Index	\$4,118,105	\$4,298,860	\$4,298,860	100%	\$180,632	4.29%	\$180,632
Total	\$4,118,105	\$4,298,860	\$4,298,860		\$180,632	4.29%	\$180,632
Total Reserve Investments	\$93,024,971	\$87,767,347	\$87,767,346		\$403,685	4.29%	\$403,685
Trust							
Short term Direct Investments							
Call	\$463,751	\$2,491,254	\$2,491,254	1.8%	\$3,415	2.50%	\$3,415
Term Deposits	\$6,785,715	\$4,798,455	\$4,798,455	3.5%	\$14,496	2.96%	\$14,496
Total	\$7,249,466	\$7,289,708	\$7,289,708		\$17,910	2.88%	\$17,910
Total Trust - Cash Back Securities	\$7,249,466	\$7,289,708	\$7,289,708		\$17,910	2.88%	\$17,910
Total Investments-Cash Back Securities	\$118,260,353	\$138,611,007	\$138,611,007		\$324,817	2.92%	\$324,817
Grand Total Investments	\$122,378,458	\$142,909,867	\$142,909,867		\$505,450	3.41%	\$505,450

INVESTMENT RATES:
CASH RATE
2.00%
BENCHMARK
2.14%
AVERAGE excl.Trust
3.43%

CITY OF PERTH - SHORT TERM INVESTMENTS (Excluding Call) AS AT 31 JULY 2015

<u>FUND</u>	<u>INSTITUTION</u>	<u>TYPE</u>	<u>AMOUNT</u>	<u>RATE</u>	<u>LODGED</u>	<u>MATURITY</u>	<u>Total</u>	TOTAL INTEREST
							<u>Investment</u>	individual outstanding
							<u>Days</u>	investment
MUNICIPAL	BANKWEST	Short Term Direct Investments TERM DEPOSITS	\$ 4,000,000.00	2.85%	14/07/2015	12/11/2015	121	\$ 37,791.78
MUNICIPAL	BANKWEST	Short Term Direct Investments TERM DEPOSITS	\$ 7,000,000.00	2.85%	17/07/2015	30/11/2015	136	\$ 74,334.25
MUNICIPAL	BANKWEST	Short Term Direct Investments TERM DEPOSITS	\$ 5,000,000.00	2.90%	31/07/2015	29/01/2016	182	\$ 72,301.37
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 5,000,000.00	2.90%	21/07/2015	31/12/2015	163	\$ 64,753.42
MUNICIPAL	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 7,500,000.00	2.95%	30/06/2015	30/09/2015	92	\$ 55,767.12
MUNICIPAL	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 8,000,000.00	2.95%	30/06/2015	30/10/2015	122	\$ 78,882.19
MUNICIPAL	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 4,000,000.00	2.92%	31/07/2015	31/12/2015	153	\$ 48,960.00
			\$ 40,500,000.00					
RESERVES	AMP	Short Term Direct Investments TERM DEPOSITS	\$ 5,000,000.00	3.10%	8/07/2015	11/07/2016	369	\$ 156,698.63
RESERVES	BANKWEST	Short Term Direct Investments TERM DEPOSITS	\$ 3,500,000.00	3.00%	10/03/2015	10/09/2015	184	\$ 52,931.51
RESERVES	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 1,000,000.00	2.95%	9/07/2015	7/01/2016	182	\$ 14,709.59
RESERVES	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 1,000,000.00	2.95%	16/07/2015	14/01/2016	182	\$ 14,709.59
RESERVES	ING	Short Term Direct Investments TERM DEPOSITS	\$ 3,500,000.00	3.10%	20/02/2015	19/08/2015	180	\$ 53,506.85
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 3,000,000.00	3.15%	17/02/2015	13/08/2015	177	\$ 45,826.03
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 1,000,000.00	3.20%	5/02/2015	31/08/2015	207	\$ 18,147.95
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 6,000,000.00	3.20%	9/02/2015	31/08/2015	203	\$ 106,783.56
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 3,000,000.00	2.95%	7/05/2015	5/11/2015	182	\$ 44,128.77
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 5,000,000.00	2.95%	21/05/2015	19/11/2015	182	\$ 73,547.95
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 3,000,000.00	2.98%	10/07/2015	7/01/2016	181	\$ 44,332.60
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	2.95%	23/07/2015	21/01/2016	182	\$ 29,419.18
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 2,500,000.00	2.93%	31/07/2015	29/01/2016	182	\$ 36,524.66
RESERVES	SUNCORP	Short Term Direct Investments TERM DEPOSITS	\$ 9,000,000.00	3.00%	30/06/2015	30/09/2015	92	\$ 68,054.79
RESERVES	SUNCORP	Short Term Direct Investments TERM DEPOSITS	\$ 9,000,000.00	3.00%	30/06/2015	30/10/2015	122	\$ 90,246.58
RESERVES	SUNCORP	Short Term Direct Investments TERM DEPOSITS	\$ 7,000,000.00	2.95%	4/06/2015	3/12/2015	182	\$ 102,967.12
RESERVES	SUNCORP	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	3.00%	11/06/2015	10/12/2015	182	\$ 29,917.81
			\$ 66,500,000.00					
ROD EVANS	BWEST	Short Term Direct Investments TERM DEPOSITS	\$ 305,698.43	2.95%	27/05/2015	24/09/2015	120	\$ 2,964.86
TRUST	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	2.90%	28/05/2015	27/08/2015	91	\$ 14,460.27
TRUST	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 1,750,000.00	3.03%	26/03/2015	24/09/2015	182	\$ 26,439.86
TRUST	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 742,756.54	2.98%	9/07/2015	7/01/2016	182	\$ 11,036.75
			\$ 4,798,454.97					
TOTAL investments			\$ 111,798,454.97					\$ 1,037,354.90

31-Jul-15

INSTITUTION CREDIT AND RATING				
INSTITUTION	AMOUNT	PERCENTAGE	CREDIT RATING	MAX AMOUNT
ANZ	24,009,142.39	17%	A1+	OK
AMP	5,037,003.65	4%	A1	OK
ING	3,500,000.00	2%	A2	OK
BOQLD	7,000,000.00	5%	A2	OK
BANKWEST	19,805,698.43	14%	A1+	OK
BARCLAYS	2,766,405.93	2%	NR	OK
C B A	-	0%	A1+	OK
BENDIGO	-	0%	A2	OK
MACQUARIE	0.00	0%	A1	OK
MEQUITY	0.00	0%	A2	OK
NAB	49,492,756.54	35%	A1+	OK
ST GEORGE	-	0%	A1+	OK
SUNCORP METWAY	27,000,000.00	19%	A1	OK
WESTPAC	-	0%	A1+	OK
COLONIAL	4,298,860.26	3%	NR	OK
TOTAL	142,909,867.20	100%		

GLOBAL CREDIT EXPOSURE			
INSTITUTION	AMOUNT	PERCENTAGE	MAX ALLOWED
A1+, A1, AA	125,344,601.01	88%	100%
A2	10,500,000.00	7%	60%
A3 and Unrated	7,065,266.19	5%	10%
TOTAL	142,909,867.20	100%	

A1+	45%	INDIVIDUAL ADI EXPOSURE ALLOWED
A1	45%	
A2	40%	
A3	10%	
AAA	45%	
AA	45%	
Unrated	10%	

ITEM NO: 2

PAYMENTS FROM MUNICIPAL AND TRUST FUNDS – JULY 2015

RECOMMENDATION:

(APPROVAL)

That in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority for the month ended 31 July 2015, be received and recorded in the Minutes of Council, the summary of which is as follows:

FUND	PAID
Municipal Fund	\$ 38,965,698.41
Trust Fund	\$336,829.17
TOTAL:	\$ 39,302,527.58

BACKGROUND:

FILE REFERENCE: P1031101-17
REPORTING UNIT: Corporate Services
RESPONSIBLE DIRECTORATE: Corporate Services
DATE: 3 August 2015
MAP / SCHEDULE: TRIM ref. 130424/15

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*

Integrated Planning and Reporting Framework Implications **Strategic Community Plan**
Council Four Year Priorities: Community Outcome Capable and Responsive Organisation
A capable, flexible and sustainable organisation with a strong and effective governance system to provide leadership as a capital city and deliver efficient and effective community centred services.

COMMENTS:

Payments for the month of July 2015 included the following significant items:

- \$17,012,592.00 to the Commissioner of State Revenue for the 2015/16 Perth Parking Licence Fees in relation to the City's off-street and on-street parking facilities.
- \$1,277,148.50 to the Western Australian Treasury Corporation for loan payments of \$563,139.44 for the PCEC Carpark and \$714,009.06 for the City of Perth Library and Public Plaza Project.
- \$927,866.86 to Doric Contractors Pty Ltd for the June 2015 progress claim in relation to the Perth City Library and Public Plaza project.
- \$800,869.11 to Civcon Civil and Project Management Pty Ltd for electrical and lighting upgrade works at Barrack Street.

ITEM NO: 3

ANNUAL BUDGET 2015/16 REVISED CARRY FORWARDS

RECOMMENDATION:

(APPROVAL)

That Council:

- 1. APPROVES BY AN ABSOLUTE MAJORITY the revised carry forward of unspent capital expenditure for 2014/15 totalling \$21,681,358;***
- 2. approves an increase of \$183,212 in the amount being funded through transfers from the appropriate reserve accounts detailed in the 2014/15 budget;***
- 3. notes the increase of \$119,158 for grants carried forward for the Supreme Court Gardens upgrades and Roe Street shared path projects.***

BACKGROUND:

FILE REFERENCE: P1031135
REPORTING UNIT: Financial Services
RESPONSIBLE DIRECTORATE: Corporate Services
DATE: 14 August 2015
MAP / SCHEDULE: Schedule 2 - Finalisation of carry forward amounts into 2015/16.

The City of Perth 2015/16 budget was approved by Council on **9 June 2015**, prepared from information gathered in April and May. The estimate of \$14.0 million for capital works to be carried forward was computed and updated during this period.

Subsequently, and as the time for finalising the annual accounts approached, carry forward estimates became much firmer requiring resolution to adjust the 2015/16 budget. The accuracy of the original estimates are subject to change due to a number of factors including construction time delays, such as contractors performing at a slower rate than anticipated, equipment not being delivered when expected, plus external factors including other civil projects within the City and inclement weather. In a small number of cases, work was accelerated beyond anticipation, resulting in reduced carry forwards. Savings also emerged on some jobs reducing the amounts carried forward.

Data is also presented regarding funding adjustments where sourcing of funds from reserves and grants and contributions will be increased for the new year. Total funding will increase by \$7,701,593.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation *Local Government Act 1995*

Integrated Planning and Reporting Framework Implications **Corporate Business Plan**
Council Four Year Priorities:
Capable and Responsive Organisation
S18 Strengthen the capacity of the organisation.

Policy

Policy No and Name: 9.6 Budget Variations

DETAILS:

The following summarises the detailed information in the accompanying schedule.

Capital Works Carried Forward	Approved Carry Forward \$	Required Carry Forward \$	Adjustment Required \$
Projects funded from Municipal Account	10,163,245	17,562,468	7,399,223
Projects funded from reserves	3,378,020	3,561,232	183,212
Projects funded from grants and contributions	338,500	457,658	119,158
Projects funded from proceeds of Asset Sales	100,000	100,000	-
TOTAL	13,979,765	21,681,358	7,701,593

Major increases and reductions included in the net increase of the carry forwards are tabulated below with reasons for variations.

UNIT	Capital Item	Increase (Reduction) \$000's	Total Carry Forward \$000's	Reason
Coordination and Design	2-Way Street Conversion Programme - Barrack Street	(401)	599	Progress of works until June resulted in higher than expected expenditure against budget.
	Wellington St (Perth City Link) Stage 2a	166	793	Waiting on action from MRA for medium strip work to be completed. Some additional consultation required.
	Urilift- Automatic Toilet	140	140	Additional works identified following site inspection with additional services required for electrical and sewage connections.
	Barrack Street Construction -St Georges Terrace to Wellington Street	379	499	Delays due to granite kerbing supply.
Commercial Parking	Light fitting replacements	294	294	Testing and installations completed at various car parks. Delay experienced in delivery of CREE light fittings.
Information Technology	Payment Card Industry Data Security Standard Compliance Review	134	134	Remediation work well progressed. Pen testing is being arranged for Commercial Parking Reino machines.
Properties	Perth City Library	4,543	8,186	Inaccurate cash flows from the builder when preparing forecasts and latent conditions causing delays. Internal fit out and artwork well advanced
	St. Georges Plaza Project	214	364	Waterproofing and interface work with adjoining sites progressing. Access issues causing some delays.
	Replace Air Conditioning - City Station Concourse	615	615	Current equipment failures and restriction of crane access caused delays. Contractor to be appointed in July.
Street Presentation & Maintenance	Mercantile Lane - St Georges Terrace to Mounts Bay Rd - upgrade	(340)	50	Works largely completed in June however, restricted site access caused a minor carry forward.
	Wellington Street (West Bound) Bennett Street to Hill Street	120	120	Work required involving Water Corporation main replacement
	Wellington Street - Bennett Street to Plain Street	260	260	Work required involving Water Corporation main replacement

FINANCIAL IMPLICATIONS:

The adjustments represent timing differences where budgeted funds were not spent as expected in the estimates for 2014/15 that form part of the budget formulated previously. The increased carry forward will lift the capital budget for 2015/16 to \$67,314,189.

COMMENTS:

In ideal terms, capital expenditure projected in the budget should be fully expended. There are valid reasons for changes to project timetables that emerge during the year. There has been a reduction of \$4.5 million on the amount carried forward compared to last year. The Perth City Library and Plaza project where the carry forward totals \$8.6 million is the main component of amounts carried forward. The completion of the capital program in 2015/16 will be a challenge and require considerable effort and monitoring during the year.

FINALISATION OF CARRY FORWARD AMOUNTS INTO 2015/16

Account No.	Capital Budget Item	Programs	Unit	Approved Carry Forward (as per Budget)	Required Carry Forward	Budget Adjustment Required	Funding source for adjustment
				\$	\$	\$	\$
0152	Plant Replacement Program	Plant Replacement Programme	CAM	71,000	40,000	- 31,000	Municipal Fund
0153	Plant Replacement Program	Plant Replacement Programme	CAM	285,000	285,000	-	
0157	Plant Replacement Program	Plant Replacement Programme	CAM	49,000	49,000	-	
0430	Plant Replacement Program - Economic Service	Plant Replacement Programme	CAM	36,000	-	- 36,000	Municipal Fund
0469	Riverside Dr-Replace Foreshore Bollard Light Governor Avenue	Street Lighting	CAM	250,000	250,000	-	
1615	Upgrade / Replacement of Lighting - Plaistowe Mews	Street Lighting	CAM	100,000	100,000	-	
1635	Christmas Decorations	Christmas Decorations CBD/Northbridge	CAM	173,372	173,372	-	
CAM Total - CONTRACTS AND ASSET MANAGEMENT				964,372	897,372	- 67,000	
0172	2-Way Street Conversion Programme - Barrack Street		CDU	1,000,000	598,967	- 401,033	Reserves
0179	Bike Plan Implementation		CDU	100,000	100,000	-	Reserves
0225	Streetscape Enhancement - Roe Street (Perth City Link Project)	City Enhancement Projects	CDU	-	14,874	14,874	Municipal Fund
0472	Lighting - St Georges Terrace (William Street to King Street)	Street Lighting	CDU	-	108,800	108,800	Municipal Fund
1113	Wellington St-Stage 2 (Lt Milligan to King St) Perth City Link	City Enhancement Projects	CDU	-	100,000	100,000	Municipal Fund
1494	2-Way Street Conversion Programme - Mounts Bay Road		CDU	192,715	144,464	- 48,251	Reserves
1564	Supreme Court Gardens Upgrade	Supreme Court Gardens	CDU	58,000	118,158	60,158	Grants
1617	Lighting - St Georges Terrace (King St to Milligan St)	Street Lighting	CDU	80,000	100,000	20,000	Municipal Fund
1637	2-Way Murray Street - Elder St to Thomas St	City Enhancement Projects	CDU	-	54,063	54,063	Municipal Fund
1639	Black Spot Program - Wellington St - Outram St		CDU	-	50,576	50,576	Municipal Fund
1643	Streetscape Enhancement - Hay Street (Barrack St to Irwin St)	City Enhancement Projects	CDU	500,000	514,032	14,032	Reserves
1646	Wellington St (Perth City Link) Stage 2a	City Enhancement Projects	CDU	627,125	793,000	165,875	Reserves
1756	Urifflift- Automatic Toilet	Automatic Toilet	CDU	-	140,000	140,000	Municipal Fund
1781	Wellington St Stg 2A-Phase 2(Lt Milligan to King St) Northbridge	City Enhancement Projects	CDU	49,000	49,000	-	
1787	Treasury Footpath		CDU	800,000	783,347	- 16,653	Municipal Fund
1789	Harvest Terrace Cycle Infrastructure		CDU	100,000	225,000	125,000	Municipal Fund
1792	Supreme Court Gardens Toilet Refurbishment	Supreme Court Gardens	CDU	176,000	235,000	59,000	Grants
1794	Barrack Street Construction -St Georges Terrace to Wellington Street		CDU	120,000	499,000	379,000	Reserves
1796	Roe Street Shared Path		CDU	-	115,804	115,804	Municipal Fund
CDU Total - COORDINATION AND DESIGN				3,802,840	4,744,085	941,245	
0576	New and Replacement Parking Equipment - Off Street - City Wide	Other	CPP	65,520	55,434	- 10,086	Reserves
0578	Replacement Program - CCTV Equipment - City Wide	Multistorey Car Parks	CPP	-	21,843	21,843	Municipal Fund
0584	EMV Upgrade for Parking Equipment to Level 1 & 2 at various car parks	Computer Software/Hardware	CPP	130,647	130,647	-	
1437	Upgrade and/or Replacement of Stock Management System & Equip.	Computer Software/Hardware	CPP	-	22,737	22,737	Municipal Fund
1656	Car Park Murals		CPP	-	58,171	58,171	Municipal Fund
1659	Light Fitting Replacements at Car Parks	Multistorey Car Parks	CPP	-	294,111	294,111	Municipal Fund
1661	Media Communications		CPP	88,013	91,688	3,675	Reserves
1683	Upgrade Signage including LED/VMS - City Wide Carparks	Kerbside/Ground Level Car Parks	CPP	-	116,670	116,670	Municipal Fund
CPP Total - COMMERCIAL PARKING				284,180	791,301	507,121	
0463	CCTV Replacement Equipment - Various Locations	Other	CAS	-	23,110	23,110	Municipal Fund
1611	CCTV New Equipment - Various Locations	Other	CAS	200,000	200,000	-	
1612	Ranger Infield Mobile Computers/Tablets	Other	CAS	-	40,268	40,268	Municipal Fund
1764	Infield Mobile Computers /Tablets -Environmental Health	Other	CAS	-	34,349	34,349	Municipal Fund
1765	CCTV Network Expansion to New Locations	Other	CAS	-	50,000	50,000	Municipal Fund
CAS Total - COMMUNITY AMENITY AND SAFETY				200,000	347,727	147,727	
1610	Gateway System Project - Stage 2 and 3	Computer Software/Hardware	FIN	63,000	63,000	-	
FIN Total - FINANCE				63,000	63,000	-	
1793	Council Chambers Audio Equipment Upgrade	Office Furniture/Equipment	GOV	-	60,000	60,000	Municipal Fund
GOV Total - GOVERNANCE				-	60,000	60,000	
0376	Payment Card Industry Data Security Standard Compliance Review	Computer Software/Hardware	IS	-	134,500	134,500	Municipal Fund
1685	Backup / Archiving Refresh / Replacement	Computer Software/Hardware	IS	50,000	50,000	-	
1691	Fibre Optic Network	Computer Software/Hardware	IS	-	90,924	90,924	Municipal Fund
1695	Public WIFI Network	Computer Software/Hardware	IS	-	52,672	52,672	Municipal Fund
1697	Server Refresh /Replacement	Computer Software/Hardware	IS	160,000	160,000	-	

FINALISATION OF CARRY FORWARD AMOUNTS INTO 2015/16

Account No.	Capital Budget Item	Programs	Unit	Approved Carry Forward (as per Budget)	Required Carry Forward	Budget Adjustment Required	Funding source for adjustment
1698	Storage Refresh/Replacement	Computer Software/Hardware	IS	500,000	500,000	-	
1699	System Monitoring and Reporting	Computer Software/Hardware	IS	200,000	200,000	-	
IS Total - INFORMATION TECHNOLOGY				910,000	1,188,096	278,096	
0487	Pump Intake Upgrade - Narrows Interchange	Irrigation	PKS	65,000	65,000	-	
1630	New Park Furniture (General Staged Upgrade) - City Wide	City Enhancement Projects	PKS	-	8,481	8,481	Municipal Fund
1631	Replace Mainline from Water Treatment Plant - Ozone Reserve	Irrigation	PKS	1,120	4,720	3,600	Municipal Fund
1634	Water Fountain Refurbishment - Council House Gardens	Council House	PKS	34,986	34,986	-	
PKS Total - PARKS				101,106	113,187	12,081	
0125	Cathedral Square - Library	Cathedral Square - Library	PPM	3,643,110	8,186,214	4,543,104	Municipal Fund
0474	APT Installations	Automatic Toilet	PPM	500,000	408,621	- 91,379	Municipal Fund
0502	Security Upgrade Depot	New Depot Osborne Park	PPM	-	44,641	44,641	Municipal Fund
0528	Upgrade Driveway and Associated Drainage - Council House	Council House	PPM	287,004	287,004	-	
0590	Replace Hand Basins - Citiplace Rest Centre	Citiplace Rest Centre	PPM	80,000	89,750	9,750	Municipal Fund
0594	St Georges Plaza	Public Plaza	PPM	150,000	364,259	214,259	Municipal Fund
1443	Replace Chillers - Council House	Council House	PPM	-	897	897	Municipal Fund
1558	Retaining Wall (NE Cnr) Wellington Street Car Park	Kerbside/Ground Level Car Parks	PPM	100,000	135,650	35,650	Municipal Fund
1619	LED Lighting - Forrest Place Loading Dock	Forrest Place	PPM	90,000	100,000	10,000	Municipal Fund
1620	Lift Upgrade - Perth Town Hall	Perth Town Hall	PPM	40,834	46,700	5,866	Municipal Fund
1621	New Outdoor LED Screen - Northbridge Piazza	Other	PPM	50,000	50,000	-	
1622	Replace Air Conditioning - City Station Concourse	City Station Concourse	PPM	-	614,617	614,617	Municipal Fund
1650	Resurface Hardstand Area - Depot	Depot Osborne Park	PPM	50,000	136,449	86,449	Municipal Fund
1651	Spray Booth Refurbishment - Depot	Depot Osborne Park	PPM	120,000	120,000	-	
1668	Switchboard Upgrade - Citiplace Car Park	Citiplace Carpark	PPM	100,000	145,025	45,025	Municipal Fund
1671	Fire Equipment upgrades - various locations		PPM	450,000	450,000	-	
1672	Ground Floor External Foyer Upgrade - Council House	Council House	PPM	50,000	50,000	-	
1675	Lift Motor Room Economy Cycle System - Council House	Council House	PPM	-	30,000	30,000	Municipal Fund
1677	New Diesel Fire Pump - Council House	Council House	PPM	67,000	67,000	-	
1678	New Emergency Generator - Council House	Council House	PPM	150,000	150,000	-	
1679	Office Reconfigurations - Council House	Council House	PPM	200,000	200,000	-	
1680	Replace Air Conditioners - Various Locations		PPM	30,225	29,025	- 1,200	Municipal Fund
1681	Upgrade Lift Equipment and Controls - Council House	Council House	PPM	-	18,680	18,680	Municipal Fund
1761	Car Park Resurfacing - Citiwatch Surveillance Centre	Other	PPM	137,952	143,198	5,246	Municipal Fund
PPM Total - PROPERTY MANAGEMENT				6,296,125	11,867,730	5,571,605	
0296	Mobile Hardware - Depot	Depot Osborne Park	SPM	47,742	47,742	-	
0569	Newcastle Street - West Bound (William Street to Lake Street)	Road Resurfacing Program	SPM	-	25,000	25,000	Municipal Fund
1652	Litter Bin Enclosures - various locations		SPM	270,000	350,000	80,000	Reserves
1704	Kings Park Avenue - Cul de Sac with Mounts Bay Road - upgrade	Drainage	SPM	50,000	50,000	-	
1705	Mercantile Lane - St Georges Terrace to Mounts Bay Rd - upgrade	Drainage	SPM	390,000	50,000	- 340,000	Municipal Fund
1707	Wickham Street - Plain St to Bennett St - installation	Drainage	SPM	-	5,000	5,000	Municipal Fund
1709	Barrack St - East - St Georges Terrace to Riverside Drive	Footpaths	SPM	125,400	125,400	-	
1718	Hill Street - Both Sides- Royal St to Wittenoom Street	Footpaths	SPM	159,381	159,381	-	
1719	Hill Street - East - Hay St to Adelaide Terrace	Footpaths	SPM	116,035	116,035	-	
1736	Prowse Street - Thomas St to Colin Street	Road Resurfacing Program	SPM	-	75,320	75,320	Municipal Fund
1739	Street Georges Terrace (Street Bound) - Mill Street to William Street	Road Resurfacing Program	SPM	199,584	199,584	-	
1740	Stirling Street - Aberdeen Street to Newcastle Street Street	Road Resurfacing Program	SPM	-	24,094	24,094	Municipal Fund
1744	Wellington Street - Bennett Street to Plain Street	Road Resurfacing Program	SPM	-	260,400	260,400	Municipal Fund
1746	Wellington Street (West Bound) - Bennett Street to Hill Street	Road Resurfacing Program	SPM	-	120,904	120,904	Municipal Fund
SPM Total - STREET PRESENTATION AND MAINTENANCE				\$1,358,142	\$1,608,860	\$250,718	
Grand Total - CAPITAL WORKS CARRIED FORWARD TO 2015/16				\$13,979,765	\$21,681,358	\$7,701,593	
Summary - Funding Sources							
Municipal Fund			7,399,223				
Reserves			183,212				
Grants			119,158				
			\$ 7,701,593				

ITEM NO: 4

RECEPTION REQUEST – CENTENARY OF THE ROYAL ASSOCIATION OF JUSTICES OF WESTERN AUSTRALIA

RECOMMENDATION: (APPROVAL)

That the Finance and Administration Committee approves the City of Perth hosting a welcome reception for the Centenary of the Royal Association of Justices of Western Australia on Friday 7 October 2016, for a maximum of 100 guests at a cost of \$4459.20 (excluding GST).

BACKGROUND:

FILE REFERENCE: P1009160-22
REPORTING UNIT: Marketing & Events Unit
RESPONSIBLE DIRECTORATE: Economic Development & Activation Directorate
DATE: 29 July 2015
MAP / SCHEDULE: N/A

Correspondence has been received by the Lord Mayor from Mr Peter Maughan JP, Registrar, Royal Association of Justices of Western Australia (Inc.), requesting the City of Perth host a welcome reception for the Centenary of the Royal Association of Justices of Western Australia for a maximum of 100 guests on Friday, 7 October 2016.

The Lord Mayor has referred this request to the Finance and Administration Committee for consideration, as it does not fall into the “Civic, Major or Urgent” categories as provided in the City of Perth *Policy 10.12 Provision of Hospitality*.

LEGISLATION / STRATEGIC PLAN / POLICY:

Integrated Planning and Reporting Framework Implications

Corporate Business Plan

Council Four Year Priorities: Capable and Responsive Organisation

S19 Improve the customer focus of the organisation

Policy

Policy No and Name: 10.12 – Provision of Hospitality

Council Policy 10.12 – Provision of Hospitality provides that:

“The Lord Mayor may approve functions that are civic, major and urgent functions, and this is to be decided at their discretion without first being referred to Council.

Those requests for receptions not approved by the Lord Mayor to be referred to the Finance and Administration Committee which will in turn recommend to the full Council, where the estimated cost of the reception exceeds \$5,000.”

DETAILS:

The Royal Association of Justices of Western Australia (Inc.) presides in courts throughout Western Australia. Members issue warrants, bail and sureties for police and government departments and local authorities. Their members sit in signing centres throughout the State attending to documents from the public, police, government and local government departments. Members also make themselves available at their homes to perform most of these duties at all hours. Justices of the Peace (JPs) are assets to the community and are unpaid volunteers.

The Association has 18 branches throughout the state from the Pilbara to Esperance as well as 1800 members.

The Royal Association of Justices of the Peace of Western Australia is planning a week of celebrations for their Centenary as an Association in October 2016. The objectives of the Association are “to promote, support and protect the status of Justices of the Peace.”

During the week long celebrations in October 2016 a number of events are planned. They include hosting the Australasian Council of Justices' Associations (ACJA) forum on Saturday 8th October 2016 in Perth. This will be attended by a number of interstate and overseas representatives.

At the end of the week a Dinner will also be held to celebrate the Centenary. This will be hosted by the Royal Association of Justices of Western Australia where the Governor, the Chief Justice and a number of State representatives will be guests.

The celebrations of the centenary will bring visitors from Asia, New Zealand and all Australian States. The Attorney General has recognised the importance of this occasion by offering a grant to help the association mark this important occasion and the benefit it will bring to the State.

There are currently no other scheduled receptions at the City of Perth in October 2016.

The proposed event details are:

Date:	Friday 7 October 2016
Time:	6.00pm – 7.30pm
Location:	Reception Suite
Attendees:	Maximum of 100 attendees

FINANCIAL IMPLICATIONS:

Costs for this reception will be funded from the 2016/17 Civic Receptions budget. The estimated cost for the reception, excluding GST, is \$4459.20. The 2016/17 budget will be approved by the Council in June 2016.

COMMENTS:

In accordance with City of Perth *Policy 10.12: Provision of Hospitality*, it is requested that the Finance and Administration Committee approves this request.

ITEM NO: 5

REVISED COUNCIL MEETING SCHEDULE – 2015 LOCAL GOVERNMENT ELECTIONS

RECOMMENDATION: (APPROVAL)

That Council:

- 1. approves the cancellation of the following Committee Meetings;***
 - 1.1 Marketing Sponsorship & International Relations Committee – 20 October 2015;***
 - 1.2 Works & Urban Development Committee – 20 October 2015;***
 - 1.3 Finance & Administration Committee – 27 October 2015;***
 - 1.4 Planning Committee – 27 October 2015;***

- 2. in accordance with Section 5.4 of the Local Government Act 1995 approves a Special Meeting of the Council to be held on Thursday, 22 October 2015 at 6.00pm for the purpose of electing the Deputy Lord Mayor, and to appoint Members to various Boards, external committees and City of Perth Council Committees.***

BACKGROUND:

FILE REFERENCE: P1028787-3
REPORTING UNIT: Governance
RESPONSIBLE DIRECTORATE: Corporate Services
DATE: 11 August 2015
MAP / SCHEDULE: N/A

The 2015 Local Government Elections will be held on Saturday, 17 October 2015. The implications of the electoral process include the swearing in ceremony, election of Deputy Lord Mayor and appointments to Boards and Committees. It also presents an opportunity to undertake some Elected Member Development & Strategic Direction setting opportunities with the newly formed Council.

In order to best manage this process it is necessary to consider changes to the meeting cycle during this period.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation Section 5.3 and 5.4 of the *Local Government Act 1995*
Regulation 12 of the *Local Government (Administration) Regulations 1996*

Integrated Planning and Reporting Framework Implications **Strategic Community Plan**
Council Four Year Priorities: Community Outcome Capable and Responsive Organisation
A capable, flexible and sustainable organisation with a strong and effective governance system to provide leadership as a capital city and deliver efficient and effective community centred services.

DETAILS:

The following variation to the Council Meeting Schedule is proposed:

Date	Meeting/Event	Additional Information
Saturday 17 October 2015	Local Government Election	
Tuesday 20 October 2015	Swearing in Ceremony	Lord Mayor & New Councillors
Tuesday 20 October 2015	Marketing Sponsorship & International Relations Committee	Cancel meeting, refer urgent matters directly to Council on 3 November 2015.
Tuesday 20 October 2015	Works & Urban Development Committee	Cancel meeting, refer urgent matters directly to Council on 3 November 2015.
Thursday 22 October 2015	Special Council Meeting	Election of Deputy Lord Mayor & Appointments to Committees
Monday 26 October 2015	Elected Member Workshop	Elected Member Development & Strategic Direction setting.
Tuesday 27 October 2015	Finance & Administration Committee	Cancel meeting, refer urgent matters directly to Council on 3 November 2015.
Tuesday 27 October 2015	Planning Committee	Cancel meeting, refer urgent matters directly to Council on 3 November 2015.

Date	Meeting/Event	Additional Information
Wednesday 28 October 2015	Elected Member Workshop	Elected Member Development & Strategic Direction setting.
Thursday 29 October 2015	Design Advisory Committee	No Change
Monday 2 November 2015	Audit & Risk Committee Meeting	To be rescheduled to Monday, 16 November 2015.
Tuesday 3 November 2015	Elected Member Briefing	Briefing of items to be presented at Ordinary Council Meeting of 3 November 2015.
Tuesday 3 November 2015	Ordinary Council Meeting (Unchanged)	Only essential/time critical items presented to Council.

Comments

The cancellation of Committee meetings, whilst retaining the Council Meeting on 3 November 2015 for essential/time critical items will result in greater time being available for the induction of any new Elected Members and allow for Briefing Sessions to be conducted on Elected Member Development and Strategic Direction setting.

FINANCIAL IMPLICATIONS:

There are minor costs associated with Local Public Notice of which a sufficient budget allocation is allocated.

COMMENTS:

The determination of the meeting dates will assist Officers in ensuring reports can be programmed to minimise any disruption to projects and prevent any decisions required of Council.

ITEM NO: 6

TELETHON EVENT 2015 – DONATION, EVENT PARKING FEE AMENDMENT AND FEE WAIVERS

RECOMMENDATION:

(APPROVAL)

That Council:

- 1. acknowledges Telethon as the premier charity event that the City of Perth supports and the only charity event for which the City will agree to provide an exclusive arrangement for car parking; which will total for the 2015/16 year \$101,579 made up of the components detailed below:***
- 2. approves cash and in-kind support donations to Telethon valued at \$84,015:***
 - 2.1 a City of Perth cash donation to Telethon valued at \$40,000;***
 - 2.2 security and staff services valued at \$7,530; and***
 - 2.3 the value of car parking income at the Convention Centre Car Park (less applicable costs) paid by the event attendees, estimated at \$36,485;***
- 3. approves the waiver of parking fees associated with the City's support of Telethon valued at \$17,564 which includes:***
 - 3.1 440 free permits for the use of the Telethon telephone room volunteers for parking at the Citiplace Car Park;***
 - 3.2 100 free permits for the Convention Centre Car Park for employees of Channel 7;***
 - 3.3 sixteen bays on street parking provided in Stirling Street and James Street nearby to the call centre area for VIP parking;***
- 4. in accordance with Section 6.16(3) of the Local Government Act 1995, advertises and APPROVES BY AN ABSOLUTE MAJORITY, special fees for the Convention Centre Car Park, with these fees to apply only during the Telethon weekend as follows:***

(Cont'd)

- 4.1 for 0 – 3 hours – \$5.00 flat fee per entry;
- 4.2 for above 3 hours – \$10.00 flat fee per entry;
- 5. notes that Telethon will provide the following free promotional opportunities for the City of Perth Parking (CPP) as a financial offset to the costs associated with parts 3 and 4 above:
 - 5.1 display of CPP material at the Sunday Times call centre background;
 - 5.2 regular recognition by announcers of the reduced parking fees at the Convention Centre Car Park for Telethon visitors;
 - 5.3 brief television interview regarding the parking for volunteers;
 - 5.4 display of City of Perth and CPP logo's on the Telethon Weekend partners page of the Telethon website

BACKGROUND:

FILE REFERENCE: P1007799-2
REPORTING UNIT: Commercial Parking
RESPONSIBLE DIRECTORATE: Construction and Maintenance
DATE: 12 August 2015
MAP / SCHEDULE: N/A

The City has supported the Telethon event over many years. Up until 2011 a direct cash donation constituted the major contribution. In recent years since the event has been held at the Perth Convention and Exhibition Centre the City's Convention Centre car park has been used. The financial support has been in the form of cash and in-kind since that time.

This report details the proposed contribution for the 2015 Telethon event being held at the Perth Convention and Exhibition Centre on Saturday, 17 October 2015 and Sunday, 18 October 2015.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation Sections 6.16, 6.17 and 6.19 of the *Local Government Act 1995*

Integrated Planning and Reporting Framework Implications **Corporate Business Plan**
Council Four Year Priorities: Major Strategic Investments
Ongoing promotion of City of Perth Parking (CPP) with a focus on having a healthy influence on parking options available to the community.

Policy

Policy No and Name: 9.1 – Budget Policies
18.6 – Off Street Parking Business Partnerships
18.8 – Provision of Sponsorship and Donations

DETAILS:

The following table details the support provided by the City to Telethon in 2014/15 and 2015/16 financial years:

Financial Support Provided	2014/15 Actual	2015/16 Proposed
Volunteer Parking Citiplace Car Parks	\$15,105	\$6,200
VIP Parking at Perth Convention and Exhibition Centre	\$11,060	\$10,055
Call Centre Parking	\$2,336	\$1,309
Subsidised Parking for Visitors	\$9,982	\$36,485
Direct Cash Donation (Generated by increased numbers)	\$35,000	\$40,000
Security and Staff Costs	\$7,190	\$7,530
Total	\$80,673	\$101,579

Volunteer Parking

In previous years, the City provided up to 900 permits at no cost. However, this year Telethon advised that they will only require 440 permits. The permits are for volunteers to use at the Citiplace car park. Telethon manages the distribution of those permits and in return, Telethon provides promotional opportunities for the City's parking business as an off-set to the cost.

VIP Parking

VIP parking is provided by the City at no cost for nominated persons participating in the Telethon event (for example, bump in and bump out service providers). 100 free permits were used for this purpose during the 2014 Telethon event.

Call Centre Parking

Sixteen on-street bays are provided in Stirling Street and James Street, nearby to the call centre at no cost, for the use of the Telethon volunteers.

Subsidised parking for Telethon visitors

Parking will be provided at the Convention Centre Car Park at a reduced rate for the Telethon weekend on 17 to 18 October 2015. This amount represents the difference

between the estimated income for the week prior to Telethon less the actual income for the week of Telethon (after subsidised parking fees).

Direct Cash Donation

A cash donation, less expenses for security and direct costs, will be provided by the City from income received by the Convention Centre Car Park over the Telethon event weekend from increased parking numbers in excess of the usual patronage. An amount of \$40,000 has been budgeted for this year, which is an increase of 14% over the amount paid in the previous year and inconsistent with increases in other sponsorships provided by the City.

FINANCIAL IMPLICATIONS 2015/16:

ACCOUNT NO:	09648000
BUDGET ITEM:	Convention Centre Car Park (Expenditure)
BUDGET PAGE NUMBER:	43
BUDGETED AMOUNT:	\$4,237,001
AMOUNT SPENT TO DATE:	\$ 0
PROPOSED COST:	\$ 101,579
BALANCE:	\$4,135,422

All figures quoted in this report are exclusive of GST.

It is proposed that for the 2015 Telethon weekend (17 and 18 October 2015), the parking fees be the same as for 2014 as follows:

- For 0 – 3 hours – \$5 flat fee per entry;
- Above 3 hours – \$10 flat fee per entry.

Offering reduced capped parking fees encourages families to attend Telethon and to stay in the city after the event.

The arrangements for volunteers for the 2015 Telethon event. The City will provide 440 free permits for parking at Citiplace Car Park with a further 100 free permits for Channel 7 employees at the Convention Centre Car Park. Sixteen additional on street bays nearby to the call centre will also be provided.

In return, Telethon will continue to provide promotional opportunities for the City of Perth and CPP branding as well as recognition of the City during the event as follows:

- The display of City of Perth and CPP promotional material as television background.
- Regular recognition by Telethon announcers of the reduced parking fees for visitors.
- A brief interview opportunity on television regarding the parking for volunteers.

- An opportunity for a City representative to present the City's cheque at Telethon.

COMMENTS:

Telethon is considered to be the premier charitable event conducted in the city. It is not intended that this amended parking fee structure be extended to any other charity or events.

ITEM NO: 7

CITY OF PERTH RESPONSE TO THE WALGA GOVERNANCE REVIEW DISCUSSION PAPER

RECOMMENDATION: (APPROVAL)

That Council approves the City of Perth response to the Western Australian Local Government Association (WALGA) Governance Review Discussion Paper contained in Schedule 4.

BACKGROUND:

FILE REFERENCE: P1012540-29
REPORTING UNIT: Executive Support
RESPONSIBLE DIRECTORATE: Chief Executive Office
DATE: 17 August 2015
MAP / SCHEDULE: Schedule 3 – WALGA Discussion Paper
Schedule 4 – WALGA Governance Review Discussion Paper - City of Perth Response

The Western Australian Local Government Association (WALGA) is the peak body for local government councils in Western Australia. Its governance structure includes provisions for representation from member councils and sets out the roles and responsibilities of its decision making bodies, elected officials and administration.

The WALGA State Council, its governing body, is sponsoring a review of the organisation's governance arrangements. The discussion paper focuses on the following:

- a) Review of Documentation – Key issues
- b) Technical drafting – Correction of technical wording issues and the alignment of issues in the three governance documents
- c) Review of State Council and Zone processes and effectiveness

A review of the three Association governance documents is to be undertaken. The primacy of the documentation is as follows:

- I. Constitution
- II. Corporate Governance Charter
 - a. Code of Conduct
 - b. Confidentiality Agreement
- III. Standing Orders
 - a. State Council
 - b. Annual General Meeting

Over time there have been reviews of the Constitution and the Corporate Governance Charter without reviews of the Standing Orders and this has created some inconsistencies. The current review will seek to improve alignment of the documents. The following timetable for the review is proposed:

1. Preparation of a Discussion Paper for sector-wide consultation and feedback May-June 2015
2. Consultation with the Local Government sector and Zones June-September 2015
3. Consideration of responses October 2015
4. Preparation of a report to Zones and State Council November-December 2015
5. Referral of any subsequent proposals for Constitutional change to a future AGM

The discussion paper is part of the consultation process in item 2.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation

N/A

Integrated Planning and Reporting Framework Implications

Strategic Community Plan

Council Four Year Priorities: Community Outcome Capable and Responsive Organisation

A capable, flexible and sustainable organisation with a strong and effective governance system to provide leadership as a capital city and deliver efficient and effective community centred services.

DETAILS:

The WALGA Structure contains the following bodies:

State Council

The decision making representative body of all Member Councils and responsible for sector-wide policy making and strategic planning on behalf of local government in Western Australian

The City of Perth Lord Mayor is an ex-officio member and Cr Davidson represents the Central Metropolitan Zone.

Zones

The Zones consist of groups of geographically aligned members responsible for:

- direct elections of State Councillors;
- input into policy formulation; and
- advice on matters

There are 12 country zones and five metropolitan zones. Crs Butler and Davidson are the Central Metropolitan Zone delegates and Cr Davidson is the Zone chair

Governance Review

The WALGA Governance Review Discussion Paper (Schedule 3) lists issues and provides comment and recommendation in relation to each of them. It is not necessary to comment on all matters and the proposed City of Perth response (Schedule 4) focusses on matters of direct relevance to the City or matters that provide opportunities to significantly improve the role and effectiveness of WALGA to the benefit of local government including the City of Perth.

The WALGA Governance Review Discussion Paper provides the background information and commentary on each of the issues and has not been repeated in the City of Perth response.

FINANCIAL IMPLICATIONS:

There are no financial implications resulting from this report.

It should be noted that the City of Perth WALGA subscription cost for 2014/15 was \$44,731 (excluding GST)

COMMENTS:

The WALGA plays an important role in representing the interests of local government councils at the State and Federal level. It has input to legislation affecting local government and provides a united voice for local government in advocating for change or responding to issues that affect its members. The WALGA also provides services to its members to provide benefits gained from economies of scale.

As a member based organisation it is important that it maintains sound and effective governance processes that meet present day expectations. The review is timely following the disruption caused by local government reform and will provide a sound basis for WALGA to play its part in the challenges faced by local government in the future.



WALGA Governance Review

Discussion Paper

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1. Background

WALGA State Council is sponsoring a review to be carried out on the governance arrangements for State Council and Zones.

A review of the Association's governance structure was undertaken in 2011. This review focused on the structure and effectiveness of State Council and the Zones. It is proposed that the primary focus of this review will be the governance processes of WALGA and the effectiveness of the relationship with Zones rather than a focus on structure.

1.1 Review Process

This Discussion Paper will focus on the following:

- a) Review of Documentation – Key issues – Section 2 of this paper
- b) Technical drafting – Correction of technical wording issues and the alignment of issues in the three governance documents – Section 3 of this paper
- c) Review of State Council and Zone processes and effectiveness – Section 4 of this paper

A review of the three Association governance documents is to be undertaken. The primacy of the documentation is as follows:

- I. Constitution
- II. Corporate Governance Charter
 - a. Code of Conduct
 - b. Confidentiality Agreement
- III. Standing Orders
 - a. State Council
 - b. Annual General Meeting

As a principle there will be an alignment of the documentation to make sure that all three documents are consistent. Over time there have been reviews of the Constitution and the Corporate Governance Charter without reviews of the Standing Orders and this has created some inconsistencies.

The following timetable for the review is proposed:

- | | |
|---|------------------------|
| 1. Preparation of a Discussion Paper for sector-wide consultation and feedback | May-June 2015 |
| 2. Consultation with the Local Government sector and Zones | June-September 2015 |
| 3. Consideration of responses | October 2015 |
| 4. Preparation of a report to Zones and State Council | November-December 2015 |
| 5. Referral of any subsequent proposals for Constitutional change to a future AGM | August 2016 |

2. Review of Documentation

Each of the key governance documents of WALGA – the Constitution, Corporate Governance Charter and Standing Orders – are considered in this section of this paper, with a range of key issues identified for discussion and feedback. Other, more general feedback on each of the documents is also welcomed, beyond the issues raised below.

2.1 Constitution

General feedback is sought on the Constitution, as well as responses to the following discussion points. The Constitution can be found at:

<http://walga.asn.au/MemberResources/GovernanceStrategy/GovernanceReviewDiscussionPaper.aspx>

2.1.1 Clause 9 – State Council Ex-Officio Members

There is an inconsistency between the Association’s Constitution and the Corporate Governance Charter. The Constitution provides for 2 ex-officio members: the WALGA President and LGMA WA President. The Corporate Governance Charter provides for 3 ex-officio members: the WALGA President, LGMA WA President and Lord Mayor of the City of Perth.

Discussion:

Should the Lord Mayor of the City of Perth be added to the Constitution or left as discretionary with reference only in the Corporate Governance Charter?

2.1.2 Clause 10 – Meetings of State Council

Currently the Constitution does not include a reference to Standing Orders, it only references the requirement for State Council to establish a Corporate Governance Charter and Code of Conduct.

Discussion:

Are State Council’s meeting procedures as set out in the Standing Orders, and applying to all meetings of State Council, worthy of mention in the Constitution?

2.1.3 Clause 14 – Zones

There is a requirement to clarify that an Elected Member who has been peremptorily suspended under Section 8.15C(2)(c) of the Local Government Act (where a Council is also suspended) becomes ineligible to be a Zone delegate during this period of suspension.

Discussion:

Comments are invited on adding the ineligibility reference as set out above.

2.1.4 Clauses 17 and 18 – President and Deputy President

Currently, there is no restriction on the term the WALGA President may serve, whereas there is a two term confinement on the Deputy President position.

The President and Deputy President are elected by State Council for two year terms following the election of State Councillors by the Zones. Following a State Councillor's election as President, the Zone that elected that State Councillor is entitled to elect a replacement State Councillor to maintain that Zone's representation around the State Council table.

Discussion:

Should the term limit for the two positions be consistent? If consistency is preferred, then should non-restricted terms be considered or restricted terms?

2.1.5 Clause 19 – Vacancy President and Deputy President

The current provisions for filling a vacancy in the office of President and Deputy President follow:

- (1) *If the office of the President becomes vacant or if for any other reason the President is unable to take or hold office at a period which exceeds six months from the date of the next scheduled election for that office, then the State Council shall meet to elect from among their number a President who, subject to this Constitution, shall hold the office of President for the balance of the term of the President replaced.*
- (2) *Where a vacancy occurs in the office of President at a period which is six months or less from the date of the next scheduled election for that office, the State Council may convene a meeting to elect from among their number a President who, subject to this Constitution, shall hold the office of President for the balance of the term of the President replaced, or the State Council may in its discretion, determine that the vacancy be filled by the Deputy President until the date of the next scheduled election.*
- (3) *If the office of Deputy President becomes vacant or if for any other reason the Deputy President is unable to take or hold office, then the State Council shall meet to elect from among their number a Deputy President who shall hold the office for the balance of the term of the Deputy President replaced.*
- (4) *A State Council representative elected to fill a vacancy of Deputy President pursuant to clause 18 shall still be eligible for election for a subsequent two (2) full consecutive terms.*

Discussion:

Do the provisions clearly express the election process? Do the provisions permit the efficient and timely election of either position when a pre-term vacancy arises? Can the provisions be improved to facilitate democratic election principles?

2.2 Corporate Governance Charter

General feedback on the Corporate Governance Charter is sought, as well as responses to the following discussion points.

The Corporate Governance Charter can be found at:

<http://walga.asn.au/MemberResources/GovernanceStrategy/GovernanceReviewDiscussionPaper.aspx>

2.2.1 Clause 7 – Role of State Councillor

State Councillors are the Association’s Board members, elected by Zones. State Councillors, through collective decisions of State Council, have ultimate responsibility for the successful operation of the Association. This includes responsibility for policy positions, strategic direction and financial operations.

The Role of a State Councillor is currently described as follows:

(i) General roles and responsibilities

State Councillors have ultimate responsibility for the overall successful operations of the Association. The principal roles of State Councillors relate to:

- *all major policy positions and issues;*
- *the strategic direction of the Association;*
- *financial operations and solvency; and*
- *all matters as prescribed by law.*

Broadly speaking, the fundamental duties that State Councillors must fulfil include:

- (i) act in good faith and in the best interests of the organisation for a proper purpose;*
- (ii) act with care and diligence;*
- (iii) act honestly;*
- (iv) avoid actual or potential conflict of interest;*
- (v) not to improperly use information or their position;*
- (vi) prevent insolvent trading by the Association; and*
- (vii) avoid actual or potential conflicts of interest.*

State Councillors, as directors of a Board, are required to act consistently in the “best interests of the organisation as a whole”. This effectively means that the duties of a State Councillor are owed to all Member Local Governments.

Whilst it is recognised that State Councillors must represent the interests of their respective Zones, the interests of the Association and its collective membership must always come first.

Individual State Councillors have no individual authority to participate in the day-to-day management of the Association, including making any representations or agreements with Member Local Governments, suppliers, customers, employees or other parties or organisations.

(ii) Confidentiality and Code of Conduct

*Pursuant to the Association's Constitution (clause 10) and in accordance with agreed ethical and behavioural standards, State Councillors will abide with confidentiality requirements and the State Council's Code of Conduct. The Code is enclosed as **Schedule 2** to the Charter.*

*All State Councillors are required to sign a Confidentiality and Code of Conduct Agreement which outlines their obligations to the Association in relation to the treatment of confidential information and behavioural requirements within the Code of Conduct. A copy of the Confidentiality and Code of Conduct Agreement is enclosed as **Schedule 3** to the Charter.*

(iii) Expectations of State Councillors in State Council meetings

A State Councillor shall, in good faith, behave in a manner that is consistent with generally accepted procedures for the conduct of meetings at all State Council meetings. This will include, but not be limited to:

- behaving in a business-like manner;*
- acting in accordance with the policy resolutions of the Association's State Council;*
- abiding by the provisions of the Confidentiality and Code of Conduct Agreement;*
- addressing issues in a confident and firm, yet courteous manner;*
- using judgement, common sense and tact when discussing issues;*
- minimising side comments, chatter and irrelevant remarks;*
- ensuring that others are afforded a reasonable opportunity to put forward their views (ie refraining from interruption or interjection when a speaker has the floor); and*
- being particularly sensitive in interpreting any request or indication from the President that aims to ensure the orderly and good-spirited conduct of the meeting.*

State Councillors are expected to be forthright in State Council meetings and have a duty to question, request information, raise any issue, fully canvass all aspects of any issue confronting the Association and cast their vote on any resolution according to their own judgement.

However outside the Boardroom, State Councillors will support the spirit of all State Council decisions in discussions with Member Local Governments, Zones, staff and other parties when acting in their capacity as a State Councillor. The Association respects the right of State Councillors when acting in their local or regional elected membership role to advocate the position of their local or regional constituency.

All information received by a State Councillor in the course of the exercise of their official duties that is deemed by the Chief Executive Officer to be confidential remains the property of the Association. It is improper to disclose information, or allow information to be disclosed, unless the disclosure has been authorised.

(iv) Annual General Meeting Directions and Decisions

In accordance with clauses 22 and 23 of the Constitution, the State Council is to give

consideration to any direction or decision made at an Annual General Meeting in its discharge of responsibilities and functions.

Where State Council considers that a direction or decision from an Annual General Meeting is not in the best interests of the Association, the Chief Executive Officer shall give notice to Ordinary Members of the decision of State Council and the reasons for that decision.

(v) Emergency Contact Procedures

As there is the occasional need for urgent decisions, State Councillors should leave with the Secretariat any contact details, either for themselves or for a person who knows their locations, so that all State Councillors can be contacted within 24 hours in case of urgent business.

Discussion:

Does the role of a State Councillor adequately capture the contemporary requisites and expectations of the position?

2.2.2 Clause 7 – Role of State Councillor – Zone Meetings

There is scope to consider broadening sub-clause (iii) ‘Expectations of State Councillors in State Council Meetings’ to include expectations when attending Zone Meetings to reflect the collegiate approach to State Council Policy positions that arise through formal decision-making processes.

Discussion:

There is a requirement in Local Government that Elected Members support their Council’s formal resolutions, and not speak adversely or negatively on decisions that Council has made. Should this transfer to the expectation of the behaviour of State Councillors?

2.2.3 Clause 8 – Role of President

The President’s role is currently described as follows:

The President’s role is a key one within the Association. The President is considered the “lead” State Councillor and utilises experience, skills and leadership abilities to facilitate governance processes.

The President is to represent and advocate the resolutions of State Council. Whilst State Council retains ultimate responsibility for Association decision making, any issues that require an immediate or urgent decision outside of State Council ordinary and extraordinary decision making processes, and where it is impractical to seek State Council consideration, may be dealt with by the President in consultation with the Deputy President. Such actions shall not contravene existing policy or previous decisions of State Council and must be undertaken in observance to any specified parameters. Any exercise of this power will require an agenda item to be submitted to the next ordinary meeting of State Council seeking ratification.

In common with the Chairman of most governing boards, the President will:

- *chair State Council meetings in a manner which results in consensus and commitment to decisions;*
- *represent the views of State Council to management and act as a link between meetings;*
- *be the 'interface' of the organisation with external stakeholders;*
- *act as spokesperson and media contact on such matters as are required, in consultation with the Chief Executive Officer of the Association;*
- *develop an effective working relationship with the Chief Executive Officer;*
- *ensure timely and accurate dissemination of information to State Councillors;*
- *be responsible for State Council performance and advise and counsel State Councillors in regards to their performance on State Council;*
- *establish Policy Forums, as required, to report directly to State Council; and*
- *co-opt persons for Local Government vacancies to boards and committees where no nominations have been received following two rounds of advertising.*

Discussion:

1. Does the role of the President adequately capture the contemporary requisites and expectations of this important function?
2. Further, should a clause be added to the Corporate Governance Charter to clarify the role of the Deputy President, which is to fulfil the role of the President in the President's absence?

2.2.4 Clause 9 – Role of the Chief Executive Officer

The Chief Executive Officer's role is currently described as follows:

The Chief Executive Officer is appointed by and accountable to the State Council.

The Chief Executive Officer is responsible for the ongoing management of the Association in accordance with the strategy and policies approved by the State Council.

Within the State Council meeting, the Chief Executive Officer will provide advice, information and seek to clarify any issues raised, but will not enter into debate or deliberations. The Chief Executive Officer's responsibilities will include:

- managing the day-to-day operations of the Association;
- developing, with the State Council, a consensus for the Association's vision and mission and constructing strategic and business plans to implement the vision and mission;
- establishing and maintaining an effective system for identifying, monitoring, analysing and managing organisational risk and ensuring sound internal compliance and control;
- ensuring that State Council is kept informed of all relevant or requested information in a timely manner;
- ensuring that all proposals which affect the strategic direction of the Association are channelled through State Council for consideration;
- recruiting and negotiating the terms and conditions of appointment for all employees and appointing senior managers to the Executive Team;

- promoting an organisational culture that is aligned with the values, standards and strategies adopted by State Council;
- ensuring a safe workplace for all personnel;
- being the spokesperson for the Association on all operational matters and such other issues as required by the President;
- establishing and maintaining a Register of Powers, Authorities, Discretions and Duties delegated by the State Council; and
- being the custodian of records, books, documents and securities of the Association.

Pursuant to clause 13 (2) of the Association's Constitution, the State Council may delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Constitution.

Discussion:

Does the role of the Chief Executive Officer adequately describe the expectations of Members in the management of the Association?

2.2.5 Clause 11 – State Council Meetings

The Corporate Governance Charter currently states:

State Council meetings are fundamental to the governance of the Association. The State Council meeting is the main opportunity for State Councillors to:

- *obtain and exchange information with the Chief Executive Officer and senior management team;*
- *obtain and exchange information with each other; and*
- *make decisions.*

The following guidelines have been adopted for all meetings of State Council:

- *a willingness to deal with the business – “canvass fully, then decide”;*
- *set a start time and aim for two hours maximum;*
- *aim to finish the job;*
- *where there is no disagreement, no debate is needed;*
- *adhere to clear rules of meeting and debate;*
- *if the majority accept, move on (“win some, lose some”);*
- *concentrate on the issue, resist the temptation for personal attack and the claiming of territories;*
- *create space for those who want to have a say;*
- *speak up and speak clearly;*
- *know the Agenda - do your homework;*
- *ensure phones are turned off in meetings; and*
- *in media releases, endeavour to acknowledge difference if present, whilst representing the State Council view or decision.*

Discussion:

Review of this clause is recommended to ensure satisfaction that the functions relating to State Council meetings reflect contemporary expectations.

2.2.6 Clause 13 – State Council Meeting Agenda

The Corporate Governance Charter currently states:

The State Council meeting agenda will generally address the following:

- *Standing matters, including attendance, announcements, previous minutes, business arising from minutes and declarations of interest*
- *Emerging Issues*
- *Matters for Decision*
- *Matters for Noting*
- *Organisational Reports including Key Activity Reports and Policy Forum Updates*
- *The President's Report*
- *The Chief Executive Officer's Report, and*
- *Meeting Assessment.*

Discussion:

Should there be allocation for a report from an Ex-Officio member? Currently the LGMA (WA) President attends all meetings; however there is no item for a report. WALGA, by comparison, has a reporting item at LGMA meetings through the CEO's Ex Officio capacity.

2.2.7 Clause 13 (iv) – Emerging Issues

This subclause currently states:

Urgent issues that are not dealt with in the State Council agenda may be discussed in the "Emerging Issues" section at the beginning of State Council meetings.

The emerging issues section will be primarily used for notifying State Council of critical issues of relevance to Local Government that arise from Zone, Committee or Policy Forum meetings. Where a State Councillor seeks to raise an emerging issue at a State Council meeting, at least 24 hours notification must first be provided to the President and/or Chief Executive Officer.

Any resolutions that arise from the consideration of an emerging issue must be carried by an appropriate resolution, in accordance with clause 12 of the Association's Constitution.

It is considered inappropriate to utilise Emerging Issues as a means of seeking resolution from State Council on any of the following matters:

- *variations to the Constitution;*
- *amendments to the Code of Conduct;*
- *amendments to the Standing Orders;*
- *any addition, amendment, withdrawal, modification or substitution of powers of the State Council; or*
- *delegations to any person or committee.*

Discussion:

1. Does the current process for inclusion of Emerging Issues in the State Council agenda require review?

2. Should emerging issues require approval of State Council to be formally considered at a State Council meeting?

2.2.8 Clause 16 – LGIS Board and Local Government House Trust

Presently, the Corporate Governance Charter contains extensive detail on the formation and operation of Delegated Committees e.g. Honours Committee. However, the LGIS Board and the Local Government House Trust are not mentioned to the same extent.

Currently the following is provided:

State Council has established a Board with full delegated powers, namely the Local Government Self-Insurance Schemes Board. Decisions of the Board are taken independent of the need for ratification of State Council.

The Local Government House Trust is a Trustee which owns and operates Local Government House.

It is suggested that more detail can be included outlining the Board and Trust.

Local Government Self Insurance Scheme Board

The LGIS Board is ultimately responsible for all matters relating to implementing the objectives and purposes of the Insurance Schemes.

State Council has resolved that the Board will function and be regarded for all intents and purposes as a Board of Directors. Board members are therefore Directors, and are required to act in the discharge of all their responsibilities as if they are Directors of a corporation.

The LGIS Board has its own Corporate Governance Charter which is endorsed by State Council.

Local Government House Trust

The Local Government House Trust was established in 1980 with the objective of providing a building for the Local Government Associations.

The Trust is overseen by a Board of Management comprising of the following;

- I. President and Deputy President of WALGA
- II. a State Councillor from the country constituency
- III. a State Councillor from the metropolitan constituency
- IV. a representative from the beneficiaries of the country constituency
- V. a representative from the beneficiaries of the metropolitan constituency
- VI. the Chief Executive Officer of WALGA

There is a need to document in the Corporate Governance Charter the appointment and re-appointment process and terms for State Councillors and also the representatives from the country and metropolitan constituency.

Discussion:

Comment is invited on the matters discussed above.

2.2.9 Clause 17 – Committees with Delegated Powers

The current Committees with delegated powers include the Finance and Services Committee, Municipal Waste Advisory Council, Selection Committee and Honours Panel.

It is suggested the Committee process could be improved by including the following provisions in the Corporate Governance Charter:

Terms of Reference:

This will include the scope and limitations of the Committee.

Membership and Term:

Description of skills and abilities of members, and the term they will serve, which is suggested should coincide with State Council terms.

Appointment process for State Councillors and non-WALGA members:

Currently, the Corporate Governance Charter states that the President may appoint members to delegated committees.

It is proposed that a formal process of appointment to delegated committees is established with appointments made by State Council utilising the Selection Committee where appropriate. At the beginning of each two-year State Council term, State Council should appoint State Councillors to delegated committees. Further, State Council should consider and endorse the appointment of external members to delegated committees based on recommendations from the Selection Committee following a thorough nomination and selection process.

This proposal would reflect the contemporary practice in the Local Government sector when establishing a formal Committee of a Council.

Discussion:

Comment is invited on this proposal.

2.2.10 Clause 20 – Monitoring

This clause currently states:

A fundamental function of the State Council is to monitor the strategic direction, performance, management of risk and compliance of the Association. With this general principle in mind, the State Council is charged with monitoring both financial and non-financial KPIs.

Financial KPIs

The State Council will closely follow:

- *annual membership contributions;*
- *the Balance Sheet;*
- *Income and Expenditure Statement;*
- *financial performance against annual budget;*
- *debtors (over 90 days);*
- *creditor's days;*
- *financial indicators (e.g. liquidity ratio, debt/asset ratio);*
- *the annual audit of financial statements; and*
- *compliance with the Association Financial Management Policies (e.g. Financial Planning, Financial Condition, Budget Reallocation).*

Currently, financial KPIs are monitored by the Finance and Services Committee with State Council considering the Finance and Services Committee Minutes at each State Council meeting.

Discussion:

1. This section requires reviewing as a number of the monitoring functions are carried out by the Finance and Services Committee, and comment is invited on appropriate content.
2. Further, should State Council have a more structured role in monitoring financial KPIs?

2.2.11 Clause 33 – Relationship between State Council, Zones and Local Governments

This clause outlines the relationship between State Council, Zones and Member Local Governments and includes sub clauses on the following:

- State Council
- State Council Co-Chairs
- Forum of Co-Chairs
- Policy Forums
- Zones
- Member Local Governments

Clause 33 states:

The structural framework for the Association includes three levels of representation:

- **State Council** - consisting of 24 members representing Zones within the country and metropolitan constituencies;
- **Zones** – 12 country and 5 metropolitan Zones; and
- **Member Local Governments**

(i) State Council

State Council is the peak decision making body for the Association and is responsible to Zones and Member Local Governments for fulfilling their constitutional responsibilities.

Zones and Member Local Governments can make direct submissions to State Council, either through their representative(s) on State Council or the Association Secretariat.

(ii) State Council Co-Chairs

Two State Councillors are appointed by the President as Co-Chairs for each of the four policy portfolios of governance and strategy, infrastructure, environment and waste and planning and community development. The role of the Co-Chairs is to act as the key advocates for their respective policy portfolios.

Specific duties include liaison with the respective Executive Manager on key policy positions and developments in the portfolio including the preparation of submissions and when required, endorsement of interim submissions. Co-Chairs may also be invited to attend meetings with relevant Government Ministers at the discretion of the President.

(iii) Forum of Co-Chairs

The Forum of State Council Co-Chairs acts as the primary policy and advocacy support to the President and the Association. The Forum is established by the Association President and comprises the President and two State Councillors for each of the four policy areas (infrastructure, governance and strategy, environment and waste, planning and community development). The Forum of Co-Chairs has no delegated authority and works within current Association policy positions. The Forum of Co-Chairs considers and discusses strategic priority policy issues affecting the Association and the Local Government sector for future State Council consideration.

(iv) Policy Forums

Within the core policy portfolios of the Association, policy development is facilitated by Policy Forums.

Policy Forums are convened on an as-needs basis by the Association President to develop policy for the Association in relation to a particular issue or range of issues. Policy Forums can be of any size and may include membership from elected representatives and officers from affected or interested Member Local Governments. In some instances, a Policy Forum may be a day-long symposium open to all Local Governments which concludes upon the adoption of a common resolution. In other cases, Policy Forums may be a specialised working group assembled to develop policy or legislative initiatives for the Association. Zones and Member Local Governments may be directly involved with Policy Forums, and can participate or make formal submissions.

(v) Zones

The country and metropolitan constituencies in Western Australia are divided into groupings called Zones. Zones consist of Local Governments grouped together on the basis of population, commonalities of interest and geographical alignment considerations. Pursuant to the Association's Constitution, the membership of Ordinary Members to Zones shall be determined from time to time by State Council. The number of Zones shall be determined from time to time by the Ordinary Members of the Association at a Special or Annual General Meeting.

There are 12 Country Zones and 5 Metropolitan Zones. For the country constituency, each Zone has one (1) representative on State Council who will represent the interests of the

Local Governments within that Zone. Metropolitan Zones have between two (2) or three (3) representatives to State Council, with the number of representatives determined by the population size of Local Governments within the Zone. The total number of country and metropolitan representatives to State Council is 24 (12 country and 12 metropolitan).

Clause 14 of the Association's Constitution requires that Zone undertake the following functions:

- *electing a representative or representatives and deputy representative or deputy representatives to the State Council;*
- *considering the State Council agenda;*
- *providing direction and/or feedback to their representative or representatives on the State Council; and*
- *any other functions deemed appropriate by the members of the Zone.*

(vi) Member Local Governments

Member Local Governments are the shareholders of the Association and the focus of core Association activities is to be directed towards the provision of political advocacy, programs and services which meet their collective needs. Under the structural framework of the Association, Member Local Governments have the capacity to be directly involved in the development of policy for Local Government. Member Local Government can access the Association through the State Council, Secretariat, Policy Teams and Policy Forums, or through their respective Zones.

A potential reform option, which was contemplated in the previous Governance review in 2011, is considering the formation of an Executive Committee.

Under this model, State Council would maintain its primacy as the Association's governing Board but would be able to delegate some powers to an Executive Committee, which would be in a position to meet more regularly than the current two-monthly cycle of State Council meetings.

The Executive Committee could be utilised for policy and advocacy decisions required outside of the State Council meeting cycle and could be delegated powers that are currently the responsibility of the Finance and Services Committee.

Should the formation of an Executive committee be contemplated, it could then take on the political, policy and advocacy roles and responsibilities of the State Council Co-Chairs (see clause 33(ii) above) and the Forum of Co-Chairs (clause 33(iii) above).

Currently, the Co-Chairs, corresponding to WALGA's four key policy development portfolios (Governance, Infrastructure, Environment and Waste, and Planning and Community Development) consider and provide input to interim submissions prior to their submission to the relevant agency.

The membership of the Forum of Co-Chairs is the President and the two State Councillors who act as Co-Chairs for each of the Association's key policy portfolios: Governance and

Strategy, Infrastructure, Environment and Waste and Planning and Community Development.

Consideration could also be given to reviewing the Policy Forum concept as opposed to the previous construct of four portfolio Policy Teams (six members each) where a State Councillor would be allocated to at least one policy team. The four Policy Teams corresponded to each of WALGA's four key policy development portfolios: Governance, Infrastructure, Environment and Waste, and Planning and Community Development.

The Policy Teams were recently replaced by Policy Forums which are explained in Clause 33(iv) above.

Current Policy Forums are:

- Mining Communities Policy Forum
- Metropolitan Mayors Policy Forum
- WARR Act Policy Forum
- Container Deposit Legislation Policy Forum
- Freight Policy Fourm

Discussion:

Comment is invited on Clause 33 generally, and specifically:

- the potential for an 'Executive Committee' to be formed;
- the utility of the Co-Chairs and Forum of Co-Chairs; and,
- a review of the Policy Forum / Policy Teams concept and their appointment processes.

2.2.12 Proposed New Clause – Recommendations to Representative Bodies

WALGA provides representatives to approximately 120 State Government and Local Government Committees and Boards. There may be a need to capture in the Governance Charter the reporting requirements of the selected representatives.

Discussion:

To what extent should the Corporate Governance Charter capture reporting requirements of representatives back to WALGA?

2.2.13 Code of Conduct and Confidentiality Agreement

A review is to be carried out to make the documents more contemporary and with general consistency with Local Government Codes of Conduct.

Discussion:

Comment is invited in relation to the Code of Conduct and Confidentiality Agreement.

2.3 Standing Orders

The current Standing Orders can be found at:

<http://walga.asn.au/MemberResources/GovernanceStrategy/GovernanceReviewDiscussionPaper.aspx>

2.3.1 Clause 7 – Order of Business

Alignment with the Corporate Governance Charter is required.

Discussion:

Comment is invited on Clause 7 of the Standing Orders.

2.3.2 Proposed New Provision – Alleged Breach of Standing Orders

The Standing Orders are silent on any process for dealing with an allegation of a breach of their provisions, which does not align with the Code of Conduct dealing with breaches of the Corporate Governance Charter.

The contemporary practice in Local Government centres on Regulation 4 of the Rules of Conduct Regulations, which provides for a minor breach complaint opportunity.

Discussion:

1. Should State Council's Standing Orders contemplate complaints-handling procedures?
2. Could this be dealt with by amending the Code of Conduct to reflect appropriate behaviours during meetings of State Council?
3. Should the Code of Conduct be amended so that a breach of the Standing Orders equates to a breach of the Code of Conduct?

3. Technical Drafting

In principle, all three documents should align in terms of content. Over time there have been reviews of the Constitution and the Corporate Governance Charter without reviews of the Standing Orders and this has created some inconsistencies that should be addressed as part of this review.

3.1 Constitution

One item of a technical drafting nature has been identified in the Constitution.

3.1.1 Clause 5 – Membership of the Association

A typographical error appears in clause 5(7)(b), with incorrect reference to sub-clause 5(9), which should read 5(11).

3.2 Corporate Governance Charter

Two items of a technical drafting nature have been identified in the Corporate Governance Charter.

3.2.1 Clause 7 – Role of State Councillor: Review of Annual General Meeting Decisions

Clause 7(iv), below, states that State Council must consider decisions made by the membership at Annual General Meetings:

(iv) Annual General Meeting Directions and Decisions

In accordance with clauses 22 and 23 of the Constitution, the State Council is to give consideration to any direction or decision made at an Annual General Meeting in its discharge of responsibilities and functions.

Where State Council considers that a direction or decision from an Annual General Meeting is not in the best interests of the Association, the Chief Executive Officer shall give notice to Ordinary Members of the decision of State Council and the reasons for that decision.

It is considered that it would be more appropriate for this clause to be included as part of the 'Role of State Council' (Clause 1) as it is a role for the board, not for individual State Councillors.

3.2.2 Clause 15 – Annual Meeting Calendar

The calendar will be reviewed and updated to reflect current practice including regional meetings.

Currently, the following is included in the Corporate Governance Charter:

In order to provide an even distribution of work over the year, the State Council will utilise a rolling twelve-month meeting calendar. An example of an annual meeting calendar is included below as a guide to State Council activities undertaken throughout a typical calendar year. At least one State Council meeting will be held regionally each year at a location and date to be determined. Zone meetings are held in a two week period prior to State Council meetings.

Month	Event
February	<ul style="list-style-type: none"> • Finance and Services Committee Meeting • Selection Committee Meeting
March	<ul style="list-style-type: none"> • General induction of new State Councillors (if applicable) • Election of President and Deputy President (if applicable) • Honours Panel Meeting • State Council Meeting
April	<ul style="list-style-type: none"> • Selection Committee Meeting • Finance and Services Committee Meeting
May	<ul style="list-style-type: none"> • Consideration of Association Honours • Finance and Services Committee Meeting • State Council Meeting
June	<ul style="list-style-type: none"> • Special Meeting State Council – Budget Adoption & Strategic Plan review • Finance and Service Committee Meeting • Selection Committee Meeting
July	<ul style="list-style-type: none"> • State Council Meeting • Finance and Services Committee Meeting (Adoption of Audited Financial Statements)
August	<ul style="list-style-type: none"> • Selection Committee Meeting • Finance and Services Committee Meeting • Annual General Meeting
September	<ul style="list-style-type: none"> • State Council Meeting
November	<ul style="list-style-type: none"> • Selection Committee Meeting • Finance and Services Committee Meeting
December	<ul style="list-style-type: none"> • Annual Review of Chief Executive Officer • Annual Review of State Council and individual State Councillors • State Council Meeting

4. Review of State Council and Zone Effectiveness

General feedback is sought in relation to the effectiveness of Zones and State Council. The following subjects may provoke feedback.

4.1 State Council Decision Making Process

The current decision making process of State Council is inclusive. Zones consider State Council items and the recommendations to State Council at their meetings. The Zones are able to move amendments to, or oppose, the recommendations to State Council.

At the State Council meeting, every Zone's resolution regarding State Council items will be considered by all State Councillors. This is done by a process of composite resolutions, where the original recommendation is blended with all Zone motions to form a new, 'composite' resolution.

In this way, the input from Zones is crucial to the State Council decision making process and means that, in practice, State Council invariably arrives at a representative and consensus position.

4.1.1 Inclusiveness vs. Timeliness of State Council Decisions

There has been discussion in recent times about the timeliness of State Council decision making, particularly when State Council seeks to ensure all Zones are able to input into the decision making process. State Council strives to find a balance between timeliness and inclusiveness in their decision making processes and can be reluctant to make decisions without Zone consultation. Notwithstanding, the ability for State Councillors to bring 'Emerging Issues' to the State Council meeting provides State Council with some flexibility to make decisions in a more timely manner when necessary.

Another relevant issue is the treatment of motions from Zones. Currently, State Council considers other Zone resolutions en bloc during their meeting, and then the Zone resolutions are referred to the relevant WALGA business or policy unit for action. This process can also take time for Zones to receive a response. One option would be for State Councillors to raise sector-wide issues when Zone resolutions are considered for State Council to make a more timely decision or for the State Council to formally prioritise Zone resolutions when they are considered.

Discussion:

1. Does the current State Council decision-making process strike the right balance between timeliness and inclusiveness?
2. Should the method in which State Council considers Zone resolutions be changed?

4.1.2 Zone Motions – Consistency with Council Policy

There has been discussion on the issue of some zone representatives bringing forward items that are not supported or are actively opposed by their Council. Some have therefore suggested that motions at Zone meetings should require the support of the mover's Council.

This would ensure that the Zone is confident that the motion being considered has undergone some thought and research. Conversely, requiring a Council resolution to submit a motion to a Zone meeting would increase the time required for policy issues to be considered and would reduce the flexibility of Zones to make their own decisions. Further, as Zones are autonomous in their construct, it may be considered inappropriate to restrict matters that can be considered by Zones.

Discussion:

Should zone motions be required to have the Local Government's consent or be consistent with their Council's policy position?

4.2 Zone Autonomy

While Zones have a requirement to elect one or more State Councillors and to consider the State Council agenda, they have the autonomy to build on or expand this role.

Some Zones are more active than others in this regard. Some Zones expand on the role of the Zone and undertake some of the following activities:

- developing and advocating positions of regional significant affecting Local Government;
- progressing regional Local Government initiatives;
- identifying relevant issues for action by WALGA;
- presentations from external stakeholders;
- networking and sharing information; and
- contributing to policy development.

Other Zones are more minimalist in their approach and have not taken the opportunity to expand their role beyond that defined in the Constitution.

Discussion:

Any comment relating to Zone Autonomy is invited.

4.3 Zone Presentations and Delegations

Zones have the opportunity to receive delegations and presentations from politicians and government departments and agencies.

This provides the Zone with opportunities for information exchange and communication between Local Governments and stakeholders.

The Zone meetings are also a primary point of contact between WALGA and its members. The Association has the opportunity to update Local Government representatives on the work of the Association and Zone meetings present the opportunity for Zone delegates to ask questions of the WALGA President and senior WALGA staff.

Discussion:

Any comment relating to Zone Presentations and Delegations is invited.

4.4 Comprehensive State Council Agenda

The comprehensive State Council Agenda is a key component in WALGA's policy development and advocacy process. It contains discussion in relation to policy issues on a range of topics that affect different Local Governments differently. Two issues are discussed below: the timeliness of the State Council agenda distribution and the format of the State Council agenda.

4.4.1 Timeliness of State Council Agenda

The production of the comprehensive State Council agenda runs to a relatively tight timetable that seeks to balance relevance of the issues covered in the agenda with time available for reading and analysis by member Local Governments, Zone delegates and State Councillors.

The timetable operates as follows:

	Deadline for Agenda Items	Electronic Distribution – Deadline to Printer	Hard-copy Distribution	Zone Meetings
Number of days prior to the State Council Meeting (including weekends)	27 days prior to State Council meeting	21 days prior to State Council meeting	16 days prior to State Council meeting	12-5 days prior to State Council meeting

There has been commentary that Zone delegates require more time to read the agenda; however, there are nine days between the electronic distribution of the State Council agenda and the first of the Zone meetings. The agenda timetable could be amended to provide more time for Zone delegates to read the agenda, but it would be at the risk of the agenda no longer being up to date with policy issues.

Discussion:

Is the State Council agenda timetable appropriate, or should it be amended in some way?

4.4.2 State Council Agenda Format

Currently the State Council agenda is distributed to Local Governments via email in pdf form three weeks prior to the State Council meeting and is sent to a printing company at the same time. Then, approximately 400 copies are printed and posted to Local Governments to arrive approximately two weeks before the State Council meeting.

Discussion:

Is it still appropriate for hard-copy agendas to be printed and posted to Local Governments or, is the electronic version sufficient?

5. Submission of Feedback

Please submit feedback on the issues raised in this discussion paper, as well as any other relevant matters, by Wednesday, 16 September 2015 to:

James McGovern
Manager, Governance
jmcgovern@walga.asn.au
(08) 9213 2093

Following the submission of feedback, a report will be presented to Zones and State Council in December 2015.

**CITY OF PERTH RESPONSE TO THE WALGA GOVERNANCE REVIEW
DISCUSSION PAPER**

City of Perth comments are provided in italics for each of the Discussion Paper points.

2. REVIEW OF DOCUMENTATION

2.1 Constitution

2.1.1 Clause 9 State Council Ex-Officio Members

Including in the Constitution a provision for the City of Perth Lord Mayor to be an ex-officio member of the State Council in addition to the Corporate Governance Charter is preferable to maintain consistency between the documents.

2.1.2 Clause 10 – Meetings of State Council

Agree with including references to Standing Orders in the Constitution

2.1.3 Clause 14 – Zones

Agree that elected members from a suspended local government should be ineligible to be a Zone delegate as they are not representatives of their local government during this period.

2.1.4 Clause 17 and 18 – Presidents and Deputy Presidents

The term of office of the President and Deputy President should be consistent and preferably restricted to two terms.

2.1.5 Clause 19 – Vacancy President and Deputy President

The current provision for the election of the positions is supported.

2.2 Corporate Governance Charter

2.2.1 Clause 7 Role of State Councillors

The current description of the role of State Councillor is supported.

2.2.2 Clause 7 – Role of State Councillor – Zone Meetings

State Councillors being expected to support the decisions of the State Council when attending Zone meetings is supported.

2.2.3 Clause 8 – Role of President

The description of the role of the President is adequately captured in the Charter.

The Charter should clarify the role of the Deputy President being to fulfil the role of the President in the President's absence.

2.2.4 Clause 9 – Role of Chief Executive Officer

The current description of the role of the Chief Executive Officer is supported .

2.2.5 Clause 11 – State Council Meetings

The current description of the role of State Council meetings is supported.

2.2.6 Clause 13 – State Council Meeting Agenda

Allocating a place on the agenda of State Council meetings for an ex-officio member to submit a report is supported.

2.2.7 Clause 13 (iv) – Emerging Issues

Variations to the Constitution, Code of Conduct, amendments to the Standing Orders' changes to the powers of State Council and delegated powers should not be considered as emerging issues but referred to a subsequent meeting to allow the matter to be fully considered with the involvement of the Zones.

Support the State Council or President deciding if a matter (other than the above) is to be considered at that meeting or a subsequent meeting of the State Council to allow the Zones to consider them and have input.

2.2.8 Clause 16 – LGIS Board and Government House Trust

Support the inclusion of greater detail in the Charter about the formation and operation of the LGIS Board and the Local Government House Trust.

2.2.9 Clause 17 – Committee with Delegated Powers

The inclusion of contemporary practices for committees with delegated powers is supported including stating their terms of reference, membership and term and method of appointment.

2.2.10 Clause 20 – Monitoring

Support the State Council having a structured role in monitoring financial and other KPI's for its strategic objectives as well as for its operational performance. The State Council should focus on the strategic objectives and high level operational KPI's and their targets. The Finances and Services Committee should focus on operational KPI's contributing to the high level KPI targets.

2.2.11 Clause 33 – Relationship between State Council, Zones and Member Local Governments

The formation of an Executive Committee is not supported.

2.2.12 Proposed New Clause – Recommendation to Representative Bodies

No comment

2.2.13 Code of Conduct and Confidentiality Agreement

Agree review is required for consistency with Local Government Codes of Conduct.

2.3 Standing Orders

2.3.1 Order of Business

Alignment of the order of business in the Standing Orders and the Corporate Governance Charter is supported.

2.3.2 Proposed New Provision – Alleged Breach of Standing Orders

In keeping with current attitudes to governance and acceptable behaviour, including complaints handling procedures and processes to deal with breaches of the Code of Conduct similar to what is in place for local government is supported.

3. TECHNICAL DRAFTING

3.1 Constitution

3.1.1 Clause 5 – Membership of the Association

Support change to correct reference.

3.2 Corporate Governance Charter

3.2.1 Clause 7 – Role of State Councillor – Review of Annual General Meeting Decisions

Support moving clause 7(iv) in the Corporate Governance Charter to the “Role of State Council”.

3.2.2 Clause 15 – Annual Meeting Calendar

No comment

4. REVIEW OF STATE COUNCIL AND ZONE EFFECTIVENESS

4.1 State Council Decision Making Process

4.1.1 Inclusiveness vs Timeliness of State Council Decision

When considering maintaining a balance between inclusiveness and timeliness the value of Zone meetings in providing members with an opportunity to meet and discuss local government issues must be considered.

4.1.2 Zone Motions – Consistency with Policy

Requiring formal consent by the member's Council will stifle the ability of Zones to perform their role (see 4.2) and requiring motions to be consistent with their policy will be difficult to administer and enforce. However, members should be representing the views of their Councils and this should be encouraged by WALGA. To assist delegates when considering matters the elected member could be required to state if the matter has the formal support of their Council.

4.2 Zone Autonomy

The current description of the role of Zones which allows flexibility for Zones to undertake tasks that they have the willingness and capacity to do is supported. WALGA could provide information to Zones of what other Zones are doing.

4.3 Zone Presentations and Delegations

Presentations and delegations have a useful purpose. There is often an expectation that the information will be conveyed back to the member's local government. This could be improved by ensuring presenters are aware of the limitations to this and that they should provide information which members can easily disseminate in their respective local government.

4.4 Comprehensive State Council Agenda

4.4.1 Timeliness of State Council Agenda

Timeliness of the State Council Agenda is adequate given the constraints of the process. It would be helpful if the Zone agenda could be circulated at the same time.

4.4.2 State Council Agenda Format

Receiving the hard copy agendas is useful. However, reviewing the process to reduce printed copies for Zone and State Council meetings is supported.

End

ITEM NO: 8

REDEVELOPMENT OF THE FORREST PLACE WALKWAY AND ASSOCIATED WORKS UPDATE

RECOMMENDATION:

(INFORMATION)

That the Finance and Administration Committee receives the following report as an information update on the progress and current status of the redevelopment of the Forrest Place Walkways project.

BACKGROUND:

FILE REFERENCE: P1022162-3
REPORTING UNIT: Properties
RESPONSIBLE DIRECTORATE: Community and Commercial Services
DATE: 14 August 2015
MAP / SCHEDULE: Schedule 5 - Forrest Place Walkways – Legal Document Framework
Schedule 6 – Forrest Place Walkways Image References

At its meeting on **7 October 2014** Council approved a number of actions to progress the request of ISPT to partner with the City to demolish and reconstruct the Forrest Place Walkway and other associated works.

Subsequently, a Business Plan was prepared as required by the *Local Government Act 1995*. Following the advertising period Council confirmed the decision to proceed with the major land transaction at its meeting held on **9 June 2015**.

This report serves as an update to the Finance and Administration Committee on progress made.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation

Local Government Act 1995
Forrest Place and City Station Development Act 1985
Development Plan Agreement 1986

Integrated Planning and Reporting Framework Implications

Corporate Business Plan

Council Four Year Priorities: Major Strategic Investments
S1 Ensure that major developments effectively integrate into the City with minimal disruption and risk.

- S4 Getting around Perth
Enhanced accessibility in and around the City
including parking.

DETAILS:

A number of conditions were set out in the resolution made at the Council Meeting on **7 October 2014** as follows:

- *That the final concept and plans being in accordance with the agreed scope and the total value of the works being independently assessed by Quantity Surveyors appointed by the City;*
- *The plans obtaining the necessary statutory approvals;*
- *The proposal meeting all the requirements of the Forrest Place and City Station Development Act 1985 and supporting documents;*
- *the terms for the payment of the City's contributions of \$8.2 million being agreed by the parties;*
- *a revised budget being adopted for contributions during 2014/15;*
- *Each party reserving the right to terminate any agreement following reassessment of the project scope, design and project investment level at the following stages;*
 - a) *after final statutory development approval;*
 - b) *after construction procurement has yielded detailed actual project costs;*
- *Council approving a lease to ISPT Super Property following consideration of any comments received in accordance with Section 3.58 of the Local Government Act 1995.*

The resolution further authorised the Chief Executive Officer to undertake the following:

- *submit a conditional written proposal to ISPT Super Property in accordance with this resolution;*
- *prepare a Business Plan and publish a notice of intention to conduct a major land transaction in accordance with Section 3.59(3) of the Local Government Act 1995;*
- *negotiate the final terms of an agreement including details of project scope and design, timing and quantum of payments, procurement methodology, construction management, risk management and dispute resolution;*
- *negotiate the lease agreements for land proposed to be occupied and developed by ISPT Super Property;*
- *publish notice of intended lease in accordance with Section 3.58 of the Local Government Act 1995;*
- *negotiate amendments to the Forrest Place and City Station Development Agreement with relevant parties; and*

It is also required that the Chief Executive Officer will continue to liaise with the Lord Mayor and the Presiding Member of the Finance and Administration Committee and present further reports to Council prior to execution of binding contractual agreements.

There has been ongoing work during the intervening time and progress against the conditions can be reported as follows:

- The concept plans have been agreed between the City and ISPT as a non-binding Heads of Agreement and signed by both parties. These concept plans have been assessed by an independent Quantity Surveyor as required;
- The development application submitted to the City has been approved and was considered by a Development Assessment Panel;
- Progress is being made with regards to the requirements set out in the *Forrest Place and City Station Development Act 1985*. We are now seeking the required amendments to the Development Plan Agreement;
- Whilst the detailed timing of the project has yet to be established as does the precise mechanism for the contributions the City will make to the project, budget has been adopted that reflects the fixed contribution that will be made;
- The right of either party to terminate the agreements have been applied in the Heads of Agreement and are also being consistently applied in the other legal documents that are currently being finalised; and
- A suite of legal documents that will cover both the agreements to lease and licence are currently being progressed by both ISPT and the City. These documents will be presented to Council prior to execution as required. Additionally, documents relating to the construction are also being considered such as the development management agreement. It is important to note that none of the documents will fetter the City in its role as an approving body.

A graphic detailing the current structure of the legal agreements is included in Schedule 5.

In addition to the progress detailed above work is also being undertaken to ascertain the feasibility of an alternative location for the display of the Robert Juniper stained glass windows that currently comprise part of the walkways.

FINANCIAL IMPLICATIONS:

ACCOUNT NO:	CW1878
BUDGET ITEM:	Other Property and Services – Private Works - Forrest Place refurbishment of pedestrian walkways
BUDGET PAGE NUMBER:	19
BUDGETED AMOUNT:	\$700,000
AMOUNT SPENT TO DATE:	\$ 0
PROPOSED COST:	\$700,000
BALANCE:	\$ 0

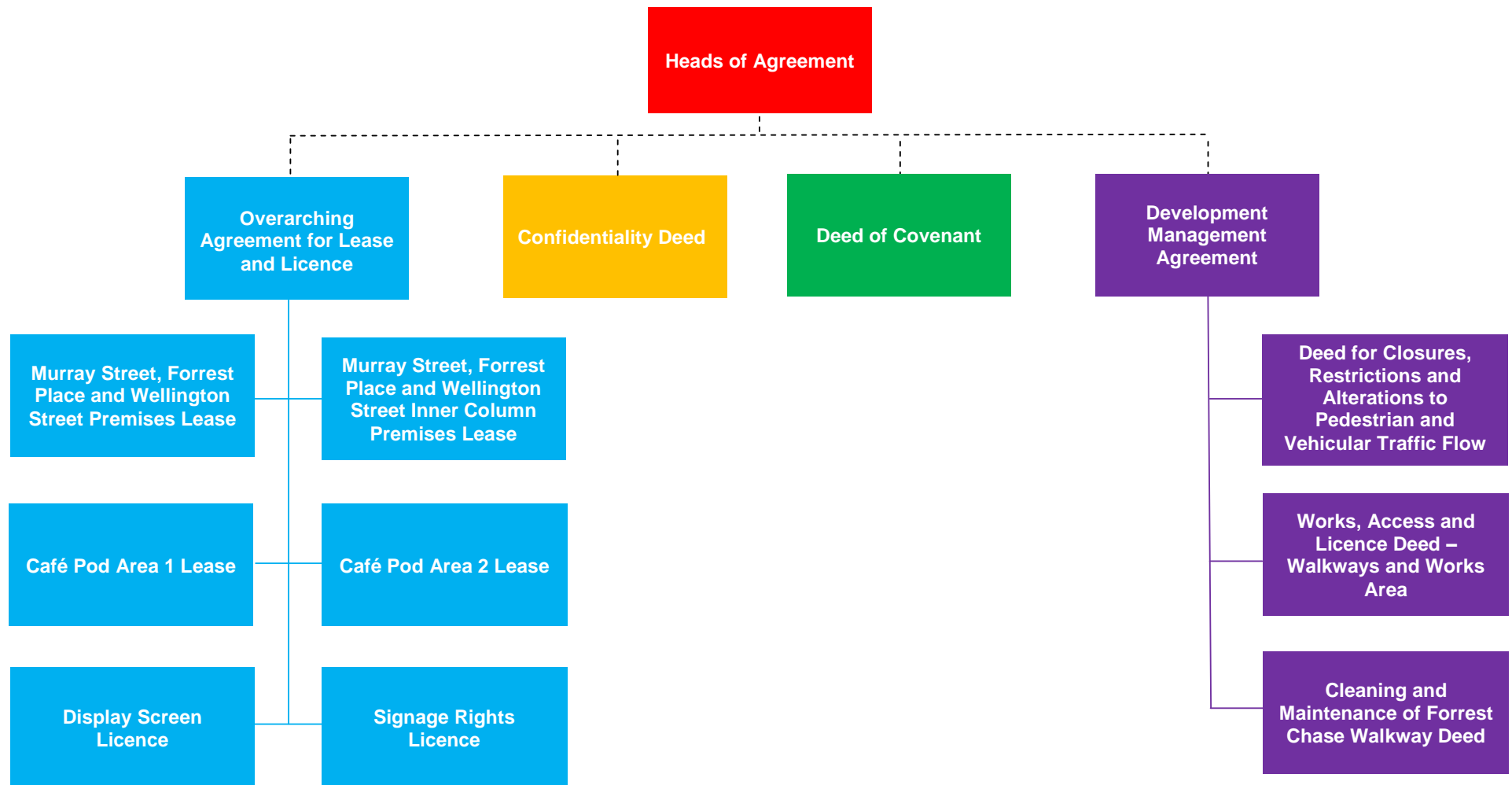
All figures quoted in this report are exclusive of GST.

\$700,000 allocated to the 2015/16 Capital budget for contributions to the walkway refurbishment. Total project cost will be \$8,200,000 with the remaining \$7,500,000 being contributed in the following financial year.

There are no financial implications associated with this report

Schedule 5

City of Perth and ISPT Redevelopment of Forrest Place Walkways – Legal Document Framework





FORREST CHASE REDEVELOPMENT - DESIGN REPORT BY HAMES SHARLEY











FORREST CHASE REDEVELOPMENT - IDP REPORT BY HAMES SHARLEY