



City of Perth

# Ordinary Council Meeting

**MINUTES**

30 June 2020, 5pm | via Videoconference



**Minutes to be confirmed at the next Ordinary Council Meeting**

These minutes are hereby certified as confirmed

Presiding member's Signature: \_\_\_\_\_ Date: \_\_\_\_\_



# *Vibrant, Connected, Progressive.*

This is the community's vision for Perth and the City of Perth.





## Order of Business

### Item

1. Prayer/Acknowledgement of country
2. Declaration of opening
3. Apologies
4. Question time for the public and notification of deputations
5. Members on leave of absence and applications for leave of absence
6. Confirmation of minutes
7. Announcements by the Chair Commissioner
8. Disclosures of members interests
9. Questions by members of which due notice has been given
10. Correspondence
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**14. Motions of which previous notice has been given**

**15. Urgent business**

**16. Closure**

Minutes of the Ordinary Council Meeting of the City of Perth held via videoconference on Tuesday, 30 June 2020.

**Members in attendance**

Chair Commissioner Andrew Hammond      Presiding Member  
Deputy Chair Commissioner Gaye McMath  
Commissioner Len Kosova

**Officers in attendance**

Mr Murray Jorgensen	Chief Executive Officer
Mr Bill Parker	General Manager Corporate Services
Mr Chris Kopec	General Manager Infrastructure and Operations
Ms Anne Banks-McAllister	General Manager Community Development
Mr Jayson Miragliotta	General Manager Planning and Economic Development
Ms Karin Strachan	Project Director Corporate Recovery
Mr Michael Kent	Project Director Strategic Finance
Ms Margaret Smith	Alliance Manager Development Approvals
Mr Ben Fitzpatrick	Alliance Manager Marketing and Communications
Ms Erica Mueller	Acting Alliance Manager Activation and Cultural Experience
Ms Siobhan Rippington	Governance Coordinator
Ms Ashlee Rutigliano	Governance Officer

**1. Acknowledgment of Country/Prayer**

The Chair Commissioner read the Acknowledgement of Country.

The Chief Executive Officer read the prayer.

**2. Declaration of opening**

**5.01pm**      The Chair Commissioner declared the meeting open.

**3. Apologies**

Nil

**4. Question time for the public and notification of deputations**

4.1 Question time for the public

A question was received from Mr Tony Ransom, 443 Murray Street, Perth:

Question	New Zealand now allows 30m <sup>2</sup> construction with no permit required thus stimulating countrywide building activity.
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	<p>Can the City of Perth consider permitting up to 50% Commercial change to residential at ground level and half the floor levels above?</p>
<p>Answer</p>	<p>The City is implementing the Minister for Planning's temporary exemptions from certain planning approvals that came into effect on 8 April 2020. These changes remove the need to obtain planning approval in order to support small businesses, enable flexible responses in a changing environment and guarantee the provision of essential community services. The following uses and temporary works associated with them are now exempt from requiring planning approval:</p> <ul style="list-style-type: none"> <li>• shops under 400msq;</li> <li>• restaurants/cafes;</li> <li>• convenience stores;</li> <li>• consulting rooms;</li> <li>• offices;</li> <li>• home business / occupation;</li> <li>• commercial vehicle parking; and</li> <li>• any signage by virtue of the above uses.</li> </ul> <p>These exemptions will remain in effect until 90 days after the end of the State of Emergency.</p> <p>Noting the example from New Zealand the City is subject to upholding the Building Code of Australia and it is not within the City's power to relax the building code provisions. The City is however, considering further exemptions from planning approval on a permanent basis for changes of use and for minor works and your suggestions will be considered in the preparation of the City's exemption policy.</p>

4.2 Notification of deputations

Nil

**5. Members on leave of absence and applications for leave of absence**

Nil

6. Confirmation of minutes

**Council Resolution**

**Moved:** Commissioner Kosova  
**Seconded:** Commissioner McMath

That Council CONFIRM the minutes of the Ordinary Council Meeting held on 26 May 2020 as a true and correct record.

**CARRIED 3 / 0**

**For:**  
Commissioner Hammond  
Commissioner McMath  
Commissioner Kosova

**Against:**  
Nil

**Council Resolution**

**Moved:** Commissioner McMath  
**Seconded:** Commissioner Kosova

That Council NOTE the minutes of the Audit and Risk Committee held on 6 May 2020 as a true and correct record.

**CARRIED 3 / 0**

**For:**  
Commissioner Hammond  
Commissioner McMath  
Commissioner Kosova

**Against:**  
Nil

## 7. Announcements by the Chair Commissioner

### Inquiry into the City of Perth

The Chair Commissioner made the following announcement:

“Today, the Chief Executive Officer and I attended the closing of the City of Perth Inquiry and we heard the closing remarks from Commissioner Power. The City and the Commissioners look forward to receiving, in due course, a copy of the Inquirer’s report and will take action accordingly. I think it timely though in accordance with what’s on the agenda today and some of the comments that Commissioner Power made, that we link the two.

To quote Commissioner Power, ‘Many of these poor decisions were the result of poor governance practices at the City which were set against a background of widespread cultural and systemic failings and as a result, the City was in many ways a dysfunctional and inefficient organisation. The Inquiry uncovered a number of instances where the Administration failed to identify, prevent, properly investigate, adequately report and then act, on misconduct. Compounding the governance failures across many levels of the Administration was the woeful failure to properly plan for the City’s future and manage its finances adequately. These are important responsibilities which the Administration needed to discharge well. It did not do either well and but for this Inquiry probably would have continued to do so largely unnoticed. There was far too much importance given meeting statutory requirements in a tick the box fashion and far too little importance given to financial planning and financial management for the benefit of the City and its community’.

While much will be said and much follows as to the nature and substance of the report, the recommendations and findings thereon, I think it’s important to link those statements with the agenda items that we will be considering this evening. I firstly point to Item 13.9, which is the adoption of the Governance Framework Policy which certainly provides for a best practice approach to governance in local government. Commissioners would also be aware that a policy on the City’s policy framework has been adopted and is in operation and a policy on the City’s strategic framework has also been adopted and in operation.

More importantly, items 13.13 and 13.14 see the City about to adopt its first ever ‘proper’ Corporate Business Plan. In my view, the City has gone from a void in strategy and financial planning into a mode of exemplar performance with the Corporate Business Plan and the Long Term Financial Plan. This was demonstrated to me by the way the City could provide information to the Commissioners in relation to the development of the 20 million dollar COVID-19 response plan.

Without the dissection of those expenditure and revenue that was available in the business plan, that would not have been achievable. On top of that, Council tonight will be considering the adoption of a fraud and corruption control policy and once again, a best practice approach to providing a framework for the prevention of fraud and corruption.

Whilst the City has much work to do, with regards to responding to the past state of the organisation, I am confident that I can say on behalf of the Commissioners that significant progress has been made, and for that, I acknowledge and thank the CEO, my fellow Commissioners, Commissioner McMath and Commissioner Kosova. I also acknowledge the late Commissioner Eric



Lumsden for his fine efforts and also acknowledge the staff who over the last two years have made a considerable effort to turn this organisation around, in what have been very difficult circumstances. To you all, I thank you very much on behalf of the City of Perth.”

**8. Disclosures of members interests**

Member/Officer	Item No. and Title	Nature of Interest
Commissioner Len Kosova (CM 127741/20)	Item 13.1 - Happy Heart Pty Ltd – Northbridge Precinct Improvement – Matched Funding Grant	<p><b>Nature:</b> Impartiality Interest – One of the founders of Happy Heart Pty Ltd (Adrian Fini) is also involved with FJM Property, was previously client of Commissioner Kosova’s consulting business. FJM has not been a client of Commissioner Kosova’s for more than 12 months.</p> <p><b>Extent:</b> Insignificant</p>

**Meeting Note:**

Commissioner Kosova advised that the nature of the interest detailed in the agenda of the Ordinary Council Meeting was incorrect.

**9. Questions by members of which due notice has been given**

Nil

**10. Correspondence**

Nil

**11. Petitions**

Nil

**12. Matters for which the meeting may be closed**

In accordance with section 5.23(2) of the *Local Government Act 1995*, to preserve the confidentiality of Confidential Item 13.19, it was recommended that the meeting be closed to the public prior to consideration of the matter.”

Attachment No.	Item No. and Title	Reason
Confidential Item 13.19 and Confidential Attachment 13.19	Confidential Item 13.19 – Memorandum of Understanding (MOU)	s5.23(2)(d)

**13. Reports**

**Item 13.1 – Happy Heart Pty Ltd – Northbridge Precinct Improvement – Matched Funding Grant**

<b>File reference</b>	P1039221#02
<b>Report author</b>	Virginia Withers, Senior Sponsorship Officer
<b>Other contributors</b>	Nil
<b>Reporting Service Unit and Alliance</b>	Activation and Cultural Experience, Community Development
<b>Report author disclosure of interest</b>	Nil
<b>Date of report</b>	2 June 2020
<b>Nature of Council’s role</b>	Executive
<b>Voting requirement</b>	Simple Majority
<b>Attachment/s</b>	Nil

**Purpose**

To provide a recommendation in relation to a grant application received by the City of Perth from Happy Heart Pty Ltd trading as The Rechabite.

**Background**

Applicant details

Entity name	Happy Heart Pty Ltd trading as The Rechabite
ABN	71 609 351 377
Entity type	Australian Private Company
ABN status	Active
ATO endorsed charity type	Not endorsed

Happy Heart is a company formed by Adrian Fini and Marcus Canning for the purpose of the redevelopment and launch of The Rechabite as a multi-level arts and hospitality complex. Located near the intersection of William Street and James Street, The Rechabite aspires to act as a year-round bridge between the cultural institutions of the Perth Cultural Centre and the surrounding hospitality, nightlife and entertainment precinct.

Happy Heart states that it has a core mandate to serve and positively contribute to improving the broader Northbridge neighbourhood and environment through proactively delivering precinct enhancing projects in partnership with the surrounding community and other stakeholders such as the City of Perth.

**Details**

Sponsorship category	Precinct Development Matched Funding Grant
Project title	Northbridge Neighbourhood Precinct Projects (Project 1 – The Northbridge Sign)
Project start date	03/06/2020
Project end date	31/08/2020
Location	William Street, Northbridge
Total project cost	\$1,027,394 (full Northbridge Precinct Project including the Northbridge sign, Hook Lane and Lock Lane improvements and Northbridge projections)
Total amount requested	\$35,000
Recommendation	<b>Approval</b>
Recommended amount	\$35,000
Assessment score	75%

Northbridge Neighbourhood Precinct Improvements

This grant application is specifically for the Northbridge Sign, however this project sits in the context of the broader Northbridge Neighbourhood Precinct Improvements planned by Happy Heart, including:

- Hook Lane and Lock Lane redevelopment;
- Northbridge projections program; and
- the Northbridge sign across William Street.

The proposed projects focus on improving the physical aspects of the Northbridge environment in bold and impactful ways that will deliver immediate value and assist local businesses through enhancing the precinct and making it a more vibrant, attractive and enticing place, that more people want to visit and spend time in.

The projects have been conceived through a process of consultation and will be developed in partnership with Northbridge businesses, institutions, stakeholders, the City of Perth, the State Government and the broader Northbridge community.

The purpose of these projects is to focus on the physical civic environment of the area to deliver improvements and stimulate activity, visitation and economic benefits. Happy Heart plan to extend the project through further activation programs and precinct marketing activities for the benefit of the broader nightlife and cultural economies.

The total project budget (\$1,027,394) refers to the overall program of precinct improvement and upgrades that are currently being planned. Happy Heart are in discussions with the other levels of government in regard to funding opportunities which will meet the requirements to demonstrate matched funding under this grant.

The Northbridge Sign

Inspired by the internationally recognised VENICE sign that spans across the Windward Avenue entry to the Venice Beach neighbourhood in California, the Northbridge Sign is planned to provide an immediate defining symbol of the precinct and its unique identity.

The proposed Northbridge sign will be constructed from individual 3D suspended letters that have custom LED lighting embedded inside each letter. This allows the distinctive silhouette of letters to transform into a light source at night that will be readable from towers on St Georges Terrace and by pedestrians entering Northbridge from Yagan Square.

Happy Heart plans for accelerated production and installation of the sign to provide a 'lights back on' moment in coming months as the COVID-19 shutdown is rolled back. The aim will be to provide a 'surprise and delight' event for the neighbourhood and promote confidence in a bright future for Northbridge and its businesses. It is envisaged that significant media coverage will be associated with this 'lights back on' ceremony and the City would be invited to take an active lead role in this.

The site has previously been used for promotional banner hire however has been closed to bookings in the 2019/20 financial year as a result of the poles being decommissioned.

Image 1 – Design Mock-up



Image 2 – Proposed Location





Previous five years of City of Perth support and acquittals

The City has not previously supported this applicant.

Sponsorship benefits

The City’s support will be recognised in all associated communications, marketing and media associated with the initiative.

Assessment score card

The application was assessed by a four-person assessment panel and the scoring has been averaged for each outcome.

<b>Assessment Criteria</b>	<b>Score /5</b>
<b>Economic Development (10% weighting)</b>	
Does the project have the potential to provide a measurable economic benefit to the City of Perth and support local business?	3.63
<b>Sub total 3.63 out of 5</b>	
<b>Activation and Enhancement of the Precinct (30% weighting)</b>	
Does the project have the potential to activate and enhance a specific precinct area in the City of Perth?	4.00
To what degree does the project demonstrate strong alignment with existing public realm outcomes and design and fits within and complements existing planned City of Perth designs and works?	3.63
<b>Sub total 7.63 out of 10</b>	
<b>Community Benefits (20% weighting)</b>	
To what extent does the project provide a benefit to the wider community within the precinct?	4.00
To what extent will the project assist in the development of a strong and resilient precinct area and increase participation in community life?	3.88
<b>Sub total 7.88 out of 10</b>	
<b>Quality of Project (10% weighting)</b>	
What is the quality of the proposed project?	3.38
<b>Sub total 3.38 out of 5</b>	
<b>Community Support (10% weighting)</b>	
To what extent does the proposed project demonstrate support from local traders and business, landowners and residents?	4.13
<b>Sub total 4.13 out of 5</b>	
<b>Organisational Capacity and Project Feasibility (20% weighting)</b>	
To what extent does the applicant demonstrate feasibility to carry out the project?	3.88
Does the applicant have demonstrated evidence of having previously successfully delivered or have evidence of its ability to deliver projects?	3.63
Does the project demonstrate value for money?	3.5
Does the applicant have demonstrated evidence of their capacity to deliver and maintain the proposed project?	3.13
Does the applicant provide evidence of an appropriate evaluation method to measure the outcomes of the projects and benefits to the precinct area?	3.25
<b>Sub total 17.39 out of 25</b>	
<b>TOTAL WEIGHTED ASSESSMENT SCORE 75%</b>	

## Stakeholder engagement

Happy Heart have commenced a process of community engagement and have demonstrated the support of over thirty businesses and stakeholders in the immediate vicinity. Feedback from businesses reiterated the project objectives to support visitation and community spirit as the area moves out of the COVID-19 shutdown.

## Strategic alignment

### Strategic Community Plan

This item addresses the community’s vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Strategic Community Plan 2019 – 2029:

<b>Aspiration:</b>	Place
<b>Strategic Objective:</b>	1.1 Safe, clean and inviting public places that are well patronised and enjoyed by all; 2.8 Individual precincts enjoying a unique sense of place, bespoke service delivery and governance arrangements; and 4.6 Precincts that utilise their unique sense of place, local pride and enthusiasm to encourage investment and economic activity.

## Legal and statutory implications

### Connection with mandates in the *City of Perth Act 2016*

8(1)(h) - to nurture and support the initiatives and innovations of the diverse precincts of Perth city

## Risk implications

Impact of decision	
Organisation	Low
Community	Low

Risk domain	Consequence	Likelihood	Risk rating
Reputation and External Stakeholders	Insignificant	Rare	Low
Financial	Insignificant	Rare	Low
Service Delivery/Strategic Objectives	Insignificant	Rare	Low

### Approval implications

If this grant is not approved it is likely the Northbridge Sign would not proceed.

The provision of the grant does not replace the requirements and processes for development and planning approvals. The proposed sign is within the State-listed William Street Heritage Precinct and will require appropriate planning approval through both the City of Perth and DevelopmentWA.

The applicant will also be required to:

- enter into a deed of indemnity for the project, indemnifying the City for all liability related to the proposed sign;
- have all appropriate insurances in place prior to commencement of the project, and be able to gain all development approvals, permits and licenses; and
- provide evidence of matched funding (such as signed funding agreements).

### Financial implications

At its Ordinary Council Meeting on the 26 May 2020, Council approved a budget re-allocation of \$500,000 from the Targeted Cost Saving Initiative for Immediate COVID-19 Recovery Actions. This grant will be funded through this budget.

The total project cost for the Northbridge Precinct Improvement program is \$1.027 million, to cover the below projects:

1. Hook Lane and Lock Lane redevelopment;
2. Northbridge projections program; and
3. the Northbridge sign across William Street.

This application relates only to the third component, which has a cost of \$35,000 and represents 3.4% of the total cost of the Northbridge Precinct Improvement program being undertaken by Happy Heart Pty Ltd.

<b>Account number:</b>	PJ 13958208000007901
<b>Description:</b>	Precinct Development Grants
<b>Account type (Operating/Capital/Reserve):</b>	Operating
<b>Current budget:</b>	\$480,000
<b>Amount spent to date:</b>	\$332,071
<b>Proposed cost:</b>	\$35,000
<b>Balance remaining:</b>	\$112,929

### Policy references

18.13 – Sponsorship and Grants

The policy outlines a consistent and transparent assessment process and criteria which guides the

recommendation to Council.

**Comments**

Eligibility Criteria

Happy Heart do not meet all of the eligibility criteria for the Precinct Development Matched Funding Program as listed in the Program Guidelines. Exceptions to Guidelines are able to be considered on a case-by-case basis.

The reasons for considering an exception in this instance are detailed below:

<b>Eligibility Criteria</b>	<b>Reason for Exception</b>
<p>An organisation must be an incorporated, not-for-profit association established for the purpose of promoting the interests of a local community</p>	<p>Happy Heart is a Pty Ltd Company.</p> <p>An exception is recommended in this instance for the following reasons:</p> <p><i>1. Community Benefit</i> The proposed project will be an improvement to public space, not private property.</p> <p>The proposed project will benefit all businesses and traders in the Northbridge area and help to create a sense of community and identity for the area. This will be particularly important following COVID-19 as Northbridge as a hospitality and entertainment precinct has been particularly affected.</p> <p><i>2. Demonstration of Broad Community Support</i> Happy Heart have engaged with local businesses and demonstrated broad support of the proposed project</p> <p><i>3. Alignment with the City’s COVID-19 Rebound Strategy</i> Quick and effective responses to neighbourhood vibrancy.</p>
<p>Applicants must have submitted the application not less than four months prior to the project commencement date</p>	<p>The extraordinary circumstances associated with COVID-19 and the objective to accelerate capital and construction works and promote a return to business for Northbridge.</p>

This project has been identified as a key discretionary COVID-19 immediate recovery actions for implementation before end June 2020 to ‘announce’ the precinct for visitors, as approved by Council at its Ordinary Council Meeting held on 26 May 2020. The opportunity to partner with Happy Heart on this project provides strong community engagement outcomes and value for money as the City will be a small investor in a larger precinct improvement project.



The proposed Northbridge sign is a simple initiative to provide an immediate impact to the William Street precinct. The sign has the potential to establish a new 'Instagram-worthy' location for visitors to take photographs and help promote the Northbridge precinct.

The proposal offers a strong branding opportunity in an area where many smaller, original, alternative or newer businesses operate alongside more established venues and which have all been hit very hard by the COVID-19 shutdown due to the area's focus as a hospitality, tourism and entertainment precinct.

This is a great example of a community and business-led initiative to benefit the broader community and businesses in the area.

**Officer Recommendation and Council Resolution**

**Moved:** Commissioner Kosova  
**Seconded:** Commissioner McMath

That Council APPROVES a Precinct Development Grant of \$35,000 (ex GST) to Happy Heart Pty Ltd to support the production and installation of the Northbridge Sign.

**CARRIED 3 / 0**

**For:**  
Commissioner Hammond  
Commissioner McMath  
Commissioner Kosova

**Against:**  
Nil

**Item 13.2 – Revocation of Council Policy 14.3 De-Licencing of Underage Events**

<b>File reference</b>	P1038844
<b>Report author</b>	Pete Horgan, Environmental Health Officer
<b>Other contributors</b>	Scott Teymant, Coordinator Environmental Health
<b>Reporting Service Unit and Alliance</b>	Community Safety and Amenity, Community Development
<b>Report author disclosure of interest</b>	Nil
<b>Date of report</b>	4 May 2020
<b>Nature of Council’s role</b>	Executive
<b>Voting requirement</b>	Simple Majority
<b>Attachment/s</b>	Attachment 13.2A – CP14.3 De-Licencing of Underage Events

**Purpose**

To provide Council with information to support the revocation of CP14.3 De-Licencing of Underage Events (the policy).

**Background**

The policy was developed in 2001 to inform the City of Perth’s (City) comment on liquor licensing decisions referred to it by the Department of Local Government, Sport and Cultural Industries (Department) about juvenile events held in licensed premises.

Under Section 126B of the *Liquor Control Act 1988* (Act), the Director General of the Department may approve the provision of entertainment solely for juveniles in a licensed premise. Local governments are no longer consulted during this approval process, making the policy redundant.

**Details**

The objective of the policy is “to establish guidelines for the times that are appropriate to hold juvenile events in the City”.

The policy states the City will support:

1. *the ‘de-licencing’ of licenced premises for juvenile functions where the event finishes by 9.30pm; and*
2. *alcohol free events that involve juveniles, where the event concludes before 9.30pm.*

For the purposes of administering Section 126B of the Act, the Department’s policy ‘Juveniles present on licenced premises for reasons other than work / training policy’ lists 14 conditions typically applied

to this type of approval.

### Stakeholder engagement

No stakeholder engagement was conducted in relation to this report.

### Strategic alignment

#### Strategic Community Plan

This item addresses the community’s vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Strategic Community Plan 2019 – 2029:

<b>Aspiration:</b>	Place
<b>Strategic Objective:</b>	1.6 Thriving and sustainable cultural, artistic and heritage industries, activities and events that encourage locals and visitors to come back for more

### Legal and statutory implications

There are no legal or statutory implications associated with this report.

#### Connection with mandates in the *City of Perth Act 2016*

8(1)(e) - to promote awareness of the facilities and events provided and encourage use of them and participation

### Risk implications

Impact of decision	
Organisation	Low
Community	Low

Risk domain	Consequence	Likelihood	Risk rating
People	Minor	Unlikely	Low

### Approval implications

If Council adopts the recommendation, the policy will be removed as a Council Policy. If Council doesn’t adopt the recommendation, the policy will remain and have no impact on operations as applications for juvenile functions in licensed premises are no longer referred to the City for comment.

### Financial implications

There are no financial implications related to this report.

### Policy references

The Policy Framework states that any new or amended policy will undergo a minimum of 21 days community consultation via the website, social media and through identified stakeholder engagement. Consultation was not considered necessary for the revocation of this policy, due to procedural changes made by the Department meaning applications for juvenile functions in licenced premises are no longer referred to the City for comment.

### Comments

The recommended deletion of the policy is part of a broader policy review which provides an opportunity to ensure all council policies are relevant, contemporary and appropriate.

Officer Recommendation and Council Resolution
<p><b>Moved:</b> Commissioner Kosova <b>Seconded:</b> Commissioner McMath</p> <p>That Council <u>REVOKE</u> Council Policy 14.3 De-Licencing of Underage Events.</p> <p><b>CARRIED 3 / 0</b></p> <p><b>For:</b> Commissioner Hammond Commissioner McMath Commissioner Kosova</p> <p><b>Against:</b> Nil</p>



**Item 13.3 – Revocation of Council Policy 18.3 - Concerts at the WACA Ground**

<b>File reference</b>	P1038844
<b>Report author</b>	Pete Horgan, Environmental Health Officer
<b>Other contributors</b>	Scott Teymant, Coordinator Environmental Health
<b>Reporting Service Unit and Alliance</b>	Community Safety and Amenity, Community Development
<b>Report author disclosure of interest</b>	Nil
<b>Date of report</b>	7 May 2020
<b>Nature of Council’s role</b>	Executive
<b>Voting requirement</b>	Simple Majority
<b>Attachment/s</b>	Attachment 13.3A – CP18.3 Concerts at the WACA Ground

**Purpose**

To provide Council with information required to support the revocation of Council policy 18.3 Concerts at the WACA Ground (the policy).

**Background**

The policy is intended to provide guidance for issuing approvals under Regulation 18 of the *Environmental Protection (Noise) Regulations 1997 (the Regulations)*.

The policy does not provide any additional guidance to the City in managing event noise from the WACA Ground that is not already provided by the Regulations. In addition, after the adoption of the policy in (2004), the Regulations were amended in 2013 to include provisions for ‘venue approvals’ (regulation 19B). The ‘venue approval’ provisions introduced an option for venues such as the WACA Ground to make an application to hold an agreed number of ‘notifiable events’ within a specified period, following extensive community consultation.

**Details**

**Council Policy**

In 2004, Council adopted the policy with the objective of providing *‘guidelines on the Council’s requirements for the issuing of any exemption under Regulation 18 of the Environmental Protection Noise Regulations 1997 for concerts at the WACA ground’*.

The policy stipulates several prescriptive requirements which are unique to the WACA Ground, including:

- a maximum number of eight concerts per financial year – subject to an annual application;
- specific start and finish times for concerts;
- a maximum concert duration of four hours;
- minimum and maximum concert volumes; and
- a requirement that the WACA undertake and submit to the City annual community consultation surveys.

***Environmental Protection (Noise) Regulations 1997***

Regulation 18 of the regulations permits the City's Chief Executive Officer (CEO) to consider issuing approvals for events *"that (a) are likely to result in the emission of noise in contravention of the prescribed standard and (b) would lose its character or usefulness if it were required to comply with that standard"*.

Under the Regulations, the CEO is not to approve the holding of more than two regulation 18 approved events at a venue in any period of 12 consecutive months, unless the CEO is satisfied the majority of occupiers on whom the noise emissions will impact have no objection. Completion of a comprehensive community noise survey is the commonly accepted practice recommended by the Department of Water and Environmental Regulation's (DWER) Noise Branch to inform local government CEOs about community attitudes towards the acceptability of events.

The regulations allow the City to impose conditions that:

- limit the duration of the event, or practice and rehearsal sessions, or sound system tests;
- specify starting and completion times for the event, practice and rehearsal sessions, sound or system tests;
- specify times when facilities such as stages, temporary seating and lighting towers can be erected and dismantled; and
- specify any other requirements, including maximum allowable noise levels, considered necessary to maintain the impact of noise emissions on other premises at an acceptable level.

Since the implementation of the policy the regulations have been amended to include regulation 19B. Regulation 19B provides a statutory mechanism for venues such as the WACA to obtain a *'venue approval'* which would allow them to host an agreed number of *'notifiable events'* within a specified period. Under regulation 19B, the City can impose conditions upon individual events, or upon the venue itself. In accordance with DWER's *Guide to management of noise from sporting, cultural and entertainment venues*, a regulation 19B venue approval should span no less than three years and no more than five years, and the encumbering conditions are to be informed by a prescriptive statutory community consultation process. Effectively, these regulatory amendments supersede the policy.

**Stakeholder engagement**

The WACA Board and Cricket Australia have been consulted and have provided their support for the revocation of the policy.

The East Perth Community Group has been consulted and support the revocation of the policy.

**Strategic alignment**

Strategic Community Plan

This item addresses the community’s vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Strategic Community Plan 2019 – 2029:

<b>Aspiration:</b>	People
<b>Strategic Objective:</b>	1.6 Thriving and sustainable cultural, artistic and heritage industries, activities and events that encourage locals and visitors to come back for more

**Legal and statutory implications**

There are no adverse legal or statutory implications associated with the revocation of this policy.

Retaining the policy potentially places unfair restrictions upon events held at the WACA Ground (e.g. maximum concert duration of four hours, finish times of 10.45pm). These restrictions may be considered anti-competitive.

The policy may also be considered to conflict with section 8(1)(e) of the *City of Perth Act 2016* which aims “to promote awareness of the facilities and events provided and encourage use of them and participation”.

**Risk implications**

Impact of decision	
Organisation	Low
Community	Low

Risk domain	Consequence	Likelihood	Risk rating
People	Minor	Unlikely	Low

**Approval implications**

If Council retains the policy, the WACA Ground may become uncompetitive as a venue for hosting major events.

If Council revokes the policy, the City will be able to regulate events in accordance with regulation 19B and DWER’s *Guide to management of noise from sporting, cultural and entertainment venues*.

**Financial implications**

There are no financial implications related to this report.

**Policy references**

The City’s Policy Framework states that any new or amended policy will undergo a minimum of 21 days community consultation via the website, social media and through identified stakeholder engagement. The Administration considers that the proposed revocation of the policy requires, in accordance with the Policy Framework, public consultation to be conducted.

**Comments**

The recommended deletion of the policy is part of a broader policy review which provides an opportunity to ensure all council policies are relevant, contemporary and appropriate.

**Officer Recommendation and Council Resolution**

**Moved:** Commissioner McMath  
**Seconded:** Commissioner Kosova

That Council AGREES to INITIATE a 21-day public consultation period for the deletion of Council Policy 18.3 Concerts at the WACA Ground.

**CARRIED 3 / 0**

**For:**  
 Commissioner Hammond  
 Commissioner McMath  
 Commissioner Kosova

**Against:**  
 Nil



Item 13.4 – Major Events 2020/21

<b>File reference</b>	P1039226
<b>Report author</b>	Tabitha McMullan, Alliance Manager Activation and Cultural Experience
<b>Other contributors</b>	Erica Mueller, Events Coordinator
<b>Reporting Service Unit and Alliance</b>	Activation and Cultural Experience, Community Development
<b>Report author disclosure of interest</b>	Nil
<b>Date of report</b>	8 June 2020
<b>Nature of Council’s role</b>	Executive
<b>Voting requirement</b>	Simple Majority
<b>Attachment/s</b>	Attachment 13.4A – COVID-19 Safety Guidance: Events Attachment 13.4B – City of Perth Cultural Advisory Committee recommendations Attachment 13.4C – Comments from the COVID-19 Events, Arts and Culture Advisory Committee Nominees Attachment 13.4D – Resident and Ratepayer survey results

**Purpose**

The purpose of this report is to consider the viability of three major events due to the impacts of COVID-19, as well as their strategic relevance to the City’s economic rebound effort. Council considered the COVID-19 Economic Rebound Strategy at its Ordinary Council Meeting held on 26 May 2020 and requested additional information. In response, this report has been prepared to:

- advise Council about the risks associated with the planning and delivery of the Christmas Nativity, New Year’s Eve and Skyworks events;
- make recommendations related to the cancellation, risk mitigation strategies and/or alternatives for each of these events; and
- recommend budget allocations for the 2020/21 discretionary projects to a total of \$18,000,000 for the City’s COVID-19 Economic Rebound Strategy.

**Background**

Although the WA Government began implementing a staged lifting of COVID-19 restrictions in April, as outlined in the current COVID-19 WA Roadmap, there is no timeline within the Roadmap to indicate when events and mass gatherings will again be permitted in WA. The uncertainty around the permissibility and safety of delivering events in the future poses significant challenges for event organisers, including the City, due to the length of time involved in planning major events (usually 6 to 12 months or more).

Three of the City's major events pose the most serious risks in planning and implementation due to the mass gatherings they attract, the high financial investment required, impacts on broader City service delivery, and their social significance: Christmas Nativity, New Year's Eve and Skyworks. These events also need to be considered within the economic climate caused by the impacts of COVID-19.

In working to support businesses, ratepayers and residents impacted by COVID-19, the City developed a COVID-19 Economic Rebound Strategy, which looks to effectively deploy approximately \$18m of discretionary funds identified for COVID-19 recovery in the 2020/21 financial year.

In preparing the Strategy, the City sought feedback from key stakeholders on what is required to assist with the quick rebound of Perth's economy. Approximately 250 surveys were sent to individuals representing tourism, property, arts, culture, retail, hospitality and the community seeking feedback on the value and impact of current activities and input into new projects, initiatives, and activities in setting the priorities for 2020/21. Christmas Nativity, New Year's Eve, and Skyworks were identified as low priorities through the stakeholder engagement.

At the Agenda Briefing Session held on 19 May 2020, Commissioners recognised the significance of these long-standing events and requested a further report addressing the following matters:

- The predicted impacts of COVID-19 at that time based upon advice from the WA Chief Health Officer and the State Government COVID-19 Roadmap;
- The financial risks involved in proceeding with project planning and securing contracts for goods and services if, as a result of COVID-19, the events do not proceed;
- The economic return of each event in comparison to other City delivered events;
- Alignment with State Government post COVID-19 recovery plans;
- The social benefit of each event;
- The history of each event including patronage, changes to event scope, the cost to the City and contributions from project partners / sponsors;
- The lead time required for each event to be effectively planned and delivered;
- Alternatives for the delivery of similar events of a smaller scale should the current uncertainty on the future impacts of COVID-19 reduce lead times for planning and the procurement of goods and services; and
- Community and stakeholder feedback, including WA Police.

## **Details**

In preparing the report, a wide range of stakeholders and event partners were contacted for input, whose responses have been circulated to Commissioners under a separate cover. The full list of stakeholders contacted, with summary feedback, is included further on this report under Stakeholder Engagement.

This report has also been informed by:

- An analysis of unsolicited community sentiment from social media platforms;

- Input from other capital cities and comparative local governments also considering their major event planning in response to COVID-19;
- Survey of ratepayers and residents of the City of Perth;
- Advice from the City's Cultural Advisory Committee (Attachment 13.4C); and
- Informal comment from the members of the Events, Arts and Culture Advisory Committee (Attachment 13.4D).

The following is an analysis of the matters requested by Commissioners at the Agenda Briefing Session held on 19 May 2020. Matters common to all three events are addressed first and followed by a separate consideration of event-specific matters.

**The predicted impacts of COVID-19 at event time based upon advice from the WA Chief Health Officer and the State Government COVID-19 Roadmap.**

Advice from the WA Chief Health Officer states that while we are currently on a positive trajectory as a community, we still need to be constantly vigilant to avoid risk of further outbreaks. The physical distancing and increased hygiene measures will be a constant for some time to come. While it is too early to predict restrictions at the time of the events, the City is encouraged to consider flexible and adaptable solutions that can respond to the evolving situation.

The State Government COVID-19 Roadmap currently does not indicate when events and mass gatherings will again be permitted in WA. The WA Government has recently released the COVID-19 Safety Guidance: Events (Attachment 13.4A), to assist organisers in taking a risk-based, measured approach to the planning of events and implementation of prevention strategies likely to be required as restrictions are eased.

The COVID Safety Guidance: Events document anticipates that event organisers may be required to complete a COVID Safety Plan to mitigate the risks of COVID-19 in line with the best available health advice. The types of risk mitigation measures that are expected to be in such a safety plan are as follows:

- Physical distancing;
- Hygiene and sanitation regimes; and
- Training and education.

The document also states that:

“The decision to proceed with, restrict, modify, postpone, or cancel an event should be based on compliance with current COVID-19 related Directions (*Emergency Management Act 2005*), and the undertaking of a detailed risk assessment. Risk assessments should be conducted in partnership with local, state, and possibly national authorities, as well as mass gatherings experts.”

While State Government health authorities are unable to provide definitive advice on the predicted impacts of COVID-19 at the time of the event, they have provided clear guidelines as to the requirement for event organisers to comply with restrictions and outlined in detail how they would likely implement risk mitigation strategies. According to the COVID-19 Safety Guidance: Events, all three events in their usual formats would be considered high risk under the public health

principles related to COVID-19, which will be relevant well beyond Phase 4 of the Roadmap, as the risk of COVID-19 is likely to remain for some time.

The 9 June 2020, The Public Health Operation Centre Bulletin from the Department of Health warns that the COVID-19 fight is not over yet. The Bulletin states, “With warnings to expect a second wave of COVID-19, the potential for an overwhelming outbreak remains real.” It references advice from Dr Clare Huppatz, leading WA expert in infectious diseases: “We need to be careful and cautious about what has happened in other countries in terms of having a resurgence.” Without definitive advice about the likelihood of holding major events in December and January, we would need to plan and budget for maximum risk mitigation.

**The financial risks involved in proceeding with the project planning and securing contracts for goods and services if, as a result of COVID-19, the events do not proceed.**

The below table provides estimates of the financial risks involved in planning for the events in their usual format. The analysis is based on the following assumptions:

- costs for 2020/21 events will be increased compared to those of 2019/20 events due to additional costs related to implementing COVID Safety Plan risk mitigation measures at the events, which are calculated separately below;
- contractors will agree to contract terms dictating payment only of costs incurred up to the date of cancellation;
- contractors will be operational, available and there will be no supply-chain issues despite evidence that some event suppliers and contractors have folded due to COVID-19;
- no premium will be charged for truncated project timeframes, though last minute tenders do tend to drive up pricing for events; and
- staff costs would cease to be accrued approximately from the date of the decision to cancel or plan an alternative event.

Month of cancellation	Financial Risk to the City (cumulative total including staff costs)			
	Christmas Nativity	New Year’s Eve	Skyworks	Monthly Total (All events)
End July	\$0	\$0	\$105,000	\$105,000
End August	\$920	\$920	\$195,000	\$196,840
End September	\$2,760	\$46,260	\$315,000	\$364,020
End October	\$17,100	\$64,360	\$556,980	\$638,440
End November	\$41,960	\$135,300	\$833,960	\$985,620
End December	\$372,655	\$576,275	\$1,166,486	\$2,115,416
End January			\$2,822,663	\$3,707,193

The below table provides a further breakdown of the Skyworks estimated costs for staff time, contractors, marketing and the fireworks contractor specifically:

Month of Cancellation	Financial Risk Description	Estimated Cost
End July	Staff time	\$105,000
	<b>July Cumulative Total</b>	<b>\$105,000</b>
End August	Staff time	\$90,000
	<b>August Cumulative Total</b>	<b>\$195,000</b>
End September	Staff time	\$88,900
	Contractors	\$15,000
	Marketing	\$16,100
	<b>September Cumulative Total</b>	<b>\$315,000</b>
End October	Staff time	\$72,800
	Fireworks	\$90,980
	Contractors	\$46,000
	Marketing	\$32,200
<b>October Cumulative Total</b>	<b>\$556,980</b>	
End November	Staff time	\$86,000
	Fireworks	\$90,980
	Contractors	\$100,000
	<b>November Cumulative Total</b>	<b>\$833,960</b>
End December	Staff time	\$48,546
	Fireworks	\$90,980
	Contractors	\$193,000
	<b>December Cumulative Total</b>	<b>\$1,166,486</b>
End January	Staff time	\$80,000
	Fireworks	\$181,960
	Contractors	\$1,119,947
	Marketing	\$274,270
	<b>January Cumulative Total</b>	<b>\$2,822,663</b>

An approximate breakdown of Skyworks contractor costs is explained in the table below, based on the 2020 event (held on a Sunday). It should be noted that the 2021 event falls on a public holiday, therefore some expenses are expected to increase:

Expenditure Description	Estimated Expenditure
Event infrastructure (lighting, toilets, shade, fencing etc)	\$550,000
Fireworks	\$455,000
Traffic Management and Hostile Vehicle Mitigation	\$280,000
Entertainment (Birak Concert, Air Show & Langley Park)	\$255,000
Security services	\$180,000
First Aid and Lost Children services	\$70,000
Waste and clean-up services	\$66,000
Other expenses (signage, accessibility initiatives etc)	\$80,000

In addition to financial risks associated with cancellation (sunk costs), other financial risks associated with proceeding with event planning and delivery include:

- Funding Uncertainty:** Funding for Skyworks and New Year’s Eve is not guaranteed. In 2019/20 the City received \$435,000 for Skyworks and \$100,000 for New Year’s Eve from Lotterywest. It is important to consider that Lotterywest have replaced the program that funded both these events in the past with three programs that are aimed at assisting community in responding to COVID-19 and to COVID-19 recovery. This change, coupled with higher competition due to recent Australia Council decisions, a decreased funding pool, and changes in grant criteria all increase the risk of lost, or decreased grant revenue. Lotterywest have sent correspondence which does not provide certainty around their position on funding the two events. While the State Government has been broadly advocating for the events to continue in some form, there has been no indication that the events align well enough with State Government recovery plans for them to invest in their delivery;
- Procurement Costs:** Planning time already lost for Skyworks is likely to result in additional costs of up to \$20,000 to outsource procurement via WALGA, due to the City’s internal procurement team needing to take on other commitments, particularly in relation to an escalated capital works program for 2020/21; and
- COVID-19 Safety Measures:** Increased costs to implement COVID-19 safety measures, such as fencing to control attendee numbers; increased transport options; increased sanitary stations, toilets, food and water distribution areas; sanitation supplies; increased cleaning regimes; PPE; signage; training and education are outlined below.

Based on usual formats, the following are estimated costs to implement COVID-19 safety measures for Christmas Nativity and aspects of New Year’s Eve in their usual formats (these are included in the totals above). It is important to note that measures may not to be effective in adequately mitigating health risks for New Year’s Eve due to the crowd patterns and movement.

Requirement	Explanation	Christmas Nativity	New Year’s Eve
Fencing	To control entry/exit and capacity	\$7,000	\$7,000
Ticketing and staff	Registration manages contact tracing and capacity	\$3,500	\$7,000
Cleaners	Frequent cleaning, particularly toilets, handles etc	\$4,000	\$7,000
Sanitisers/handwash	Hands-free basins and sanitiser stations	\$4,000	\$6,000
Signage	Advice on physical distancing, hygiene etc	\$3,000	\$6,000
Contingency	New measures announced or increase staff/cleaners etc	\$5,000	\$10,000
Staff costs to coordinate	Additional staff time required to coordinate the above requirements	\$3,450	\$5,175

Security	Additional security to enforce physical distancing	\$2,125	\$5,100
<b>Total</b>		<b>\$32,075</b>	<b>\$53,275</b>

It is not possible to implement COVID-19 safety measures based on current advice for Skyworks in its usual format, for an anticipated crowd of 250,000 people. The event spans more than 10km of foreshore, therefore fencing the event to manage numbers and to achieve contact tracing of attendees is not considered feasible.

**The economic return of each event in comparison to other City delivered events.**

Christmas Nativity has the lowest economic return of any event run by the City of Perth. Activities with longer duration, spread over the CBD area, tend to have higher economic returns and positive benefits for local businesses than major events staged in an outdoor venue on one or two nights of the year. Twilight Hawkers Market has the highest economic return. (This analysis does not include City-sponsored events run by third parties).

Economic impact is measured through third-party market research specialist, Culture Counts, by surveying a statistically valid sample of attendees to estimate their individual spend into the broader local economy, because of their attendance at the event, which is then extrapolated using total attendance figures to determine a total economic impact. The economic impact is on a broad range of relevant industries and is not necessarily contained to the city’s bricks and mortar businesses, which are a key focus in the COVID-19 Economic Rebound Strategy. To calculate the economic impact of the event, only visitation attributed to the event is included.

Event	Duration (nights)	Total Cost (including staff)	Total Direct Impact	ROI (per \$ spent)
Twilight Hawkers Market 2019/20	17	\$14,000*	\$6,749,982	\$482.14
Christmas Lights Trail 2019	43	\$1,400,000*	\$6,800,000	\$4.86
Skyworks 2020	1	\$2,758,263	\$5,294,547	\$2.07
New Year’s Eve 2019	1	\$523,000*	\$1,060,364	\$2.03
Christmas Nativity 2019	2	\$340,000*	\$126,420	\$0.37

\*does not include any dedicated marketing costs – part of umbrella seasonal campaign

Source: Culture Counts

**The social benefit of each event**

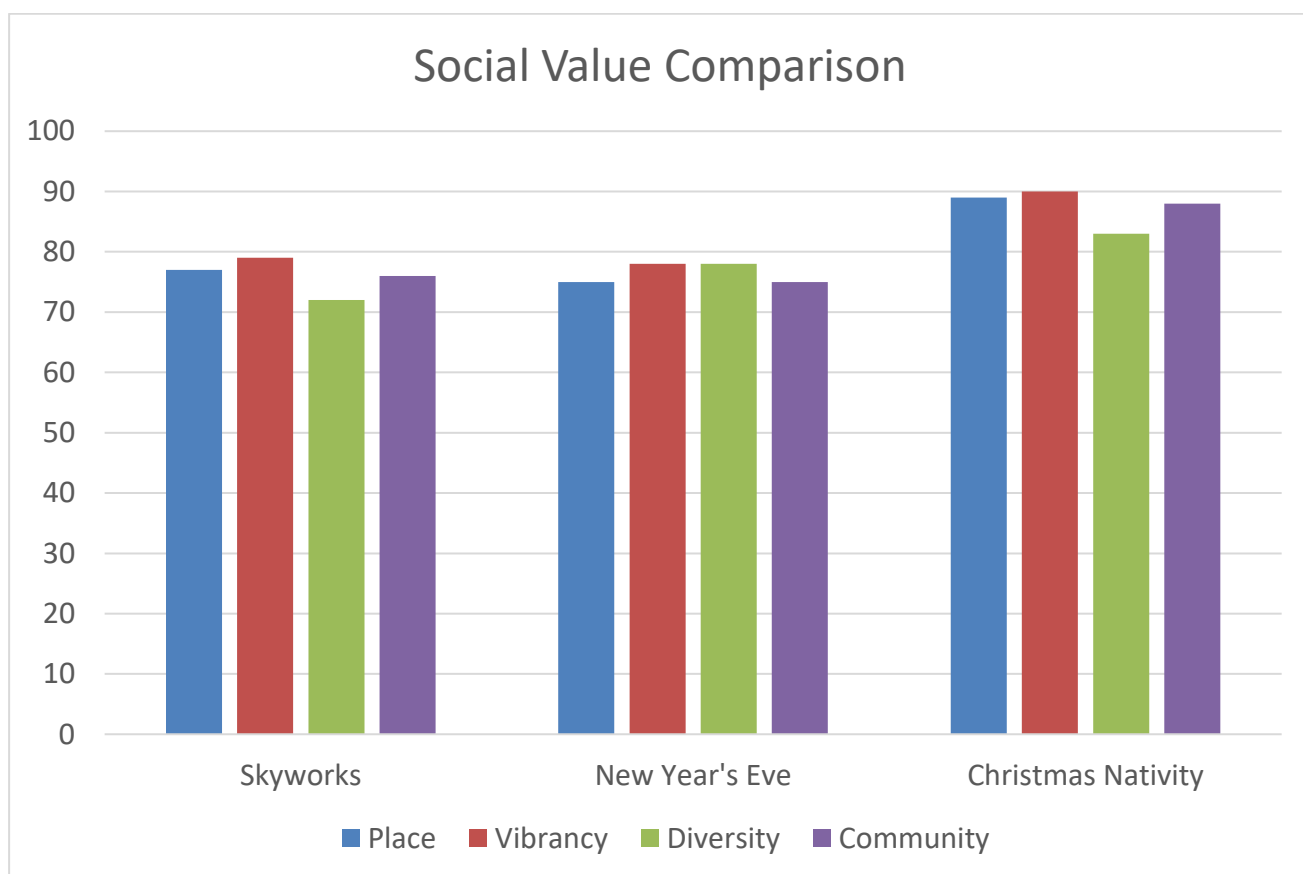
Christmas Nativity has a marginally higher social value than Skyworks and New Year’s Eve, as rated by participants, albeit it has the smallest number of attendees. Overall, each of the three events have high levels of social value.

Regardless of the activity on the day, it is important to note the social value of community celebrations and Australia Day in particular. Celebrations that reflect and include all aspects of our diverse Australian culture create social cohesion, an appreciation of the diversity of our cultural expression and a deepened sense of belonging to a shared cultural heritage. Any decision made should not lessen the City’s commitment under its Cultural Development Plan to deliver these outcomes through activation and events.

Social value is measured by capturing a statistically valid sample of attendees’ perceptions of the event via intercept surveys. The surveys use standardised and nationally benchmarked questions to explore indicators of social value such as:

- A feeling of pride of their local area caused by the event (place);
- Enjoyment of vibrancy and activity at the event (vibrancy);
- A feeling that the event engaged with people from different backgrounds (diversity); and
- A strong sense of community at the event (community).

Below is a comparison of common indicators of social value measured across all three events.



Source: Culture Counts

**Alignment with State Government Post COVID-19 recovery plans**

At this stage, there is no indication of when events and mass gatherings will again be permitted in WA. In terms of planning for and investing in events, arts and cultural activities as part of COVID-19 recovery plans, the State Government has announced:

- \$2.1 million three-year investment to maintain Regional Arts WA grant funding; and
- \$8.5 million increase to funding for local community groups.

In its publication “Setting the Scene: Partnership planning for the COVID-19 pandemic recovery,” The State Government acknowledges the significant impact that COVID-19 has had on various



industries, in particular the construction, international education, tourism, culture and the arts, sport and recreation, retail, accommodation and food services and that restoring community cohesion and resilience is crucial, achieved through active engagement in arts, culture, education, sport and recreation. The State Government has established a State Recovery Advisory Group to provide high level and strategic advice on the impacts of COVID-19 and help to guide the development of the State Recovery Plan. It has also established a series of ministerial roundtable discussions, including one on the impacts, challenges, opportunities and quick wins for the culture and arts sector in COVID-19 recovery.

The Executive Director Culture and Arts at Department of Local Government, Sport and Cultural Industries, has provided the following high-level overview of the focus for the Department in responding to the phases of recovery and planning for restarting and stimulating the cultural and entertainment sectors:

- Supporting WA artistic content development and programming, predominately local content focused, recognising that travel restrictions will impact on capacity to engage interstate and international artists;
- Supporting contemporary live music and events, including consultation on how to support these sectors and advocating for consideration of the viability of events and activities. This includes building confidence in industry safe event processes such as sanitisation, crowd management, and contact tracing;
- Charting a path to reopening and activating venues, by working closely with the Perth Theatre Trust, other venues and major festivals. This takes into account venues across the State and includes not only safe operating practices, but also planning to ensure there is a pipeline of creative production ready to be staged; and
- Longer term capacity building for development and monetising of online content within the industry.

In both the “Setting the Scene” and “COVID-19 Safety Guidelines – Events” the State encourages a cautious and flexible approach to planning, ensuring that any plans put in place are able to adapt as much as possible to changing conditions and restrictions.

In summary, alignment with State Government Post COVID-19 recovery plans would broadly see the City building confidence in safe event practices in line with health advice, focusing on supporting and engaging local cultural practitioners and content, and providing as much clarity as early as possible by planning for events that are adaptable and responsive to changing conditions and restrictions.

**Individual Event Analysis - Christmas Nativity**

**The history of each event including patronage, changes to event scope, the cost to the City and contributions from project partners / sponsors**

<b>Christmas Nativity Overview</b>	
Established	Around 1996
Patronage (2019/20)	10,300
History	Christmas Nativity is a free concert that brings the traditional story

	<p>of Christmas to life on stage with 100 performers, live animals and Christmas carols. This annual family event attracts 10,000 people across two evenings who bring picnic rugs and chairs to Supreme Court Gardens.</p> <p>Prior to 2017, Christmas Nativity was held in Forrest Place with 2,200 plastic chairs provided as seating, in addition to permanent seating and standing room. This caused a lot of congestion, which increased the risks to the safety of the crowd, prompting a venue shift.</p>		
Changes to Scope	Minor (venue)		
Event Cost * *Excluding staff costs	<b>Year</b>	<b>Amount</b>	<b>Contributions</b>
	2019/20	\$330,000	Nil in any year
	2016/17	\$248,839	
	2013/14	\$230,750	
	2010/11	\$177,500	
	2005/06	\$105,000	
	2001/02	\$57,382	
<p>Budget Notes: The event cost has almost doubled in 10 years. One of the main reasons is stricter event compliance requirements, which have significantly increased from a decade ago and include such considerations as hostile vehicle mitigation; disability, access and inclusion; sustainability and recycling; and security.</p>			
Lead time required for effective planning and delivery.	Minimum Lead Time		Ideal Lead Time
	Five months (from mid-July)		Six months (from mid-June)

**Alternatives for the delivery of a similar Christmas Nativity event of a smaller scale should the current uncertainty on the future impacts of COVID-19 reduce lead times for planning and the procurement of goods and services**

Two alternative options for smaller scale events are:

1. Leveraging the Christmas Lights Trail; and
2. Support community groups to conduct neighbourhood nativity events

In an effort to decrease the risk associated with mass gatherings and leverage the significant investment made by the City and stakeholders into the Christmas Lights Trail, there is the opportunity to include a Nativity-scene/s in the scheduled Christmas Projections on St Georges Cathedral. This would ensure visitors can take in a traditional Christmas narrative, but in a way that encourages movement throughout the city. Many more members of the community would be able to enjoy this digital retelling of the traditional Christmas story for over 38 consecutive nights (45 nights if the alternative New Year’s Eve concept is approved) rather than 10,000 people over just two nights as is the case with the event in its usual format.

In addition to this, Council could encourage community organisations to apply for grants to deliver traditional Christmas community events, which could be integrated into the Christmas Lights Trail experience or held in residential neighbourhoods as stand-alone events.

Together these options provide good value for money, continue to celebrate the nativity, disperse visitors throughout the city, build a sense of community in neighbourhoods, and support bricks and mortar retail and hospitality businesses throughout the city centre.

<b>Item</b>	<b>Cost</b>	<b>Comments</b>
Nativity Projections	\$0	Accommodated in the current budget for the Christmas Lights Trail
Event sponsorship	Subject to applications received, assessed and approved	Accommodated within the current Grants program
<b>Total</b>	<b>\$0</b>	

**Considerations**

- Current sponsorship guidelines only allow the City to fund 30% maximum of an event budget. The community organisations would need to be able to fund the other 70%;
- The public may expect a dedicated Christmas Nativity event from the City, however, attendance and economic return are lowest for this event and therefore it poses the least risk in scaling down significantly; and
- Many local governments and community groups throughout metropolitan and regional suburbs provide traditional Christmas events, which is likely a factor in the relatively low attendance numbers for this event.

**Planning time required**

N/A – Business as usual

**Community and stakeholder feedback on the Christmas Nativity, including from WA Police.**

Stakeholders are generally supportive of an alternative solution to the Christmas Nativity, as indicated in written responses from the City’s Cultural Advisory Committee (Attachment 13.4B) and nominees of the COVID-19 Events, Arts and Culture Advisory Committee (Attachment 13.4C).

Feedback from City residents and ratepayers does not provide an overwhelming majority view on whether or not the event should proceed or be replaced with an alternative; there is generally divided opinion. The results indicate that 44% of respondents believe Christmas Nativity should go ahead, while 43% do not and 13% are undecided. Additionally, 44% would support a smaller scale event going ahead instead (as opposed to 32% who would not and 25% who are unsure). A strong majority of people would only attend an event of this size on government advice. (See details in Attachment 13.4D)

WA Police have echoed the sentiment and advice provided in the COVID-19 Safety Guidance: Events stating that, “Limiting attendance to identified areas at a free large-scale event would require a significant security presence well exceeding normal practice.” Their detailed response goes on to state that police resources would be severely impacted and detract from core functions if required to enforce physical distancing on a large scale. Planning a policing response for Christmas Nativity would take 8 to 10 weeks.

**Individual Event Analysis – New Year’s Eve**

**The history of each event including patronage, changes to event scope, the cost to the City and contributions from project partners / sponsors**

<b>New Year’s Eve Overview</b>			
Established	Around 1992		
Patronage (2019/20)	40,000		
History	<p>The streets are closed each year to ensure safe New Year’s Eve celebrations are facilitated in Northbridge. Entertainment from 6pm includes three stages of entertainment for all ages at the Perth Cultural Centre and Yagan Square. A discount fun fair runs all night, street activation including a curated buskers program entertains on the streets before the kid’s countdown and fireworks at 9pm. The official countdown at midnight brings in the new year with fireworks launched from five locations.</p> <p>Before this, a family concert was held in Forrest Place on New Year’s Eve since at least 1992. By 1999, there were simultaneous celebrations occurring in Northbridge and Forrest Place. Forrest Place was replaced by the Perth Town Hall from 2001 to 2006, while Northbridge celebrations continued. A constant over the history of the event has been that roads have been closed for public safety and increased amenity. Hostile Vehicle Mitigation is a new addition in recent years.</p>		
Changes to Scope	Moderate (venue, format)		
Event Cost *	<b>Year</b>	<b>Amount</b>	<b>Contributions</b>
*Excluding staff costs	<b>2019/20</b>	\$485,000	\$115,000
	<b>2018/19</b>	\$320,000	\$50,000
	<b>2016/17</b>	\$298,997	
	<b>2013/14</b>	\$238,900	
	<b>2010/11</b>	\$181,700	
	<b>2005/06</b>	\$220,861	
	<b>2001/02</b>	\$60,132	
<p>Budget Notes: The event cost has increased by over 160% since 2010. One of the main reasons is stricter event compliance requirements, which have significantly increased from a decade ago and include such considerations as hostile vehicle mitigation; disability, access and inclusion; sustainability and recycling; and security. The introduction of fireworks and additional entertainment locations have also increased costs.</p> <p>As described above, there is no certainty regarding the \$100,000 in funding provided by</p>			

Lotterywest in 2019/20. It is worth noting that Christmas Lights Trail also traditionally receives \$150,000 funding from Lotterywest and it may be strategic to apply for one project and not the other.

In 2019, DevelopmentWA contributed Yagan Square venues in-kind as well as \$15,000 cash to the event. They have indicated in their correspondence that they are “prepared to make a significant financial contribution” to the 2020/21 event.

Lead time required for effective planning and delivery	Minimum Lead Time	Ideal Lead Time
	Six months (from 1 July)	Nine months (from 1 April)

**Alternatives for the delivery of a similar New Year’s Eve event of a smaller scale should the current uncertainty on the future impacts of COVID-19 reduce lead times for planning and the procurement of goods and services**

An alternative option for a smaller scale New Year’s Eve event comprises the following key components, developed in consultation with the City’s relevant advisory committees, DevelopmentWA and WA Museum:

1. Close off streets in Northbridge for public safety and increase activation of this key entertainment precinct. This would need to include Hostile Vehicle Mitigation measures;
2. Rooftop fireworks in seven locations at 9pm and midnight with multiple viewing areas to discourage mass gatherings in one location, with the potential to include CBD and Elizabeth Quay locations;
3. Extend the dates of the Christmas Lights Trail by one week to include New Year’s Eve. Traditionally, the Christmas Lights Trail includes installations across the city for visitors to explore, including in key Northbridge areas (Yagan Square, Perth Cultural Centre and Northbridge Piazza);
4. Program street-level activation in key Northbridge locations such as roving entertainment, buskers or additional installations (e.g. giant 2021 numbers);
5. Drive visitation into bricks and mortar businesses via campaign messaging;
6. Strategic partnership with the WA Museum for early evening family activation in Perth Cultural Centre including:
  - a. Museum to remain open until 9pm on 31 December 2020;
  - b. Launching fireworks from the Museum rooftop (pending technical feasibility);
  - c. Activating the “City Room” space (acts as an interface from the Museum to the PCC and is accessible 24/7) with activities that connect and reflect on key Museum themes;

The Museum is supportive of exploring other opportunities to leverage the New Year’s Eve event including the potential use of the “Museum in a Container”. The Museum would in principle support a request for contribution to co-deliver the activation; and

7. Potential to collaborate with an amusement provider to offer a ticketed fun fair at no cost to the City (subject to COVID-19 restrictions at the time).

New Year’s Eve is traditionally a night when many people come into Northbridge and surrounds to enjoy the entertainment and hospitality precincts. Streets are closed every year to ensure the safety and easy flow of pedestrians as they move from venue to venue. Unless COVID-19

restrictions revert to *Roadmap* phase one levels in January, it is quite likely that large numbers of people will come out to celebrate New Year’s Eve.

The primary aim of any event or activation on New Year’s Eve 2020 should therefore be to manage crowds in line with health advice and support local businesses to both cope with and capitalise upon visitation in a safe manner, providing a positive experience for patrons. The alternative option avoids traditional entertainment stages, which would only encourage congregation and mass gathering.

Item	Cost	Comments	Potential Contribution
Road closures	\$25,000	Northbridge streets only	
Hostile Vehicle Mitigation	\$40,000	Northbridge streets only	
Fireworks	\$140,000	Rooftop fireworks – seven locations	Potential DevelopmentWA or corporate support if launched from EQ
Facilities and Services	\$35,000	First aid, toilets, drinking water, basic security, bins	
Street level activation	\$25,000	Roving, buskers, 2021 numbers etc	DevelopmentWA have previously provided \$15,000 and have indicated significant support for an event in 2020
Family activation with WA Museum	\$10,000	Activity TBC based on restrictions; link to museum themes of Aboriginal history.	WA Museum in principle supports a request for contribution
Christmas Lights Trail extension	\$100,000	Estimated costs, including security.	
COVID-19 safety requirements.	\$25,000	Approximate based on current health advice.	
Contingency (5%)	\$15,000		
<b>TOTAL</b>	<b>\$415,000</b>		

**Assumptions**

- That bars, clubs and restaurants will be ‘back to normal’ capacity (or close-to) to require the road closures and Hostile Vehicle Mitigation measures.

**Considerations**

- Moving the dates of the Christmas Lights Trail (but keeping the duration the same) may adversely impact pre-Christmas trade for the retail sector, so the proposal is to extend, rather than shift the dates, at an additional cost of approximately \$100,000;

- The alternative proposal addresses the risk of increased anti-social behaviour due to insufficient entertainment and activation and roads remaining open to traffic. WA Police have previously advised that closing roads and providing activation are key in mitigating anti-social behaviour. WA Police may be interested in supporting the event, given enough lead time and capacity for rostering enough officers;
- Many people visit Northbridge on New Year's Eve without knowing the program, with the expectation that there will be entertainment in the city, so it will be important to manage expectations and work closely with business owners to ensure a positive experience; and
- There is significant interest from WA Museum and DevelopmentWA to partner on this event. There is a further opportunity to approach other key Northbridge stakeholders regarding partnership to amplify the event, such as other Perth Cultural Centre institutions and WA Music.

**Planning time required for alternative option** - minimum 3.5 months for core event planning (note that a decision to extend the trail needs to be made no later than 31 August to inform contracts, event promotion and stakeholder consultation).

#### **Community and stakeholder feedback on New Year's Eve, including WA Police**

Stakeholders are generally supportive of an alternative solution to the traditional New Year's Eve event, as indicated in written responses from the City's Cultural Advisory Committee (Attachment 13.4B) and nominees of the COVID-19 Events, Arts and Culture Advisory Committee (Attachment 13.4C). In addition to general support for the proposed options, WA Museum and DevelopmentWA have expressed their interest in partnering with the City to deliver the alternative event, providing in-principle financial and in-kind support.

Feedback from City residents and ratepayers does not provide an overwhelming majority view on whether or not the event should proceed or be replaced with an alternative; there is generally divided opinion. The results indicate that 46% of respondents believe New Year's Eve should *not* go ahead, while 41% think it should proceed and 13% are undecided. Additionally, 39% would support a smaller scale event going ahead instead (as opposed to 36% who would not and 25% who are unsure). A strong majority of people would only attend an event of this size on government advice, with the second most common answer being that they would never feel comfortable attending an event of this size (21%). (See details in Attachment 13.4D)

As mentioned above, WA Police have echoed the sentiment and advice provided in the COVID-19 Safety Guidance: Events. Planning any event on New Year's Eve, traditionally one of the busiest nights of the year, will require close collaboration with the WA Police to ensure the event format matches the police resources available under the conditions at the time. Their detailed response states that planning a policing response for New Year's Eve would take 8 to 10 weeks.

Individual Event Analysis – Skyworks

The history of each event including patronage, changes to event scope, the cost to the City and contributions from project partners / sponsors

<b>Skyworks Overview</b>									
Established	1986								
Patronage (2019/20)	250,000								
History	<p>Skyworks fireworks display is the keystone component of a major community event to celebrate Australia Day in Perth city. Throughout the afternoon hundreds of thousands of people arrive at Langley Park and Supreme Court Gardens, Matilda Bay foreshore, South Perth foreshore, Victoria Park, Kings Park and onto the surrounding Swan River in boats to take in the air show and a wide range of free, family-friendly entertainment, including the Birak concert, which is a celebration of Aboriginal culture through contemporary music and yarning. Event planning typically begins in March, with stakeholder meetings commencing from May involving over 70 agencies.</p> <p>Skyworks started in 1985 with 25,000 people attending at The Esplanade (now Elizabeth Quay) first organised by radio station 96fm and called 'Skyshow'. In 1986, the event quickly grew and attracted 100,000 people. The City of Perth took over as primary organiser of the event in 1997 and renamed the event 'Skyworks'. Attendance numbers peaked at an estimated 400,000 around 2009 before becoming steady year-on-year between 250,000 and 300,000. This was due to the introduction of many suburban Australia Day Celebrations (Armadale, Fremantle, Bassendean etc). 2020 was the 36<sup>th</sup> annual event with the only cancellation occurring in 2017 at 6pm on the day of the event as the direct result of a light plane crash in the Swan River.</p> <p>In 2000, the City of Perth encouraged the Coalition of Peoples, the organisers of the annual Indigenous Survival Concert (now Birak Concert), to relocate the concert from Wellington Square to the foreshore to participate in the Australia Day celebration as part of the wider Western Australian community. The "Survival Concert" had been held in Supreme Court Gardens on 26 January from 2001 to 2006. The City of Perth took over coordination from 2007 when current organisers were unable to continue.</p>								
Changes to Scope	Major (attendees, scale, cultural considerations, delivery model)								
Event Cost * *Excluding staff costs	<table border="1"> <thead> <tr> <th>Year</th> <th>Amount (Shown at approximately three-year intervals to illustrate changes over time)</th> </tr> </thead> <tbody> <tr> <td>2019/20</td> <td>\$2,258,263</td> </tr> <tr> <td>2016/17</td> <td>\$1,749,647</td> </tr> <tr> <td>2013/14</td> <td>\$1,763,247</td> </tr> </tbody> </table>	Year	Amount (Shown at approximately three-year intervals to illustrate changes over time)	2019/20	\$2,258,263	2016/17	\$1,749,647	2013/14	\$1,763,247
Year	Amount (Shown at approximately three-year intervals to illustrate changes over time)								
2019/20	\$2,258,263								
2016/17	\$1,749,647								
2013/14	\$1,763,247								



	<b>2010/11</b>	\$1,568,409		
	<b>2005/06</b>	\$963,000		
	<b>2001/02</b>	\$681,828		
Event Contributions	<b>Year</b>	<b>Cash Contribution*</b>	<b>Revenue**</b>	<b>Total</b>
	<b>2019/20</b>	\$444,000	\$3,000	\$447,000
	<b>2018/19</b>	\$435,000	\$3,000	\$438,000
	<b>2017/18</b>	\$435,000	\$3,000	\$438,000
	<b>2016/17</b>	\$500,000	\$2,000	\$502,000
	<b>2015/16</b>	\$500,000	\$2,000	\$502,000
	<b>2014/15</b>	\$500,000	\$6,500	\$506,500
	<b>2013/14</b>	\$560,000	\$3,500	\$563,500
	<b>2012/13</b>	\$507,000	\$8,243	\$515,243
	<b>2011/12</b>	\$507,000	\$155,045	\$662,045
	<b>2010/11</b>	\$507,000	\$170,000	\$677,000
	*Contribution = grants, sponsorships, cash contributions from surrounding local governments			
**Revenue = license fees for catering and merchandise, corporate box sales, advertising sales in liftout, activations				
<p><i>Budget Notes:</i> The event cost has more than tripled since inception. Hostile vehicle mitigation for such a large crowd is a significant factor in the increasing costs, among other stricter event compliance requirements, which include such considerations as disability, access and inclusion; sustainability and recycling; and security.</p> <p>Contributions and revenue have both decreased over time, as costs continue to increase. There is currently no certainty regarding the \$435,000 in funding provided by Lotterywest in 2019/20. It is worth noting that Christmas Lights Trail also traditionally receives \$150,000 funding from Lotterywest and it may be strategic to apply for one project and not the other.</p>				
Lead time required for effective planning and delivery.	Minimum Lead Time		Ideal Lead Time	
	7 months (from 26 June)		10 months (26 March)	

**Other Contributions from project partners/sponsors**

In earlier years, other local government authorities such as City of South Perth and Town of Victoria Park received maintenance costs from the City for costs incurred on their land (such as clean-up and rangers). Over the years the support has grown with these councils now covering these costs and more (such as road closures) themselves. The City still funds bins, toilets and emergency services infrastructure on other authority’s land.

The following is representative of contributions from project partners/sponsors in 2020:

Partner/Sponsor Name	Contribution	Cash / In-kind / Partner
Lotterywest	\$435,000	Cash
City of South Perth	\$9,000	Cash
Channel Nine	Commercial in confidence	In-kind

Mix94.5	Commercial in confidence	In-kind
City of South Perth	\$864,000	Cost Incurred by Partner
Kings Park (Department of Biodiversity Conservation and Attractions)	\$12,200	Cost Incurred by Partner
Town of Victoria Park	\$8,600	Cost Incurred by Partner
Crawley/Matilda Bay (DBCA)	\$3,500	Cost Incurred by Partner

**Alternatives for the delivery of similar events of a smaller scale should the current uncertainty on the future impacts of COVID-19 reduce lead times for planning and the procurement of goods and services**

An alternative option for a smaller scale Australia Day event comprises the following key components, developed in consultation with the City’s relevant advisory committees:

1. Birak Concert at Supreme Court Gardens (celebration of Aboriginal culture through music, dance, art and food). Due to its smaller scale relative to Skyworks as a whole, this event could feasibly be restaged in a manner that complies with COVID-19 safety guidelines and risk mitigation strategies. The City is traditionally not the only investor in this event, so the financial risks are lessened by being shared;
2. A small series of small-scale family events or activations dispersed throughout the city, delivered in partnership with businesses;
3. Aussie Day themed Twilight Hawkers Market and Perth Home Grown Market;
4. Lighting of City-managed and other buildings and assets with colours of the Australian and Aboriginal flag and other appropriate lighting displays;
5. City of Perth Library programming in the week before/after (closed on public holidays);
6. Neighbourhood grants for community events (subject to application, assessment and approval process); and
7. Promotion and campaign messaging to drive visitation.

Traditionally, the Skyworks fireworks display is the biggest draw card for the Australia Day event as evidenced by crowd numbers peaking just before and dispersing out of the city very shortly after the display is complete. As described in the risk sections above, it would be unfeasible to implement any COVID-19 risk mitigation strategies that would effectively manage a crowd of 250,000 or more.

The main strategy for an alternative activation or event on Australia Day would be to disperse visitors throughout the city to experience a range of cultural and family-friendly activities that celebrate the diversity of Perth and Western Australia, through passive engagement wherever possible. This will have significant positive flow-on effects for local traders as well. The proposed alternative Australia Day Celebration program avoids the main fireworks attraction, which would only encourage congregation and mass gathering at unmanageable levels.

**Budget**

Item	Cost	Comments
Birak Concert	<b>\$150,000</b>	Programming, production, services and infrastructure, hostile vehicle mitigation etc
Birak Concert COVID-19 safety measures (based on current health advice)	\$7,000	Fencing to control entry/exit and keep event within restricted venue capacity.
	\$3,000	Ticketing and staff required to control numbers and for contact tracing on the basis that it is free registration
	\$3,000	Cleaners to undertake frequent cleaning, particularly toilets, handles etc.
	\$2,500	Hand wash basins and sanitiser stations, hands-free basins at toilet blocks, sanitiser stations at entry/exit and throughout.
	\$1,000	Signage to provide an education tool to advise of restrictions, key messages etc.
	\$3,500	Contingency, price increases, new measures required, etc.
	<b>\$20,000</b>	<b>Sub Total - COVID-19 Safety measures</b>
Small-scale family events	<b>\$50,000</b>	Numerous across the city.
Aussie themed markets	<b>\$0</b>	Accommodated within the Markets budgets.
City lighting	<b>\$0</b>	BAU no additional financial implications.
Library programming	<b>\$0</b>	BAU no additional financial implications.
Neighbourhood grants	<b>\$0</b>	Accommodated within the current Grants program.
Marketing campaign	<b>\$0</b>	Accommodated within the current Marketing budget.
<b>Total</b>	<b>\$220,000</b>	
Budget Notes: The contracted coordinator of the Birak Concert is expected to source additional sponsorship for this event. In previous years this has been a minimum of \$40,000 plus in-kind support.		

**Assumptions**

- The Australia Day Citizenship Ceremony will proceed as an invitation-only event;
- Fireworks can't be included over the river or crowds will be too difficult to manage; and
- Retailers will open on the public holiday to make the markets worthwhile.

**Considerations**

- Controversial issues that traditionally surround Skyworks such as change the date and concerns related to fireworks (including environmental concerns and sensitivities around bushfire seasons) have not been taken into account and should be considered separately to any decision related to the impacts of COVID-19.

Planning time required – minimum of five months

**Community and stakeholder feedback on Skyworks, including WA Police**

Stakeholders are generally supportive of an alternative solution to the traditional Skyworks event, as indicated in written responses from the City’s Cultural Advisory Committee (Attachment 13.4B) and nominees of the COVID-19 Events, Arts and Culture Advisory Committee (Attachment 13.4C), except for the Australian Hotels Association, which feels strongly that the traditional Skyworks event is an important boost for hotel stays at that time of year.

Feedback from City residents and ratepayers does not provide an overwhelming majority view on whether or not the event should proceed or be replaced with an alternative; there is generally divided opinion. The results indicate that 46% of respondents believe Skyworks should *not* go ahead, while 45% think it should proceed and 9% are undecided. Additionally, only 31% would support a smaller scale event going ahead instead (as opposed to 48% who would not and 21% who are unsure). A strong majority of people would only attend an event of this size on government advice, with the second most common answer being that they would never feel comfortable attending an event of this size (26%). (See details in Attachment 13.4D).

WA Police have echoed the sentiment and advice provided in the COVID-19 Safety Guidance: Events stating that, “Limiting attendance to identified areas at a free large-scale event would require a significant security presence well exceeding normal practice.” Their detailed response goes on to state that police resources would be severely impacted and detract from core functions if required to enforce physical distancing on a large scale. This is particularly relevant for Skyworks, which already requires the WA Police Force to dedicate considerable resources to planning the police commitment, consulting with event stakeholders and providing policing resources on the day. Planning a policing response for Skyworks would take 16 weeks.

**Stakeholder engagement**

The priorities that underpin the project prioritisation and budget allocation for the COVID-19 Economic Rebound Strategy were first informed by an initial consultation process whereby the City sought the feedback of its key stakeholders on what is required to assist with the rebound of Perth’s economy. Close to 250 surveys were sent out and open for feedback between 1 May 2020 and 10 May 2020. A total of 74 valid responses were returned with feedback. This gives a 30 per cent response rate, which is well within the statistical requirements for a trustworthy sample.

This initial feedback was augmented by further extensive stakeholder and community consultation to inform the recommendations in this report. Actions and outcomes can be summarised as follows:

Stakeholder	Engagement Tactic	Engagement Goal and Outcome
Residents and Ratepayers	Survey	<i>Consult</i> Refer to Attachment 13.4D
WA Chief Health Officer	Letter	<i>Consult</i> Physical distancing and increased hygiene measures

		will remain for some time to come. Encourages the City to consider flexible options and contingencies that are adaptable.
State Government, (DLGSC, DPC)	Phone Meeting	<i>Consult</i> Building confidence in safe event practices in line with health advice, focusing on supporting and engaging local cultural practitioners and content, and providing as much clarity as early as possible by planning for events that are adaptable and responsive to changing conditions and restrictions.
WA Police	Letter	<i>Consult</i> Event organiser is responsible for ensuring physical distancing. Police resources would be severely impacted and detract from core functions if required to enforce physical distancing on a large scale. Planning time required: Skyworks (16 weeks); New Year’s Eve and Nativity (8-10 weeks).
Media Partners (Mix 94.5, Channel 9)	Letter	<i>Consult</i> Latest date to commence planning is 31 October (Channel Nine) and 1 August (mix94.5). Supportive of the event proceeding, if aligned with health advice.
City of South Perth	Letter	<i>Consult</i> Latest date to commence planning is August. The Skyworks decision and availability of Lotterywest funding will inform the future of the Celebration Zone.
Funding Partner (Lotterywest)	Letter	<i>Consult</i> There are three grant programs for responding to COVID-19 and recovery available with a framework for 2020-21 being considered. Eligibility of proposed events not yet clear.
Cultural Advisory Committee	Workshop	<i>Collaborate</i> Refer to Attachment 13.4B
COVID-19 Events, Arts and Culture Advisory Committee Nominees	Workshop	<i>Collaborate</i> Refer to Attachment 13.4C
DevelopmentWA	Phone Meeting	<i>Collaborate</i> Supportive of New Year’s Eve proceeding. Prepared to make a significant contribution.
WA Museum	Phone Meeting	<i>Collaborate</i> Supports the alternative proposal for New Year’s Eve and in principle supportive of contribution requests.
Capital City Local Governments		<i>Consult</i> Decisions on major events to be made July/ August. Other events proposed to proceed in alternative formats.

Major Contractors (Fireworks etc)	Email	<i>Consult</i> Prepared to commence planning later in 2020, on a costs incurred to date basis.
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Other Consultation Considerations:

General Perth Population	Social Media Sentiment Analysis 22 May 2020	At the time of the initial media coverage in late May related to the decision to proceed with major events or not, the community sentiment across social media regarding this issue was primarily focused on Skyworks and overwhelmingly supportive of a decision to cancel Skyworks. No further social media commentary on this issue of any significance has been made since.
	ABC Subscriber Poll	<i>"Should next year's Skyworks go ahead?"</i> 4,800 votes 70% voted 'No' 30% voted 'Yes'

**Strategic alignment**

Strategic Community Plan

This item addresses the community's vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Strategic Community Plan 2019 – 2029:

<b>Aspiration:</b>	People
<b>Strategic Objective:</b>	1.6 Thriving and sustainable cultural, artistic and heritage industries, activities and events that encourage locals and visitors to come back for more
<b>Aspiration:</b>	Prosperity
<b>Strategic Objective:</b>	4.8 Iconic signature events positioned strategically to create a vibrancy that attracts intrastate, interstate and international visitors

The COVID-19 Economic Rebound Strategy discretionary operating projects deliver across multiple areas of the City's Strategic Community Plan and will impact the delivery all six the Aspirations (People, Place, Planet, Prosperity, Performance, Partnership) in various ways.

The alternative events proposed in this report will also deliver across multiple Aspirations, though primary on People and Prosperity through engaging visitors in cultural events and activities that will have positive flow-on impacts on city vibrancy and the local economy.

**Legal and statutory implications**

There are no legal or statutory implications related to this report.

Connection with mandates in the *City of Perth Act 2016*

8(1)(g) - to strengthen Perth's reputation as an innovative, sustainable and vibrant city that attracts and welcomes all

**Risk implications**

Impact of decision	
Organisation	High
Community	High

These are the risks associated with proceeding with all three events as per usual compared to the alternative event formats proposed above.

**Christmas Nativity**

Risk domain	Current Event Format (BAU)			Alternative Event Format Proposed		
	Consequence	Likelihood	Risk rating	Consequence	Likelihood	Risk rating
People	Major	Unlikely	Medium	Minor	Unlikely	Low
Reputation and External Stakeholders	Minor	Unlikely	Low	Minor	Likely	Medium
Service Delivery/ Strategic Objectives	Moderate	Likely	High	Minor	Likely	Medium
Financial	Minor	Possible	Medium	Insignificant	Rare	Low

**New Year's Eve**

Risk domain	Current Event Format (BAU)			Alternative Event Format Proposed		
	Consequence	Likelihood	Risk rating	Consequence	Likelihood	Risk rating
People	Major	Possible	High	Major	Unlikely	Medium
Reputation and External Stakeholders	Moderate	Likely	High	Minor	Possible	Medium
Service Delivery/	Minor	Likely	Medium	Minor	Likely	Medium

Strategic Objectives						
Financial	Minor	Possible	<b>Medium</b>	Minor	Unlikely	<b>Low</b>

**Skyworks**

	Current Event Format (BAU)			Alternative Event Format Proposed		
Risk domain	Consequence	Likelihood	Risk rating	Consequence	Likelihood	Risk rating
People	Catastrophic	Unlikely	<b>High</b>	Major	Rare	<b>Medium</b>
Reputation and External Stakeholders	Major	Almost certain	<b>Extreme</b>	Moderate	Almost certain	<b>High</b>
Service Delivery/ Strategic Objectives	Moderate	Almost certain	<b>High</b>	Minor	Almost certain	<b>Medium</b>
Financial	Moderate	Possible	<b>Medium</b>	Minor	Unlikely	<b>Low</b>

**Risk Summary Narrative:**

**People:** COVID-19 is estimated to have an approximate fatality rate of 1.3% in Australia and an exponential infection rate over time, unless strict control measures are followed. As a result, there is no indication of when events and mass gatherings will again be permitted in WA. Preliminary advice provided by the WA Chief Health Officer and the COVID-19 Safety Guidance: Events is outlined above and in Attachment 13.4A and Attachment 13.4B. The current recommended risk mitigation measures would be impossible or very costly to implement for these events (as outlined above). The risk to public health would be high for Skyworks and New Year’s Eve and medium for Christmas Nativity, should these events go ahead in their usual formats under current circumstances.

**Reputation and External Stakeholders:** Past experience has shown that any proposed changes to the delivery of these three events has resulted in significant public outcry and negative state level media coverage. However, in the case of Skyworks, when the event does run as planned, there is also traditionally some level of outcry due to cultural and environmental concerns associated with the history of 26 January and large-scale fireworks during bush fire season respectively. In summary, whatever decision is made in relation to these events will likely result in some level of negative media coverage and public sentiment, particularly from residents and ratepayers, which survey results have shown to be divided on the issue of whether Skyworks should go ahead in its current form (46% against and 45% for). According to the ABC poll, the broader public is more clearly against Skyworks proceeding (70% against 30% for).

**Service Delivery/Strategic Objectives:** The main impacts on service delivery are in relation to



procurement, however, there are also impacts on delivery of services across activation, cultural experience, economic development, marketing communications, community amenity, health, activity approvals, safety, transport, waste, cleansing and parking management, as these services are under additional strain to meet demand imposed by responding to COVID-19 and would also be key services involved in delivering these three events (particularly Skyworks). It is likely that at least some of these services would see service disruptions or customer complaints during a compressed planning and delivery timeframe for these events.

In terms of procurement, on average a normal tender takes around nine weeks, but can take up to 17 weeks if there is significant demand. The volume of tenders required for these events (7-10) could pose a capacity issue, particularly at a time when the City is embarking on an ambitious capital works program for 2020/21. Calling so many tenders with reduced timelines means other projects may be delayed.

Strategic objectives that may be impacted include the delivery of the Neighbourhood Approach, as interdependent resources are allocated to this project and event delivery, as well as the COVID-19 Economic Rebound Strategy, which is highly dependent on discretionary operating budget.

**Financial:** Financial risks have been outlined above in detail; in sum the biggest financial risk is associated with cancellation (sunk costs). Another key consideration is the opportunity cost that results from investing in planning for these events; at least five FTE and hundreds of thousands of dollars within the first two months alone that could be deployed to higher priorities.

### **Approval implications**

As outlined in the Risk Implications section, there are significant health, reputational, service delivery, strategic and financial risks associated with any decision made in relation to these three major events. Officers have considered community sentiment, extensive stakeholder feedback, professional advice, and the complex risks involved. Based on these considerations, they have recommended options that best mitigate the risks, are flexible enough to adapt to changes in the situation, balance the need to rebuild community confidence and social cohesion with the need to protect public health, and best contribute to economic rebound of the city centre.

While the broader community, residents, ratepayers and stakeholder feedback is in line with and supportive of the officer recommendations, there are some notable exceptions:

- Skyworks media partners and contractors are supportive of the event proceeding as usual, even with a shorter planning timeframe;
- The Australian Hotels Association is supportive of Skyworks proceeding as usual;
- While a marginal majority of resident and ratepayer survey respondents do not think Skyworks should go ahead, only 32% of respondents support a smaller scale event without fireworks going ahead instead, while 48% would not support the organisation of such an alternative event and 20% are undecided (see details in Attachment 13.4D); and
- A marginal majority of resident and ratepayer survey respondents think Christmas Nativity should go ahead in its current form, however, the majority would also support a smaller scale event instead.

Delaying the decision on options for these events is not advised, because although some suppliers

and partners have indicated that they could begin planning later than normal due to decrease in other work because of COVID-19, there is also additional time required to plan and implement COVID-19 risk mitigation measures. As a rule, the later the planning and procurement begins, the higher the risk of errors, incidents or problems on event day, so ideally, planning would begin as early as possible for any option. This would also provide a level of certainty for suppliers, stakeholders and the community that is sorely needed.

**Financial implications**

The City’s long-term financial plan and Corporate Business Plan will allocate approximately \$18,000,000 to the implementation of agreed activities and projects to support the community on reducing COVID-19 impacts.

The cost to deliver all projects, including Christmas Nativity, New Year’s Eve and Skyworks in their usual format would be at least \$21,707,193 (this figure excludes COVID-19 safety measures for Skyworks on the basis that it is not possible to implement these for an event of this nature).

As an alternative, the City could deliver a series of alternative events that would meet COVID-19 safety guidelines, as outlined in this report. The total cost of the proposed alternatives is \$635,000. The administration has attempted to include this amount through redistribution of funds from ‘other recovery actions’ and ‘Programs and initiatives for families and children’ within the \$18,000,000 budget, as is detailed in the recommended project budget allocation below.

Table 1: 2020/21 Discretionary Operating Projects

<b>Prioritisation of projects as per the Stakeholder Feedback: Keep doing / Do more</b>	<b>Cost allocation</b>	<b>Keep doing / Do more</b>	<b>Do Less / Don't do</b>
Cleaning and presentation of the city	\$ 1,000,000	71	3
Support and advocacy for people experiencing or at risk of homelessness; including the co-ordination of services and support networks	\$ 1,905,000	70	4
Programs and initiatives for young people and youth at risk	\$ 100,000	69	7
Security, surveillance and community safety programs for the city	\$ 1,200,000	68	6
Grants for small to medium businesses to help them survive and rebound after the pandemic	\$ 1,040,000	67	7
Marketing campaign to support retail sector	Included in Marketing budget	65	9

Prioritisation of projects as per the Stakeholder Feedback: Keep doing / Do more	Cost allocation	Keep doing / Do more	Do Less / Don't do
Marketing campaign to support small business sector	Included in Marketing budget	65	9
Programs and initiatives for families and children	\$ 980,000	64	10
Grants to support arts and cultural sector rebound and recovery	\$ 1,400,000	63	11
Marketing of Perth as a visitor destination	Included in Marketing budget	61	13
Marketing campaign to promote Perth as safe and open	\$ 2,800,000	61	13
Grants to support third-party activation and events post COVID19	\$ 1,250,000	60	14
Perth Home Grown Markets	\$ 50,000	60	14
Twilight Hawkers Markets	\$ 50,000	59	15
Grants for community groups and programs	\$ 65,000	58	16
School holiday events	Included in Programs for Families	58	16
Marketing of Perth as a business investment destination	Included in Marketing budget	58	16
Grants to neighbourhood groups to support grass roots initiatives	\$ 80,000	57	16
Capacity building initiatives for community organisations and groups	\$ 100,000	57	17
Grants to support lane-way activation and upgrades and locational precinct improvements	\$ 240,000	55	19
Grants for building improvement projects (e.g. Heritage Building, Adaptive Reuse, Underutilised space and Business	\$ 270,000	54	20

Prioritisation of projects as per the Stakeholder Feedback: Keep doing / Do more	Cost allocation	Keep doing / Do more	Do Less / Don't do
Improvement Grants)			
Christmas Lights Trail/similar significant post COVID-19 activation trail	\$ 1,000,000	52	22
Business development and support workshops and sessions	\$ 150,000	52	22
City managed activations in key retail precincts	Included in Programs for Families	51	23
New Year's Eve	\$415,000	49	25
Christmas Nativity	Included in Christmas Lights Trail	39	35
Australia Day Celebrations	\$220,000	34	40
Christmas decorations, other recovery actions, East End Revitalisation etc			\$ 3,685,000
<b>Total Operating Project expenditure for 2020/2021</b>			<b>\$ 18,000,000</b>

**Policy references**

9.7 Purchasing Policy

There would be at least 10 tenders that would need to be completed across all three events, should they go ahead as usual, as well as a number for alternative options. In either scenario, implementation relies heavily on meeting the requirements of the Purchasing Policy.

**Comments**

In conclusion, based on current health advice and risk mitigation measures advised in the COVID-19 Safety Guidance: Events, the following is a high-level summary of all considerations informing the recommendation:

*Note: \$ Figures have been rounded off*

	Christmas Nativity	New Year's Eve	Australia Day Skyworks
<b>What the event looks like in its current format</b>			
Established	Around 1996	Around 1992	1986
Patronage (2019/2020)	10,300	40,000	250,000

Minimum lead time	5 months (mid-July)	6 months (1 July)	7 months (26 June)
Ideal lead time	6 months (mid-June)	9 months (1 April)	10 months (26 Mar)
Total cost (2019/2020)	\$340 K	\$523 K	\$2,758 K
Total direct Economic impact (2019/2020)	\$126 K	\$1,060 K	\$5,295 K
ROI (per \$ spent) (2019/2020)	\$0.37	\$2.03	\$2.07
Social benefit score across the 4 measurables	80-90	70-80	70-80
Resident and ratepayer support for current event	44% want to proceed 13% undecided 43% don't support	41% want to proceed 13% undecided 46% don't support	45% want to proceed 9% undecided 46% don't support
General population support for the event to proceed	N/A	N/A	ABC poll: 70% voted against going ahead
Social Media Sentiment	N/A	Social media supports cancellation/not going ahead	N/A
State Government contributions (2019/20)	\$0	\$115,000	\$435,000
Other contributions (cash and in-kind 2019/20)	\$0	\$0	\$897,300 plus media
<b>Risks associated with Covid-19 and event in its current format</b>			
Advice from WA Chief Health Officer	Encourages flexible and adaptable solutions to events		
"Covid-19 Safety Guidance" – Physical distancing	Possible, added cost	Not possible	Not possible
"Covid-19 Safety Guidance" – Hygiene and Sanitation	Possible, added cost	Not possible	Possible, high cost
"Covid-19 Safety Guidance" – Training and education	Possible	Possible	Possible
Options for crowd control and tracing	Yes	No	No
Financial Risk of Cancelling by end Oct	\$17 K	\$64 K	\$557 K
Funding certainty	None confirmed	In Principle confirmed	None confirmed
Additional Procurement costs due to timing	Not applicable	Not applicable	\$20 K
Increased costs due to COVID-19 safety measures	\$32 K	\$53 K	Not applicable
Possibility of implementing safety measures	Very Possible	Slightly Possible	Impossible
Police planning requirements	8-10 weeks	8-10 weeks	16 weeks
Potential impact of a 2 <sup>nd</sup> Covid-19 wave on event	Significant	Significant	Significant
Overall risk rating	Medium to High	High	High to Extreme
<b>Exploring future options for the event</b>			
Alternative option proposed	-Leverage Christmas Lights Trail digital projections -Support community groups with events	-Close roads and activate Northbridge -Rooftop fireworks (7) -Extend Christmas Lights Trail by 1 week	-Birak Concert -Family events trail -Markets -City Lighting -Neighbourhood grants

		-Key partnerships	
Cost of alternative option	\$0	\$415 K	\$220 K
Planning time required	N/A - Business as usual	3.5 months	5 months
Stakeholder support for exploring an alternative	Supportive	Supportive	Supportive (not AHA)
Resident and ratepayer support for alternative	44% support 25% undecided 32% do not support	39% support 25% undecided 36% do not support	31% support 21% undecided 48% do not support
Police support for alternative	Fully in support	Fully in support	Fully in support
Overall risk rating	Low to Medium	Medium	Medium

It is therefore not feasible for New Year’s Eve or Skyworks to go ahead in their current formats based on current WA Government advice. Christmas Nativity could possibly go ahead, at an increased investment for a likely smaller economic return due to the requirement to restrict the number of attendees. While the Christmas Nativity has significant social value, it is not well-placed as a strategic initiative to support the COVID-19 Economic Rebound Strategy as it traditionally has the lowest economic impact of City-delivered events throughout the year.

Investing in the planning of an event is risky at the best of times and for some event organisers, uncertainty related to COVID-19 poses an unacceptable level of risk and they have chosen to cancel or postpone 2020/21 events (eg. City to Surf and Targa West in August 2020 have been cancelled; Perth Craft Beer Festival in September is postponed; many event organisers are planning more flexible or smaller scale alternative events).

All three events can feasibly be replaced with smaller-scale or alternate offerings to reduce risk, cost and impact on other partner organisations, while still delivering on strategic objectives. The alternatives proposed in this report are flexible enough to respond to the changing situation and are predicted to have significant economic, social and cultural benefits in supporting our diverse community through COVID-19 recovery. The alternatives are particularly focused on delivering greater direct economic benefits to local businesses and supporting local event organisers and arts organisations.

The City’s stakeholders understand and support taking an alternative approach to major events during 2020/21. The City’s Cultural Advisory Committee and nominees of the COVID-19 Events, Arts and Culture Advisory Committee have both helped shape and strongly support the recommended alternative events. Overall, feedback from the community and stakeholders supports the recommendation to begin planning alternative options for all three events. Notable exceptions to this sentiment are outlined under the Approval Implications section.

**Officer Recommendation**

That Council:

1. DEFERS the Christmas Nativity, New Year’s Eve and Skyworks events in their traditional format for the 2020/21 financial year due to COVID-19 health, safety and economic concerns;
2. APPROVES proceeding with COVID-19-safe modified Christmas Nativity, New Year’s Eve and Australia Day events as outlined in this report, and
3. APPROVES the list of Operational Activities and Projects outlined in Table 1 for inclusion into the annual planning and budget process.

**Alternate Motion and Council Resolution**

**Moved:** Commissioner Hammond

**Seconded:** Commissioner McMath

That Council:

1. PROCEED with the planning and delivery of the 2021 Australia Day Skyworks Event subject to the following:
  - a. The procurement of goods and services to be cognisant of the possibility of event cancellation therefore favouring suppliers that are willing to enter into contractual arrangements that will reasonably share the financial risks of event cancellation;
  - b. A public education campaign being undertaken communicating key messages on COVID related hygiene, wellness and physical distancing awareness;
  - c. Public transport logistics to and from the event being examined in detail in conjunction with Transperth and other transport providers to limit overcrowding wherever possible;
  - d. Regular liaison with the Chief Health Officer and Commissioner for Police continuing until either the delivery or cancellation of the event and being reported to the Commissioners and/or Council by monthly Information Bulletin;
2. PROCEED with the planning and delivery of a series of Christmas Concerts in Forrest Place in lieu of the Christmas Nativity Event in the Supreme Court Gardens in the prime pre-Christmas retail activity period subject to:
  - a. Liaison with the Events, Arts and Culture Advisory Committee to ascertain the most advantageous period and time in which to deliver the events;
  - b. Liaison with businesses situated in the core retail area;
  - c. Invitations to schools based in the City of Perth inviting them to be involved in the concerts;

- d. Local musicians and entertainers being utilised;
  - e. A public education campaign being undertaken communicating key messages on COVID related hygiene, wellness and physical distancing awareness;
3. PROCEED with the planning and delivery of the New Year’s Eve Celebration Event in Northbridge and surrounds subject to the following:
- a. In liaison with WA Police and local businesses close roads to maximise pedestrian space and physical distancing;
  - b. The delivery of an eclectic mix of mobile entertainment offerings throughout the precinct in lieu of entertainment being delivered in static stage / performance areas;
  - c. Liaison with businesses situated in the Northbridge Entertainment Precinct to assist in establishing a cogent marketing and programming strategy for the event;
  - d. Public transport logistics to and from the event being examined in detail in conjunction with Transperth and other transport providers to limit overcrowding wherever possible; and
  - e. A public education campaign being undertaken communicating key messages on COVID related hygiene, wellness and physical distancing awareness.
4. APPROVES the list of Operational Activities and Projects for inclusion into the 2020/21 annual planning and budget process:

2020/21 Operational Activities and Projects	
Initiative	Cost allocation
Cleaning and presentation of the city	\$1,000,000
Support and advocacy for people experiencing or at risk of homelessness; including the co-ordination of services and support networks	\$1,905,000
Programs and initiatives for young people and youth at risk	\$100,000
Security, surveillance and community safety programs for the city	\$1,200,000
Grants for small to medium businesses to help them survive and rebound after the pandemic	\$1,040,000
Marketing campaign to support retail sector	Incl. in Marketing budget
Marketing campaign to support small business sector	Incl. in Marketing budget
Programs and initiatives for families and children	\$980,000
Grants to support arts and cultural sector rebound and recovery	\$1,400,000



Marketing of Perth as a visitor destination	Incl. in Marketing budget
Marketing campaign to promote Perth as safe and open	\$2,800,000
Grants to support third-party activation and events post COVID-19	\$1,250,000
Perth Home Grown Markets	\$50,000
Twilight Hawkers Markets	\$50,000
Grants for community groups and programs	\$65,000
School holiday events	Incl. in Programs for Families
Marketing of Perth as a business investment destination	Incl. in Marketing budget
Grants to neighbourhood groups to support grass roots initiatives	\$80,000
Capacity building initiatives for community organisations and groups	\$100,000
Grants to support lane-way activation and upgrades and locational precinct improvements	\$240,000
Grants for building improvement projects (e.g. Heritage Building, Adaptive Reuse, Underutilised space and Business Improvement Grants)	\$270,000
Christmas Lights Trail/similar significant post COVID-19 activation trail	\$1,000,000
Business development and support workshops and sessions	\$150,000
City managed activations in key retail precincts	Incl. in Programs for Families
New Year's Eve	\$450,000
Forrest Place Concerts	\$300,000
Australia Day Celebrations	\$2,000,000
Christmas decorations, other recovery actions, East End Revitalisation etc	\$3,685,000
<b>Total Operating Project expenditure for 2020/2021</b>	<b>\$20,115,000</b>

**CARRIED 3 / 0**

**For:**

Commissioner Hammond  
Commissioner McMath  
Commissioner Kosova

**Against:**

Nil

**Reason:**

Since the officer's report was published COVID-19 related restrictions in Western Australia have been relaxed, increasing the possibility these events to go ahead subject to the conditions outlined in the resolution.

**Item 13.5 – Renewal of Lease – Shop 1, Regal Place Car Park, 81 – 95 Royal Street, East Perth**

<b>File reference</b>	P1016006-2
<b>Report author</b>	Paul Warren, Senior Assets and Leasing Officer
<b>Other contributors</b>	Kathleen O’Brien, Paralegal
<b>Reporting Service Unit and Alliance</b>	Governance, Corporate Services
<b>Report author disclosure of interest</b>	Nil
<b>Date of report</b>	4 June 2020
<b>Nature of Council’s role</b>	Executive
<b>Voting requirement</b>	Simple Majority
<b>Attachment/s</b>	Attachment 13.5A – Proposed Lease Schedule Attachment 13.5B – Survey Plan – Shop 1, Regal Place Car Park

**Purpose**

The purpose of this report is to seek Council’s approval to advertise a proposed disposal in relation to a renewal of lease for Shop 1, Regal Place Car Park, 81 – 95 Royal Street, East Perth to the current tenant Taylaan Pty Ltd.

**Background**

Taylaan Pty Ltd have been long term tenants and have continuously occupied the premises since 1 June 2010. The lease agreement expired on 31 May 2019 and is currently holding over on a month to month basis.

Taylaan Pty Ltd have formally requested that the City consider renewing their Retail Lease Agreement for a fixed term of five years together with a further term of five years.

**Details**

Following a market rental valuation of the subject premises and a period of negotiations with the proponent, the administration and the tenant have negotiated the details of the proposed disposal to a point where the commercial terms of the proposed disposal are ready to be advertised for public comment. A market valuation dated 8 July 2019 was undertaken on similar uses and determined that the current market rent for the subject premises is \$30,975 per annum (\$340 per square metre per annum).

The tenant has considered their financial position and advised they are prepared to remain in the premises and accept a new lease using the City’s standard Retail Lease Agreement with the rent

at a market rate of \$30,975.00 per annum (\$340.00 per square metre per annum) together with a six (6) month net rent free period.

The estimated variable outgoings agreed at \$855.00 per annum (\$9.39 per square metre per annum).

This offer is considered to provide a reasonable return to the City given the potential of an extended vacancy period should a suitable replacement tenant not be found immediately and is considered a favourable commercial outcome in the current challenging Perth retail leasing market.

Rent reviews will include annual consumer price index (CPI) adjustments and a market rent review on exercising the further term.

A copy of the details of the proposed disposal is attached to this report as Attachment 13.5A along with a copy of the Survey Plan for the subject premises as Attachment 13.5B.

**Stakeholder engagement**

If the recommendation is supported, public consultation in regard to this proposed disposal will occur.

**Strategic alignment**

Strategic Community Plan

This item addresses the community’s vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Strategic Community Plan 2019 – 2029:

<b>Aspiration:</b>	Performance
<b>Strategic Objective:</b>	Commercial operations that are transparent, profitable and compete fairly and lawfully with private enterprise.

The City of Perth Commercial Property Portfolio aims to deliver revenue diversification from traditional rates income and car parking revenue in order to make the City more sustainable and reduce dependency on these sources of income. More broadly the City of Perth property portfolio is maintained to ensure the availability of assets for future strategic and generational needs.

**Legal and statutory implications**

Local Government Act 1995 (s3.58(3))

A local government can dispose of property other than by auction or tender if, before agreeing to dispose of the property —

- (a) it gives local public notice of the proposed disposition —
  - (i) describing the property concerned; and

- (ii) giving details of the proposed disposition; and
  - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;
- and
- (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

Additionally, section 3.58(4) of the Act requires the local public notice to include certain details including the market value of the disposition as ascertained by a valuation carried out not more than six months before the proposed disposition or one declared to be current by a resolution of the local government. This declaration must be based on a valuation carried out more than six months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

The Administration acknowledges that for the purposes of section 3.58(4), the valuation expired on 8 January 2020. Given the current market conditions, the Administration feels that the valuation carried out in July 2019 remains appropriate and relevant.

Commercial Tenancy (Retail Shops) Agreement Act 1985

Subject to the disposal process in section 3.58 of the *Local Government Act 1995*, should the disposal be entered into, the lease must be prepared in accordance with the *Commercial Tenancy (Retail Shops) Agreement Act 1985*. This legislation regulates commercial tenancy agreements relating to certain shops, to prohibit unconscionable conduct, or misleading or deceptive conduct, by landlords or tenants in relation to such agreements.

Connection with mandates in the City of Perth Act 2016

8(1)(a) - to provide for the good government of persons in the City of Perth, including residents, ratepayers and visitors

This lease renewal, in compliance with all relevant legislation, ensures the provision for the good government of persons in the City of Perth.

**Risk implications**

Impact of decision	
Organisation	Low
Community	Low

Risk domain	Consequence	Likelihood	Risk rating
Financial	Insignificant	Unlikely	Low

The financial implications to this report are low given the specific rental income compared to the total overall property portfolio. It is, however, important to consider the tenancy renewal as the current market conditions remain difficult with high vacancy rates.

### **Approval implications**

Approval to commence advertising, via local public notice, is required prior to any disposal being entered into. All negotiations to this point have been made subject to Council approval and all relevant statutory approvals. Tenants are made aware that all City of Perth operational approvals for matters such as planning and health are undertaken independently of any commercial arrangement contained in a lease. No support for any other required approvals is inferred.

### **Financial implications**

The current rental for the subject property is \$40,975 per annum. This was obviously negotiated in a more competitive commercial environment. As the proposed lease will commence next financial year, this item will have no impact on the 2019/20 budget.

The draft 2020/21 budget has forecast \$30,975 in income associated with the subject property. The draft budget has been prepared to reflect the current market valuation.

Inclusive of the proposed rent-free period of six months, the actual income associated with this proposal will be \$15,488 in 2020/21. Should this proposal go ahead, the budget will be amended at the first budget review to reflect the reduction in revenue.

The rent-free period only applies to the first six months of the proposed lease. From 2021/22 the market rent plus any adjustments e.g. CPI will apply.

### **Policy references**

There are no policy references associated with this report.

### **Comments**

Proceeding to advertising is supported as the proposal is considered a good commercial outcome for the City of Perth in a challenging retail environment and will continue to support the vibrancy and amenity of the area surrounding the Regal Place complex.

**Officer Recommendation and Council Resolution**

**Moved:** Commissioner McMath

**Seconded:** Commissioner Kosova

That Council:

1. RESOLVES that the market valuation dated 8 July 2019 with regard to Shop 1, Regal Place Car Park, 81-95 Royal Street, East Perth is a true indication of the market value of the subject property; and
2. APPROVES the advertising via local public notice of the proposed disposition between the City of Perth and Taylaan Pty Ltd over Shop 1, Regal Place Car Park, 81-95 Royal Street, East Perth and the proposed details as outlined in Attachment 13.5A.

**CARRIED 3 / 0**

**For:**

Commissioner Hammond

Commissioner McMath

Commissioner Kosova

**Against:**

Nil

**Item 13.6 – New Lease – Communications Tower, ‘His Majesty’s’ Car Park, 377 Murray Street, Perth**

<b>File reference</b>	P1016006-2
<b>Report author</b>	Paul Warren, Senior Assets and Leasing Officer
<b>Other contributors</b>	Nil
<b>Reporting Service Unit and Alliance</b>	Governance, Corporate Services Alliance
<b>Report author disclosure of interest</b>	Nil
<b>Date of report</b>	5 June 2020
<b>Nature of Council’s role</b>	Executive
<b>Voting requirement</b>	Simple Majority
<b>Attachment/s</b>	Attachment 13.6A – Heads of Agreement - 377 Murray Street, Perth (Vodafone) Attachment 13.6B – Survey Plan - 377 Murray Street, Perth (Vodafone)

**Purpose**

The purpose of this report is to seek Council approval to advertise a proposed disposal in relation to a new lease for the land area the site of the Communication Tower facility located within His Majesty’s Car Park, being Part Lot 16 on Diagram 26899 at 377 Murray Street and 844 Hay Street, Perth to the current tenant Vodafone Network Pty Ltd.

**Background**

Vodafone Network Pty Ltd are the current lessee and have continuously occupied the subject premises since 1 April 2006. The previous lease agreement expired on 31 March 2016 and is currently holding over on a month to month basis.

Vodafone Network Pty Ltd formally requested that the City consider a new lease for the subject site. The tenant is seeking an initial term of five years with a further term of five years.

**Details**

Following a market rental valuation of the subject premises and a period of discussion with the proponent, the Administration is in a position whereby the proposal can be considered by Council and advertised in accordance with the requirements of the *Local Government Act 1995*. The market valuation dated 24 December 2019 was undertaken on comparable market rental evidence and determined the current market rent for the subject premises at approximately \$23,850 per annum.



In an effort to retain this valued tenant, and detailed in the attached Heads of Agreement, the tenant has advised they will accept commercial terms with a rental amount of \$22,500 per annum.

Under the proposal, rent reviews will include annual CPI adjustments and a market rent review on exercising the further term.

A copy of the details of the proposed disposal is attached to this report as Attachment 13.6A.

**Stakeholder engagement**

If the recommendation is supported, public consultation in regard to this proposed disposal will occur.

**Strategic alignment**

Strategic Community Plan

This item addresses the community’s vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Strategic Community Plan 2019 – 2029:

<b>Aspiration:</b>	Performance
<b>Strategic Objective:</b>	5.3 Commercial operations that are transparent, profitable and compete fairly and lawfully with private enterprise

The City of Perth Commercial Property Portfolio aims to deliver revenue diversification from traditional rates income and car parking revenue in order to make the City more sustainable and reduce dependency on these sources of income. More broadly, the City’s property portfolio is maintained to ensure the availability of assets for future strategic and generational needs.

**Legal and statutory implications**

Local Government Act 1995 (s3.58)

A local government can dispose of property other than by auction or tender if, before agreeing to dispose of the property —

- (a) it gives local public notice of the proposed disposition —
  - (i) describing the property concerned; and
  - (ii) giving details of the proposed disposition; and
  - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

and

- (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

Additionally, section 3.58(4) of the *Local Government Act 1995* requires the local public notice to include certain details including the market value of the disposition as ascertained by a valuation carried out not more than six months before the proposed disposition or as declared by a resolution of the local government. This declaration must be based on a valuation carried out more than six months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

The Administration acknowledges that for the purposes of section 3.58(4), the valuation expired on 24 June 2020. Given the current market conditions, the Administration feels that the valuation carried out in December 2019 remains appropriate and relevant.

Connection with mandates in the *City of Perth Act 2016*

8(1)(a) - to provide for the good government of persons in the City of Perth, including residents, ratepayers and visitors

This lease renewal is largely an operational matter and therefore compliance with all relevant legislation ensures the provision for the good government of persons in the City of Perth.

**Risk implications**

Impact of decision	
Organisation	Low
Community	Low

Risk domain	Consequence	Likelihood	Risk rating
Financial	Insignificant	Unlikely	Low

The overall financial implications of this agreement are considered low given the rental income compared to the total property portfolio.

**Approval implications**

Should Council approve the advertising process, the disposal will be advertised for a period of two weeks. At the conclusion of the advertising period, the local government is required to consider any submissions made prior to formally disposing of the asset.

Should no adverse submissions be made, the administration is recommending that the Chief Executive Officer be delegated authority to finalise the disposal process and execute the lease documentation.

All negotiations to this point have been made subject to Council approval and all relevant statutory processes. Tenants are made aware that all City of Perth operational approvals such as planning and health are undertaken independently of any commercial arrangement and will not infer any support to such approval processes.

## Financial implications

As the proposed lease will commence next financial year, this item will have no impact on the 2019/20 budget.

The proposed transaction will result in rental income to the City of Perth of \$22,500 per annum, a nominal decrease over the current rental income rate of \$24,280 per annum.

All figures quoted in this report are exclusive of GST.

## Policy references

There are no policy implications associated with this report.

## Comments

Whilst the overall income value of this lease agreement is low relative to the total property portfolio, proceeding to advertising is supported as the proposal is considered a good commercial outcome for the City of Perth in a challenging commercial environment.

### Officer Recommendation and Council Resolution

**Moved:** Commissioner Kosova

**Seconded:** Commissioner McMath

That Council:

1. RESOLVES that the market valuation dated 24 December 2019 pertaining to the land component for the Communications Tower, His Majesty's Car Park, Part Lot 16 on Diagram 26899, 377 Murray Street, Perth is a true indication of the market value of the subject property; and
2. APPROVES the advertising via local public notice of the proposed disposition between the City of Perth and Vodafone Network Pty Ltd over Communications Tower, His Majesty's Car Park, Part Lot 16 on Diagram 26899, 377 Murray Street, Perth and the proposed details as detailed in Attachment 13.6A.

**CARRIED 3 / 0**

**For:**

Commissioner Hammond

Commissioner McMath

Commissioner Kosova

**Against:**  
Nil

**Item 13.7 – Financial Activity Statement for the Period Ended 30 April 2020**

<b>File reference</b>	P1014149-25
<b>Report author</b>	Neil Jackson, Acting Senior Management Accountant
<b>Other contributors</b>	Reshma Jahmeerbacus, Acting Manager Finance
<b>Reporting Service Unit and Alliance</b>	Finance, Corporate Services
<b>Report author disclosure of interest</b>	Nil
<b>Date of report</b>	29 May 2020
<b>Nature of Council’s role</b>	Executive
<b>Voting requirement</b>	Simple Majority
<b>Attachment/s</b>	Attachment 13.7A – Financial Statements and Financial Activity Statement for the Period Ended 30 April 2020

**Purpose**

For Council to receive the Financial Activity Statement for the period ended 30 April 2020.

**Background**

The Financial Activity Statement is submitted to Council as per the requirement of Section 6.4(1) and (2) of the *Local Government Act 1995 Regulation 34(1) of the Local Government (Financial Management) Regulations*

**Details**

The Financial Activity Statement commentary compares the actual results for the 10 months to 30 April 2020 with the budget approved by Council on 23 July 2019 and subsequent amendments on 24 September 2019, 3 October 2019, 26 November 2019 and 31 March 2020.

**Stakeholder engagement**

There is no stakeholder engagement related to this report.

**Strategic alignment**

Strategic Community Plan

This item addresses the community’s vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Strategic Community Plan 2019 – 2029:

<b>Aspiration:</b>	Performance
<b>Strategic Objective:</b>	5.5 A financial business model underpinned by a culture of cost management, best value and strategic financial analysis that is subject to ongoing oversight, transparency and accountability.

### Legal and statutory implications

Section 6.4(1) and (2) of the *Local Government Act 1995 Regulation 34(1) of the Local Government (Financial Management) Regulations*.

Connection with mandates in the *City of Perth Act 2016*

8(1)(d) - to continuously improve the services and facilities provided to the community, visitors and tourists

### Risk implications

Impact of decision	
Organisation	Low
Community	Low

Risk domain	Consequence	Likelihood	Risk rating
Financial	Minor	Unlikely	Low

### Approval implications

There are no approval implications to this report.

### Financial implications

There are no financial implications related to this report.

### Policy references

There are no policy references related to this report.

### Comments

Nil

**Officer Recommendation and Council Resolution**

**Moved:** Commissioner McMath

**Seconded:** Commissioner Kosova

That Council RECEIVES the Financial Statements and the Financial Activity Statement for the period ended 30 April 2020 as detailed in Attachment 13.7A.

**CARRIED 3 / 0**

**For:**

Commissioner Hammond

Commissioner McMath

Commissioner Kosova

**Against:**

Nil

Item 13.8 – Payments from Municipal Fund – May 2020

<b>File reference</b>	P1036562-9
<b>Report author</b>	Reshma Jahmeerbacus, Acting Manager Finance
<b>Other contributors</b>	Sarah Gosling, Senior Financial Accountant
<b>Reporting service unit and alliance</b>	Finance, Corporate Services
<b>Report author disclosure of interest</b>	Nil
<b>Date of report</b>	11 June 2020
<b>Nature of Council's role</b>	Executive
<b>Voting requirement</b>	Simple Majority
<b>Attachment/s</b>	A detailed list of payments made under delegated authority for the month ended 31 May 2020 can be accessed by the Commissioners via the Council Hub. Members of the public can access the list of payments on request.

**Purpose**

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 May 2020 to be received and recorded in the Minutes of the Council.

**Background**

A monthly report that summarises the payments for the Municipal Account for the month of May 2020 as required by Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*.

**Details**

Payments for the month of May 2020 included the following significant items, but exclude payroll and payroll taxation payments to the Deputy Commissioner of Taxation:

- \$881,185.17 to Densford Civil Pty Ltd (supplier 09508) for payment of the) for claim number 3 of the Wellington Square Enhancement Project;
- \$525,835.20 to Department of Local Government, Sport (supplier 08066) for the following
  - 
  - \$341,697.40 – State Library car park revenue 2019/19
  - \$184,137.80 – Perth Cultural Centre car park revenue 2019/19;



- \$354,641.61 to Sundry Creditors EFT (Supplier 99991) for the refund of parking permits, venue hire and infringement notices refund due to Covid-19, also includes work bonds and City employee reimbursements of Healthy Lifestyle and Footcare Management eg:
  - \$137,654.00 – Prosegur Australia Pty Ltd – Refund excess money deposited by Prosegur during their system outage due to cyber hacking;
  - \$84,957.29 – Probuild Constructions – refund work bond 374-376 Murray St Perth – DEMO-2017/470
  - \$34,816.15 – Knight Frank Australia -refund Rates Kings Perth Hotel 517-533 Hay St Perth;
  - \$32,548.82 – Georgiou Group – refund work bond –Woodside 240 St Georges Tce Perth - BPC-2018/511;
  - \$29,209.75 – Lease Equity Pty Ltd Trust Account – refund work bond 65 Murray St Perth;

**Stakeholder engagement**

There is no stakeholder engagement related to this report.

**Strategic alignment**

Strategic Community Plan

This item addresses the community’s vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Strategic Community Plan 2019 – 2029:

<b>Aspiration:</b>	Performance
<b>Strategic Objective:</b>	5.5 A financial business model underpinned by a culture of cost management, best value and strategic financial analysis that is subject to ongoing oversight, transparency and accountability.

**Legal and statutory implications**

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

Connection with mandates in the *City of Perth Act 2016*

8(1)(d) - to continuously improve the services and facilities provided to the community, visitors and tourists

**Risk implications**

There are no risk implications related to this report.

**Approval implications**

There are no approval implications related to this report.

**Financial implications**

There are no financial implications related to this report.

**Policy references**

There are no policy implications related to this report.

**Officer Recommendation and Council Resolution**

**Moved:** Commissioner Kosova  
**Seconded:** Commissioner McMath

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 May 2020 be RECEIVED and recorded in Ordinary Council Meeting minutes, the summary of which is as follows:

FUND	PAID
Municipal fund	\$11,839,927.10
Trust fund	\$0.00
TOTAL	\$11,839,927.10

**CARRIED 3 / 0**

**For:**  
 Commissioner Hammond  
 Commissioner McMath  
 Commissioner Kosova

**Against:**  
 Nil

**Item 13.9 – Governance Framework Policy**

<b>File reference</b>	P1028787-5
<b>Report author</b>	Andrew Corke, Governance Coordinator
<b>Other contributors</b>	Bill Parker, General Manager Corporate Services
<b>Reporting Service Unit and Alliance</b>	Governance, Corporate Services
<b>Report author disclosure of interest</b>	Nil
<b>Date of report</b>	2 June 2020
<b>Nature of Council’s role</b>	Executive
<b>Voting requirement</b>	Simple Majority
<b>Attachment/s</b>	Attachment 13.9A – Draft Governance Framework Policy

**Purpose**

The purpose of this report is for Council to consider adoption of the Draft Governance Framework Policy (policy).

**Background**

At its Ordinary Council Meeting held on 28 April 2020, Council resolved to receive the policy and agreed to initiate a 21-day public consultation period. The public consultation period has now concluded.

**Details**

As outlined in the report to Council for the Ordinary Council Meeting of 28 April 2020, the policy seeks to provide a transparent, participatory and statutorily compliant meeting framework in which:

- Elected Members are engaged in the development of strategy and policy from initiation to adoption;
- Elected Members are provided with accurate relevant and timely information by the Chief Executive Officer (CEO) to inform quality decision-making; and
- Community members can participate in the decision-making process and have access to information used to inform Council decisions.

The draft policy covers seven key areas including Ordinary Council meetings, Special Council meetings, Agenda Briefings, Engagement Sessions, declaring interests, officer recommendations and Council motions, and representation on boards, panels and committees. It is envisaged that once adopted and applied, the final policy will:

- Ensure better engagement between staff and elected members;
- Prescribe the type, frequency and timing of forums that must occur outside of the formal decision-making process;
- Inform decision making and guide proper and efficient process;
- Ensure ethical and professional behaviour;
- Consolidate existing systems and processes that are located disparately; and
- Prescribe the approach for revised officer and alternate Councillor motions ensuring a uniform staff response.

**Stakeholder engagement**

The public consultation period commenced on 4 May 2020 and closed on 25 May 2020 via the City of Perth’s Engage Perth website. No public comments were received.

**Strategic alignment**

Strategic Community Plan

This item addresses the community’s vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Strategic Community Plan 2019 – 2029:

<b>Aspiration:</b>	Performance
<b>Strategic Objective:</b>	Decision-making that is ethical, informed and inclusive.

The policy provides the City with a governance framework – ensuring that strategic objective 5.6 is achieved.

**Legal and statutory implications**

Section 2.7 of the *Local Government Act 1995* provides that it is the role of Council to determine the local government’s policies.

Connection with mandates in the *City of Perth Act 2016*

8(1)(a) - to provide for the good government of persons in the City of Perth, including residents, ratepayers and visitors

**Risk implications**

Impact of decision	
Organisation	Low
Community	Low

Risk domain	Consequence	Likelihood	Risk rating
Legal and Regulatory/Ethical	Insignificant	Unlikely	Low

There are minimal risk implications associated with this report.

### Approval implications

Adoption of the policy will result in the City of Perth adhering to a transparent, participatory and statutorily compliant meeting framework.

### Financial implications

There are no financial implications associated with this report.

### Policy references

At its Ordinary Council Meeting held on 28 April 2020, Council adopted a Policy Framework. The objective of the Policy Framework is to ensure that elected members are effectively engaged with all aspects of policy development and review and appropriate levels of transparency and engagement with the community is undertaken. This policy has been developed in accordance with the Policy Framework.

### Comments

The policy provides the City with a governance framework.

It is recommended that Council adopts the policy following the conclusion of the public consultation period.

### Officer Recommendation and Council Resolution

**Moved:** Commissioner Kosova

**Seconded:** Commissioner McMath

That Council ADOPTS the Governance Framework Policy as detailed in Attachment 13.9A.

**CARRIED 3 / 0**

**For:**

Commissioner Hammond

Commissioner McMath

Commissioner Kosova

**Against:**  
Nil

**Item 13.10 – Council Policy Review**

<b>File reference</b>	P1005611-3
<b>Report author</b>	Andrew Corke, Governance Coordinator
<b>Other contributors</b>	Bill Parker, General Manager Corporate Services
<b>Reporting Service Unit and Alliance</b>	Governance, Corporate Services
<b>Report author disclosure of interest</b>	Nil
<b>Date of report</b>	4 June 2020
<b>Nature of Council’s role</b>	Executive
<b>Voting requirement</b>	Simple Majority
<b>Attachment/s</b>	Nil

**Purpose**

The Administration has undertaken a review of all Council policies and has recommended that each policy is either:

- a) Retained as a Council policy; or
- b) Deleted.

The purpose of this report is for Council to consider these recommendations.

**Background**

On 28 April 2020, Council adopted a Policy Framework. The Policy Framework ensures that elected members are effectively engaged with all aspects of policy development and review and appropriate levels of transparency and engagement with the community are undertaken.

The Policy Framework makes a clear delineation between council and executive policy. The Policy Framework defines a council policy as a policy adopted by Council to provide the Chief Executive Officer with direction in respect to a particular matter requiring action. A Council policy guides the City’s actions and decision making.

There are two types of Council policy, they are as follows:

- a) **General Council Policy:** A policy adopted by Council that is not statutory or legislative in nature. This includes Council ‘directives’ on general matters not specifically originating from a legislative head of power; and
- b) **Legislative Policy:** A policy that is either required by law or created to supplement the City’s Local Planning Scheme or a City Local Law.

The Policy Framework defines an executive policy as a policy that governs the day-to-day operations of the City and does not require Council approval.

Following the adoption of the Policy Framework at the Ordinary Council Meeting on 28 April 2020, the Administration has commenced a review of Council Policies. The first step of the review is the assessment of all council policies to determine whether they should be retained or deleted. This action has also been identified in the City’s Corporate Recovery Implementation Plan (CRIP).

**Details**

The Administration has undertaken a review of all council policies (save for De-licensing and Under Age Events and Concerts at the WACA Ground policies which have been reviewed in separate reports) and recommended that they are either:

- a) Retained as a Council policy; or
- b) Deleted.

The following tables outlines these recommendations.

<b>Table 1 - Recommendation - Retain as a Council policy</b>
1.2 Community Consultation
1.3 Community Participation
1.5 Public Art
1.6 Commemorative Works
1.7 Naming of Reserves and Buildings
1.8 Provision of Plaques at Official Openings
1.9 Media Policy - Media Statements, Press Releases and Social Media
1.10 Freeman of the City
1.11 Freedom of Entry
1.12 Keys to the City
1.13 Honorary Citizenship
3.1 Coat of Arms (Council Crest) and City of Perth title - Use Of
3.5 Sending Delegations to External Bodies
6.2 Building Sites Adjacent to Forrest Place, Hay Street and Murray Street Malls
6.3 State Register of Heritage Places
6.5 Hay Street Colonnading
6.12 Safer Design
6.17 Affordable Housing
6.20 Comment on Recommendations on Development Proposals Referred to the City by Statutory Authorities
7.1 Electricity Supply – Undergrounding of Supply Cables
8.0 Environment Policy
8.1 Circuses and the Use of Performing Animals
8.5 Towards an Energy Resilient City
9.1 Budget Policies
9.2 Heritage Rate Concession



<b>Table 1 - Recommendation - Retain as a Council policy</b>
9.3 Management of Investments
9.5 Sponsorship of City of Perth Activities
9.6 Budget Variations
9.7 Purchasing
9.8 Contract Variations - Authority to incur a liability
9.10 Management of Leases
9.12 Asset Management Policy
9.13 Not Rateable Properties (Rate Exemptions) and Partial Rate Exemptions
10.1 Code of Conduct
10.3 Elected Members - Interstate and Overseas Travel and Expenses
10.4 Elected Members – Administrative Support
10.5 Council Member Allowance and Meeting Attendance Fees
10.6 Elected Members - Reimbursement of Expenses
10.8 Office Accommodation – Elected Members
10.9 City of Perth Common Seal and Document Signing Authority
10.15 Caretaker Policy - City of Perth Election
10.16 Legal Representation for Members and Employees
11.2 Council of Capital City Lord Mayors - Attendance
11.3 Sister City Relationships
11.4 World Energy Cities Partnership - Attendance at Meetings
12.1 Council Vehicles – Lord Mayor and Employees
12.4 Payments under Section 5.50 of the <i>Local Government Act 1995</i>
12.5 Recognition of Employees – Service Presentations
Appointment of Acting Chief Executive Officer
Outdoor Dining
14.4 Extended Trading Permits
14.10 Issue of Certificates and Permits under the <i>Liquor Control Act 1988</i>
14.11 Approval of Events on Roads
14.14 Mobile Food Trading Policy
15.2 Protection and Enhancement of Open Space
18.1 Arts and Culture
18.2 Cultural Collections
18.9 Street Entertainment (Busking) Policy
18.13 Sponsorship and Grants
18.14 Donations
19.1 Risk Management
Public Lighting
22.6 Resident On-Street Parking Policy
22.9 On Street Parking
Community Waste Services
Strategy Development Policy
Policy Framework
14.13 Management of Private Use of Boat pens in Claisebrook Cove

<b>Table 2 - Recommendation - Delete council policy</b>	
<b>Policy</b>	<b>Reason for Deletion</b>
1.1 Accessible Public Information	Obsolete – Policy contents covered by legislation and Disability Access and Inclusion Plan.
2.3 Graffiti Treatment	Operational - Provides details on operational requirements for graffiti treatment.
3.2 Frequency and Recording of Council and Committee Minutes	Duplicate - Frequency of meetings is already outlined in Governance Framework (which is being presented to Council this month). A requirement to make an audio recording of Council and Committee meetings may be added to the Governance Framework.
3.4 Recording Votes at Meetings of the Council and its Committees	Obsolete – Policy not required, covered by the <i>Local Government Act 1995</i> and its subsidiary legislation.
3.7 Enterprise Performance Policy	Obsolete – Policy out of date.
5.1 Service Complaint Policy	Operational - Provides details on operational requirements for handling service complaints.
6.13 Sight Line Truncations - ROW/Roads Intersection	Operational – Provides details on sight line truncation requirements where a right-of-way intersects with a dedicated road street alignment. Policy last updated in 1998.
6.14 Sight Line Truncations - Vehicle Crossovers	Operational – Provides details on sight line truncation requirements for vehicle crossovers. Policy last updated in 1998.
9.11 Fixed Assets Financial Policy	Operational – Policy provides for the accounting treatment of non-physical assets.
9.14 Disposal of Property	Operational – Policy outlines the protocols for the disposal of assets, including roles and responsibilities of staff.
9.15 Contributed Asset Policy	Operational - Policy provides guidance on the definition, recognition, disclosure and responsibility for the consideration of contributed assets and liabilities to be transferred to the City.
Annual Schedule of Council and Committee Meetings	Obsolete – Relevant content now contained in Governance Framework policy (which is being presented to Council this month).
10.2 Delegates on Boards, Authorities and Committees	Obsolete – Policy not required as content covered in <i>Local Government Act 1995</i> and Governance Framework policy (which is being presented to Council this month).
10.7 Lord Mayoral Invitations to Functions	Obsolete - Policy not required, gives no direction on City actions and decision making.
10.12 Provision of Hospitality	Obsolete - This policy encompasses the use of the City’s dining room and availability of

<b>Table 2 - Recommendation - Delete council policy</b>	
<b>Policy</b>	<b>Reason for Deletion</b>
	meeting catering. This policy is no longer required.
12.7 Staff Conference Attendance and Expenses	Operational – Relates to travel by City staff.
13.2 Website Content	Operational – Provides details on the content required to be made available on the City’s website.
14.12 Digital Rights Management Policy for 3D Models and Development Applications	Operational – Details the conditions that apply for use of the 3D digital model of City.
15.1 Erection of Signs - Service Clubs	Obsolete – Policy no longer required.
18.5 Hire of City Banner and Flag Sites	Operational – Policy provides detail on the hire of city banner and flag sites including information on applications/bookings and fees and charges.
18.11 Use of Feature Lighting - Council House and Trafalgar Bridge	Operational – Policy contains detail including rules regarding applications/bookings.
18.12 Use of Council House Foyer for Events and Displays	Operational –Provides detail including conditions to be applied to permits to use Council House foyer. Some elements may be incorporated into a broader Events policy.
20.1 Bud Lights in Street Trees	Operational – Outlines procedures and conditions to apply when processing requests to install bud lighting in street trees.
20.3 Footpaths - Upgrading Of	Operational – Details the type of footpath to be used in construction.
20.9 Recognising the Amenity Value of the City's Trees	Operational – Contains a formula for the amenity value of trees in parks and streets.
20.10 Vehicle Crossovers - Specification	Operational – Details specifications for the construction of vehicle crossovers in road reserves.
20.12 Co-location of Poles within the Road Reserve	Operational – Requirement to consider co-location of street poles at application or design stage.
20.13 Road Safety Audits	Operational – Contains road safety auditing principles and practices to be applied in the planning and development of infrastructure in the City.
21.1 Stormwater Drainage Connections	Operational – Outlines arrangements to be made for disposal of stormwater on all properties.
22.2 Directional Signs within Road Reserves	Operational – Details conditions to be applied regarding the installation of directional signage.
22.3 Traffic Management within the Road Reserve	Operational – Process to ensure appropriate standards for works or events within the city

Table 2 - Recommendation - Delete council policy	
Policy	Reason for Deletion
	on roads to minimise disruption and inconvenience.

### Stakeholder engagement

No stakeholder consultation was undertaken in relation to this report.

### Strategic alignment

#### Strategic Community Plan

This item addresses the community’s vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Strategic Community Plan 2019 – 2029:

<b>Aspiration:</b>	Performance
<b>Strategic Objective:</b>	5.6 Decision making that is ethical, informed and inclusive.

It is recognised that all Council policies must accord with the City’s Strategic Community Plan (SCP). Any recommended amendments to policies will adhere to the strategies outlined in the SCP.

### Legal and statutory implications

Section 2.7 of the *Local Government Act 1995* provides that it is the role of council to determine the local government’s policies.

#### Connection with mandates in the *City of Perth Act 2016*

8(1)(a) - to provide for the good government of persons in the City of Perth, including residents, ratepayers and visitors

### Risk implications

Impact of decision	
Organisation	Low
Community	Low

Risk domain	Consequence	Likelihood	Risk rating
Legal and Regulatory/Ethical	Insignificant	Unlikely	Low
Reputation and External Stakeholders	Insignificant	Possible	Low

There are minimal risk implications associated with this report.

### Approval implications

If Council passes a resolution accepting the recommendation contained in this report, the Administration will immediately initiate a 21-day public consultation period through the City’s Engage Perth website.

### Financial implications

There are no financial implications associated with this report.

### Policy references

All of the Council Policies referred to in this report are available on the City website.

### Comments

The Council policy review provides an opportunity to refresh the City’s Council policies ensuring that they are relevant, contemporary and appropriate.

#### Officer Recommendation and Council Resolution

**Moved:** Commissioner Kosova  
**Seconded:** Commissioner McMath

That Council agrees to INITIATE a 21-day public consultation period for the deletion of Council policies outlined in Table 2.

**CARRIED 3 / 0**

**For:**  
Commissioner Hammond  
Commissioner McMath  
Commissioner Kosova

**Against:**  
Nil

**Item 13.11 – Annual Review of Delegations**

<b>File reference</b>	P1023849
<b>Report author</b>	Kathleen O’Brien, Paralegal
<b>Other contributors</b>	Nil
<b>Reporting Service Unit and Alliance</b>	Governance, Corporate Services
<b>Report author disclosure of interest</b>	Nil
<b>Date of report</b>	28 May 2020
<b>Nature of Council’s role</b>	Executive
<b>Voting requirement</b>	Absolute Majority
<b>Attachment/s</b>	Attachment 13.11A – Delegated Authority Register 2020/21

**Purpose**

To present the annual review of Council’s delegations of authority to the Committees and the Chief Executive Officer (CEO).

**Background**

The *Local Government Act 1995* (Act) provides that Council may delegate its powers or duties within the Act and subsidiary legislation to a Committee of Council or the Chief Executive Officer (CEO). The Act requires that these delegations are to be reviewed at least once every financial year. Various other pieces of legislation also provide a power of delegation.

The Governance Unit has undertaken a review of the City’s existing delegations in consultation with all services units. The review has considered proposals for amendments, the appropriateness of current delegations and proposals for new delegations. The amended delegations presented for Councils’ consideration are intended to achieve:

- Operational requirements and efficiencies;
- Appropriate controls in line with the risks and sensitivities of the decisions;
- Additional clarity; and
- Compliance with statutory decision-making requirements.

The outcome of this review is presented for Council to fulfil its obligation to review delegations to the Chief Executive Officer (CEO) and Committee at least once per financial year. As regular review of delegations is supported for good governance, delegations relating to legislation that does not prescribe an annual review are also included.

**Details**

The proposals for new and amended delegations are within the proposed Delegated Authority Register 2020/21 (Attachment 13.11A) with deletions shown by a ~~strike through~~ and new text show with **yellow highlight**. In line with the separation of responsibilities between Council and the CEO only the delegations from Council are presented for consideration and not any sub delegations.

This review has considered the template delegated authority register produced by WALGA, WALGA’s Delegations Guide, and the Department of Local Government, Sport, and Cultural Industries’ Local Government Operational Guidelines Number 17 – Delegations (Department Guidelines).

Amended and New Delegations

Delegation	Reason
<b>Local Government Act 1995</b>	
1.2.1 - Appoint Authorised Persons	<p><b>Amended Delegation</b></p> <p><b>Function:</b></p> <ol style="list-style-type: none"> <li>1. Authority <del>of</del> <b>to</b> appoint persons or classes of persons as authorised persons for the purpose of fulfilling prescribed functions within the <i>Local Government Act 1995</i> and its subsidiary legislation, including regulations, the <i>Local Government (Miscellaneous Provisions) Act 1960</i> and local laws made under the <i>Local Government Act 1995</i>. [s.3.24 and s.9.10].</li> <li>2. Authority to appoint authorised persons for the purposes of section 9.16 of the <i>Local Government Act 1995</i>, as a precondition for appointment as authorised officers in accordance with Regulation 70(2) of the <i>Building Regulations 2012</i> and section 6(b) of the <i>Criminal Procedure Act 2004</i>.</li> <li>3. Authority to appoint authorised persons for the purposes of the <i>Graffiti Vandalism Act 2016</i>, which prescribes Part 9 of the <i>Local Government Act 1995</i> as the enabling power [s.15 of the <i>Graffiti Vandalism Act 2016</i>].</li> </ol> <p><b>Council Conditions on this delegation:</b>  <del>Nil.</del> A register of Authorised Persons is to be maintained as a Local Government Record.</p> <p><b>Explanation:</b>                      The additional functions have been adopted from the WALGA delegations template. This provides clarity on the full purposes that a person can be authorised for under the <i>Local Government Act 1995</i>. Maintaining a register of authorisations is recommended by WALGA and the City has one for this purpose.</p>

<p>1.2.2 - Powers of Entry</p>	<p><b>Amended Delegation</b></p> <p><b>Function:</b></p> <p>Authority to:</p> <ol style="list-style-type: none"> <li>1. enter on to land to perform any function of the local government under the Act <b>other than entry under a local law.</b> [<del>refers</del>s.3.28]</li> <li>2. give a notice of entry. [s.3.32]</li> <li>3. seek and execute an entry under warrant. [s.3.33]</li> <li>4. execute entry in an emergency, <b>using such force as is reasonable.</b> [s.3.34]</li> <li>5. give notice and effect entry by opening a fence. [s.3.36]</li> </ol> <p><b>Council Conditions on this delegation:</b>  <del>Nil</del> <b>Delegated authority of section 3.34(1) and (3) may only be used, where there is an emergency under section 3.34(2)</b></p> <p><b>Explanation:</b>                  Amendments to this delegation are to highlight the requirements of section 3.28 to avoid incorrect application of this delegation.</p>
<p>1.2.3 - Disposal of Confiscated or Uncollected Goods</p>	<p><b>Amended Delegation</b></p> <p><b>Function:</b></p> <p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Refuse to allow goods impounded under s.3.39 or 3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government [s.3.46].</li> <li>2. <b>Sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s. 3.43 and determine the method of disposal,</b> in accordance with Section 3.58 of the Local Government Act 1995 [s.3.47].</li> <li>3. recover expenses incurred for removing and impounding and in disposing of confiscated or uncollected goods [s.3.48].</li> </ol> <p><b>Council Conditions on this delegation:</b>  <del>Nil</del> <b>Disposal of confiscated or uncollected goods, including abandoned vehicles, with a market value less than \$20,000 may, in accordance with regulation 30 of the <i>Local Government (Functions and General)</i></b></p>



	<p><i>Regulations 1996</i>, be disposed of by any means considered to provide best value, provided the process is transparent and accountable.</p> <p><b>Explanation:</b> Most disposals under this delegation are less than the threshold applicable to s. 3.58 of the <i>Local Government Act 1995</i> so a condition dealing with these disposals appears useful. Determining the method of disposal is listed in this delegation for clarity.</p>
<p>1.2.4 - Disposal of Sick or Injured Animals</p>	<p><b>Amended Delegation</b></p> <p><b>Function:</b> Authority to:</p> <ol style="list-style-type: none"> <li>1. determine when an impounded animal is ill or injured, that treating it is not practicable, and to humanely destroy the animal and dispose of the carcass [s.3.47A(1)].</li> <li><del>1. destroy and dispose of an animal that is determined to be too sick or injured to treat [s.3.47A(1)].</del></li> <li>2. Recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [3.48].</li> </ol> <p><b>Explanation:</b> The reworded function, taken from WALGA’s template, better details the functions to be undertaken.</p>
<p>1.2.7 - Expressions of interest and tenders</p>	<p><b>Amended Delegation</b></p> <p><b>Express powers or duty delegated:</b> <i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• Section 3.57 Tenders for providing goods or services</li> <li><del>• Section 3.47 Confiscated or uncollected goods, disposal of</del></li> </ul> <p><i>Local Government (Functions and General) Regulations 1996:</i></p> <ul style="list-style-type: none"> <li>• Regulation 11 When tenders have to be publicly invited</li> <li>• Regulation 13 Requirements when local government invites tenders though not required to do so</li> <li>• Regulation 14(2a) and (5) Publicly inviting tenders, requirements for</li> <li>• Regulation 18(2), (4), (4a), (5), (6) and (7) Rejecting and accepting tenders</li> <li>• Regulation 20 Variation of requirements before entry into contract</li> <li>• Regulation 21 Limiting who can tender, procedure for</li> <li>• Regulation 21A Varying a contract for the supply of goods or services</li> <li>• Regulation 23 Rejecting and accepting expressions of interest to be acceptable tenderer</li> </ul> <p><b>Function:</b> Authority to determine:</p>

- |  |   |
|--|---|
|  | <ol style="list-style-type: none"> <li>1. to call tenders <del>in accordance with the City's Purchasing Policy and the expense is included in the adopted Annual Budget.</del> [F&amp;G Reg 11 (1)].</li> <li>2. a tender exemption <del>in accordance with the City's Purchasing Policy and the expense is included in the adopted Annual Budget.</del> [F&amp;G Reg 11 (2)].</li> <li><del>3. to call tenders for the disposal of impounded goods in accordance with section 3.58 [s.3.47].</del></li> <li>3. to invite tenders though not required to do so [F&amp;G Reg 13].</li> <li>4. in writing, before tenders are called, the criteria, for deciding which tender/s should be accepted [F&amp;G Reg 14(2a)].</li> <li>5. to vary tender information after public notice of invitation to tender and before the close of <del>tenders</del> <b>submissions</b>, taking reasonable steps to ensure each person who has sought copies of the <del>tender</del> information is provided with notice of the variation [F&amp;G Reg 14(5)].</li> <li>6. seek clarification from tenders in relation to information contained in their <del>tender</del> submission [F&amp;G Reg 18(4a)].</li> <li>7. to accept or reject tenders [F&amp;G Reg 18(1), (2) and (4)].</li> <li>8. to decline any tender [F&amp;G Reg 18(5)].</li> <li>9. that a variation proposed is minor in context of the total goods and services sought through the invitation, and to make minor variations before entering into a contract, <del>in accordance with the City's Purchasing Policy and Contract Variations – Authority Policy to incur a liability</del> [F&amp;G Reg 20].</li> <li>10. vary a contract that has been entered into with a successful tenderer, provided the variation/s do not <del>materially</del> change the scope of the original contract [F&amp;G Reg 21a].</li> <li>11. exercise <del>an</del> <b>a renewal or</b> extension option <del>that was included in the original tender specification and contract</del> in accordance with Reg 11(2)(j) [F&amp;G Reg 21a].</li> <li>12. <del>to accept another tender</del> where within 6 months, <b>of the day on which the tender was accepted,</b> <del>of either accepting</del> of either accepting a tender a contract has not been entered into or the successful tenderer agrees to terminate the contract, <b>to accept from the other tenders the tender which it thinks would be most advantageous to the local government to accept</b> [F&amp;G Reg 18(6) and (7)].</li> <li>13. when to seek Expressions of Interest and to invite Expressions of Interest to supply goods or services [F&amp;G Reg 21]</li> <li>14. consider Expressions of Interest which have not been rejected and</li> </ol> |
|--|---|

determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&G Reg 23].

15. the information that is to be disclosed to those interested in submitting a tender [F&G Reg 14(4)(a)].

16. to choose the next most advantageous tender to accept, if:

a. the chosen tenderer is unable or unwilling to form a contract; or

b. a minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer [F&G r.20(2)]

**Council Conditions on this delegation:**

Tenders may only be called ~~called~~ **accepted or rejected** where there is an adopted budget for the proposed good or services, ~~the with exception being in the period immediately prior to the adoption of a new Annual Budget where the:~~

- ~~• Current supply contract expiry is imminent or work must commence within three months of the proposed adoption date of the new Annual Budget;~~
- ~~• Value of the proposed tender has been included in the draft Annual Budget proposed for adoption; and~~

**Where there is no annual adopted budget a** tender may **only** be called where it ~~specification~~ includes a provision that the tender will only be awarded subject to the budget adoption by Council. ~~Tender specification includes a provision that the tender will only be awarded subject to the budget adoption by Council.~~

In accordance with s.5.43, tenders may only be accepted ~~and a panel of pre-qualified suppliers established,~~ where the total consideration under the proposed resulting contract is \$1,000,000 (excl. GST) per annum or less and the expense is included in the Annual Budget.

**Tender exempt procurement may be accepted where the total consideration under the proposed resulting contract is \$1,000,000 (excl. GST) per annum or less and the expense is included in the Annual Budget.**

**All decisions must be made in accordance with the City's Purchasing Policy, Contract Variations – Authority Policy and any other relevant policy.**

**In this delegation, tender exempt procurement refers to exemptions for matters that are above the tender threshold in F&G Reg 11(1). For matters below that threshold, authorisation is not via this delegation**

	<p>but instead via financial authority limits and the City's policies and procedures</p> <p><del>Guidance Note: Any tender exempt procurement must be in accordance with Council Policy 9.7 Purchasing and Procedure and PR0957 Authorisation of Purchase Orders and Invoices.</del></p> <p><b>Explanation:</b>          Point 3 of the function has been removed as tenders for disposals are not called under this section of the Act and another delegation exists for this purpose.</p> <p>References to the annual budget and policies from individual functions have been deleted because they apply to many functions of this delegation and are dealt with under the conditions.</p> <p>Changes to points 11 and 12 are to better align the function's description with the text of legislation.</p> <p>Point 16 is added to improve operational efficiency.</p> <p>Changes to the conditions are to:</p> <ul style="list-style-type: none"> <li>• remove references to prequalified suppliers (as a new delegation has been created);</li> <li>• provide guidance on tender exempt procurement processes; and</li> <li>• clarify requirements for tender processes when the annual budget has not yet been approved.</li> </ul>
<p>1.2.8 - Disposing of property</p>	<p><b>Amended Delegation</b></p> <p><b>Function:</b></p> <ol style="list-style-type: none"> <li>1. Authority to determine the method of disposal and dispose of property to:             <ol style="list-style-type: none"> <li>a) the highest bidder at public auction [s.3.58(2)(a)]; or</li> <li>b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender [s.3.58(2)(b)]</li> </ol> </li> <li>2. Authority to dispose of property by direct negotiation only in accordance with section 3.58(3) of the Act.</li> </ol> <p><b>Council Conditions on this delegation:</b></p> <ol style="list-style-type: none"> <li>1. This delegation may only be used where the disposal complies with the requirements of:             <ol style="list-style-type: none"> <li>a) Section 3.58 of the <i>Local Government Act 1995</i>; and</li> <li>b) Regulation 30 of the <i>Local Government (Functions and General) Regulations 1996</i>.</li> </ol> </li> </ol>

	<p>2. Authority for the Disposal of land and / or building assets is limited to matters specified in the Annual Budget or Corporate Business Plan and in any other case, requires a specific resolution of Council.</p> <p>3. The Chief Executive Officer is limited to determining disposals of property (written down assets) for any single project, or where not part of a project a single event, to an aggregated maximum value of \$1,500,000.</p> <p>4. The Chief Executive Officer is limited to determining disposals of property (freehold land asset), by lease to an aggregated maximum value of \$50,000 per leased area per annum subject to no more than a variation of valuation of 10% to the market rates valuation. In addition, the Chief Executive Officer may also assign leases and enter into an option to extend if this option was provided for in the original terms of a lease approved by Council and does not vary any material terms.</p> <p>5. The Chief Executive Officer is limited to determining disposal of art to the value of \$500.</p> <p>6. The Chief Executive Officer may not dispose of land by sale or absolute transfer.</p> <p>7. Authority to determine the method of disposal:</p> <p>a. Where a public auction is determined as the method of disposal:</p> <p>i. a reserve price has been set through independent valuation;</p> <p>ii. where the reserve price is not achieved at auction negotiation may be undertaken to achieve the sale of the property at up to a 10% variation on the set reserve price.</p> <p>b. Where a public tender is determined as the method of disposal and the tender does not achieve a reasonable price for the disposal of the property, then the CEO is to determine if better value could be achieved through another disposal method and if so, must determine not to accept any tender and use an alternative disposal method.</p> <p>c. Where a direct negotiation is determined [s.3.58(3)] as the method of disposal, authority to:</p> <p>i. negotiate the sale disposal of the property up to a 10% variance on the valuation; and</p> <p>ii. consider any public submissions received and determine if to proceed with the disposal, ensuring that the reasons for such a determination are recorded.</p> <p>8. Where the material market value of the property is determined as being less than \$20,000 (Reg 30(3) excluded disposal) may be undertaken:</p> <p>i. without reference to Council resolution; and</p> <p>ii. in any case be undertaken to ensure that best value return</p>
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	<p>is achieved for the City however, where the property is determined as having a Nil material market value, then the disposal must ensure the City achieves an environmentally responsible disposal.</p> <p><b>Explanation:</b>                  The addition of “per leased area” to point 4 of the conditions is to clarify that the value amount is not a total threshold for all uses of the delegation within a year. The removal of the word “freehold” is to allow for properties that are managed by the City via other means such as management orders to be clearly included within the authority. The other changes are for clarity.</p> <p>The removal of the condition advising the CEO may extend or assign leases is because where this is contained within the original lease this is not considered a new disposal, but instead purely administering the current lease on its terms.</p> <p>Specifying there is authority to determine the method of disposal in the function is suggested for clarity.</p> <p>In point 7, sale is changed to disposal as not all disposals are sales.</p>
<p>1.2.10 - Payments from Municipal or Trust Fund</p>	<p><b>Amended Delegation</b></p> <p><b>Council conditions on this delegation:</b>  <del>Approval of civic functions in accordance with Policy 10.12 is limited to up to \$5,000 per function, subject to sufficient appropriate budget.</del>                  Nil</p> <p><b>Explanation:</b>                  This requirement, which is also detailed in the referenced policy, is a decision to approve incurring a specific liability - not a decision to make a payment. It is removed from the delegation as it is irrelevant to the function, but the requirement remains as detailed in the policy.</p>
<p>1.2.12 - Defer, Grant Concessions, Waive or Write Off Debts</p>	<p><b>Amended Delegation</b></p> <p><b>Council Conditions on this delegation:</b>                  Prior to writing off a debt, All all necessary measures have been taken to recover the debt- and the The debt remained unpaid for a period of 90 days after its due date for payment.</p> <p><b>Explanation:</b>                  To clarify the condition relates to writing off debts rather than waiving fees.</p>
<p>1.2.17 - Actions Against Land Where Rates or Service</p>	<p><b>Amended Delegation</b></p> <p><b>Function:</b></p>

<p>Charges Unpaid</p>	<p>1. to take possession of land and hold the land as against a person having an estate or interest in the land where any rates or service charges in respect of the rateable land have been unpaid for at least three years [s.6.64(1)], <del>except where s. 6.68(3A) applies</del> including:</p> <ol style="list-style-type: none"> <li>i. lease the land, or</li> <li>ii. sell the land, or where land is offered for sale and a contract of sale has not been entered into after 12 months:             <ol style="list-style-type: none"> <li>I. cause the land to be transferred to the Crown [s.6.71 and s.6.74]; or</li> <li>II. cause the land to be transferred to the City [s.6.71]; and</li> </ol> </li> <li>iii. determine such matters that Schedule 6.2 and 6.3 require to be determined for the lease or sale of land, including the date of the auction, desirable means of advertisement, and the reserve price [Sch 6.2 and 6.3].</li> </ol> <p>2. lodge (and withdraw) a caveat to preclude dealings in respect of land where payment of rates or service charges imposed on that land is in arrears [s.6.64(3)].</p> <p>3. agree terms and conditions with a person having estate or interest in land and to accept payment of outstanding rates, service charges and costs within 7 days of and prior to the proposed sale [s.6.69(2)].</p> <p><b>Express power or duty delegated:</b></p> <ul style="list-style-type: none"> <li>• Section 6.64(1) and (3) Actions to be taken</li> <li>• Section 6.69(2) Right to pay rates, service charges and costs, and stay proceedings</li> <li>• Section 6.71 Power to transfer land to Crown or local government</li> <li>• Section 6.74 Power to have land revested in Crown if rates in arrears 3 years</li> <li>• Schedule 6.2 Provisions relating to lease of land where rates or service charges unpaid</li> <li>• Schedule 6.3 Provisions relating to sale or transfer of land where rates or service charges unpaid</li> </ul> <p><b>Council conditions on this delegation:</b></p> <p><del>Nil.</del> In accordance with s.6.68(3A), this delegation cannot be used where a decision relates to exercising a power of sale without having, within the previous 3-years attempted to recover the outstanding rates / changes through a court under s.6.56, as s.6.68(3A) requires that the reasons why court action has not been pursued must be recorded in Council Minutes.</p>
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	<p><b>Explanation:</b> The WALGA template provides details of the powers that are granted under s. 6.64 and this is proposed for inclusion for clarity on the powers that are being delegated.</p> <p>Schedule 6.2 and 6.3 require decision making by the local government on matters such as the reserve price, desirable means of advertising and the auction date and while it is implied these powers are included it is recommended to detail this for clarity.</p> <p>The conditions are recommended by WALGA for clarity.</p>
<p>1.2.24 - <del>Sole Supplier of</del> <b>Unique</b> Goods and Services</p>	<p><b>Amended Delegation</b></p> <p><b>Council conditions on this delegation:</b> The Chief Executive Officer being satisfied that:</p> <ol style="list-style-type: none"> <li>a. adequate market research has been undertaken to verify that no alternative supplier of the goods or services is available; and</li> <li>b. sufficient investigation into the use of potential substitute goods or services has been undertaken.</li> </ol> <p><b>This delegation only applies to matters above the tender threshold in <i>Local Government (Functions and General) Regulations 1996 Reg 11(1)</i>. For matters below that threshold, authorisation is not via this delegation but instead it is via the City's policies, procedures and financial authority limits.</b></p> <p><b>Explanation:</b> This addition is primarily a guidance note to clarify what the function relates to.</p>
<p>NEW 1.2.32 - Recovery of Rates or Service Charges</p>	<p><b>Proposed Delegation</b></p> <p><b>Function:</b> 1. Authority to recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction [s.6.56(1)].</p> <p><b>Explanation:</b> A comparison with the WALGA template noted that this power had not been delegated, but a policy does exist to provide guidance to the organisation on the process for overdue rates management. Delegation will support operational processes.</p>
<p>NEW 1.2.33 - Panels of Pre-Qualified Suppliers for Goods</p>	<p><b>Proposed Delegation</b></p> <p><b>Function:</b></p>



<p>and Services</p>	<p><b>Authority to:</b></p> <ol style="list-style-type: none"> <li>1. determine that there is a continuing need for the goods or services proposed to be provided by a panel of pre-qualified suppliers [F&amp;G r.24AC(1)(b)].</li> <li>2. before inviting submissions, determine in writing the criteria for deciding which applications should be accepted [F&amp;G r.24AD(3)].</li> <li>3. vary panel of pre-qualified supplier information after public notice inviting submissions has been given, taking reasonable steps to ensure each person who has enquired or submitted an application is provided notice of the variation [F&amp;G r.24AD(6)].</li> <li>4. reject an application without considering its merits, where it was submitted at a place and within the time specified, but fails to comply with any other requirement specified in the invitation [F&amp;G r.24AH(2)].</li> <li>5. assess applications, by written evaluation of the extent to which the submission satisfies the criteria for deciding which applicants to accept, and decide which applications to accept as most advantageous [F&amp;G r.24AH(3)].</li> <li>6. request clarification of information provided in a submission by an applicant [F&amp;G r.24AH(4)].</li> <li>7. decline to accept any application [F&amp;G r.24AH(5)].</li> <li>8. enter into contract, or contracts, for the supply of goods or services with a pre-qualified supplier, as part of a panel of pre-qualified suppliers for those particular goods or services [F&amp;G r.24AJ(1)].</li> </ol> <p><b>Explanation:</b> The City’s purchasing policy provides for the establishment of panel’s of pre-qualified suppliers. These Panels must be called under this regulation rather than the standard tender regulation so a delegation is required.</p>
<p>NEW 1.2.34 - Rate Record Amendment</p>	<p><b>Proposed Delegation</b></p> <p><b>Function:</b> Authority to determine any requirement to amend the rate record for the 5-years preceding the current financial year [s.6.39(2)(b)].</p> <p><b>Council Conditions on this Delegation:</b> Delegates must comply with the requirements of s.6.40 of the Act.</p> <p><b>Explanation:</b> To improve operational efficiency.</p>
<p><b>Bush Fires Act 1954</b></p>	

The *Bush Fires Act 1954* contains three powers of delegation for a local government. Section 48 allows a local government to delegate any of its powers to its Chief Executive Officer which cannot be further delegated. Section 17(10) allows a local government to delegate its functions under section 17(7) only to both its Mayor and President and it’s Chief Bush Fire Control Officer, to act jointly. Section 59(3) allows a local government to delegate only the power to consider allegations of offences and then institute or carry on proceedings to either a bushfire control officer or another officer.

The current delegations have included delegations beyond this. Delegations to persons not authorised by these sections are proposed to be revoked.

<p>2.1.2 - Prohibited Burning Times - Vary</p>	<p><b>Amended Delegation</b></p> <p><b>Express power to delegate:</b>  <i>Bush Fires Act 1954:</i></p> <ul style="list-style-type: none"> <li>• s.48 Delegation by local government; and</li> <li>• s. 17(10)</li> </ul> <p><b>Express power or duty delegated</b></p> <ul style="list-style-type: none"> <li>• <del>s.13(4) Duties and powers of bush fire liaison officers</del></li> <li>• 17(7) Prohibited burning times may be declared by Minister</li> </ul> <p><i>Bush Fire Regulations 1954</i></p> <ul style="list-style-type: none"> <li>• Reg. 15. Permit to burn (Act s. 18), form of and applying for after refusal etc.</li> <li>• Reg. 38C. Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times</li> <li>• Reg. 39B. Crop dusters etc., use of in restricted or prohibited burning times</li> </ul> <p><b>Delegate</b>                  Chief Executive Officer <del>or</del>                  Chief Bush Fire Control Officer <del>jointly with the Lord Mayor</del>  <del>Deputy Chief Bush Fire Control Officer</del></p> <p><b>Explanation:</b>                  The incorrect “express power or duty had been listed”, this has been corrected. Both relevant powers of delegation are listed. Delegates have been amended to only those permitted by the <i>Bush Fires Act 1954</i>. In the compliance links, reference to the procedural requirements for this delegation has been added.</p>
<p>2.1.3 - Prohibited Burning Times – Control Activities;                  2.14 - Restricted Burning Times – Vary and Control Activities,</p>	<p><b>Amended Delegation</b></p> <p><b>Delegate</b>                  Chief Executive Officer  <del>Chief Bush Fire Control Officer</del>  <del>Deputy Chief Bush Fire Control Officer</del></p> <p><b>Explanation:</b></p>

<p>2.1.5 - Control of Operations Likely to Create Bush Fire Danger; 2.1.7 - Firebreaks, 2.1.9 - Control and Extinguishment of Bush Fires; 2.1.11 - Recovery of Expenses Incurred through Contraventions of this Act</p>	<p>Delegates have been amended to only those permitted by the <i>Bush Fires Act 1954</i>.</p>
<p>2.1.6 - Burning Garden Refuse / Open Air Fires</p>	<p><b>Amended Delegation</b></p> <p><b>Delegate</b> Chief Executive Officer <del>Chief Bush Fire Control Officer</del> <del>Deputy Chief Bush Fire Control Officer</del> <del>Bush Fire Control Officer</del></p> <p><b>Explanation:</b> Delegates have been amended to only those permitted by the <i>Bush Fires Act 1954</i>.</p>
<p>2.1.12 - Prosecution of Offences</p>	<p><b>Amended Delegation</b></p> <p><b>Express power to delegate:</b> <i>Bush Fires Act 1954:</i></p> <ul style="list-style-type: none"> <li>• s.48 Delegation by local government; and</li> <li>• s. 59(3) Prosecution of offences</li> </ul> <p><b>Explanation:</b> To record the power of delegation which permits officers other than the Chief Executive Officer to be granted delegated authority for these decisions.</p>
<p><b>Food Act 2008</b></p>	
<p>2.2.1 - Prohibition Orders; 2.2.3 - Registration of Food Businesses; 2.2.4 - Appoint Authorised Officers; 2.2.5 - Prosecutions and Debt Recovery</p>	<p><b>Amended Delegation:</b></p> <p><b>Delegates</b> Addition of: General Manager Community Development Alliance Manager Community Safety and Amenity Principal Environmental Health</p> <p>Removal of:</p>

	<p>Coordinator Environmental Health</p> <p><b>Explanation:</b> Council has not reviewed this delegation since the creation of these roles. The addition of these delegates to each of these delegations is recommended.</p>
<p><b>Building Act 2011</b></p>	
<p>2.3.1 - Grant a building permit</p>	<p><b>Amended Delegation:</b></p> <p><b>Express power or duty delegated:</b></p> <p><i>Building Act 2011:</i></p> <ul style="list-style-type: none"> <li>• s18 Further Information</li> <li>• s20 Grant of building permit</li> <li>• s22 Further grounds for not granting an application</li> <li>• s27(1) and (3) Impose Conditions on Permit</li> </ul> <p><i>Building Regulations 2012:</i></p> <ul style="list-style-type: none"> <li>• Regulation 23 Application to extend time during which permit has effect (s.32)</li> <li>• Regulation 24 Extension of time during which permit has effect (s.32(3))</li> <li>• Regulation 26 Approval of new responsible person (s.35(c))</li> <li><del>• Regulation 55 (Smoke Alarms) Terms used</del></li> <li><del>• Regulation 61 Local Government approval of battery powered smoke alarms</del></li> </ul> <p><b>Delegate:</b> Chief Executive Officer Alliance Manager Development Approvals Principal Building Surveyor Senior Building Surveyor</p> <p><b>Function:</b> Authority to:</p> <ol style="list-style-type: none"> <li>1. require an applicant to provide any documentation or information required to determine a building permit application [s18(1)].</li> <li>2. grant or refuse to grant a building permit [s20(1) &amp; (2) and s22].</li> <li>3. impose, vary or revoke conditions on a building permit [s27(1) and(3)].</li> <li>4. determine an application to extend time during which a building permit has effect [regulation 23].             <ol style="list-style-type: none"> <li>i. Subject to being satisfied that work for which the building permit was granted has not been completed OR the extension</li> </ol> </li> </ol>

	<p>is necessary to allow rectification of defects of works for which the permit was granted [ regulation 24(1)]</p> <p>ii. Authority to impose any condition on the building permit extension that could have been imposed under s.27 [regulation 24(2)].</p> <p>5. approve, or refuse to approve, an application for a new responsible person for a building permit [regulation 26].</p> <p><del>6. determine approved alternative building solution to meet performance requirement in the Building Code relating to fire detection and early warning [Reg.55].</del></p> <p><del>7. determine approval / refusal of battery powered smoke alarm and determine application form [Reg.61].</del></p> <p><del>8. determine approved alternative building solution to meet performance requirement in the Building Code relating to pool barrier requirements [Reg.51].</del></p> <p><b>Explanation:</b> The CEO has been added as a delegate to enable the CEO to determine and amend sub delegates. This process is more efficient and is in line with the CEO’s role of management of staff. It is proposed that other delegates for all <i>Building Act 2011</i> delegation should be removed once the CEO has considered all delegations from the CEO, but not until that point to avoid gaps in authority in a key function.</p> <p>Decisions under regulations 51, 55 and 61 have been moved into a separate delegation as the functions are considered distinct.</p> <p>A reference to the <i>Heritage of Western Australia Act 1990</i> was replaced with the <i>Heritage Act 2018</i> in the compliance links.</p>
<p>2.3.2 - Grant of a Demolition Permit</p>	<p><b>Amended Delegation:</b></p> <p><b>Delegate:</b> Chief Executive Officer Alliance Manager Development Approvals Principal Building Surveyor Senior Building Surveyor</p> <p><b>Explanation:</b> To enable the CEO to determine sub-delegations to staff and correct position titles. A reference to the <i>Heritage of Western Australia Act 1990</i> was replaced with the <i>Heritage Act 2018</i> in the compliance links.</p>

<p>2.3.3 - Grant Occupancy Permit or Building Approval Certificate</p>	<p><b>Amended Delegation:</b></p> <p><b>Delegate:</b>                  Chief Executive Officer                  Alliance Manager Development Approvals                  Principal Building Surveyor                  Senior Building Surveyor</p> <p><b>Explanation:</b>                  To enable the CEO to determine sub-delegations to staff and correct position titles.</p>
<p>2.3.4 - Designate Authorised Persons</p>	<p><b>Amended Delegation:</b></p> <p><b>Delegate:</b>                  Chief Executive Officer  <del>Director Planning and Development</del></p> <p><b>Explanation:</b>                  The position title removed no longer exists. The CEO may determine any appropriate sub-delegates.</p>
<p>2.3.5 - Building Orders</p>	<p><b>Amended Delegation:</b></p> <p><b>Delegate:</b>                  Chief Executive Officer  <del>Director Planning and Development</del>                  Alliance Manager Development Approvals                  Principal Building Surveyor                  Senior Development Compliance Officer</p> <p><b>Function:</b>                  Authority to:</p> <ol style="list-style-type: none"> <li>1. make Building Orders [s.110] in relations to:                         <ol style="list-style-type: none"> <li>a. Building work,</li> <li>b. Demolition Work,</li> <li>c. An existing building or incidental structure.</li> </ol> </li> <li>2. give notice of a proposed building order and consider submissions received in response and determine actions [s.111(1)(c)]</li> <li>3. revoke a Building Order [s.117].</li> <li>4. if there is non-compliance with a building order, cause an authorised person to:                         <ol style="list-style-type: none"> <li>a. Take any action specified in the order; or</li> <li>b. Commence or complete any work specified in the order; or</li> <li>c. If any specified action was required by the order to cease, to</li> </ol> </li> </ol>

	<p>take such steps as are reasonable to cause the action to cease [s.118(2)].</p> <ol style="list-style-type: none"> <li>5. take court action to recover as a debt, reasonable costs and expenses incurred in doing anything in regard to non-compliance with a building order [s.118(3)].</li> <li>6. initiate a prosecution pursuant to section 133(1) for non-compliance with a Building Order made pursuant to section 110 of the <i>Building Act 2011</i>.</li> </ol> <p><b>Explanation:</b> To enable the CEO to determine sub-delegations to staff and correct position titles. Minor spelling and formatting errors were corrected in the function.</p>
<p>2.3.6 - Inspection and Copies of Building Records</p>	<p><b>Amended Delegation:</b></p> <p><b>Delegate:</b> Chief Executive Officer Alliance Manager Development Approvals Team Leader Applications Principal Building Surveyor</p> <p><b>Function:</b> Authority to determine an application from an interested person to inspect and copy a building record [s.131(2)].</p> <p><b>Explanation:</b> The addition of the CEO is to enable the CEO to determine sub-delegations to staff and correct position titles. A grammatical error was corrected in the function.</p>
<p>NEW – 2.3.8 - Private Pool Barrier – Alternative and Performance Solutions</p>	<p><b>Proposed Delegation:</b></p> <p><b>Function:</b></p> <ol style="list-style-type: none"> <li>1. Authority to approve requirements alternative to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if there were compliance with AS 1926.1 [r.51(2)]</li> <li>2. Authority to approve a door for the purposes of compliance with AS 1926.1, where a fence or barrier would cause significant structural or other problem which is beyond the control of the owner / occupier or the pool is totally enclosed by a building or a fence or barrier between the building and pool would create a significant access problem for a person with a disability [r.51(3)]</li> <li>3. Authority to approve a performance solution to a Building Code pool barrier requirement if satisfied that the performance solution</li> </ol>

	<p>complies with the relevant performance requirement [r.51(5)].</p> <p><b>Explanation:</b> Regulation 51 of the <i>Building Regulations 2012</i> was previously delegated and had been incorporated into the grant a building permit delegation. It is separated as it is considered a distinct function, with changes in wording to align the delegation with the WALGA template.</p>
<p>NEW – 2.3.9 – Smoke Alarms – Alternative Solutions</p>	<p><b>Proposed Delegation:</b></p> <p><b>Function:</b></p> <ol style="list-style-type: none"> <li>1. Authority to approve alternative building solutions which meet the performance requirement of the Building Code relating to fire detection and early warning [r.55].</li> <li>2. Authority to approve or refuse to approve a battery powered smoke alarm and to determine the form of an application for such approval [r.61].</li> </ol> <p><b>Explanation:</b> Regulation 55 and 61 of the <i>Building Regulations 2012</i> was previously delegated and had been incorporated into the grant a building permit delegation. It is separated as it is considered a distinct function, with changes in wording to align the delegation with the WALGA template</p>
<p>NEW – 2.3.10 – Referrals and Issuing Certificates</p>	<p><b>Proposed Delegation:</b></p> <p><b>Function:</b> Authority to issue a certificate for Design Compliance, Construction Compliance or Building Compliance whether or not the land subject of the application is located in the City of Perth’s District [s.145A(2)].</p> <p><b>Explanation:</b> This would enable the City to carry out certification services outside of its boundaries.</p>
<p><b>Planning and Development Act 2005</b></p>	
<p>2.4.1 – Illegal Development</p>	<p><b>Amended Delegation:</b></p> <p><b>Express power to sub-delegate:</b> Nil. <i>Local Government Act 1995</i> Section 5.44 CEO may delegate some powers and duties to other employees</p> <p><b>Explanation:</b> There is an express power to sub-delegate</p>
<p><b>City Planning Scheme No. 2</b></p>	



<p>2.5.1 - City Planning Scheme No.2 – Planning Approval</p>	<p><b>Amended Delegation:</b></p> <p><b>Delegate:</b> Chief Executive Officer <del>Director Planning and Development</del> <del>Manager Development Approvals</del></p> <p><b>Conditions</b> References to the <i>Heritage of Western Australia Act 1990</i> are replaced with references to the <i>Heritage Act 2018</i>.</p> <p><b>Explanation:</b> The relevant clauses of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> - Schedule 2 Deemed Provisions for Local Planning Schemes – including clauses 81 to 84 do not provide an ability for a local government to delegate directly to staff. The CEO may sub-delegate.</p> <p>Changes to the conditions reflect the commencement of the <i>Heritage Act 2018</i> in July 2019.</p>
<p><b>City Planning Scheme No.2 / City of Subiaco Town Planning Scheme No.4</b></p>	
<p>2.5.1 A) - City of Subiaco Town Planning Scheme No.4. Planning Approval</p>	<p><b>Amended Delegation:</b></p> <p><b>Title:</b> 2.5.1 <del>City Planning Scheme No.2 – Planning Approval</del> A) City of Subiaco Town Planning Scheme No.4. Planning Approval</p> <p><b>Conditions</b> References to the <i>Heritage of Western Australia Act 1990</i> are replaced with references to the <i>Heritage Act 2018</i>.</p> <p><b>Explanation:</b> Changes to the conditions reflect the commencement of the <i>Heritage Act 2018</i> in July 2019. Title change as the City of Subiaco Town Planning Scheme No.4 is its own document.</p>
<p><b>Cat Act 2011</b></p>	
<p>2.6.3 - Approval to Breed Cats</p>	<p><b>Amended Delegation:</b></p> <p><b>Function:</b> Authority to:</p> <ol style="list-style-type: none"> <li>1. Grant or refuse to grant an approval for the person to breed cats [s37(1)(a) and 37(2)].</li> <li>2. Renew or refuse to renew an approval for the person to breed cats [s37(1)(b) and 37(2)].</li> </ol>

	<ol style="list-style-type: none"> <li>3. Require an applicant to provide any document or information required to determine the application [s37(3)].</li> <li>4. Refuse to consider an application, where the applicant has not complied with a request for information [s37(4)].</li> <li>5. Cancel an approval to breed cats [s38].</li> <li>6. Give an approved breeder a new certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s39(2)].</li> </ol> <p><b>Explanation:</b> Decisions under section 37(1) require determinations of whether any of the factors listed in section 37(2) apply so both subsections should be referenced.</p>
<p>2.6.5 - Waive or Discount Registration Fees</p>	<p><b>Amended Delegation:</b></p> <p><b>Express power or duty delegated:</b> <i>Cat Regulations 2011-2012</i></p> <ul style="list-style-type: none"> <li>• <del>Schedule 1 – clause 1: Fees payable</del></li> <li>• <b>Schedule 3 – cl. 1(4): Fees payable</b></li> </ul> <p><b>Explanation:</b> To correct the references to legislation</p>
<p><b>Dog Act 1976</b></p>	
<p>2.7.1 - Dog Act – Registrations</p>	<p><b>Amended Delegation:</b></p> <p><b>Function:</b> Authority to:</p> <ol style="list-style-type: none"> <li>1. Direct a registration officer to refuse to effect or renew a registration of a dog or cancel an existing registration [s.16].</li> <li>2. Determine that a dog cannot be registered where no application has been made [s.17A].</li> <li>3. Determine, for the purposes of assessing whether a dog can be registered or remain registered, that a dog is not, or will not be, appropriately confined [s.16, s.17A].</li> <li>4. Determine, for the purposes of assessing whether a dog can be registered or remain registered, that a dog is destructive, unduly mischievous, or to be suffering from an infectious or contagious disease [s.16, 17A].</li> <li>5. <b>Apply to a Justice of the Peace for an order to seize a dog where,</b></li> </ol>

	<p>following a decision to refuse or cancel a registration and the applicant / owner has not applied to the State Administrative Tribunal for the decision to be reviewed. [s.17(4)] and Authority, following seizure, to determine to cause the dog to be detained or destroyed or otherwise disposed of as though it had be found in contravention of section 31, 32 or 33A and had not been claimed [s.17(6)]</p> <p><b>Explanation:</b> To improve operational efficiency.</p>
<p>NEW – 2.7.4 - Dog Act – Recovery of Moneys Due Under this Act</p>	<p><b>Proposed Delegation:</b></p> <p><b>Function:</b> Authority to recover moneys, in a court of competent jurisdiction, due in relation to a dog for which the owner is liable [s.29(5)].</p> <p><b>Explanation:</b> To improve operational efficiency.</p>
<p>NEW – 2.7.5 - Dog Act – Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke</p>	<p><b>Proposed Delegation:</b></p> <p><b>Function:</b></p> <ol style="list-style-type: none"> <li>1. Authority to consider and determine to either dismiss or uphold an objection to the declaration of a dangerous dog [s.33F(6)].</li> <li>2. Authority to consider and determine to either dismiss or uphold an objection to seizure of a dangerous dog [s.33G(4)].</li> <li>3. Authority to revoke a declaration of a dangerous dog or revoke notice proposing to cause a dog to be destroyed, only where satisfied that the dog can be kept without likelihood of any contravention of this Act [s.33H(1)]             <ol style="list-style-type: none"> <li>i. Authority to, before dealing with an application to revoke a declaration or notice, require the owner of the dog to attend with the dog a course in behaviour and training or otherwise demonstrate a change in the behaviour of the dog [s.33H(2)].</li> </ol> </li> </ol> <p><b>Explanation:</b> To improve operational efficiency.</p>
<p>NEW – 2.7.6 - Dog Act – Deal with Objection to Notice to Revoke Dangerous Dog Declaration or</p>	<p><b>Proposed Delegation:</b></p> <p><b>Function:</b> Authority to consider and determine to either dismiss or uphold an objection to a decision to revoke [s.33H(5)]:</p> <ol style="list-style-type: none"> <li>a) a notice declaring a dog to be dangerous; or</li> </ol>

<p>Destruction Notice</p>	<p>b) a notice proposing to cause a dog to be destroyed.</p> <p><b>Explanation:</b> To improve operational efficiency.</p>
<p>NEW – 2.7.7 - Dog Act – Determine Recoverable Expenses for Dangerous Dog Declaration</p>	<p><b>Proposed Delegation:</b></p> <p><b>Function:</b> Authority to determine the reasonable charge to be paid by an owner at the time of payment of the registration fee under s.15, up to the maximum amount prescribed, having regard to expenses incurred by the Local Government in making inquiries, investigations and inspections concerning the behaviour of a dog declared to be dangerous [s.33M(1)(a)].</p> <p><b>Explanation:</b> To improve operational efficiency.</p>
<p><b>Public Health Act 2016</b></p>	
<p>The <i>Public Health Act 2016</i> is still in the process of implementation. Council may delegate its functions to the CEO or a designated officer who is required to be suitably qualified for this position. There is no power of sub delegation.</p>	
<p>NEW 2.8.2 - Enforcement Agency Reports to the Chief Health Officer</p>	<p><b>Proposed Delegation:</b></p> <p><b>Function:</b></p> <ol style="list-style-type: none"> <li>1. Authority to prepare and provide to the Chief Health Officer, the Local Government’s report on the performance of its functions under this Act and the performance of functions by persons employed or engaged by the City [s.22(1)]</li> <li>2. Authority to prepare and provide to the Chief Health Officer, a report detailing any proceedings for an offence under this Act [s.22(2)].</li> </ol> <p><b>Explanation:</b> To improve operational efficiency.</p>
<p>NEW 2.8.3 - Determine Compensation for Seized Items</p>	<p><b>Proposed Delegation:</b></p> <p><b>Function:</b> Authority, in response to an application for compensation, to determine compensation that is just and reasonable in relation to any item seized under Part 16 if there has been no contravention of the Act and the item cannot be returned or has in consequence of the seizure depreciated in value [s.264]</p> <p><b>Explanation:</b></p>

	To improve operational efficiency.
NEW 2.8.4 - Commence Proceedings	<p><b>Proposed Delegation:</b></p> <p><b>Function:</b> Authority to commence proceedings for an offence under the <i>Public Health Act 2016</i> [s.280]</p> <p><b>Explanation:</b> To improve operational efficiency.</p>
<b>Graffiti Vandalism Act 2016</b>	
The City does not currently have any delegations under the <i>Graffiti Vandalism Act 2016</i> . The City has reviewed the <i>Graffiti Vandalism Act 2016</i> and the delegations in the WALGA template and believes each of the following is an appropriate delegation for administrative efficiency. Each of the delegations follows the WALGA template.	
NEW 2.10.1 - Give Notice Requiring obliteration of Graffiti	<p><b>Proposed delegation:</b></p> <p><b>Function:</b></p> <ol style="list-style-type: none"> <li>1. Authority to give written notice to a person who is an owner or occupier of property on which graffiti is applied, requiring the person to ensure that the graffiti is obliterated in an acceptable manner, within the time set out in the notice [s.18(2)].</li> <li>2. Authority, where a person fails to comply with a notice, to do anything considered necessary to obliterate the graffiti in an acceptable manner [s.19(3)] and to take action to recover costs incurred as a debt due from the person who failed to comply with the notice [s.19(4)].</li> </ol> <p><b>Explanation:</b> To improve operational efficiency.</p>
NEW 2.10.2 - Notices – Deal with Objections and Give Effect to Notices	<p><b>Proposed delegation:</b></p> <p><b>Function:</b></p> <ol style="list-style-type: none"> <li>1. Authority to deal with an objection to a notice [s.22(3)].</li> <li>2. Authority, where an objection has been lodged, to:             <ol style="list-style-type: none"> <li>i. determine and take action to give effect to the notice, where it is determined that there are urgent reasons or an endangerment to public safety or likely damage to property or serious nuisance, if action is not taken [s.24(1)(b)] and</li> <li>ii. to give notice to the affected person, before taking the necessary actions [s.24(3)].</li> </ol> </li> </ol> <p><b>Explanation:</b> To improve operational efficiency.</p>

<p>NEW 2.10.3 - Obliterate Graffiti on Private Property</p>	<p><b>Proposed delegation:</b></p> <p><b>Function:</b></p> <ol style="list-style-type: none"> <li>1. Authority to determine to obliterate graffiti applied without consent of the owner or occupier, even though the land on which it is done is not local government property and the local government does not have consent [s.25(1)].</li> </ol> <p><b>Council Conditions on Delegation</b></p> <ol style="list-style-type: none"> <li>1. Subject to exercising Powers of Entry.</li> </ol> <p><b>Explanation:</b></p> <p>To improve operational efficiency.</p>
<p>NEW 2.10.4 - Powers of Entry</p>	<p><b>Proposed delegation:</b></p> <p><b>Function:</b></p> <ol style="list-style-type: none"> <li>1. Authority to give notice of an intended entry to the owner or occupier of land, premises or thing, specifying the purpose for which entry is required [s.28].</li> <li>2. Authority to obtain a warrant to enable entry onto any land, premises or thing for the purposes of this Act [s.29].</li> </ol> <p><b>Explanation:</b></p> <p>To improve operational efficiency.</p>

Revoke

Delegation	Reason
<b>Local Government Act 1995</b>	
<p>1.2.11 C - Determine Application for Payment of Legal Representation Costs</p>	<p>The description of the delegation does not relate to the power being delegated. Regulation 12(1)(a) of the <i>Local Government (Financial Management) Regulations 1996</i> relates to restrictions on making payments from municipal fund. It does not relate to the decision to make a purchase, including of legal expenses, or the review of an application for the City to cover legal representation costs.</p> <p>There is not a specific power to determine an application for payment of legal representation costs. As a delegation is the handing down of an explicit power given under a written law as is explained in both WALGA’s Delegation Guide and the Department Guidelines, this means that a delegation cannot be created for this purpose. In these instances, both WALGA and the Department’s Guidelines propose that a policy which provides the criteria for the decision can provide the authority for administration to act. This</p>

	has already occurred and there is a policy, Council Policy 10.16 – Legal Representation for Members and Employees, which provides the necessary authority.
<b>Bush Fires Act 1954</b>	
2.1.10 - Apply for a Declaration as an Approved Area	This delegation is unnecessary for the City as to seek an area be declared as an approved area the City must first establish a bush fire brigade via a local law.
2.1.13 - Withdrawal of Infringement Notices	The power of withdrawing an infringement is not one granted to the local government so it cannot delegate this power. Instead, section 59A(5) of the <i>Bush Fires Act 1954</i> requires the decision to be made by a prescribed officer (which under the <i>Bush Fires (Infringements) Regulations 1978</i> is the Chief Executive Officer, Mayor or President of the local government).
<b>City Planning Scheme No. 2</b>	
2.5.2 - Appoint Authorised Officers	This delegation to the CEO is of a power that the CEO already has under cl. 79 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> – Schedule 2 Deemed Provisions for Local Planning Schemes.
<b>City of Subiaco Town Planning Scheme No.4.</b>	
2.5.2 A - Appoint Authorised Officers	This delegation recognises that the power to appoint authorised officers is a power that cl. 79 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> – Schedule 2 Deemed Provisions for Local Planning Schemes assigns to the CEO. However, as it has been previously adopted by Council it should be revoked for clarity.
<b>Cat Act 2011</b>	
2.6.7 - Infringement Notices – Extensions and Withdrawals	This delegation recognises that the power to withdraw or extend the time for payment of an infringement is a power Section 64 and 65 of the <i>Cat Act 2011</i> assigns to the CEO. However, as it has been previously adopted by Council it should be revoked for clarity. The CEO can determine delegations for this matter.

Both the Artwork Acquisitions delegation (1.2.11A) and the Determine Grants, Sponsorship and Donation Allocations delegation (1.2.11B) appear affected by the same error as the Determine Application for Payment of Legal Representation Costs in claiming to delegate powers beyond what regulation 12(1)(a) of the *Local Government (Financial Management) Regulations 1996* actually provides for. While there are detailed policies on these matters (being Council Policy 9.7 – Purchasing and Council Policy 18.2 – Cultural Collections in relation to Delegation 1.2.11A and Council Policy 18.13 Sponsorship and Grants, and Council Policy 18.14 Donations in relation to Delegation 1.2.11B) they do not currently incorporate the decision-making powers and conditions as detailed within the delegations. It is proposed that these delegations be revoked, but only once the authorities and conditions have been appropriately incorporated into the relevant policies. The amendments to the policies will require review in accordance with the

Policy Framework Policy.

Land Administration Act 1996

In its Ordinary Council Meeting held **26 May 2020**, Council requested that the Administration prepare a report to delegate matters relating to the cancellation of a reserve and dedication of land as road reserve to the Chief Executive Officer.

The decision to request that the Minister dedicate land as a road reserve under section 56 of the *Land Administration Act 1996* cannot be delegated. The *Land Administration Act 1996* does not contain a power of delegation for local governments. Both the WALGA Guide and the Department Guidelines advise that a delegation of power requires an expressly written power of delegation that applies to the relevant legislation due to section 59 of the *Interpretation Act 1984*. The *Land Administration Act 1996* does not contain a power of delegation.

Additionally, the legislation itself indicates that a council resolution is required for the decision. Section 56(2) of the *Land Administration Act 1956* as well regulation 8 of the *Land Administration Regulations 1998* which provides procedural requirements for those decisions require details of the resolution to be provided to the Minister. The WALGA guidance on such matters is that matters that refer to resolution are unable to be delegated as the legislation is implying that the decision is to be made by Council resolution.

**Stakeholder engagement**

There is no stakeholder engagement related to this report.

**Strategic alignment**

Strategic Community Plan

This item addresses the community’s vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Strategic Community Plan 2019 – 2029:

<b>Aspiration:</b>	Performance
<b>Strategic Objective:</b>	5.6 Decision-making that is ethical, informed and inclusive.

Delegations with appropriate conditions support responsive decision making.

**Legal and statutory implications**

Sections 5.16, 7.1B, and 5.42 of the Act provides that a Council may delegate its powers and duties under the Act and its subsidiary legislation to a Committee, Audit Committee or to the CEO. Sections 5.17, 5.43 and 7.1B of the Act, regulation 18G of the *Local Government (Administration) Regulations 1996* and regulation 6 of the *Local Government (Financial Management) Regulations 1996* limit this power of delegation.



Sections 5.18 and 5.46 of the Act require that each delegation be recorded in a register and be reviewed at least once every financial year. Sections 47(2) of the *Cat Act 2011* and s.10AB of the *Dog Act 1976* require the same for delegations under that the respective legislation.

Powers of delegation from Council are also supported in:

- Section 127 of the *Building Act 2011* (subject to limits in section 127);
- Section 48 of the *Bush Fires Act 1954* (subject to limits in section 18(1));
- Section 44 of the *Cat Act 2011*;
- Section 10AA of the *Dog Act 1976*;
- Section 118 of the *Food Act 2008* (subject to limits in s. 118);
- Section 16 of the *Graffiti Vandalism Act 2016*;
- Section 21 of the *Public Health Act 2016*; and
- Schedule 2 clause 82(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Section 59 of the *Interpretation Act 1984* provides requirements which apply to all delegations. For a delegation to be valid, there must be an express power to delegate in the legislation being delegated. The delegation must be of an express power or duty written in the legislation. All delegations must be in writing.

Decisions in relation to delegations under the Act, *Cat Act 2011*, *Dog Act 1976*, and *Graffiti Vandalism Act 2016* are by absolute majority.

Connection with mandates in the *City of Perth Act 2016*

8(1)(a) - to support the good government of persons in the City of Perth, including residents, ratepayers and visitors

**Risk implications**

Impact of decision	
Organisation	Medium
Community	Low

Risk domain	Consequence	Likelihood	Risk rating
Legal and Regulatory/Ethical	Moderate	Possible	Medium

Council is required to review its delegations by 30 June 2020 to comply with section 5.18 and 5.46 of the Act.

The delegations must be carefully considered to ensure they are up to date with relevant legislation, appropriate and have conditions that mitigate risk. Ongoing review and consideration of guidance from WALGA and the Department of Local Government, Sport and Cultural Industries

will support this.

### Approval implications

If Council does not adopt the delegated authority review it will not meet the statutory requirement to review delegations at least once per financial year. Council may amend or revoke delegations.

### Financial implications

There are no financial implications associated with this report.

### Policy references

There are no direct policy implications associated with this report. However, where a policy is effected by a delegation the delegation references the policy in either it's conditions or as a compliance link.

### Comments

Following Council's statutory review and adoption of the 2020/21 Delegated Authority Register, Governance will finalise the review of the CEO sub-delegations.

### Officer Recommendation and Council Resolution

**Moved:** Commissioner McMath

**Seconded:** Commissioner Kosova

That Council:

1. ENDORSES the annual statutory review of the Delegated Authority Register as detailed in this report, in accordance with s.5.18 and 5.46 of the *Local Government Act 1995*, s.47(2) of the *Cat Act 2011* and s.10AB of the *Dog Act 1976*.
2. REVOKES the following listed delegations as detailed in Attachment 13.11A, under the *Local Government Act 1995*, *Cat Act 2011*, *Bush Fires Act 1954*, and the *Planning and Development (Local Planning Schemes) Regulations 2015 (City Planning Scheme No. 2, and City of Subiaco Town Planning Scheme No. 4)*:
  - 2.1 1.2.11C Determine Application for Payment of Legal Representation Costs;
  - 2.2 2.1.10 Apply for Declaration as an Approved Area;
  - 2.3 2.1.13 Withdrawal of Infringement Notices;
  - 2.4 2.5.2 Appoint Authorised Officers;
  - 2.5 2.5.2A Appoint Authorised Officers - City of Subiaco Town Planning Scheme No.4

3. APPROVES the delegations, inclusive of amendments and new delegations as detailed in Attachment 13.11A - Delegation Register, in accordance with s.5.17 and 5.42 of the *Local Government Act 1995*, s.44 of the *Cat Act 2011*, s.10AA of the *Dog Act 1976*, s.16 of the *Graffiti Vandalism Act 2016*, s.127 of the *Building Act 2011*, s.48 of the *Bush Fires Act 1954*, s.118 of the *Food Act 2008*, s.21 of the *Public Health Act 2016*, cl. 81 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and reg. 15D(7) of the *Health (Asbestos) Regulations 1992*.

**CARRIED 3 / 0**

**For:**

Commissioner Hammond  
Commissioner McMath  
Commissioner Kosova

**Against:**

Nil

**Item 13.12 – Nomination of a Commissioner to the Mindarie Regional Council**

<b>File reference</b>	P1030366
<b>Report author</b>	Siobhan Rippington, Governance Coordinator
<b>Other contributors</b>	Nil
<b>Reporting Service Unit and Alliance</b>	Governance, Corporate Services
<b>Report author disclosure of interest</b>	Nil
<b>Date of report</b>	26 May 2020
<b>Nature of Council's role</b>	Executive
<b>Voting requirement</b>	Simple Majority
<b>Attachment/s</b>	Nil

**Purpose**

The purpose of this report is for Council to nominate a Commissioner to represent the City of Perth on the Mindarie Regional Council (MRC).

**Background**

At its meeting held on 27 August 2019, Council nominated Commissioner Kosova as the City's representative to the MRC. The MRC constitution was made under the *Local Government Act 1960*, under which all regional councillor appointments expire on 30 June each year. *The Local Government Act 1960* does not allow for the appointment of an ongoing deputy member.

**Details**

The MRC was formed in 1981 and formally constituted in 1987. The purpose of the MRC is to provide effective and cost-efficient waste disposal consistent with safeguarding all environmental elements for the benefit of the constituent local governments and their residents. The constituent local governments are the Cities of Joondalup, Wanneroo, Perth, Stirling and Vincent and the Towns of Victoria Park and Cambridge.

The MRC meets bi-monthly, on a Thursday at 6.30pm, with the venue rotated between the member Local Governments. MRC members receive \$10,300 per annum, and an allowance of \$1,000 per annum.

**Stakeholder engagement**

No stakeholder engagement was undertaken in relation to this report.

## Strategic alignment

### Strategic Community Plan

This item addresses the community’s vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Strategic Community Plan 2019 – 2029:

<b>Aspiration:</b>	Performance
<b>Strategic Objective:</b>	5.6 Decision making that is ethical, informed and inclusive.

## Legal and statutory implications

Section 708 of the *Local Government Act 1960*

Schedule 9.3. Clause 10 of the *Local Government Act 1995*

### Connection with mandates in the *City of Perth Act 2016*

8(1)(a) - to provide for the good government of persons in the City of Perth, including residents, ratepayers and visitors

## Risk implications

Impact of decision	
Organisation	Low
Community	Low

Risk domain	Consequence	Likelihood	Risk rating
Legal and Regulatory/Ethical	Minor	Rare	Low

## Approval implications

If Council does not nominate a Commissioner to the MRC the City will not have a representative on the MRC.

## Financial implications

There are no financial implications related to this report.

## Policy references

There are no policy references in relation to this report.

**Comments**

To ensure the City is appropriately represented on the MRC, it is recommended that Council nominate a Commissioner to the MRC. Following the City of Perth election on 17 October 2020, a Special Council Meeting will be held in which Council will nominate newly elected Elected Members to relevant regional councils, committee and boards. Therefore, the officer recommendation is for Council to nominate a Commissioner for a period expiring when the election is held.

**Officer Recommendation**

That Council NOMINATE Commissioner \_\_\_\_\_ as the City of Perth’s representative to the Mindarie Regional Council from 1 July 2020 until the City of Perth 2020 election.

**Amended Motion and Council Resolution**

**Moved:** Commissioner Hammond  
**Seconded:** Commissioner McMath

That Council NOMINATE Commissioner Kosova as the City of Perth’s representative to the Mindarie Regional Council from 1 July 2020 until the City of Perth 2020 election.

**CARRIED 3 / 0**

**For:**  
 Commissioner Hammond  
 Commissioner McMath  
 Commissioner Kosova

**Against:**  
 Nil

**Reason:**  
 To appoint a Commissioner as a City of Perth representative to the Mindarie Regional Council.

**Item 13.13 – Corporate Business Plan 2020/21 – 2023/24**

<b>File reference</b>	P1036767#01
<b>Report author</b>	Sarah Best, Integrated Strategic Planning Analyst
<b>Other contributors</b>	Karin Strachan, Director Corporate Recovery Chris Noble, Corporate Strategy and Risk Advisor
<b>Reporting Service Unit and Alliance</b>	Strategy and Risk, Chief Executive Officer
<b>Report author disclosure of interest</b>	Nil
<b>Date of report</b>	29 May 2020
<b>Nature of Council’s role</b>	Legislative
<b>Voting requirement</b>	Absolute Majority
<b>Attachment/s</b>	Attachment 13.13A – Corporate Business Plan 2020/21 – 2023/24

**Purpose**

The purpose of this report is to seek Council endorsement of the City’s Corporate Business Plan 2020/21 – 2023/24, developed to guide the organisation in the delivery of the Strategic Community Plan’s aspirations and objectives.

**Background**

The City of Perth’s Strategic Community Plan 2019-2029 was endorsed by Council at its Ordinary Council Meeting on 26 November 2019 and articulated the City’s aspirations, objectives and priorities. To operationalise the Strategic Community Plan, the organisation commenced, in November 2019, the process for developing the organisations Corporate Business and Service Unit Plan’s, with supporting financial impacts.

From November 2019 to May 2020, the City worked toward integrating its planning and budgeting processes to ensure the City had a suite of integrated and future focussed plans to clarify operational effort and cost to deliver quality outcomes to the community. This integrated approach underpins the City’s Corporate Business Plan, which provides clarity on activities that the City will focus on, within its human and financial resource limitations. The City of Perth Corporate Business Plan 2020/21-2023/24 is now provided to Council for formal consideration.

**Details**

The Corporate Business Plan translates the Councils strategic direction into the functions, activities and operations of the City, within resource limitations. The services, projects and activities indicated within the Corporate Business Plan have been guided through prioritisation and engagement processes with Commissioners and key stakeholders. It aligns the City’s activities with the Strategic

### Community Plan Aspirations:

- **People**  
A safe, activated and welcoming City that celebrates its diversity and sense of community, providing a unique educational, cultural, sporting and lifestyle offering.
- **Place**  
A well planned and functional built form environment, promoting world class architecture, appreciation of heritage, diversity of land use and a sustainable, affordable and accessible integrated transport system.
- **Planet**  
A City that respects, protects and fosters its natural environment, embraces the principles of sustainability, and acknowledges the impacts of our changing climate.
- **Prosperity**  
A City with a diverse and resilient economy capitalising upon its unique competitive advantages and creative reputation, attracting sustainable investment in education tourism, entertainment, commerce, technology and trade.
- **Performance**  
A City led by a Council and supported by an administration that is committed to sound strategy and governance, excellence in customer service and effective and sincere engagement with all stakeholders.
- **Partnership**  
A City that has earned the respect and support of the local industry through strong partnerships with State bodies, industry and community groups, and other key stakeholders.

The City's Corporate Business Plan has been developed during the COVID-19 pandemic and its unprecedented impacts to the community. The proposed Corporate Business Plan, as attached, takes into consideration the impact of COVID-19 on the City services and facilities during this time and the ongoing effort to recover from such an event. It has a direct link and operationalises the COVID-19 Economic Rebound Strategy.

### Regulatory Compliance

The Corporate Business Plan is a regulatory requirement in accordance with the *Local Government Act 1995* and the Department of Local Government and Communities Integrated Planning and Reporting Advisory Standard. The Corporate Business Plan must:

- (i) Be for a minimum of four years;
- (ii) Identify and prioritise the principal strategies and activities the Council will undertake in response to the aspirations and objectives stated in the Strategic Community Plan;
- (iii) State the services, operations and projects that a local government will deliver over the period of the plan, the method for delivering these and the associated cost;



- (iv) Reference resourcing considerations such as asset management plans, finances and workforce plans; and
- (v) Be adopted by Council by absolute majority.

Regulations also require that the Corporate Business Plan to be reviewed annually, as it is the main ‘driver’ for the Annual Budget.

**Stakeholder engagement**

As per the COVID-19 Economic Rebound Strategy, the City sought the feedback from key stakeholders with close to 250 surveys distributed to individuals representing tourism, hotels, property, arts, culture, retail, hospitality and the community. The survey was open for feedback between 1 May 2020 and 10 May 2020. A total of 74 valid responses were returned with feedback.

As a result, a list of items was identified in the COVID-19 Strategy for immediate and long term action to assist the recovery and revitalisation of the City. The information collected from this survey has contributed to the formation of the Corporate Business Plan.

**Internal Consultation:**

The following officers have provided input or commentary that has also informed and shaped the Corporate Business Plan:

- Executive Leadership Team;
- Project Director Corporate Recovery;
- Project Director Strategic Finance;
- All Alliance Managers;
- Project Accountants;
- Corporate Strategy and Risk Advisor; and
- Integrated Strategic Planning Analyst.

**Strategic alignment**

Strategic Community Plan

This item addresses the community’s vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Strategic Community Plan 2019 – 2029:

<b>Aspiration:</b>	Performance
<b>Strategic Objective:</b>	An integrated strategic framework with clear line of sight between community vision and operational outcome

**Legal and statutory implications**

*Local Government Act 1995, section 5.56*

*Local Government (Administration) Regulations 1996; Regulation 19DA*

Connection with mandates in the *City of Perth Act 2016*

8(1)(a) - to provide for the good government of persons in the City of Perth, including residents, ratepayers and visitors

**Risk implications**

Impact of decision	
Organisation	Medium
Community	Medium

The following Risk Domains are impacted by the endorsement of this report.

Risk domain	Consequence	Likelihood	Risk rating
Service Delivery/Strategic Objectives	Major	Unlikely	Medium
Financial	Major	Unlikely	Medium
Legal and Regulatory/Ethical	Moderate	Rare	Low
Reputation and External Stakeholders	Moderate	Rare	Low

**Approval implications**

This report requires an absolute majority vote of Council in accordance with *the Local Government Act 1995* and Regulations, to endorse the Corporate Business Plan. The implications of not accepting the administrations recommendation to the Council would be non-compliance, further modifications to annual and long term financial plan’s, as well as the inability to effectively deliver on strategic objectives.

**Financial implications**

All financial implications within the Corporate Business Plan are addressed in the Long Term Financial Plan, as well as the annual budget.

**Policy references**

There are no policy references related to this report.

**Comments**

It is recommended that Council endorse the City’s Corporate Business Plan as detailed in Attachment 13.13A, to provide ongoing direction to the City’s decision-making processes, services, projects and financial commitments.

Following adoption of the Corporate Business Plan, it will be promoted and shared with the community. Strategies and projects indicated within the Corporate Business Plan will continue to be implemented to achieve the Strategic Community Plan’s identified Aspirations, with regular progress being monitored and reported to Council.

**Officer Recommendation and Council Resolution**

**Moved:** Commissioner Hammond  
**Seconded:** Commissioner McMath

That Council ADOPTS the City’s Corporate Business Plan 2020/21 – 2023/24, as detailed in Attachment 13.13A.

**CARRIED 3 / 0**

**For:**  
Commissioner Hammond  
Commissioner McMath  
Commissioner Kosova

**Against:**  
Nil

**Meeting Note:**  
The Commissioners acknowledged the Project Director Strategic Finance for his efforts on the reconstruction of the entire finance system. The Chief Executive Officer also acknowledged the Project Director Corporate Recovery for her efforts.

**Item 13.14 – Long Term Financial Plan 2020/21 - 2029/30**

<b>File reference</b>	P1018430-4
<b>Report author</b>	Michael Kent, Project Director Strategic Finance
<b>Other contributors</b>	Bill Parker, General Manager Corporate Services
<b>Reporting Service Unit and Alliance</b>	Strategic Finance, Corporate Services
<b>Report author disclosure of interest</b>	Nil
<b>Date of report</b>	13 June 2020
<b>Nature of Council’s role</b>	Executive
<b>Voting requirement</b>	Simple Majority
<b>Attachment/s</b>	Attachment 13.14A - Long Term Financial Plan 2020/21 - 2029/30 Attachment 13.14B - Long Term Financial Plan 2020/21 - 2029/30 – Financial Schedules

**Purpose**

The purpose of this report is to seek Council endorsement of the City’s Long Term Financial Plan 2020/21 - 2029/30. The plan was developed to ensure alignment between the City’s strategic intent (as expressed through the Strategic Community Plan) and our organisational financial capacity.

**Background**

The ten year long term financial plan is a high-level strategic document informing the City’s integrated planning framework. It assists in aligning our community aspirations, strategic intent and organisational capacity. It guides our approach to delivering infrastructure and services to the community in a responsible and affordable way.

The long term financial plan supports this objective by projecting our financial position over a ten year time horizon using a series of realistic, conservative financial assumptions. This financial modelling provides the City with reliable, robust information to assess our capacity to maintain overall financial sustainability into the long term and, most importantly, to ensure that we have in place the necessary funding arrangements to support proposed capital replacement programs and new capital projects.

The plan demonstrates Council’s commitment to managing its operations in a responsible and sustainable manner.

The City of Perth Long Term Financial Plan 2020/21 - 2029/30 is now presented to Council for formal consideration.

**Details**

The Long Term Financial Plan 2020/21 - 2029/30 presents a \$2.60 Billion financial blueprint for the City for the 2020/21 to 2029/30 period.

With its focus on making the City more financially sustainable into the future, this plan drives structural reform of the City’s finances. Previously burgeoning operating expenses have been constrained and brought back to sustainable levels, expenditure focus has shifted from discretionary projects back to core service and there is increased commitment to appropriate asset renewal and new or upgraded community infrastructure as part of the City’s stewardship responsibilities.

Reduction of staff numbers by around 100 FTE and re-balancing the allocation of staff against prioritised services has resulted in a \$100M saving over ten years. With an agile, service based resource allocation model, the City believes that it can deliver quality, targeted services that offer a value for money proposition to our ratepayers whilst ensuring that our capital city is efficiently run and that service levels are responsive to our community’s needs.

Re-prioritising some discretionary operating project expenditure and redirecting those funds to areas where they can provide greater value has allowed an additional \$100M investment in asset renewal and community infrastructure creation.

The long term financial plan expenditure profile over the ten year period in broad terms is:

<b>Expenditure Type</b>	<b>Amount \$</b>
Core Service Delivery	1,581M
Discretionary Operating Projects	141M
Asset Renewal and Community Infrastructure	630M
Financing Activities and Closing Balance (Surplus)	251M
<b>Total Allocation</b>	<b>2,602M</b>

This plan is developed at a time when our state is emerging from COVID-19 and the anticipated financial impacts of that event have been responsibly modelled into the plan - especially in the first two years. To support the post COVID-19 economic rebound, an allocation of \$18.0M has been made for 2020/21 and other funding may be provisioned in future years if appropriate.

The COVID-19 pandemic has also adversely impacted the City’s revenue streams. Forfeited revenues from parking operations and the provision of financial relief for property rentals, refunded event fees from cancelled events, waiving of certain fees and charges, 2020/21 rates freeze, zero percent increase to fees and charges and significant reduction in investment revenues have created a challenging short term financial environment and this is reflected in the early years of the proposed funding model.

The long term financial plan presents a balanced funding model incorporating a responsible mix of funding sources over the ten year period as indicated below:

Funding Source	Amount \$
Rates	1,243M
Parking Operations	652M
Fees and Charges	211M
Other Revenues and Grant Funds	180M
Financing Activities - Cash Reserves and Borrowings	316M
<b>Total Funding</b>	<b>2,602M</b>

The funding model acknowledges that other opportunities may arise through extra-ordinary grants from other levels of government or non-government sources or from asset rationalisations. These have not been incorporated into the model due to their uncertainty, but the financial model can readily be adapted to respond to such opportunities should they arise.

The long term financial plan also references our financial ratios against industry benchmarks across each of the plan’s ten years to identify periods of financial challenge. Whilst a specific indicator may not be met in a given year, the long term financial plan presents a responsible and realistic plan to ensure that trends and average ratios across the life of the plan meet or exceed preferred industry benchmarks.

The Long Term Financial Plan (as presented) represents what is considered to be the optimal model to deliver a responsible and sustainable financial blueprint for the City for the next ten years. The modelling parameters used are considered to realistically reflect current and anticipated economic conditions and the funding mix is considered to be the most appropriate with respect to community funding capacity, external funding opportunities and responsible use of cash reserves and borrowings. Reliance on rates as a funding source is modelled to remain as close as possible to an annual increment of no more than CPI plus 0.5% - excluding growth from interim property growth.

The long term financial plan is to be reviewed annually by the administration to check alignment with actual performance and to identify any changed or emerging circumstances including strategic or community priorities. It will also be reviewed and updated in accordance with statutory obligations and community feedback on a regular basis to move it towards an industry best practice standard.

The financial schedules detailing the plan are presented in Attachment 13.14B.

**Stakeholder engagement**

Preparation of the Long Term Financial Plan is informed by the outputs of various community consultation exercises including, but not limited to, the Community Strategic Plan, Corporate Business Plan and Economic Rebound Strategy. It also incorporates inputs from the Workforce Plan, Asset Management Plans and other internally focussed strategies and plans.

## Strategic alignment

### Strategic Community Plan

This item addresses the community’s vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Strategic Community Plan 2019 - 2029:

<b>Aspiration:</b>	Performance
<b>Strategic Objective:</b>	A financial business model underpinned by a culture of cost management, best value and strategic financial analysis that is subject to ongoing oversight, transparency and accountability.

## Legal and statutory implications

Regulation 19DA(3)(c) of the *Local Government (Administration) Regulations 1996* requires a long term financial plan to integrate with the corporate business plan.

Indirectly, Regulation 50 of the *Local Government (Financial Management) Regulations 1996* requires local governments to produce seven key financial ratios. These ratios are to be included in the annual financial report.

Without a long term financial plan, a local government is unable to calculate the asset renewal funding ratio. This ratio requires the net present value of planned capital renewals over ten years. This is calculated directly from the long term financial plan.

### Connection with mandates in the *City of Perth Act 2016*

8(1)(a) - to provide for the good government of persons in the City of Perth, including residents, ratepayers and visitors

## Risk implications

Impact of decision	
Organisation	Medium
Community	Medium

The following Risk Domains are impacted by the endorsement of this report.

Risk domain	Consequence	Likelihood	Risk rating
Financial	Major	Unlikely	Medium
Legal and Regulatory/Ethical	Moderate	Rare	Low
Reputation and External Stakeholders	Moderate	Rare	Low

**Approval implications**

Should Council endorse the long term financial plan, the plan will be embedded into the City’s operations and updated regularly to reflect changing conditions and emerging trends. It is envisaged that the long term will be presented to Council annually with the Corporate Business Plan.

Should Council decide to not endorse the plan, the City would revert back to an annual planning cycle driven by the statutory budget process.

**Financial implications**

The long term financial plan incorporates all of the financial implications of the initiatives contained in the Corporate Business Plan. The Long Term Financial Plan 2020/21 - 2029/30 exerts a persuasive influence on the budget.

The 2020/21 Annual Budget is aligned with the financial projections of this long term financial plan and reflects all significant funding and expenditure assumptions.

**Policy references**

There are no policy references related to this report.

**Comments**

It is recommended that Council endorse the Long Term Financial Plan 2020/21 - 2029/30 as contained in Attachment 13.14A and Attachment 13.14B, because it presents a responsible and sustainable blueprint for the financial future of our City.

**Officer Recommendation and Council Resolution**

**Moved:** Commissioner Hammond  
**Seconded:** Commissioner McMath

That Council ADOPT the City’s Long Term Financial Plan 2020/21 - 2029/30, as detailed in Attachment 13.14A and Attachment 13.14B.

**CARRIED 3 / 0**

**For:**  
Commissioner Hammond  
Commissioner McMath  
Commissioner Kosova

**Against:**  
Nil



**Meeting Note:**

The Commissioners acknowledged the Project Director Strategic Finance and Project Director Corporate Recovery for their efforts.

**Item 13.15 – Public Advertising of 2020/21 Differential Rates**

<b>File reference</b>	P1037120
<b>Report author</b>	Bill Parker, General Manager Corporate Services
<b>Other contributors</b>	Michael Kent, Project Director Strategic Finance Amanda Bentley, Senior Rates Officer
<b>Reporting Service Unit and Alliance</b>	Corporate Services
<b>Report author disclosure of interest</b>	Nil
<b>Date of report</b>	16 June 2020
<b>Nature of Council’s role</b>	Executive
<b>Voting requirement</b>	Simple Majority
<b>Attachment/s</b>	Attachment 13.15A – Draft Rate Setting Statement Attachment 13.15B – Objects of, and reasons for each Differential Rate

**Purpose**

The purpose of this report is for Council to approve the advertising of proposed differential rates for the 2020/21 financial year in accordance with section 6.36 of the *Local Government Act 1995*.

**Background**

In March 2020, Council endorsed a \$6.45M COVID-19 Fiscal Stimulus Package that applied to the 2019/20 financial year. Council also agreed to consider a further round of stimulus measures applicable to the 2020/21 financial year during the forthcoming budget process. This included a 0% rate yield increase.

Under section 6.32 of the *Local Government Act 1995*, in order to make up a budget deficiency, a local government is to impose a general rate on rateable land within its district. The rate may be imposed either:

- (i) uniformly; or
- (ii) differentially;

The City of Perth has traditionally applied rates differentially, having a number of discrete rating categories according to property types eg. commercial, retail etc. Before imposing any differential general rates or a minimum payment applying to a differential rate category, a local government is to give local public notice of its intention to do so.

**Details**

The 2020/21 budget process is the City’s first budget process that will be delivered under the new

Integrated Planning and Reporting Framework. The City has invested significant resources over the past 12 months developing a new Strategic Community Plan, Corporate Business Plan and a range of supporting documents including a Long Term Financial Plan, Asset Management Plan and Workforce Plan.

One of the key outputs of a fully integrated strategic planning framework is the budget. Under a fully integrated system, the budget transforms from an annual process of drudgery that occurs in isolation and without strategic foresight, to an efficient and strategically aligned process that essentially ‘falls out’ of the Corporate Business Plan and Long Term Financial Plan.

In preparing for the 2020/21 financial year, the City has invested significant effort updating the entire Integrated Planning and Reporting Framework to reflect the impacts of COVID-19. This includes:

1. A forecast reduction in revenue (parking, investments and infringements); and
2. An increase in expenditure associated with an appropriate fiscal stimulus response

The draft budget has also been prepared on the premise of a 0% rate yield increase. This means that the total amount of rates collected in 2020/21 will be the same amount that the City collected in 2019/20.

Taking the impacts of COVID-19, the City’s long term financial position and a 0% rate yield increase into consideration, the Rate Setting Statement (Attachment 13.15A) prepared as part of the budget process has identified a required total rate yield (including interims) of \$98,649,326.

Given that new valuations will be applied in 2020/21 as part of a triennial process to redistribute the rating effort, the City of Perth has prepared a series of rate models with an aim to place the highest proportion of ratepayers in the least disadvantaged position.

This item recommends that Council endorse the proposed differential rates for the purposes of public advertising.

## **Stakeholder engagement**

It is a statutory requirement for the City of Perth to give local public notice of its intention to impose any differential general rate or a minimum payment applying to a differential rate category.

The local public notice is required to contain certain information and invite submissions to be made by an elector or a ratepayer in respect of the proposed rate or minimum payment and any related matters within 21 days.

## **Strategic alignment**

### Strategic Community Plan

This item addresses the community’s vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Strategic Community Plan 2019 – 2029:

<b>Aspiration:</b>	Performance
<b>Strategic Objective:</b>	A financial business model underpinned by a culture of cost management, best value and strategic financial analysis that is subject to ongoing oversight, transparency and accountability

Setting differential rates that generate the required rates yield to support the 2020/21 budget is critical as the budget forms the foundation (base year) for the City’s 2020/21 - 2029/30 Long Term Financial Plan.

That Long Term Financial Plan plays a critical role in aligning the City’s aspirations with its organisational capacity. Any shortfall against the base year rates funding requirement will have a compounding effect across the ten years covered by the plan, and therefore, on the organisation’s capacity to deliver on the community’s strategic aspirations.

**Legal and statutory implications**

Section 6.36 of the *Local Government Act 1995* applies to this item. This section requires a local government to give local public notice of its intention to impose any differential general rates or a minimum payment applying to a differential rate category.

The City is required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification.

Under section 6.36 (3A), a local government is also required to prepare a document describing the objects of, and reasons for, each proposed rate and minimum payment and to publish the document on the local government’s official website. The statement of objects has been appended to this report (Attachment 13.15B).

Connection with mandates in the *City of Perth Act 2016*

8(1)(a) - to provide for the good government of persons in the City of Perth, including residents, ratepayers and visitors

**Risk implications**

Impact of decision	
Organisation	Medium
Community	High

Risk domain	Consequence	Likelihood	Risk rating
Financial	Moderate	Possible	Medium
Reputation and External Stakeholders	Moderate	Possible	Medium

**Approval implications**

Should Council agree with the officer recommendation, the differential rates will be advertised, with the City inviting submissions for a period of 21 days.

The City is required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification.

**Financial implications**

The Rate Setting Statement for 2020/21 suggests that \$98,649,326 (including interim rates) will be required to be raised from rates.

The indicative rates yields (excluding interim rates) for each property category is shown in the table below but may have some very minor refinements in budgeted rate revenue as the final few values are still being received from Landgate.

Rate Category	No of Properties	Gross Rental Values (GRV)	Rate in \$	Budgeted Rate Revenue \$
<b>Differential General Rate</b>				
Commercial	674	105,642,124	0.064785316	6,844,058
Hotel	752	103,388,426	0.064121400	6,629,411
Retail	511	131,901,437	0.064792549	8,546,230
Office	2,173	975,346,578	0.054500000	53,156,388
Residential	14,592	308,164,215	0.064500000	19,876,592
Vacant	73	23,653,900	0.073996132	1,750,297
<b>Sub Total</b>	<b>18,775</b>	<b>1,648,096,680</b>	-	<b>96,802,976</b>
<b>Minimum Rate</b>			<b>\$ Minimum</b>	
Commercial	39	207,656	800	31,200
Hotel	616	4,853,724	750	462,000
Retail	19	156,909	750	14,250
Office	217	2,485,015	800	173,600
Residential	1,123	11,132,396	750	842,250
Vacant	4	3,185	800	3,200
<b>Sub Total</b>	<b>2,018</b>	<b>18,838,885</b>	-	<b>1,526,500</b>
<b>Total Rates</b>	<b>20,793</b>	<b>1,666,935,565</b>		<b>98,329,476</b>

**Policy references**

There are no policy references related to this report.

**Comments**

The draft budget has been prepared on the premise of a 0% rate yield increase. This means that the total amount of rates collected in 2020/21 will be approximately the same amount that the City collected in 2019/20.

It is important to note that a 0% rate yield increase does not necessarily mean that each rate payer will receive the same rates bill as the previous year. This will be particularly relevant in 2020/21 as the City of Perth will apply new Gross Rental Values as part of a triennial process to redistribute the rating effort.

**Officer Recommendation and Council Resolution**

**Moved:** Commissioner Kosova  
**Seconded:** Commissioner McMath

That Council:

1. APPROVES the advertising of the differential rates based on the predominant purpose for which the land is held and the related minimum rates as follows:
  - 1.1 Commercial - 6.4785316 cents in the dollar;
  - 1.2 Hotel - 6.4121400 cents in the dollar;
  - 1.3 Retail - 6.4792550 cents in the dollar;
  - 1.4 Office - 5.4500000 cents in the dollar;
  - 1.5 Residential - 6.4500000 cents in the dollar;
  - 1.6 Vacant Land - 7.3996132 cents in the dollar;
  - 1.7 Minimum rates - \$750 for Hotel, Retail and Residential property category;
  - 1.8 Minimum rates - \$800 for Commercial, Office and Vacant Land property categories; and
  
2. ENDORSE the objects of, and reasons for each differential rate and minimum as detailed in Attachment 13.15B.

**CARRIED 3 / 0**

**For:**  
 Commissioner Hammond  
 Commissioner McMath  
 Commissioner Kosova

**Against:**  
Nil

**Item 13.16 – Special Budget Review Q4 2019/20**

<b>File reference</b>	P1037120
<b>Report author</b>	Michael Kent, Project Director Strategic Finance
<b>Other contributors</b>	Neil Jackson, Acting Senior Management Accountant
<b>Reporting Service Unit and Alliance</b>	Strategic Finance, Corporate Services
<b>Report author disclosure of interest</b>	Nil
<b>Date of report</b>	15 June 2020
<b>Nature of Council’s role</b>	Executive
<b>Voting requirement</b>	Absolute Majority
<b>Attachment/s</b>	Nil

**Purpose**

The purpose of this report is to present for Council consideration a range of proposed budget amendments largely reflecting the realised (actual) financial impacts of COVID-19 but also quantifying the estimated financial impacts of the free parking trials. The amendments also respond to a WA Local Government Grants Commission request to ensure that the prepayment of 2020/21 general grants is adjusted in the 2019/20 budget.

**Background**

There are three major aspects to this report. The first relates to the Targeted Cost Savings Initiative approved by Council on 26 November 2019 which delivered operational savings to be redirected to several new initiatives including the one-hour and three-hour free parking trials, homelessness response, Christmas and New Year Activation campaign and COVID-19 immediate response. The balance of the savings was available to be used for other new Council initiatives if, and when, prioritised.

The second aspect relates to the City’s response to COVID-19. In March 2020, Council implemented a range of initiatives (fiscal stimulus package) to complement the measures introduced by the Federal and State Governments. The aim of the initiatives was to provide some form of relief across the community from the impacts of COVID-19. The City also took the opportunity at that time to model the anticipated financial impacts on revenue streams including parking, community facility fees and property rentals under several different impact scenarios.

The realised impacts of the previously forecast costs and fiscal stimulus package endorsed by Council have now been analysed in detail and are outlined in the Financial Implications table in this report. Whilst the realised impacts are not as severe as the high impact scenario modelled, they are at a mid-point between the medium and high impact scenario.



In addition, on 27 May 2020, Council received notification from the Department for Local Government, Sport and Cultural Industries (on behalf of WA Local Government Grants Commission) of an advanced payment of the 2020/21 financial year Financial Assistance Grants.

Receipt of the grant requires a budget adjustment to be made in 2019/20 and a corresponding reduction in the budget amount for 2020/21 financial year.

It is appropriate to consider these budget adjustments to the 2019/20 budget (as adopted and amended by resolutions of Council to date) to reflect the financial impact of the above items in our financial records.

## **Details**

When attempting to project the anticipated financial impacts of COVID-19 on the City's operations, the City identified the following likely impacts:

- Impact on parking revenues;
- Loss or waiving of certain fees and charges;
- Loss of revenue and refund of event fees for cancelled events;
- Rental support for City owned buildings;
- Impact on investment revenues; and
- Increased cost for cleaning regimes in the public realm.

For the period between March and 30 June, the City estimated a potential COVID-19 high financial impact of \$17.4M. The realised (actual) financial impact has been \$16.2M and it is considered that this amount should be reflected in an amendment to the 2019/20 budget.

As part of its reform of the City's finances, a targeted cost saving initiative was undertaken in October 2019 and savings from that initiative were used to fund the major Christmas / New Year activation as well as funding for homelessness and other priority initiatives. A significant portion of those savings (\$3M) was also put aside to support the forfeited revenue from the free parking trials in selected precincts. This saving can now be offset against the actual downturn in parking revenue.

The decision by the WA Local Government Grants Commission to prepay a portion of the 2020/21 general grant funding requires a further \$526,915 positive adjustment to the 2019/20 budget.

The net impact of these adjustments will be a downwards adjustment to the budget closing position of \$12,689,367. Importantly, this adjustment has already been factored into the calculation of the opening position for the 2020/21 budget.

## **Stakeholder engagement**

Given the nature of the subject of this agenda item, the report is more of a procedural nature than to reflect engagement with stakeholders on this issue.

## Strategic alignment

### Strategic Community Plan

This item addresses the community’s vision for the future and specifically the following aspiration and Strategic Objective(s) contained in the Strategic Community Plan 2019 – 2029:

<b>Aspiration:</b>	Performance
<b>Strategic Objective:</b>	5.5 A financial business model underpinned by a culture of cost management, best value and strategic financial analysis that is subject to ongoing oversight, transparency and accountability.

## Legal and statutory implications

Regulation 33A of the *Local Government (Financial Management) Regulations 1996* requires a local government to carry out a review of its Annual Budget between December and March each year. Although the City undertook this statutory budget review and adopted the amendments in March, it is considered appropriate to do this further review to acknowledge these extra-ordinary financial impacts.

This report seeks Council approval to amend the 2019/20 budget as noted in the financial implications section of this report.

### Connection with mandates in the *City of Perth Act 2016*

8(1)(a) - to provide for the good government of persons in the City of Perth, including residents, ratepayers and visitors

## Risk implications

Impact of decision	
Organisation	Low
Community	Low

Risk domain	Consequence	Likelihood	Risk rating
Financial	Minor	Almost certain	Low

This report is responding to past events and is essentially procedural in nature. The risk event has passed and the consequences are now known with certainty and have been managed effectively.

This is essentially a statutory reporting requirement.

## Approval implications

Failure to adopt these budget amendments could result in a representation of the City’s financial

performance for 2019/20 that fails to acknowledge the significant adverse financial impact of COVID-19. Making this amendment better reflects the conditions in which the City operated.

### Financial implications

The financial implications associated with this report are detailed in the table below:

Detail	19/20 Budget	Amendment	Revised 19/20 Budget	Budget Impact
<b>COVID-19 Impacts</b>				
Parking Fees	73,565,819	(13,822,976)	59,742,843	Negative
Fines Revenue	9,057,395	(368,003)	8,689,392	Negative
Fees - Childcare	1,514,931	(214,050)	1,300,881	Negative
Fees - Rest Centre	60,000	(16,673)	43,327	Negative
Fees - Podiatry	67,339	(13,410)	53,929	Negative
Fees - Library	24,000	(5,970)	18,030	Negative
Event Cancellation Fees	-	(188,500)	-	Negative
Property Rental Income	4,375,084	(597,962)	3,777,122	Negative
Investment Earnings	4,416,405	(988,739)	3,427,666	Negative
		<b>(16,216,282)</b>		
<b>Grant Revenue Prepayment</b>				
Untied Grants	527,948	526,915	1,054,863	Positive
		<b>526,915</b>		
<b>Targeted Cost Savings</b>				
Free Parking Trial Offset	-	3,000,000	-	Positive
		<b>3,000,000</b>		
<b>Total Budget Impact</b>		<b>(12,689,367)</b>		<b>Negative</b>

### Policy references

There are no policy references relevant to this report.

### Comments

Nil

**Officer Recommendation and Council Resolution**

**Moved:** Commissioner Kosova

**Seconded:** Commissioner McMath

That Council APPROVES the special review of the 2019/20 Budget resulting in a negative adjustment of \$12,689,367 to the 2019/20 Budget Closing Position as detailed in this report.

**CARRIED 3 / 0**

**For:**

Commissioner Hammond

Commissioner McMath

Commissioner Kosova

**Against:**

Nil

**Item 13.17 – City of Perth Internal Audit Plan 2020/21**

<b>File reference</b>	P1026043-2
<b>Report author</b>	Mario Cheldi, Internal Auditor
<b>Other contributors</b>	Niloha Mendoza, Assistant Internal Auditor
<b>Reporting Service Unit and Alliance</b>	Internal Audit, Chief Executive Officer
<b>Report author disclosure of interest</b>	Nil
<b>Date of report</b>	15 April 2020
<b>Nature of Council’s role</b>	Executive
<b>Voting requirement</b>	Simple Majority
<b>Attachment/s</b>	Attachment 13.17A – Internal Audit Plan 2020/21 Attachment 13.17B – Internal Audit Plan - Activity Table

**Purpose**

To seek Council’s approval of the City of Perth Internal Audit Plan 2020/21 as per Attachment 13.17A.

**Background**

During March and April 2020 an Internal Audit Plan has been developed by the Internal Auditor for the 2020/21 financial year.

The City of Perth Internal Audit Plan 2020/21 Attachment 13.17A is presented to the Audit and Risk Committee for its review and approval in line with oversight responsibilities as described within the Committee’s Terms of Reference.

**Details**

**Internal Audit Plan 2020/21**

The Internal Audit Plan 2020/21 Attachment 13.17A comprises statutory/compliance audits as well as risk based audits.

Audit areas and their broad objective as well as timeframes for completion of audits is provided within this plan. In addition, the plan includes a breakdown of audit activity in terms of budgeted hours.

A description of the audit areas (in the order that they appear within the Internal Audit Plan 2020/21) is provided below.

With the exception of the statutory/compliance audits ie. DRIVES24 (NSW)/VicRoads Security and

Access Audits; Local Government Compliance Audit; CEO Review of Systems and Procedures; and Financial Management Review, the audits described below for the Internal Audit Plan 2020/21 as well as proposed audit areas for the 2021/22 and 2022/23 financial years have been selected based on a risk based approach identifying the key risks for each audit. Given the pending restructure of the City's Risk Management Framework, Internal Audit will consider the identified controls within these risks and other controls in relation to the target area.

#### 2020 DRIVES24 (NSW)/VicRoads Security and Access Audits

These audits are required to certify the City's compliance with obligations under access to registered driver detail agreements in place with NSW and Victorian Government Transport Authorities. Access to details on interstate registered drivers i.e. names and addresses are required by the City for the purposes of enforcing parking infringements incurred within the City's boundaries.

Following a request from the Parking Services Unit, these audits have been carried out by Internal Audit since 2015.

#### Cyber Security Review

Cyber security is the practice of protecting systems, networks and programs from digital attacks. These attacks are usually aimed at accessing, changing or destroying sensitive information; extorting money from individuals; or interrupting normal business processes. Effective cyber security reduces the risk of attacks and protects organisations and individuals from the unauthorised exploitation of systems, networks and technologies. The risks from lapses in this security can be significant including from a financial loss and reputational damage perspective.

Research carried out in developing this Internal Audit Plan 2020/21 has provided confirmation that cyber security continues to be a relevant and high risk area for organisations in 2020 as well as a highlighted focus for the internal audit function.

Following a request from the Audit and Risk Committee, a Cyber Security Review was undertaken in October 2019 as part of the Internal Audit Plan 2019/20. This review identified that the Information Communication and Technology (ICT) Unit has been proactive in engaging a number of information technology security consultant firms to assess its information security (includes cyber security). It was also confirmed that this Unit is in the process of addressing the recommendations to improve this security as made by these firms.

The Audit and Risk Committee, at the meeting held on 19 February 2020, requested a progress report be presented on the implementation of the abovementioned recommendations to improve information security.

This Cyber Security Review will examine and provide a report on the status of implementation of the recommendations from the information security assessments carried out as well as the adequacy of internal measures being undertaken by the ICT Unit to control cyber security threats.

#### Tenders

Tenders has been assessed by the Internal Audit and Risk Management Teams as a high risk area for

the City. Potential risks of inadequate tendering processes include the City not achieving value for money in purchasing, non-compliance with relevant legislation and policy/procedures, duplication (tendering of same goods or services by different Units), and negative effects on service delivery.

At the Audit and Risk Committee meeting held on 19 June 2018, the Committee requested that additional audits on tenders be undertaken. This request was in response to a planned increase in the delegated authority of the Chief Executive Officer to approve tenders to a value of up to \$1 million (previously \$500,000). This increase in delegated authority was approved at the Ordinary Council meeting held on 26 June 2018. Inclusion of a tender audit within the Internal Audit Plan 2020/21 is in line with the abovementioned request of the Committee.

The Tenders Audit as included within the Internal Audit Plan 2020/21 will assess whether the tender evaluation and approval process is resulting in the acceptance of valid tenders. A Procurement Transformation Program is currently being implemented within the City. This review will provide assurance on the effectiveness of tender evaluation and approval processes in place as a result of implementation of the abovementioned program.

A Tenders Audit was scheduled to be undertaken during the 2020/21 financial year as per the three year projection of audits shown within the Internal Audit Plan 2019/20.

#### Information Technology (IT) Disaster Recovery

IT disaster recovery is the process for recovering systems following a major disruption. Research carried out in developing this Internal Audit Plan 2020/21 has confirmed that IT disaster recovery continues to be considered a high risk area for organisations and a highlighted focus for the internal audit function.

In the absence of effective disaster recovery capability the risks include the following:

- extended disruption or inability to deliver services that depend on systems;
- inability to recover systems and restore lost data;
- subsequent financial loss; and
- reputational damage, including loss of community confidence in the effective delivery of services.

A review of the City's IT Disaster Recovery plans and processes was scheduled to be undertaken during the 2020/21 financial year as per the three year projection of audits shown within the Internal Audit Plan 2019/20. This review has previously not been undertaken by Internal Audit and therefore is considered timely.

An assessment of the adequacy of the City's plans and processes for the effective recovery of its critical ICT systems and data in the event of a disruption is planned for this review.

Support for this review was obtained from the External Member of the Audit and Risk Committee.

### Local Government Compliance Audit 2020

A Compliance Audit Return which assesses compliance with various sections of the *Local Government Act 1995* and Regulations is completed as part of the Local Government Compliance Audit. This return is required to be provided to the Department of Local Government, Sport and Cultural Industries for each calendar year.

This is a significant audit requiring sourcing of evidence of compliance for each legislative requirement on the return.

For reasons of independence and objectivity, the Local Government Compliance Audit has been carried out by Internal Audit since 2014.

### Project Management

Project management continues to be recognised as a high risk area for the City as confirmed via feedback from the Risk Management Team. There are many types of risk in project management, however, the most common project risks are as follows:

- **Cost risk**, typically escalation of project costs due to poor cost estimating accuracy and scope creep;
- **Schedule risk**, the risk that activities will take longer than expected. Being behind schedule typically increases costs and also delays the receipt of project benefits; and
- **Performance risk**, the risk that the project will fail to produce results consistent with project specifications.

In response to the recognised high risk area of project management, during 2019 a team was created to work on facilitating an improvement in the project management maturity of the organisation. This team have been instrumental in establishing a project management system and processes within the City. A review of project management in 2020/21 is considered to be timely and is supported by the External Member of the Audit and Risk Committee.

This review will assess whether sound project management processes and controls are in place and being applied for the management of a sample of major projects.

### Contract Management

Contract management is in the same category as tenders as a high risk area assessed by the Internal Audit and Risk Management Teams. Potential risks of inadequate contract management practices include contract cost blow-outs not being adequately controlled, contractor obligations under the contract not being met and contractor performance issues not being resolved resulting in delays or non completion of deliverables under the contract.

This review will examine how effectively the City is managing its contracts after contracts have been awarded. A Procurement Transformation Program is currently being implemented within the City. Assurance is to be obtained on the effectiveness of contract management processes in place as a result of implementation of the abovementioned program.



A review of contract management was scheduled to be undertaken during the 2020/21 financial year as per the three year projection of audits shown within the Internal Audit Plan 2019/20.

#### Data Analytics Review – Accounts Payable

Following the Organisational Capability and Compliance Assessment undertaken between March and May 2017, Deloitte provided the City with results of data analytical testing they carried out on accounts payable and payroll transactions/records using their own data analytics software. The results were reviewed by Internal Audit (as part of the Internal Audit Plan 2017/18) and found to be useful for identifying potential anomalies in these transactions/records which require further investigation.

As a result of the ICT Unit now having in place data analytical software (Microsoft Power BI), an opportunity is available to once again undertake the abovementioned reviews.

Research carried out in developing this Internal Audit Plan 2020/21 has confirmed that data analytical reviews can provide value to organisations and that such reviews should be an area of focus for the internal audit function.

It was identified during the Fraud and Corruption Controls Review July 2019 (carried out by Internal Audit) that the Australian Standard, AS8001-2008 Fraud and Corruption, recommends that data mining (the use of software to identify suspect transactions for investigation into potential fraudulent or corrupt conduct) should be part of an organisation's fraud detection system. Fraud presents a risk to the organisation not only in terms of financial loss but reputational damage as well.

A Data Analytics Review – Accounts Payable was scheduled to be undertaken during the 2020/21 financial year as per the three year projection of audits shown within the Internal Audit Plan 2019/20.

The objective of this review is to obtain evidence to provide assurance that accounts payable transactions are able to be adequately accounted for and valid vendors are recorded on the Finance 1 system.

#### 2021 DRIVES24 (NSW)/VicRoads Security and Access Audits

Refer above 2020 DRIVES24 (NSW)/VicRoads Security and Access Audits for a description of this review.

#### **Internal Audit Activity Table**

An Internal Audit Activity Table is provided within Attachment 13.17B showing internal audits undertaken in the 2017/18, 2018/19 and 2019/20 financial years as well as the proposed audits for the 2020/21, 2021/22 and 2022/23 financial years.

For the 2020/21 financial year, a description of audit areas has been provided in the above section.

Proposed audit areas for the 2021/22 and 2022/23 financial years are summarised below.

Statutory/Compliance Audits

- DRIVES24 (NSW)/VicRoads Security and Access Audits; and Local Government Compliance Audit required to be undertaken during each financial year. A description of these audits is provided in the above section.
- Reviews required by legislation to be undertaken every three financial years i.e CEO Review of Systems and Procedures (Regulation 17 of the *Local Government (Audit) Regulations 1996*); and Financial Management Review (Regulation 5(2)(c) of the *Local Government (Financial Management) Regulations 1996*). The CEO Review of Systems and Procedures and Financial Management Review is next scheduled to be undertaken in the 2021/22 financial year and 2022/23 financial year respectively.

Risk Based Audits

- Data Analytics Reviews – Accounts Payable and Payroll. A description of the Data Analytics Review for Accounts Payable is provided within the above section discussing proposed audits for the Internal Audit Plan 2020/21. Payroll is another major expense area for the City suited to the carrying out of a data analytical review. The objective of the Data Analytics Review for Payroll is to obtain evidence to provide assurance that payroll transactions and records identified from the data analytical testing are valid and able to be adequately accounted for. It was advised by the External Member of the Audit and Risk Committee as well as confirmed via research that data analytical reviews are more effective when they are repeatable. As a result, both the Data Analytics Review for Accounts Payable and Payroll have been scheduled for the 2021/22 and 2022/23 financial years.
- Tenders. Tenders is described as a high risk area for the City in the above section on proposed audits for the Internal Audit Plan 2020/21. As a result of the CEO delegation to approve tenders being increased in June 2018 to a value of up to \$1million, the Audit and Risk Committee has requested that more audits on tenders be undertaken. This audit has therefore been included to be undertaken in both the 2021/22 and 2022/23 financial years.
- Contract Management. Contract Management is described as a high risk area in the above section on proposed audits for the Internal Audit Plan 2020/21. An audit on Contract Management has also been scheduled for the 2022/23 financial year in order to provide assurance on the effectiveness of the City's practices in this high risk area.
- Risk Management. As mentioned on page 2 of this report the City's Risk Management Framework is being restructured. As a result of this restructure, an audit on Risk Management has been proposed by the External Member of the Audit and Risk Committee. The External Member has suggested that this audit take place in the 2021/22 financial year to allow sufficient time for a new framework to be embedded within the organisation. This audit will review and assess the City's new Risk Management Framework, including the identification, assessment, management and reporting of risks.
- Asset Management. Asset Management is considered a current high risk area for the City as determined via feedback from the Risk Management Team. A review of asset management is supported by the External Member of the Audit and Risk Committee. The risks from poor asset management include increased maintenance costs, decreased level of service to the

community, increase in safety issues and public liability claims. Although a high risk area the City is making good progress with treatment actions to address a number of risks associated with asset management as demonstrated in the latest Risk Management Quarterly Update Report (November 2019). A review of the adequacy of relevant processes including asset data collection and recording, asset planning and maintenance as well as reporting on asset management is to be undertaken. This audit is scheduled for the 2022/23 financial year.

### Stakeholder engagement

The following stakeholders were engaged in relation to this report:

- Corporate Strategy and Risk Advisor;
- Chief Executive Officer;
- External Member of the Audit and Risk Committee;
- Strategic Procurement Lead;
- Alliance Manager Information and Communications Technology (ICT) Services;
- Coordinator ICT (Analytics and Insights);
- Coordinator ICT (Technology Infrastructure);
- Coordinator ICT (Business Systems); and
- Supervisor, Legal Compliance and Infringement Services.

### Strategic alignment

#### Strategic Community Plan

This item addresses the community’s vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Strategic Community Plan 2019 – 2029:

<b>Aspiration:</b>	Performance
<b>Strategic Objective:</b>	5.5 A financial business model underpinned by a culture of cost management, best value and strategic financial analysis that is subject to ongoing oversight, transparency and accountability.

### Legal and statutory implications

Under Regulation 17 of the *Local Government (Audit) Regulations 1996* the CEO is to review certain systems and procedures including risk management, internal controls and legislative compliance.

#### Connection with mandates in the *City of Perth Act 2016*

8(1)(a) - to provide for the good government of persons in the City of Perth, including residents, ratepayers and visitors

**Risk implications**

Impact of decision	
Organisation	High
Community	Low

The audits within the Internal Audit Plan 2020/21 Attachment 13.17A as well as proposed audits for the 2021/22 and 2022/23 financial years Attachment 13.17B have been selected based on a risk based approach with a focus on considered high risk areas of the City.

**Approval implications**

If Council does not adopt the recommendation of this report there will be no formal acceptance of the Internal Audit Plan 2020/21.

**Financial implications**

There are no financial implications related to this report.

**Policy references**

19.1 – Risk Management

**Comments**

It should be noted that the City of Perth Internal Audit Plan is flexible in that it may be updated during the financial year to cater for new risks or changing audit priorities.

The outcomes of the City of Perth Panel Inquiry may also emerge as a determinant of audit areas within Internal Audit Plans.

Cooperation and assistance received a number of staff in the development of the Internal Audit Plan is appreciated.

**This item was considered at the Audit and Risk Committee at its meeting held on 6 May 2020.**

**Officer and Audit and Risk Committee Recommendation and Council Resolution**

**Moved:** Commissioner McMath  
**Seconded:** Commissioner Kosova

That Council APPROVES the City of Perth Internal Audit Plan 2020/21 as per Attachment 13.17A.

**CARRIED 3 / 0**

**For:**

Commissioner Hammond

Commissioner McMath

Commissioner Kosova

**Against:**

Nil

**Item 13.18 – Policy – Fraud and Corruption Control**

<b>File reference</b>	P1005611-3
<b>Report author</b>	Gary Clark, Acting Alliance Manager Governance
<b>Other contributors</b>	Nil
<b>Reporting Service Unit and Alliance</b>	Governance, Corporate Services
<b>Report author disclosure of interest</b>	Nil
<b>Date of report</b>	6 April 2020
<b>Nature of Council’s role</b>	Executive
<b>Voting requirement</b>	Simple Majority
<b>Attachment/s</b>	Attachment 13.18A – Draft Council Policy – Fraud and Corruption Control

**Purpose**

The purpose of this report is to consider the adoption of a Fraud and Corruption Control Policy.

**Background**

Acts of Fraud and Corruption can damage the City’s capacity to serve the community through loss of financial capacity, loss of assets, loss of community trust and reputational damage.

The City’s Internal Auditor completed a Fraud and Corruption Controls Review, in accordance with the Internal Audit Plan 2019/20, in July 2019. The review was adopted at the Audit and Risk Committee meeting held on 19 November 2019, and the Ordinary Council meeting held on 26 November 2019.

The City has a range of control measures in place to reduce the risk of fraud and corruption however the Fraud and Corruption Controls Review found that the “City is not adhering to best practice guidance, Australian Standard AS 8001-2008 Fraud and Corruption Control, which recommends a fraud and corruption control plan as an organisation’s first step to control its fraud and corruption exposure.” The review recommended that “A fraud and corruption control plan to be developed and implemented within the organisation.”

**Details**

A review of other local government policies, plans and frameworks revealed a diverse approach to fraud and corruption control. The adoption of a Council Policy and the implementation of a Fraud and Corruption Control Plan by the Chief Executive Officer (CEO) appears to be the approach that best reflects the strategic role of Council and the implementation role of the CEO.

The Australian Standard for Fraud and Corruption Control (AS8001:2008), advises an approach of Planning and Resourcing, Prevention, Detection and Response as a framework for minimising instances of fraud and corruption.

The Commonwealth Attorney-General's Department website describes good governance, engaged leadership and ethical culture as fundamentals for sound fraud control. Its systematic approach to fraud control contains the following elements in an ongoing cycle:

- Fundamentals for sound fraud control (Governance, Leadership and Culture);
- Risk management and planning;
- Prevention;
- Detection;
- Response; and
- Recording and reporting.

The draft Council Policy – Fraud and Corruption Control Attachment 13.18A has been developed to articulate the requirements for good governance, engaged leadership and ethical culture.

Through the Policy, the Fraud and Corruption Control Plan will describe:

- the Council's commitment to "no tolerance" for acts of fraud and corruption;
- the City's approach to building resilience to, and control of, fraud and corruption;
- the embedding of a strong and proactive fraud and corruption control culture within the City;
- the roles and responsibilities for building resilience to and the control of fraud and corruption;
- strategies implemented within the City to prevent, detect and respond to fraud and corruption; and
- protocols for the reporting of suspected fraud or corruption within and against the City including systematic analysis of behaviours and conduct to be mindful of and address.

The Fraud and Corruption Control Plan will be based on the following best practice resources:

- the Australian Standard for Fraud and Corruption Control (AS8001:2008);
- the Commonwealth Fraud Control Framework 2017;
- the State Office of the Auditor General's report on Fraud Prevention in Local Government 2019.
- the Western Australian Corruption and Crime Commission – Guidelines for Notification of Serious Misconduct;
- the Western Australian Public Sector Commission's guidance on reporting Minor Misconduct; and
- the Western Australian Public Sector Commission's guidance on promoting integrity in public authorities.

The Fraud and Corruption Control Plan strategies will be integrated with the City's Risk Management Framework to provide assurance that risks are identified and managed through compliance with control measures and internal audit. The implementation of the strategies will be accountable to Council through results reported to the Audit and Risk Committee.

The Risk Management Framework will detail:

- the fraud risks (internal and external) associated with the City’s functions;
- the controls in place to minimise the opportunity for fraud, corruption and corruption; and
- their implementation details.

### Stakeholder engagement

City of Perth staff including Governance, Internal Audit, Risk Management and Strategic Finance were consulted during the preparation of this report and the draft Council Policy.

### Strategic alignment

#### Strategic Community Plan

This item addresses the community’s vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Strategic Community Plan 2019 – 2029:

<b>Aspiration:</b>	Performance
<b>Strategic Objective:</b>	There is no specific strategic objective relating to fraud and corruption control however good governance and risk management are essential determinants of organisational performance.

### Legal and statutory implications

*Public Interest Disclosure Act 2003*  
*Corruption, Crime and Misconduct Act 2003*  
*Local Government (Rules of Conduct) Regulations 2007*

#### Connection with mandates in the City of Perth Act 2016

8(1)(a) - to provide for the good government of persons in the City of Perth, including residents, ratepayers and visitors

### Risk implications

Impact of decision	
Organisation	Medium
Community	Medium

Risk domain	Consequence	Likelihood	Risk rating
Legal and Regulatory/Ethical	Major	Possible	Medium
Reputation and External Stakeholders	Major	Possible	Medium



Financial	Moderate	Unlikely	Low
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The decision to approve the Council Policy - Fraud and Corruption Control has a high impact for the organisation. Failure to obtain this approval result may place the organisation at risk in this area. In addition, existing risk ratings for the above-mentioned risk domains may be adversely affected.

**Approval implications**

If the recommendation to adopt the Council Policy - Fraud and Corruption Control is not adopted, Council may need to consider alternative options for controlling fraud and corruption.

**Financial implications**

There are no financial implications to this report. The resource requirements for implementation of the Fraud and Corruption Control Plan will be identified during the development of the plan. It is expected that current staff will have the capacity to implement the plan.

**Policy references**

- CP19.1 Risk Management
- CP10.1 Code of Conduct

**Comments**

The draft Council Policy Attachment 13.18A recognises the leadership role of Elected Members and the role of the CEO in implementing the policy through a Fraud and Corruption Control Plan. Elected Members will support a culture of ethical behaviour through compliance with the Code of Conduct. The Council will provide oversight of implementation and performance through the Audit and Risk Committee.

The first draft of the Fraud and Corruption Control Plan is nearing completion. It will be submitted to Executive Leadership Team for review on Wednesday 6 May 2020.

The adoption of a Council Policy and the implementation of a Fraud and Corruption Control Plan will provide assurance that the City’s approach to managing fraud and corruption risks is comprehensive, ongoing and effective.

**This item was considered at the Audit and Risk Committee at its meeting held on 6 May 2020.**

**Officer and Audit and Risk Committee Recommendation and Council Resolution**

**Moved:** Commissioner McMath

**Seconded:** Commissioner Kosova

That Council:

1. RECEIVES the draft Council Policy – Fraud and Corruption Control as detailed in Attachment 13.18A; and
2. AGREES to INITIATE a 21 day public consultation on the draft Council Policy – Fraud and Corruption Control.

**CARRIED 3 / 0**

**For:**

Commissioner Hammond

Commissioner McMath

Commissioner Kosova

**Against:**

Nil

**Change of order of business**

Council agreed that the order of business detailed in the agenda be amended as follows to enable Confidential Item 13.19 to be considered as the last item of business and behind closed doors.

1. Item 13.20 – Operation Heat Shield;
2. Item 13.21 – Reinstatement of Parking Fees; and
3. Confidential Item 13.19 – Memorandum of Understanding (MOU).

Item 13.20 – Operation Heat Shield

<b>File reference</b>	P1039099
<b>Report author</b>	Emma Landers, Alliance Manager Community Services
<b>Other contributors</b>	Konrad Seidl, Alliance Manager Community Safety and Amenity
<b>Reporting Service Unit and Alliance</b>	Community Services, Community Development Alliance
<b>Report author disclosure of interest</b>	Nil
<b>Date of report</b>	26 June 2020
<b>Nature of Council’s role</b>	Advocacy
<b>Voting requirement</b>	Simple Majority
<b>Attachments</b>	Nil

**Purpose**

This report seeks approval for the Chair Commissioner to write to the Premier of Western Australia to request the extension of WA Police’s *Operation Heat Shield* which concluded on 31 May 2020.

**Background**

Operation Heat Shield was a WA Government funded project to increase the provision of policing resources over summer by providing an additional 55,000 hours of police in the central business district. Working collaboratively with the City’s Safe City Rangers and Citywatch, the additional policing resulted in positive benefits for local businesses and visitors to the City.

The operation concluded on 31 May 2020 and maintaining this level of police resourcing is considered critical for supporting the City’s economic rebound from the consequences COVID-19 pandemic.

**Details**

Operation Heat Shield commenced in December 2019 and concluded on 31 May 2020. The Operation funded additional police (through the provision of overtime shifts) to patrol the city and other known metropolitan hotspots over the summer months. The patrols were welcomed by retailers and business owners as the additional police targeted anti-social behaviour in the city’s malls and retail theft, both of which have negatively impacted business and visitors to the city.

In January (mid-operation) the Government of Western Australia released a media statement highlighting the positive response from retailers about the highly visible police presence. The media release references some positive results compared to the previous quarter (October to December) which included 53 more offenders apprehended and an increase in 134 apprehensions for retail

theft related offences.

The Operation has highlighted the effectiveness of additional police and the City has received feedback from the local business community about the benefits of the additional policing, noting that crime and anti-social behaviour has increased since Operational Heat Shield ceased at the end of May.

### Stakeholder engagement

Stakeholders were engaged as part of the City’s COVID-19 Recovery and Rebound Project. At a City Amenity Advisory Committee workshop the value of the additional police resourcing during Operational Heat Shield and the importance of continuing this level of policing, to support the City’s economic recovery was acknowledged. The Committee requested a letter be sent to the Premier as an urgent priority to advocate for additional funding to be allocated to the extension of Operation Heat Shield within the city.

### Strategic alignment

#### Strategic Community Plan

This item addresses the community’s vision for the future and is aligned with all the Aspirations of our Strategic Community Plan 2019 – 2029.

<b>Aspiration:</b>	People
<b>Strategic Objective:</b>	1.1 Safe, clean and inviting public places that are well patronised and enjoyed by all.

### Legal and statutory implications

There are no legal or statutory implications related to this report.

#### Connection with mandates in the *City of Perth Act 2016*

8(1)(c) - to provide a safe, clean and aesthetic environment for the community, city workers, visitors and tourists

### Risk implications

Impact of decision	
Organisation	Medium
Community	Medium

The following risks assessment has been conducted based on this report:

Risk domain	Consequence	Likelihood	Risk rating
Financial	Insignificant	Rare	Low
Reputation and External Stakeholders	Moderate	Possible	Medium

The approval of the recommendation within this report carries a medium level risk to the Reputational and External Stakeholder risk category and a low-level risk to the financial category.

### Approval implications

If the request to advocate to the Premier for additional police resources to support the City's economic recovery is not approved, it will negatively impact on the City's reputation as a strong advocate for the City's stakeholders.

### Financial implications

There are no financial implications with this report.

### Comments

Operation Heat Shield highlighted the benefit of additional police within the City, with local businesses and visitors experiencing less anti-social behaviour, reduced crime and an increased perception of safety.

As the City of Perth recovers from the impacts of the COVID-19 pandemic there is an even greater need for a highly visible and responsive police presence and the continuation of Operational Heat Shield is considered critical to supporting businesses and workers, and encouraging visitors back to the City.

### Officer Recommendation and Council Resolution

**Moved:** Commissioner Hammond

**Seconded:** Commissioner McMath

That Council APPROVE sending a letter to the Premier of Western Australia from the Chair Commissioner requesting the extension of WA Police's Operation Heat Shield to support the City's Economic Rebound.

**CARRIED 3 / 0**

**For:**

Commissioner Hammond

Commissioner McMath

Commissioner Kosova

**Against:**

Nil

**Item 13.21 – Reinstatement of Parking Fees**

<b>File reference</b>	P1010030
<b>Report author</b>	Nathan Ahern, Alliance Manager Parking Services
<b>Other contributors</b>	Bill Parker, General Manager Corporate Services Ben Fitzpatrick, Alliance Manager Marketing and Communications
<b>Reporting Service Unit and Alliance</b>	Parking Services, Infrastructure and Operations Alliance
<b>Report author disclosure of interest</b>	Nil
<b>Date of report</b>	24 June 2020
<b>Nature of Council’s role</b>	Executive
<b>Voting requirement</b>	Simple Majority
<b>Attachment/s</b>	Attachment 13.21A - Proposed parking fees for each off-street carpark

**Purpose**

The purpose of this report is to recommend changes to the fees and charges associated with the City of Perth’s parking business in response to the continued lifting of COVID-19 restrictions, increased road congestion and low uptake of public transport.

**Background**

On 31 March 2020, Council approved a range of COVID-19 stimulus measures for the period April to June 2020. The measures were introduced to support local businesses and from a parking perspective included:

- Free one hour on-street parking; and
- Discontinuation of issuing infringements.

Council’s decision was in addition to the one hour free parking trial in Royal Street, Hay Street East Perth and Hay Street West Perth and the three hour free parking trial at selected car parks on weekends and public holidays.

In March 2020, the State Government announced a reduction to public transport services, as the pandemic had heavily impacted patronage across the public transport network. The reduction in service levels included the operation of Saturday timetables for all Transperth trains.

In response to the State Government’s announcement and to provide a cost-effective alternative for workers travelling to the Central Business District (CBD), the City implemented \$10 all day off-street parking (24 hours).

The City has been in regular contact with Main Roads WA (MRWA) and the Department of Transport (DoT) throughout the COVID-19 period to share data and provide insight into the way Western Australians are moving throughout the city and metropolitan area.

The City has been advised that:

1. Freeway traffic volumes are reaching pre COVID-19 levels, with congestion returning to the road network; and
2. There are approximately 150,000 less SmartRider transactions on the public transport system each day when compared to the corresponding period from the previous year. This information is captured across both the bus and train systems.

The data available would suggest that commuters previously utilising public transport are now opting to travel to the city by car. This is despite public transport services returning to pre-pandemic levels and the Premier announcing that public transport is safe for travel.

The data suggests that the City's current fee structure is encouraging commuters to travel by car.

This item seeks to reinstate on-street parking fees from mid July 2020 and phase in off-street parking fees to pre COVID-19 levels by December 2020 to reduce congestion and encourage the use of public transport.

### **Details**

The data available suggests that freeway traffic is returning to pre COVID-19 levels and that the utilisation of public transport remains low.

The two graphs below suggest that freeway traffic volume is only 5.6% below pre COVID-19 levels and that there is 150,000 less SmartRider transactions each day when compared to the same period in 2019.





Figure 1: All freeways weekly average data suggesting that traffic volume is only 5.6% below pre COVID-19 levels

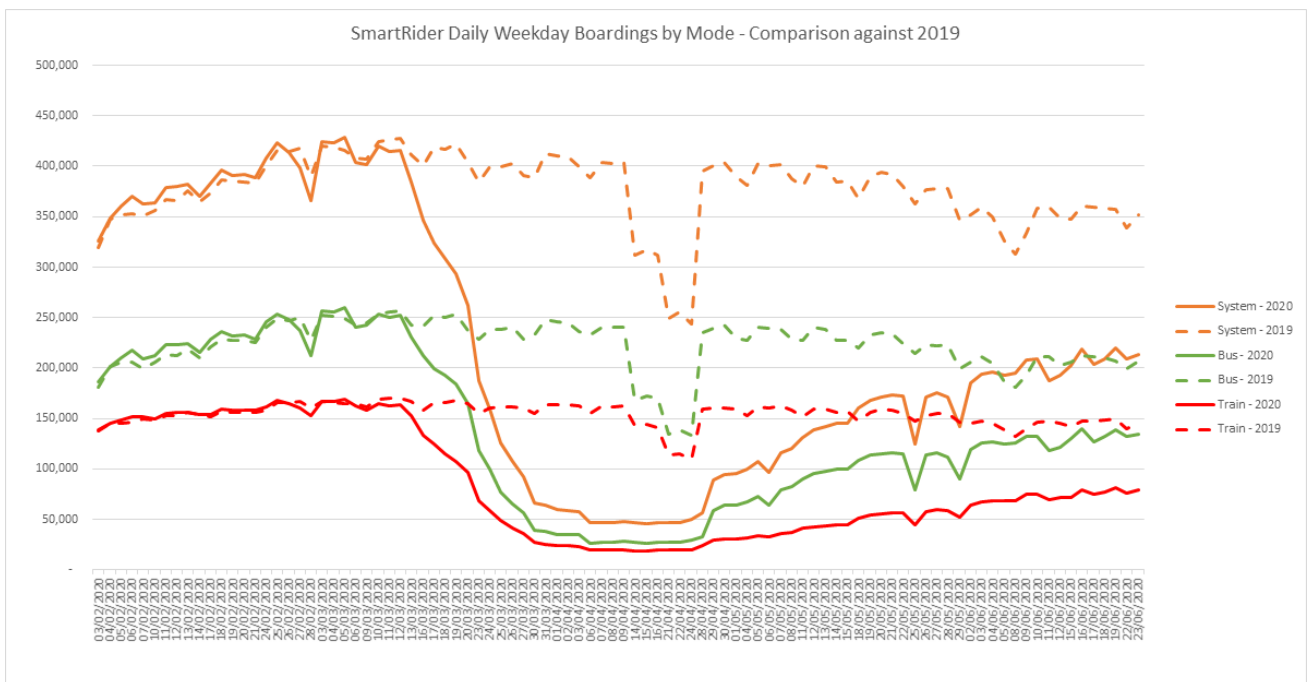


Figure 2: Public transport data suggests that there is 150,000 less SmartRider transactions each day when compared to the same period in 2019.

The City’s parking data also suggests that volumes are returning to pre COVID-19 levels. The data indicates that a majority of the City’s off-street car parks are currently being used by commuters as opposed to shoppers, with the carparks reaching capacity by 8am – 9am every weekday.

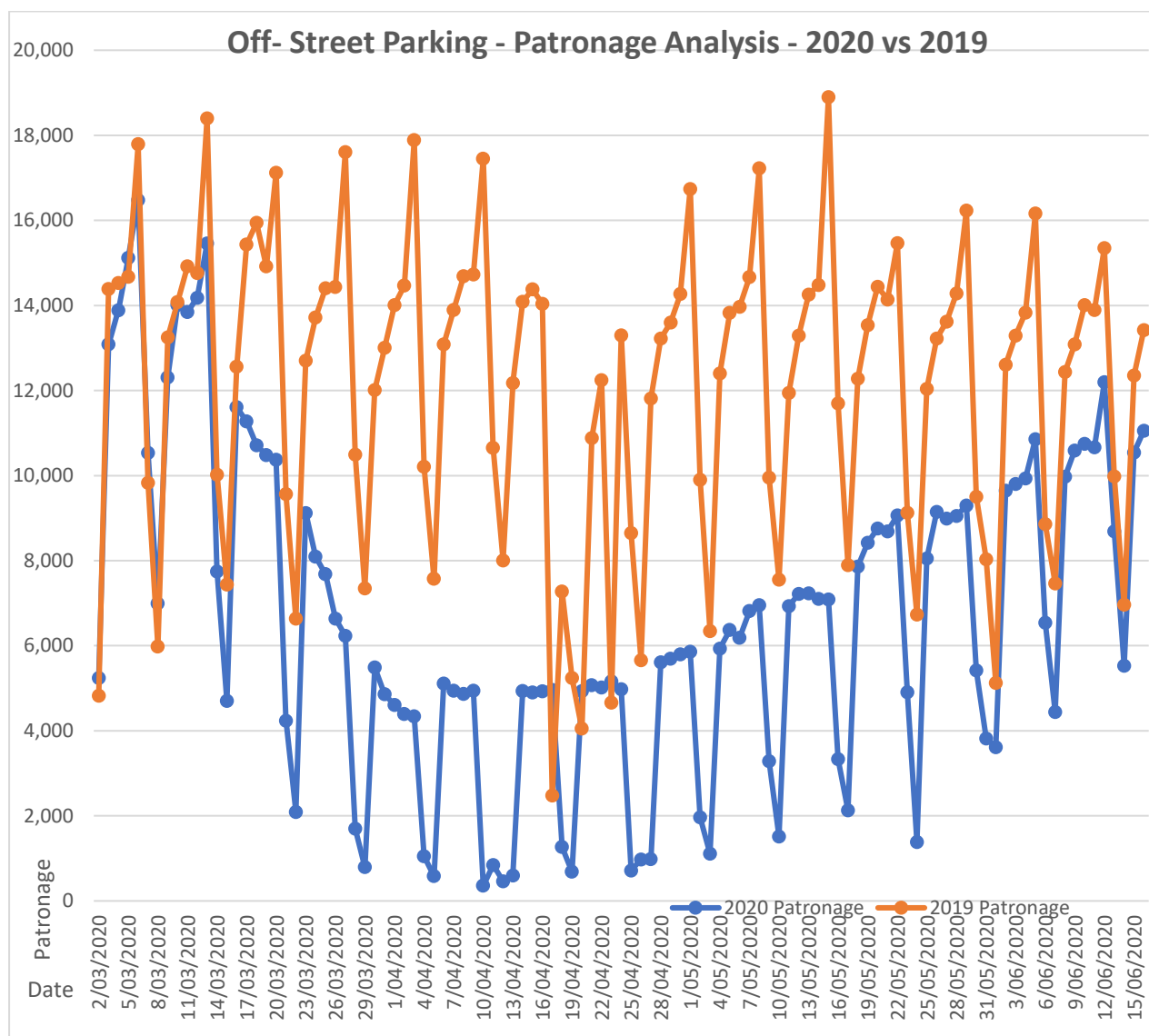


Figure 3: The City's off-street parking data suggests a consistent return to pre COVID-19 levels

When the freeway traffic and public transport data is combined with the City's parking data, it would suggest that consumer behaviour has changed significantly post COVID-19. It would appear that a large number of commuters are now choosing to drive to the city as opposed to taking public transport.

The proportion of commuters currently driving to the CBD is not sustainable. The City has observed increasing levels of congestion with each announcement by the Premier on the lifting of restrictions, with the next announcement to occur after the July school holidays.

The City is also aware that large volumes of city workers are still working from home and at some stage will return to working in the city. Should this be the case, commuters will need to be encouraged back onto the public transport system to ensure that the transport network is optimised.

The data suggests that the City's current fee structure is encouraging commuters to travel by car. To encourage commuters back onto public transport, the following initiatives are recommended:

**1. Off Street Parking**

In terms of the carparks with facilities (security and amenity) it is recommended that the fees are increased from \$10 to pre COVID-19 levels by December 2020. It is proposed that the fees incrementally increase on 20 July, 5 October and then to pre COVID-19 levels on 30 November 2020. The proposed increases are outlined in Attachment 13.21A.

In terms of the remaining carparks without facilities, it is recommended that these carparks remain at \$10 into the foreseeable future.

The fees above reflect the rate from 6am to 6pm. A nightly rate will apply beyond these hours.

**2. On-Street Parking**

On-street parking bays support the movement of city visitors by providing convenient short-term access throughout the City. Given the current fee structure, the City is observing all day parking habits where people are moving their vehicles at the expiry of the free parking period to another free bay.

The use of these parking bays by commuters is restricting access to the city for short term activities such as shopping, running errands or picking up a package.

It is recommended that the fees associated with on-street parking recommence from Monday 20 July 2020 to coincide with the commencement of Phase 5 of the state government roadmap.

In addition to reinstating the fees and charges associated with the City's off-street and on-street parking, it is also recommended that the one-hour free parking trial and three-hour free parking trial continue throughout the 2020/21 financial year.

It was originally intended to collect extensive data on the trials, however the impact of COVID-19 has provided insufficient data to make a recommendation to Council on the success or otherwise of the trial.

**One Hour Free Parking Trial**

The 12-month one-hour free parking trials on Hay Street in East Perth, West Perth and Royal Street in East Perth commenced after a Notice of Motion from Commissioner Hammond on 25 June 2019.

The trials commenced in a staged process across July, August and September in 2019.

Anecdotal feedback and surveys from parkers and businesses demonstrated that the initiative was welcomed and provided support for the surrounding businesses and local area.

**Three Hour Free Parking Trial**

The three-hour free parking trials at the three shopper car parks of His Majesty’s, Pier Street and Cultural Centre car parks commenced on 16 November 2019 after a Notice of Motion from Commissioner Hammond on 30 July 2019.

Car parking patronage data for the first 18 weeks of the trial before the impact of COVID-19 produced a net gain of 27,892 extra cars visiting the City.

Retailers throughout the city were provided with promotional materials to place in their windows and shops to promote the free parking. This initiative was well received by businesses. Overall, the feedback has been positive.

**Stakeholder engagement**

Both MRWA and DoT have been consulted and endorse the City’s changes to parking fees as a strategy to encourage the use of public transport and reduce congestion.

**Strategic alignment**

**Strategic Community Plan**

This item addresses the community’s vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Strategic Community Plan 2019 – 2029:

<b>Aspiration:</b>	Place
<b>Strategic Objective:</b>	2.4 A connected and accessible city with well utilised and sustainable non-car transport options.
	2.5 A parking service model that meets community needs from a best value for money perspective, and allows for additional community benefits
<b>Aspiration:</b>	Partnership
<b>Strategic Objective:</b>	6.2 Genuine collaboration between the City and State on major projects that add considerable value to the city’s economic, social and environmental fabric.

**Legal and statutory implications**

The proposed changes to the fees and charges associated with the City’s parking business are accommodated within the draft 2020/21 budget.

Connection with mandates in the *City of Perth Act 2016*

8(1)(i) - to develop and maintain collaborative inter-governmental relationships with a view to improve the City of Perth

**Risk implications**

Impact of decision	
Organisation	Medium
Community	Medium

Risk domain	Consequence	Likelihood	Risk rating
Reputation and External Stakeholders	Moderate	Almost certain	High

It is highly likely that any decision to reinstate fees and charges will be met with some community opposition. This needs to be considered in the broader context of returning to ‘normal’ by encouraging commuters back on to public transport to reduce congestion and optimise the transport network.

**Approval implications**

Should Council support the officer recommendation, it is anticipated that the number of commuters driving to the City each day will decrease and the number of commuters utilising public transport will increase. Congestion will therefore ease.

If the recommendation is not supported, the network may experience more congestion with the commencement of Phase 5 of the state government roadmap.

**Financial implications**

In developing the Long Term Financial Plan, the City included the forecast impacts of COVID-19. Applicable to this item, the impacts included:

1. Significant reductions in the City’s parking revenue for the period April – December 2020;
2. Staged improvement over the July to December period to around 70% of the annual yield pre-COVID levels; and
3. Incremental returns to pre COVID-19 parking revenue levels (reduced by the free parking impact) by 2022/23.

The recommendation contained within this report to reintroduce on-street parking fees and phase in off-street parking fees from mid July 2020 is slightly ahead of the assumptions contained in the Long Term Financial Plan and therefore the 2020/21 budget.

Without understanding the ‘price elasticity’ between the proposed reintroduction of fees and parking patronage, it is difficult to forecast the impact on 2020/21 budget revenue.

It is possible that:

- Higher fees and slightly reduced patronage may result in a positive budget variance;
- Higher fees and reduced patronage may result in a negligible budget variance; and
- Higher fees and highly reduced patronage may result in a negative budget variance.
- 

Given the uncertainty, the City will monitor income levels and proactively report any significant variances back to Council, and where appropriate, propose a budget amendment to recognise that variance.

### Policy references

Nil

### Comments

There has been some media coverage whereby the City has been encouraged to continue free on-street parking and reduced off-street parking fees to support local businesses. Given the data available and the observations of the City’s parking staff, a large proportion of people currently parking in the City’s car parks are commuters, not shoppers.

The City has received feedback from some retailers that shoppers are finding it very difficult to find parking.

In addition to reducing congestion by encouraging commuters back on to public transport, it is also envisaged that this initiative will provide shoppers with better access to parking therefore supporting local business.

<b>Officer Recommendation and Council Resolution</b>
<p><b>Moved:</b> Commissioner Hammond  <b>Seconded:</b> Commissioner Kosova</p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. <u>EXTENDS</u> the free on-street parking initiative until Sunday 19 July 2020;</li> <li>2. <u>APPROVES</u> the phased approach to reinstating off-street parking fees to pre COVID-19 levels from 20 July 2020 to 30 November 2020 as outlined in attachment 13.21A;</li> <li>3. <u>APPROVES</u> the continuation of the one hour on-street parking trials (Royal Street, Hay Street East Perth and Hay Street West Perth precincts) for 2020/21 financial year; and</li> </ol>

**Moved:** Commissioner Hammond

**Seconded:** Commissioner Kosova

That Council:

1. EXTENDS the free on-street parking initiative until Sunday 19 July 2020;
2. APPROVES the phased approach to reinstating off-street parking fees to pre COVID-19 levels from 20 July 2020 to 30 November 2020 as outlined in attachment 13.21A;
3. APPROVES the continuation of the one hour on-street parking trials (Royal Street, Hay Street East Perth and Hay Street West Perth precincts) for 2020/21 financial year; and

4. APPROVES the continuation of the three hour off-street parking trial on weekends and public holidays (His Majesty's, Pier Street and Cultural Centre carparks) for the 2020/21 financial year.

**CARRIED 3 / 0**

**For:**

Commissioner Hammond

Commissioner McMath

Commissioner Kosova

**Against:**

Nil

**Motion to close the meeting**

**Council Resolution**

**Moved:** Commissioner Kosova

**Seconded:** Commissioner McMath

That Council RESOLVES to close the meeting to the public to consider Confidential Item 13.19 in accordance with Section 5.23(2) of the *Local Government Act 1995*.

**CARRIED 3 / 0**

**For:**

Commissioner Hammond

Commissioner McMath

Commissioner Kosova

**Against:**

Nil

**5.58pm**

The meeting was closed to the public for discussion of the confidential item and the livestream was suspended.



**Item 13.19 – Confidential Item - Memorandum of Understanding (MOU)**

<b>File reference</b>	P1030804-2
<b>Report author</b>	Jayson Miragliotta, General Manager Planning and Economic Development
<b>Other contributors</b>	Chris Watts, Alliance Manager Transport and Design Bill Parker, General Manager Corporate Services
<b>Reporting Service Unit and Alliance</b>	Transport and Design, Planning and Economic Development
<b>Report author disclosure of interest</b>	Nil
<b>Date of report</b>	13 June 2020
<b>Nature of Council’s role</b>	Executive
<b>Voting requirement</b>	Simple Majority
<b>Attachment/s</b>	Confidential Attachment 13.19A - MOU Agreement and Project Schedule <i>Confidential attachments are distributed to Commissioners under separate cover</i>

In accordance with Section 5.23(2)(d) of the *Local Government Act 1995*, this item is confidential and will be distributed to Commissioners under separate cover.

Council determined not to disclose the Council resolution in relation to this item.

**Motion to reopen the meeting to the public**

**Council Resolution**

**Moved:** Commissioner McMath

**Seconded:** Commissioner Hammond

That Council OPEN the meeting to the public.

**CARRIED 3 / 0**

**For:**

Commissioner Hammond

Commissioner McMath

Commissioner Kosova

**Against:**

Nil

**5.59pm**      The meeting was reopened to the public and the livestream re-commenced.

**14. Motions of which previous notice has been given**

Nil

**15. Urgent business**

Nil

**16. Closure**

The Chair Commissioner declared the meeting closed at 6.00pm.