



City of **Perth**

Minutes

Ordinary Council Meeting
28 June 2022

Michelle Reynolds
Chief Executive Officer
1 July 2022

Minutes to be confirmed at the next Ordinary Council Meeting

These minutes are hereby certified as confirmed.

Presiding member's signature _____

Date _____

Information

This information is provided on matters which may affect members of the public. If you have any queries on procedural matters, please contact a member of the City's Governance team via governance@cityofperth.wa.gov.au.

Question Time for the Public

An opportunity is available at Council meetings for members of the public to ask a question about any issue relating to the City. This time is available only for asking questions and not for making statements. Complex questions requiring research should be submitted as early as possible to allow the City time to prepare a response.

The Presiding Person may nominate a member of staff to answer the question and may also determine that any complex question requiring research be answered in writing. No debate or discussion can take place on any question or answer.

To ask a question, please complete the Public Question Time form available on the City's website www.perth.wa.gov.au/council/council-meetings.

Disclaimer

Members of the public should note that in any discussion during a meeting regarding any item, a statement or indication of approval by any council member, committee member or officer of the City is not intended to be, and should not be taken as, notice of approval from the City. No action should be taken on any item discussed at a meeting of a Committee prior to written advice on the Committee or Council's resolution being received.

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1. Declaration of Opening

The Presiding Member declared the Ordinary Council Meeting for the City of Perth open at 5.00pm.

2. Acknowledgement of Country/Prayer

The Presiding Member gave an Acknowledgement of Country:

I respectfully acknowledge the Traditional Owners of the land on which we meet, the Whadjuk Nyoongar people of Western Australia, and pay my respects to Elders past and present. It is a privilege to be standing on Whadjuk Nyoongar country.

The Chief Executive Officer recited a prayer:

Almighty God, under whose providence we hold responsibility for this City grant us wisdom to understand its present needs, foresight to anticipate its future growth, and grace to serve our fellow citizens with integrity and selfless devotion. And to Thee, be all blessing and glory forever. Amen.

3. Attendance

Members in Attendance

Deputy Lord Mayor

Councillors

Di Bain (Presiding Member)

Sandy Anghie

Clyde Bevan

Brent Fleeton

Liam Gobbert

Rebecca Gordon (via Teams)*

Viktor Ko

Catherine Lezer

Officers in Attendance

Chief Executive Officer

General Manager Commercial Services

General Manager Community Development

General Manager Corporate Services

General Manager Planning and Economic Development

Acting General Manager Infrastructure and Operations

Project Director Strategic Finance (CFO)

Acting Alliance Manager Governance

Governance Consultant

Governance Officer

Michelle Reynolds

Steve Holden

Kylie Johnson

Melissa Murphy

Dale Page

Nathan Ahern

Michael Kent

Mieke Wevers

Chris Liversage

Kait Hedley

*In accordance with Regulation 14C of the *Local Government (Administration) Regulations 1996*, the Lord Mayor authorised Councillor Gordon's attendance at this meeting by electronic means.

Public Gallery

There were approximately two members of the public and three staff in the gallery.

3.1 Apologies

Lord Mayor Basil Zempilas

3.2 Leave of Absence

Nil.

3.3 Applications for Leave of Absence

- Councillor Viktor Ko for the period 4 July 2022 to 17 July 2022 inclusive:

Council Resolution

Mover: Councillor Brent Fleeton

Seconded: Councillor Liam Gobbert

That Council APPROVES Councillor Ko's leave of absence for 4 July 2022 to 17 July 2022 inclusive.

CARRIED (8/0)

For: Deputy Lord Mayor Di Bain; Councillors Sandy Anghie, Clyde Bevan, Brent Fleeton, Liam Gobbert, Rebecca Gordon, Viktor Ko and Catherine Lezer

Against: Nil

4. Announcements by the Deputy Lord Mayor

4.1 Update on Ruah's Change of Use Application

The Deputy Lord Mayor advised that Ruah, after Council's May 2022 resolution to refuse a change of use application, applied for a review of Council's decision by the State Administrative Tribunal (SAT). However the Minister for Planning "called in" this review on 22 June and will determine the matter herself, following consideration of submissions from the appellant and the City.

These submissions need to be provided by 6 July and the City has engaged a specialist planning lawyer to assist with the City's submission. The City is also writing to all members of the community who previously made a submission on the application to advise them of the SAT review and all submissions previously received from the community will be forwarded to the Minister by the City.

4.2 Lord Mayor's Message from Rome

The Deputy Lord Mayor was pleased to share a message received from the Lord Mayor while in Rome:

'Since landing on Sunday on the inaugural Perth to Rome direct Qantas flight I have had the chance to meet with Local Government and Tourism Officials, attend a network event hosted by Rome Airport, and have been part of a Tourism Western Australia event with a delegation of West Aussie tourism providers who are spreading the word about the great attractions in Perth and Western Australia.'

4.3 Major Events across the City

The Deputy Lord Mayor announced that on Saturday 25th June, the City held a Rugby League State of Origin Fan Day in Forrest Place. The event attracted approximately 2,300 people to Forrest Place which made the day the second busiest Saturday this year and it was 27.2% busier than the previous five Saturdays. This also contributed to a 6% uplift in car park patronage compared to 2021.

In addition on Sunday the 26th of June, there was huge uplift in car park patronage from the previous year. Events were a major contributor to this, with the Supernova Comic Con & Gaming event held at the Perth Convention and Exhibition Centre, Van Gogh Alive at Supreme Court Gardens and the State of Origin game held at Optus Stadium.

5. Public Participation

5.2 Public Questions

	Marie Boettcher (Address Unknown)
Q1	Please can you tell me the detox programs available in Perth for alcohol and drug affected homeless individuals and residents?
A1	Provided by the General Manager Community Development The Mental Health Commission is the lead agency and provides the information on alcohol or drug support and advice services. The City of Perth produces a ' Homeless Services in the Inner City ' brochure which provides detail on services related to drug and alcohol assistance.
Q2	What forms of support does Council give business owners who are constantly robbed and affected by sleeping individuals on their doorsteps? What plans or committees are there to work with the three levels of government and taxes raised to address these complex issues?
A2	Provided by the General Manager Community Development The WA Police are the lead agency in responding to crime and trespassing private property. The Department of Communities is the lead agency for homelessness. The City advocated to State Government for increased outreach support and options for people who are experiencing homelessness. The Department of Communities established Heart Outreach Teams in the City, and have increased collaboration across the sector. The City also advocated to State Government for more Police in the City and an additional 175 officers have been allocated to Perth. The City has increased its collaborative effort with WA Police, with combined patrols early morning, evenings and in the Northbridge Entertainment Precinct. This work has a particular focus to provide support for vulnerable people, address anti-social behaviour and breaches of local laws. Businesses impacted by crime and anti-social behaviour can report matters to Police on 131 444 or the 24/7 Surveillance Centre on 9461 6611. The City provides advice, support and community workshops to businesses through Community Safety Officers and they can be contacted on 9461 3333.

Q3	What counselling is available to individuals effected by terrifying verbal abuse by these individuals? How are these people felt with in the city of Perth?
A3	Provided by the General Manager Community Development The ' Homeless Services in the Inner City ' brochure provides a range of services related to counselling. The Mental Health Commission is the lead agency for counselling support and advice services.
Q4	How many businesses have closed in the city over the last two years due to the problems of homelessness?
A4	Provided by the General Manager Planning and Economic Development Businesses close for a variety of reasons. The City recieves information about business exits from a variety of sources, including REMPLAN, Australian Bureau of Statistics and the Australian Tax Office; however, none of them record a reason for closure. Therefore, the City is unable to provide this information.
Q5	A \$500 penalty for Corporations littering is not a deterrent for large developers like Finbar building a 31-story development at 238 Adelaide Terrace Perth. Can the Council increase this fine to become a deterrent and ensure they remove plastics off all the windows instead of flying into the environment daily?
A5	Provided by the General Manager Planning and Economic Development Penalties for littering are prescribed under the Western Australian <i>Litter Act 1979</i> and Litter Regulations 1981. The \$500 penalty relates to a modified offence (infringement penalty) and harsher penalties (up to \$10,000 for a Body Corporate) may be imposed by a court if the matter is prosecuted under the Act. The City has engaged with the developer regarding this matter.

6. Disclosures of Interests

Name	Councillor Liam Gobbert
Item number and title	12.1 Draft Local Heritage Survey
Nature of interest	Proximity
Interest description	<i>'1 Adelaide Terrace and 2 Plain Street directly abuts my residential address.'</i>

Name	Councillor Liam Gobbert
Item number and title	12.1 Draft Local Heritage Survey
Nature of interest	Impartiality
Interest description	<i>'69-75, 77-85, 87-93, 95-99 Barrack Street are the subject of a Development Application. I briefly discussed the Liberty Theatre proposal with Mr Humich prior to DA submission.'</i>

Name	Councillor Rebecca Gordon
Item number and title	12.1 Draft Local Heritage Survey
Nature of interest	Impartiality
Interest description	<i>'My property is listed on the Heritage Survey. However, no change is proposed and given the number of properties listed it would be an interest in common.'</i>

Name	Deputy Lord Mayor Bain
Item number and title	12.1 Draft Local Heritage Survey
Nature of interest	Impartiality
Interest description	<i>'I have gone through the list of Heritage Survey properties to find any that may have a proximity interest to my property or office. I can't see any that do but I can't be certain that there are not properties that either have a proximity interest or are connected to people who may have donated to my campaign in the past.'</i>

Name	Deputy Lord Mayor Di Bain
Item number and title	18.1 Mayor Events and Festivals Sponsorship Postponement
Nature of interest	Impartiality
Interest description	<i>'I am on the board of Tourism WA.'</i>

7. Confirmation of Minutes

Council Resolution (OCM-22/06-086)

Mover: Councillor Brent Fleeton

Secunder: Councillor Clyde Bevan

That Council CONFIRMS the minutes of the Ordinary Council Meeting held on 31 May 2022 and Special Council Meeting held on 14 June 2022 as true and correct records.

CARRIED UNOPPOSED (8/0)

For: Deputy Lord Mayor Di Bain; Councillors Sandy Anghie, Clyde Bevan, Brent Fleeton, Liam Gobbert, Rebecca Gordon, Viktor Ko and Catherine Lezer

Against: Nil

8. Questions by Members which due Notice has been Given

Nil.

9. Correspondence

Nil.

10. Petitions

Nil.

En Bloc Items

Council Resolution (OCM-22/06-087)

Mover: Deputy Lord Mayor Di Bain

Seconded: Councillor Brent Fleeton

That the officer recommendations for Items 14.1, 14.2, 14.4, 16.1, 16.3, 16.4 and 16.5 be adopted en bloc and the remaining items be dealt with separately.

CARRIED UNOPPOSED (8/0)

For: Deputy Lord Mayor Di Bain; Councillors Sandy Anghie, Clyde Bevan, Brent Fleeton, Liam Gobbert, Rebecca Gordon, Viktor Ko and Catherine Lezer

Against: Nil

Extracted for Debate

Item	Reason
11.1 Draft Open Space Framework	Debate
12.1 Draft Local Heritage Survey	Elected Member Interests
14.3 Long Term Financial Plan 2022/23 – 2031/32	Absolute Majority
14.5 Review of Delegations	Absolute Majority
15.1 Appointment of an Elected Member to the Mindarie Regional Council	Absolute Majority
16.2 Proposed Revision to Annual Internal Audit Plan 2021/22	Debate
16.6 Review of Council Policy 1.1 Attendance at Events	Absolute Majority Withdrawn from agenda (please refer to page 444)
18.1 Major Events and Festivals Sponsorship Postponement	Elected Member Interest

11. Planning and Economic Development Alliance Reports

11.1 Draft Open Space Framework

Responsible Officer	Dale Page – General Manager Planning and Economic Development
Voting Requirements	Simple Majority
Attachments	Attachment 11.1A – Draft Open Space Framework

Purpose

To present the draft Open Space Framework and seek Council’s approval to release it for community consultation.

Recommendation

That Council APPROVES the draft Open Space Framework for the purpose of community consultation, noting that community feedback will inform the development of the final framework, which will be presented back to Council for final approval at a future meeting.

Background

1. The development of an Open Space Framework (the Framework) is a key deliverable in the current Corporate Business Plan 2021/22 – 2024/25. It is also included in the City's draft Local Planning Strategy as an action under the Community, Urban Growth and Settlement theme, and supports Stage 3 of the City of Perth Urban Forest Plan (Green Infrastructure).
2. The draft Open Space Framework is an evidence based, high level strategic document that sets out and prioritises key initiatives for investment in existing open space and the provision of additional space, at both the city and neighbourhood scale.
3. The document is based on the findings of the Open Space Study - a high-level research paper that captured existing open space, future needs and demands, and identified key gaps in provision in the City. Preparation of the study included consultation with key external stakeholders.
4. The draft Framework is also informed by a review of the outcomes of previous community engagement on other key city initiatives (e.g. Strategic Community Plan, draft Local Planning Strategy, Neighbourhood Plans and UWA/QEII precinct planning).
5. The draft Framework includes the following:
 - a. Profile of existing open space provision, including key gaps.
 - b. Current best practice and trends for open space provision in a capital city context.
 - c. Broad strategic directions and principles for the future planning, design, and management of open space.
 - d. Priority projects at both the City and neighbourhood scale.
6. Elected members were engaged on the preparation of the Draft Open Space Framework via a Current Issue Briefing Note (CIBN) in April 2022. The CIBN set out the role and purpose of the Framework, project process and key outcomes of stakeholder engagement (online community survey).
7. The CIBN also advised that the draft Framework would be submitted to the 28 June 2022 Ordinary Council Meeting for consideration, with an option for future community consultation before finalisation.

Discussion

8. Open space is increasingly recognised as an indispensable community asset in the creation of an activated, liveable, and prosperous city.
9. The City has an extensive network of open space that is highly valued by the community. However, the impacts of population growth, climate change and changing community expectations are creating a number of challenges for its future planning, design and management.
10. The City of Perth draft Local Planning Strategy has set ambitious targets to increase the residential population of the city to 55,000 by 2036. The City's open space network is a major element of community infrastructure, recognised for its potential as a stimulus to attract new residents and help meet population targets.
11. As most of this growth will be accommodated in higher density residential developments, with limited access to open space, there will be increasing demand placed on the City's open space network to provide for community recreational needs.

12. Rising temperatures, declining rainfall and increased frequency and intensity of extreme weather events create challenges for how open space is managed to ensure it:
 - a. maintains a high level of environmental quality and amenity; and
 - b. maximises the delivery of a range of benefits including urban cooling, stormwater management and increased biodiversity.
13. While the City has made significant investments in enhancing streets, squares and other paved public space in recent years, investment in upgrading green open spaces has generally not kept pace, with the recent exception of the successful enhancement of Wellington Square.
14. The draft Framework will enable the City to plan proactively to address upcoming challenges and ensure that the open space network continues to enrich Perth city.
15. The draft Framework will guide the future planning, design and management of open space and will inform the City's budgetary processes and investment in this important community asset over the next 15 years and beyond.
16. A range of City and neighbourhood priority projects are identified, focusing on the provision of new space and enhancement of existing space to address gaps in provision, including opportunities for collaboration and advocacy with key external stakeholders.
17. In relation to point 16 above, it is important to note that projects and initiatives set out in the draft Framework are projects the City would look to progress anyway, over time. The Framework does not commit the City or the Council to delivery of the projects or actions within the timeframes notionally allocated, and simply provides structure and guidance to assist with City/Council decision-making and resource allocation.
18. Projects have been prioritised in areas that have a gap in physical provision, limited diversity, low levels of open space per person, and higher population growth projections.
19. Projects could be delivered using a range of mechanisms including:
 - a. **direct delivery** of projects by the City of Perth, as part of its ongoing annual discretionary project prioritisation/budgeting processes and capital works program. For Green Link projects, funding will be sought via the Perth Parking Levy Account, in the first instance.
 - b. **Collaboration** with key external stakeholders, including:
 - i. **partnering** with other government agencies via initiatives such as major urban renewal projects or State or Federal Government funding opportunities (i.e. City Deals).
 - ii. **advocating** with key external stakeholders, including other government agencies, major institutions (e.g. universities, schools, and hospitals) and private landowners, to improve public accessibility of existing open space under their control.
 - iii. **incentivising** the development industry to provide publicly accessible new space in areas where significant physical gaps exist.

Consultation

20. In February 2022 the City hosted an online survey on Engage Perth to capture information on the community's use and high-level expectations for open space to help inform the development of the draft Framework. A total of 171 survey responses were received.

21. The online survey was distributed to the City's LGBTQIA+, Access and Inclusion and Culture and Arts Advisory Groups, along with the City's neighbourhood groups.
22. The City's Elders Advisory Group was briefed on preparation and purpose of the Framework at its meeting held 13 April 2022.
23. Findings from stakeholder engagement have informed the draft Framework's strategic direction and key moves for the future planning, design and management of open space.
24. A peer review has been undertaken to ensure the draft Framework is consistent with current best practice and contemporary approaches to open space planning and design.

Decision Implications

25. If Council adopts the recommendation, the City will undertake further stakeholder engagement to seek feedback on the draft Framework. Feedback will be used to refine and amend the draft document with the intent of submitting the final Open Space Framework to the 25 October 2022 Ordinary Council Meeting for approval, along with a report detailing the comments received and any recommended changes.
26. If Council does not support the recommendation, and requires changes to the draft Framework, the City will progress this work and re-submit the item to an Ordinary Council Meeting in early 2022/23.

Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	Liveable
Related Documents (Issue Specific Strategies and Plans):	City of Perth draft Local Planning Strategy (2021) City of Perth Urban Forest Plan (2016 - 2036)

Legislation, Delegation of Authority and Policy	
Legislation:	Section 2.7(2)(b) of <i>Local Government Act 1995</i> Council is responsible for determining its policies and strategies to enable the City to achieve its objectives under the <i>Local Government Act 1995</i> and <i>City of Perth Act 2016</i> .
Authority of Council/CEO:	Council approval is sought for the draft Open Space Framework and its release for further community consultation and feedback
Policy:	Nil

Financial Implications

27. The draft Framework sets out a range of priority projects to improve the future provision of open space across each of the City's six neighbourhoods, over a 15-year time frame, commencing in 2023/24.
28. Funding of individual projects would be subject to normal project prioritisation and budget approval processes. Projects that re-purpose surplus road space to improve provision of open space could form the basis of requests for funding via the Perth Parking Levy Account.

Further Information

29. Questions and responses received prior to and at the Agenda Briefing Session held 21 June 2022 are as follows:

	Question	Response
1.	Page 81 – is investigation of the better use of Ozone/Tattersalls going to be undertaken?	<p>Tattersalls is currently zoned Parks and Recreation under the City's Planning Scheme.</p> <p>Given the future resident population growth envisaged for the City, the City's draft Local Planning Strategy identifies Tattersalls as a community space, acknowledging the importance that community infrastructure and associated social and recreational activities, plays in laying the foundation for a strong and connected community.</p> <p>As such, the site is identified as a Local Open Space in the draft Open Space Framework.</p> <p>This does not mean it must be used exclusively for this purpose. Instead, it is intended to foreshadow that any future development of the site should include open space for the use of current and future residents/visitors.</p>
2.	Overall, is it correct that the greatest issue the City has is a lack of useable active open space?	<p>Lack of active open space is an issue and, given the constrained nature of the highly urbanised city environment, it is difficult to provide active space retrospectively.</p> <p>One focus of the Open Space Framework is therefore to acknowledge and protect/enhance existing spaces and facilities (like Wellington Square and Langley Park/Riverfront) and this intent has informed the development of masterplans for both areas.</p> <p>The Framework also recommends collaboration with key external stakeholders (educational facilities and adjoining Local Government Authorities) to improve community access to existing active space, as per feedback received from the Department of Local Government, Sport and Cultural Industries on the Open Space Study.</p> <p>In addition to challenges with active open space provision, there is also a significant gap between the need for more passive open space and the availability of existing spaces. The City needs to provide a greater range of community facilities and amenities in our open spaces; to improve the diversity of the open spaces on offer in each</p>

	Question	Response
		<p>neighbourhood; and help to create a network of accessible open space that meets current and future needs of the City's diverse community.</p> <p>Making the City's existing open spaces work harder and repurposing areas of underutilised open space are the most achievable ways (both financially and spatially) of addressing these gaps in provision and are therefore the focus of the neighbourhood projects listed.</p>
<p>3.</p>	<p>The Northbridge plan is interesting - is there a site in mind to convert?</p>	<p>The site at 18 Stirling Street currently forms part of the City of Perth Strategic Property Portfolio and measures 569m2 in area.</p>  <p>The site is in a temperature hotspot area and adjacent to the Perth to Fremantle Principal Shared Path (PSP).</p> <p>A carefully designed space on this site could meet the recreational needs of a growing community, promote urban cooling and help activate and promote use of the PSP. It would also help to address a gap in open space provision in this area.</p> <p>If, however, Council is not supportive of including this site in the Framework, it can be removed.</p> <p>It is also important to note that just because a site is listed in the Framework as a potential site for future open space, this does not compel its use for this purpose. Any decision to proceed with repurposing the site and converting it to open space would be subject to normal Council decisions on project prioritisation and budget allocation.</p>
<p>4.</p>	<p>Regarding Northbridge Piazza and Russell Square, is it worth offsetting the loss of income on one of the City's sites and converting to yet another small passive space</p>	<p>Northbridge is one of the least well served neighbourhoods in terms of open space provision, both in terms of physical access and diversity of space available. This is particularly the case in the eastern section, which is also a focus for future</p>

	Question	Response
	if it does not target the overall goal of more active space?	residential growth. The creation of new open space on a currently underutilised site could help to address this gap. In a capital city context, it would be important that the planning and design of this space includes programming to support ongoing activation and maximise community benefit.
5.	Has any consideration been given for re-purposing the Waterbank site for active open space in the short term?	<p>One of the projects identified at the City Scale (page 47) of the draft Framework is to "Partner with State Government to include provision of open space as part of detailed planning for Riverside Precinct Urban Renewal." This includes Waterbank.</p> <p>The last paragraph of Part 8.7 of the draft Framework also acknowledges that collaboration with key external stakeholders provides significant opportunities to improve the provision of active space.</p> <p>A new neighbourhood project could be added to the proposals for East Perth to engage with Development WA on the feasibility of short-term use of the Waterbank site for active open space.</p> <p>However, it is likely that this may require some supporting infrastructure to be put in place on a temporary basis which could have cost implications.</p>
6.	Page 28 - please explain the origins of "Climate change adaptation - green, cool spaces help to lower city temperatures and protect against flooding".	Primary sources for this information include publications from the Australian Government's Co-operative Research Centres for Water Sensitive Cities and Low Carbon Living, on urban cooling and the benefits of water sensitive approaches to city planning and design.

<p>7.</p>	<p>Page 52 - under the heading Collaborate:</p> <p>Can roof tops be considered open space?</p> <p>Has the City considered how best to collaborate with landowners to outfit perennially vacant land with temporary parks?</p> <p>Has the City considered bus stops roofs with green spaces?</p> <p>Is there any consideration to allow homeowners to plant community gardens on verges?</p>	<p><i>Rooftops as open space:</i></p> <p>The draft Framework defines open space as land that is owned and/or managed by the City of Perth and primarily used to meet the passive and active recreational needs of the community. As these spaces are directly controlled by the City they offer the best opportunities for open space enhancements that will contribute to the creation of an accessible open space network. Roof top gardens have potential to add to the City's green infrastructure, however, they tend to be private or semi-private spaces. The draft Local Planning Strategy includes an Urban Greening Action which includes an investigation of the viability of green roofs in the City as an opportunity to increase greening of the city.</p> <p><i>Perennially vacant land:</i></p> <p>The draft Framework primarily considers city owned land. The potential to engage private landowners on this matter could be investigated separately, though it should be noted that turning privately-owned vacant land into a temporary park (works, planting, reticulation, maintenance) would come at a cost to the City and/or the landowner. There is unlikely to be incentive for a landowner to spend money on an initiative like this and so it would need to be a City cost which, in knowledge of the potential for the site to be redeveloped any time in future, may not be the best use of City funds. There could also be challenges with the City spending money and undertaking work on private property (as per information provided to Elected Members on laneways at EMES on 7 June.</p> <p><i>Bus stop roofs:</i></p> <p>Green roofs on bus stops have been considered in the past. However, due to the City's climate, particularly its hot summer days, it is extremely challenging to make these viable.</p> <p><i>Verges:</i></p> <p>The City has a set of Residential Verge Management Guidelines that encourage property owners to install and maintain soft landscaping on the verge directly adjacent to their property. guidelines refer to the establishment of vegetable gardens but not specifically to community gardens.</p>
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	Question	Response
8.	Page 57 - has there been any public consultation about the City's decision to investigate downgrading Riverside Drive?	<p>Some engagement has taken place with stakeholders, including Main Roads.</p> <p>Some public consultation was also undertaken to inform the development of the draft Riverfront Masterplan, which references changes to Riverside Drive but does not address the downgrading as a specific project.</p>
9.	Please explain what will go into a green link?	<p>The design of green links will be driven by the specific design context. The primary intent of a green link is to increase levels of greening on streets that connect the City's green spaces, to create green, cool and inviting links for pedestrians and cyclists.</p> <p>There are two types of green links projects. One is where there is limited street/road space available, and works would be restricted to increased tree planting and in ground greening. The second would be where there is sufficient underutilised space available to create a series of linked spaces along the length of the street (like the Stirling Street green link in Northbridge). Facilities could include a range of seating opportunities, minor recreational facilities such as half basketball courts, skateable elements, and small play spaces where appropriate.</p>
10.	Page 63 – has work on the Kings Park Road Masterplan commenced?	Preliminary investigative work was carried out for King Park Road several years ago. This work will help inform the development of a future masterplan.
11.	Page 73 - does this City have a Masterplan for City Farm?	No. This site is still under the planning control of Development WA.
12.	Page 74 - perhaps move the reference to Waterbank?	Even with recent changes at Waterbank, the land area still represents an opportunity for open space development going forward.
13.	Why is it proposed not to include State Government controlled spaces in planning? These contribute significantly to the public realm.	The draft Framework defines open space as land that is owned and/or managed by the City of Perth and primarily used to meet the passive and active recreational needs of the community. As these spaces are directly controlled by the City they offer the best opportunities for open space enhancements that will contribute to the creation of an accessible open space network.


	Question	Response
		<p>However, the draft Framework acknowledges the importance of open space that is under State Government control and its importance to the overall provision of open space in the City. Opportunities to collaborate with State Government to improve the accessibility of these spaces are identified in Part 3 of the draft Framework.</p>
14.	<p>Do the “physical gaps” on page 40 of the agenda consider public open space in other local governments?</p>	<p>The open space gaps map does not consider public open space in other local governments as these spaces are not owned or managed by the City of Perth. Where there is potential for collaboration with adjoining local government areas to help improve the provision of open space this has been included in the text on each neighbourhood in Part 8 of the draft Framework.</p>
15.	<p>Page 52 discusses replacing small playgrounds with nature play spaces. Can the City reconsider its approach or is this already underway?</p>	<p>The design of these small playgrounds is in line with current best practice, which is a combination of bespoke equipment with natural elements. The goal of this replacement program is to raise the play quality of the existing spaces.</p>
16.	<p>Page 55 “City Projects”, what is the point in distinguishing between city projects and neighbourhood projects? Alternatively, can this list appear after the more substantive neighbourhood projects?</p>	<p>The reason for separating City and Neighbourhood projects is to differentiate between:</p> <ul style="list-style-type: none"> • larger projects that have the potential to enhance the City as a whole, and the wider open space network, and generally require bigger budgets, longer time frames and collaboration with key external stakeholders if they are to be achieved; and • smaller projects that can be generally delivered directly by the City of Perth to improve the local provision of space at the neighbourhood level. <p>Including larger City Projects in the draft Framework signals the City's aspirations for these spaces and will help to drive and inform any future collaboration.</p> <p>The draft Framework can be amended to place neighbourhood projects ahead of City Projects.</p>
17.	<p>What is the status of the Riverfront Masterplan?</p>	<p>Three design options were presented to an Elected Member Engagement Session in March 2021. In June 2021 elected members were provided an updated via a CIBN which outlined that the three</p>

	Question	Response
		<p>options were to be presented to the Premier at the City of Perth Committee in June 2021. There was no appetite from the Premier to progress the project at that stage. The masterplan has not been formally endorsed by Council and, therefore, has no formal status at this stage.</p>
18.	<p>Do other local governments consider the worker/visitor population in their statistics?</p>	<p>Yes. All Capital City authorities have a significant visitor and worker population who are also users of open space. Many of these spaces are used to hold events of a regional and state-wide significance. Smaller Local Government Authorities would generally not tend to include worker/visitor numbers.</p>
19.	<p>Page 15 of the Framework (page 35 of the Agenda) states 41% of City's Land area is open space. What is the % of open space when Kings Park is excluded?</p>	<p>The percentage of land area as open space is approximately 9.4% without Kings Park.</p>
20.	<p>Page 15 of the Framework states (page 35 of the Agenda) "Local and neighbourhood parks offer recreational opportunities and areas of green respite for city dwellers. Examples include Totterdell Park in West Perth ...". Why was Totterdell Park not included in the list of "City projects" on page 35 of the Framework (Page 55 of the agenda), or the list of West Perth projects on page 53?</p>	<p>The draft Open Space Framework proposes two projects for Totterdell Park. These are listed on pages 58 and 59 of the draft document and are illustrated on the map on page 44.</p> <p>Totterdell Park minor has been identified as a priority project (short time frame) in the table on page 58 and the draft can be amended to also list this project on page 43.</p> <p>Totterdell Park is categorised as Local open space and the proposed projects do not align with City scale projects (larger projects that have the potential to enhance the City as a whole and the wider open space network and generally require bigger budgets, longer time frames and collaboration with key external stakeholders if they are to be achieved).</p>

	Question	Response																																										
21.	How much has been invested in Harold Boas Gardens in recent decades?	<p>A total of \$179,815.11 has been spent on Totterdell Park since 2014.</p> <p>Nearly half of this expenditure has been on improving existing recreational facilities including replacement of the play space and park furniture (approximately \$88,000). The remainder was spent on upgrading irrigation and kerbing.</p> <p>A total of \$1,939,742.79 has been spent on Harold Boas since 2014. Unlike Totterdell, 75% of the expenditure has been spent maintaining significant assets such as relining the existing lake. The remainder was spent on the groundwater filtration system and upgrading irrigation. \$260,000 was spent on upgrading lighting.</p> <p>It should also be noted that Harold Boas generates revenue from booking fees. Revenue generated over the past five years is over \$40,000, as shown below.</p> <table border="1" data-bbox="284 1021 1310 1249"> <thead> <tr> <th>Reserve</th> <th>2018-19</th> <th>2019-20</th> <th>2020-21</th> <th>2021-22</th> <th>2022-23</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Harold Boas Gardens Area 1</td> <td>\$3,100.00</td> <td>\$3,800.00</td> <td>\$1,300.00</td> <td>\$3,050.00</td> <td>\$4,700.00</td> <td>\$15,950.00</td> </tr> <tr> <td>Harold Boas Gardens Area 2</td> <td>\$7,625.00</td> <td>\$4,950.00</td> <td>\$3,900.00</td> <td>\$3,500.00</td> <td>\$2,550.00</td> <td>\$22,525.00</td> </tr> <tr> <td>Harold Boas Gardens Area 3</td> <td>\$300.00</td> <td>\$400.00</td> <td>\$500.00</td> <td>\$300.00</td> <td>\$200.00</td> <td>\$1,700.00</td> </tr> <tr> <td>Harold Boas Gardens Area 4</td> <td>\$100.00</td> <td>\$200.00</td> <td>\$150.00</td> <td></td> <td>\$250.00</td> <td>\$700.00</td> </tr> <tr> <td>Total</td> <td>\$11,125.00</td> <td>\$9,350.00</td> <td>\$5,850.00</td> <td>\$6,850.00</td> <td>\$7,700.00</td> <td>\$40,875.00</td> </tr> </tbody> </table>	Reserve	2018-19	2019-20	2020-21	2021-22	2022-23	Total	Harold Boas Gardens Area 1	\$3,100.00	\$3,800.00	\$1,300.00	\$3,050.00	\$4,700.00	\$15,950.00	Harold Boas Gardens Area 2	\$7,625.00	\$4,950.00	\$3,900.00	\$3,500.00	\$2,550.00	\$22,525.00	Harold Boas Gardens Area 3	\$300.00	\$400.00	\$500.00	\$300.00	\$200.00	\$1,700.00	Harold Boas Gardens Area 4	\$100.00	\$200.00	\$150.00		\$250.00	\$700.00	Total	\$11,125.00	\$9,350.00	\$5,850.00	\$6,850.00	\$7,700.00	\$40,875.00
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22.	Why is Harold Boas Gardens Design Concept a priority project on page 53 - but not Totterdell Park?	Harold Boas has been identified as a priority project as it is a well-used space that currently makes the largest contribution to open space in the West Perth neighbourhood. Totterdell Park minor has been identified as a priority project (short time frame) in the table on page 58 and the draft Framework can be amended to also list this project on page 43.																																										
23.	Regarding the Totterdell Park page on the City's website. This advertises the park as suitable for events - and yet there are no facilities?	The draft Framework includes a short-term project for Totterdell Park, which will improve the provision of community facilities in the space.																																										
24.	The proposed plot for Northbridge, is that the entirety of the lot or the rear of the premises?	The site is 569m2 and is a stand-alone site. It is not part of a larger holding owned by the City.																																										
25.	What minor green space intervention at Totterdell park would improve the facilities?	As outlined in a previous CIBN on Totterdell Park (issued February 2022), the works could include: <ul style="list-style-type: none"> • Installation of picnic tables and BBQ facilities 																																										

	Question	Response
		<ul style="list-style-type: none"> • Improved facilities for dogs such as drinking fountains • Investigation of the feasibility of installing lighting at the BBQ and picnic tables to facilitate their use into the evening
26.	<p>Page 9 of the Draft Open Space Framework attachment, (Page 29 of the agenda) there is a statement ‘future growth will predominantly be characterised by smaller households’ and it references the draft Local Planning Strategy and the most recent census data. What research supports this?</p>	<p>Research undertaken for the preparation of the Local Planning Strategy shows that at present 59% of households in the city are either couples without children or lone person households. Housing analysis projections indicate that the city’s household composition will largely remain unchanged unless there is significant intervention.</p> <p>Residential growth targets to 2036 show an average household size of between 1.7 persons to 2.2 persons across the six city neighbourhoods. These forecasts have been based on information from three different sources including:</p> <ul style="list-style-type: none"> • Western Australia (WA) Tomorrow forecasts (developed by State Government) • Forecasts from .id consulting (data subscription held by the City of Perth); and • Population modelling by Urbis (as part of the 2018 Housing Analysis).
27.	<p>Has the City considered utilising its own rooftop car parks as potential opportunities for open space for the public?</p>	<p>The use of the tops of City carparks for green spaces has not been considered as part of the Framework; however, the draft Local Planning Strategy includes an Urban Greening Action to investigate the viability of green roofs in the City as an opportunity to increase greening of the city.</p> <p>The focus of the Open Space Framework is on improving and enhancing existing open space assets to improve their use and amenity to support the City's goals for growth and activation.</p> <p>Active spaces at ground level help promote city vitality. In planning the City's future open space network, the potential for roof top spaces to siphon activity away from street level is a concern. They may be an appropriate solution in the longer term where ground level spaces have reached capacity and the City's population has reached intended targets.</p>

	Question	Response
28.	Has the City been creative and innovative in its research by way of considering structures like animal freeways and overpasses?	<p>The draft Open Space Framework includes a project for the creation of a primary green link along the Swan River foreshore for people to recreate and to improve environmental quality and biodiversity.</p> <p>This reflects recommendations from the GI and Biodiversity Study. The intent of the primary link is to create a corridor, that includes various city green infrastructure assets, to connect to larger regionally significant biodiversity assets outside of the city to improve fauna movement, fauna habitat and floristic diversity. The design response to achieve this objective would be considered as part of the strategic design analysis that would inform the development of detailed design concepts for any potential enhancement works within the open spaces that form part of these links.</p> <p>Animal overpasses tend to be constructed to connect larger ecological and bushland areas with abundant wildlife and may not be applicable, or of enough benefit to warrant the cost of such a structure(s), within the context of a capital city, urban environment.</p>
29.	Page 36 of the agenda – why is Supreme Court Gardens ranges as passive rather than active compared to Langley Park?	<p>The differentiation between the two is an active space is more for sporting activity where passive space is less so. That’s why the differentiation exists between those two pieces of open space and why Supreme Court Gardens has been classified as passive open space.</p>
30.	Please provide a concept of what is being proposed to replace the current playgrounds with.	<p>The examples below show design concepts developed for the City's small playground design project.</p>  <p><i>Point Fraser</i></p>

	Question	Response
		 <p><i>Harold Boas</i></p>
31.	Will there be a balance of traditional and nature play playgrounds across the city?	New play spaces will be delivered through the existing asset renewal program. These are very small playgrounds which will be rolled out once the existing off-the-shelf play equipment needs to be replaced due to aging and wear and tear.

Primary Motion (Officer's Recommendation)

Mover: Councillor Liam Gobbert

Second: Councillor Catherine Lezer

That Council APPROVES the draft Open Space Framework for the purpose of community consultation, noting that community feedback will inform the development of the final framework, which will be presented back to Council for final approval at a future meeting.

During debate Councillor Gobbert moved the following procedural motion:

Council Resolution (Procedural Motion)(OCM-22/06-088)

Mover: Councillor Liam Gobbert

Second: Councillor Sandy Anghie

That Council, in accordance with Clauses 12.1 and 13.1 of the *Standing Orders Local Law 2009*, DEFERS this Item.

CARRIED (5/3)

For: Deputy Lord Mayor Di Bain; Councillors Sandy Anghie, Clyde Bevan, Brent Fleeton and Liam Gobbert

Against: Councillors Rebecca Gordon, Viktor Ko and Catherine Lezer

Following Council's resolution, Councillor Gobbert noted his intent for this Item to be considered at the next Elected Member Engagement Session.



Draft Open Space Framework

June 2022



ACKNOWLEDGEMENT – PLACEHOLDER

DRAFT

Click or tap here to enter text. - Click or tap to enter a date.

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Bibliography

Appendix: Open space survey summary

MESSAGE FROM THE LORD MAYOR - PLACEHOLDER

DRAFT

FOREWORD FROM THE CHIEF EXECUTIVE OFFICER – PLACEHOLDER

DRAFT

1. Introduction

Open space is currently and traditionally valued for providing areas of relief in built-up cities. As our cities become denser, and our climate changes, the critical role these spaces play in building community and supporting city liveability and environmental sustainability, is increasingly apparent.

Perth city has an extensive network of open space that shapes its character and cultural identity. It supports our community's physical health and mental wellbeing; providing space to exercise, play, relax, connect, and celebrate. When designed with the needs of people in mind it provides a platform for a vibrant public life that activates and draws people to the city. Open space is also a core element of the city's green infrastructure (GI) assets and plays an indispensable role in managing the potentially negative impacts of climate change on our community.

The Open Space Framework (the Framework) will enable the City to plan strategically for this valuable community asset over the next 15 years; ensuring it continues to make a positive contribution to Perth's character and development as a highly liveable, prosperous, and sustainable city.

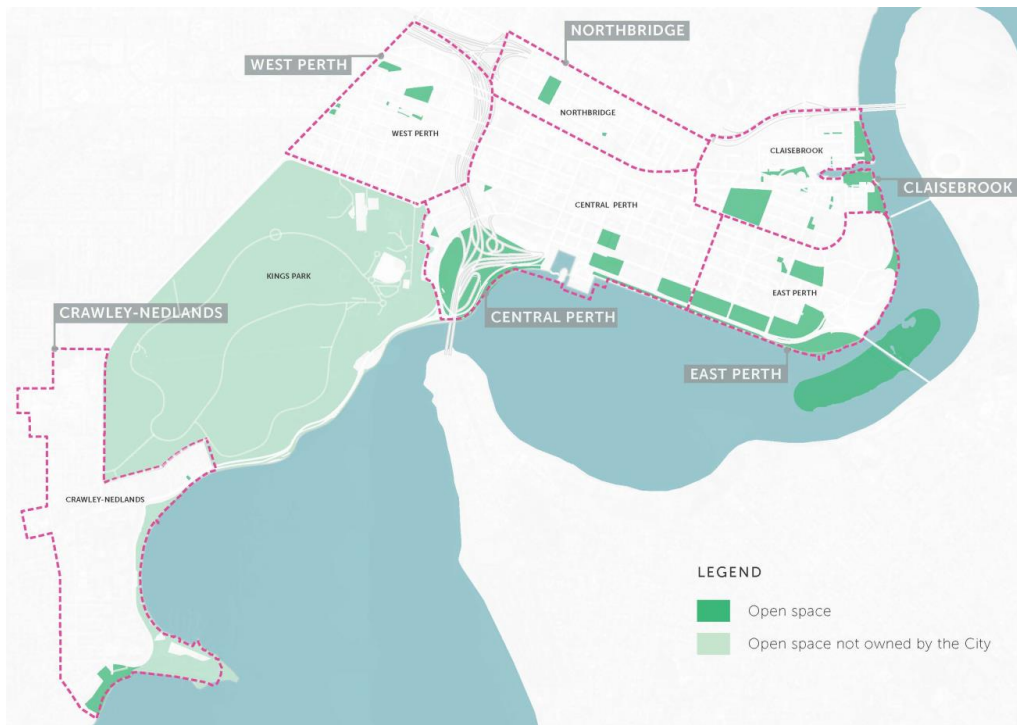
1.1 What is open space?

Open space is defined as land that is owned and/or managed by the City of Perth (the City) and primarily used to meet the passive and active recreational needs of our community. It includes small and large public parks and gardens, the river foreshore, bushland areas and parts of the city's freeway and railway reserves. Throughout this Framework these green areas are referred to as 'open space'.

Due to their size, location and importance, the following spaces are included in the Framework although they are not owned or managed by the City:

- Kings Park
- Pelican Point, Crawley (Bush Forever site)
- Matilda Bay Reserve.

The city's open space network is depicted in the figure below.



Open space network

Kings Park

Measuring approximately 420ha, Kings Park provides nearly three quarters (77%) of the city's open space. The Park is included in the Framework's open space metrics due to the significance of this contribution.

In addition to serving the wider community, the park borders three of the city's six neighbourhoods. It provides amenity and quality of life for residents and workers in these areas and is clearly valued by them. It is important that the park continues to service the surrounding population in addition to metropolitan, state, national and international visitors to this iconic space.

As the City of Perth does not own Kings Park it cannot make any changes or enhancements to it. However, it can continue to work closely with the Botanic Gardens and Parks Authority to improve the park's edges, connections, and overall accessibility for the surrounding community.

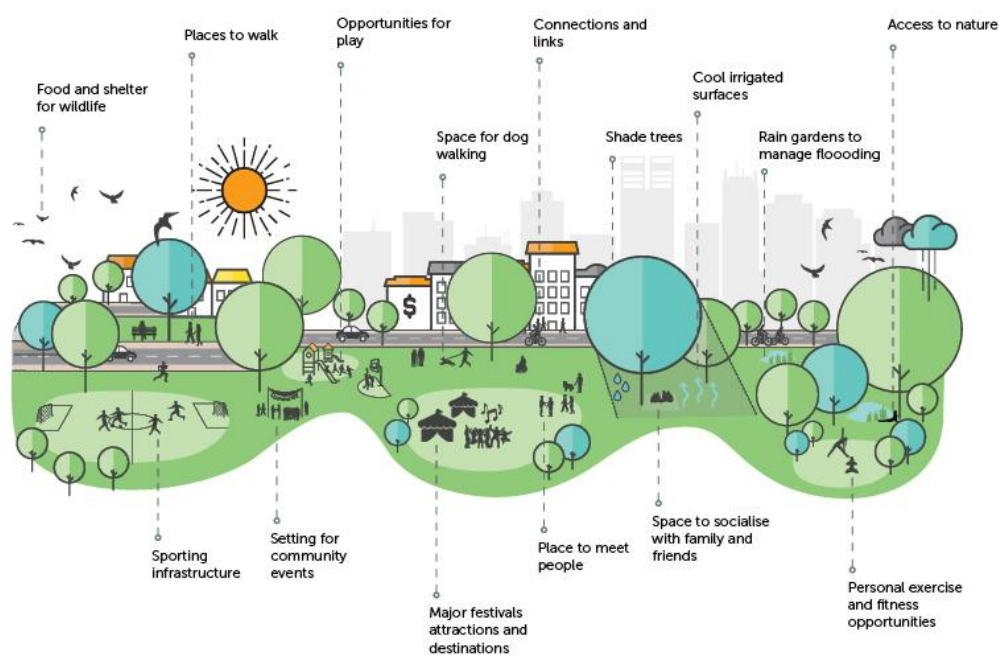
1.2 Why is open space important?

Open space delivers a range of community and environmental benefits that help support a high quality of life for residents, workers, and visitors alike. These include:

- Improved physical health – spaces for active recreation, exercise, and play.

- Enhanced mental wellbeing – places to relax and unwind, connect with people to build community and a sense of belonging.
- Climate change adaptation – green, cool spaces help to lower city temperatures and protect against flooding.
- Enhanced biodiversity – refuge and habitat for plants, insects, birds, and animals.
- Acknowledgement of the city's history and cultural identity – contributing to Perth's image and creating a strong sense of place.
- Stronger economy – activities that attract people and investment, supporting the local economy.

Some of the key features that help to deliver these benefits are illustrated in the figure below.



Features of open space

1.3 What are our main issues/challenges?

1.3.1 Population growth

Our population is set to grow, and the City has ambitious targets in place to increase the number of residents, workers, and visitors in the next 15 years. Population projections in the City's draft Local Planning Strategy predict an additional 28,000 new residents by 2036 and a further 70,000 workers by 2038.

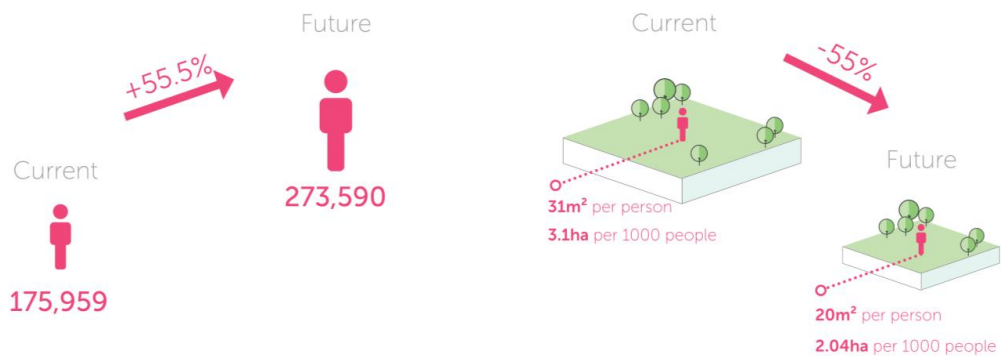
Urban consolidation principles set out in the draft Local Planning Strategy are directing much of this future growth to areas around existing open spaces, recognising them as important city assets with the capacity to provide community infrastructure, amenity and facilities needed to attract and retain people in the city over the longer term.

Future growth will predominantly be:

- accommodated in higher density developments with limited access to private open space
- characterised by smaller household sizes
- located in neighbourhoods that already have low levels of open space provision.

As a result, more people will be relying on the city's open spaces for places to recreate, exercise, gather and connect. This will place additional pressure on the existing network, requiring spaces to work harder and the provision of new space to fill key gaps in provision.

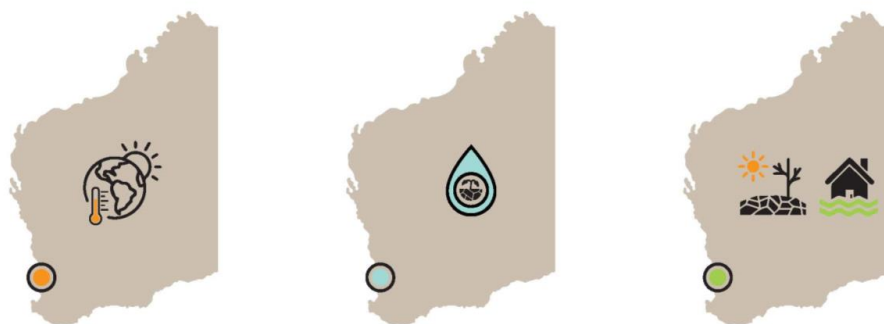
Projected population growth (Residents & Workers) Declining provision of open space per person



Source: population figures are sourced from the City of Perth Draft Local Planning Strategy and include the most recently available census data.

1.3.2 Climate change

Our climate is changing with Perth predicted to experience rising temperatures, declining rainfall and an increase in the intensity and frequency of extreme weather events (see figure below).



Rising temperatures

- Average temperatures will continue to increase in all seasons.
- The number of days with temperature over 35°C are predicted to increase from 28 days to 67 days by 2070.

Declining rainfall

- Decrease in mean annual rainfall and water runoff.
- The trend of decreasing winter rainfall is predicted to continue.
- Spring rainfall is also predicted to decrease.

Extreme events

- The intensity of extreme rainfall events is predicted to increase.
- Increased disruption from climate related events such as heatwaves and flooding.

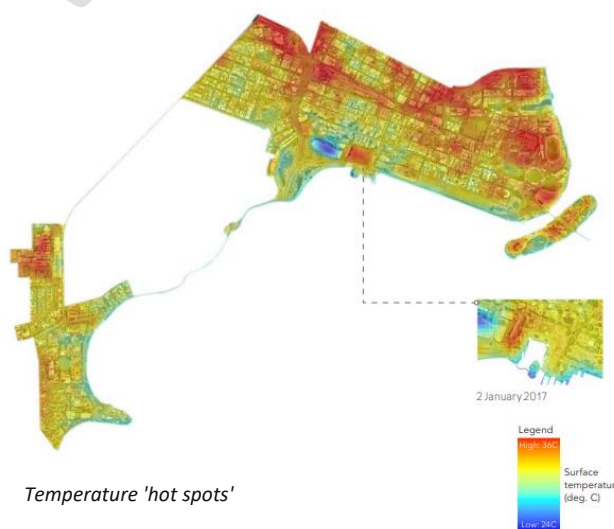
Climate change

These changes are impacting on the environmental quality, health, and resilience of open space. Declining levels of rainfall are of particular concern as it means less water is available for irrigation to keep spaces green, cool, and inviting.

Open space planning needs to protect spaces from these impacts, while also harnessing their potential to deliver a range of benefits that help mitigate the effects of climate change on community health and wellbeing and city liveability.

- Rising temperatures mean our city will become hotter due to the urban heat island effect.

Research undertaken for the preparation of the City of Perth Urban Forest Plan identified a number of temperature 'hot spot' areas within the city. Open space with irrigated green surfaces and large shade trees helps to lower temperatures and provide areas of cool, green respite for city dwellers during heat events. Locating new open space within city 'hot spot' areas will help to promote urban cooling.



Temperature 'hot spots'

- The higher number and intensity of extreme rainfall events is also contributing to increased flooding. Permeable green surfaces in open spaces act like sponges, soaking up and slowing down stormwater, helping to manage flood risk.
- Trees and other plants create habitat for our wildlife, improving biodiversity and bringing nature into the city.

1.3.3 Changing community expectations

Community expectations for open space are also changing. In common with other capital cities, many of Perth's spaces were initially planned and designed as passive, beautiful places to provide respite from the dirt and noise of the 19th Century industrializing city.

However, as cities have evolved, approaches to open space planning and design have also changed. There is increasing recognition of the importance of open spaces as places of social and cultural exchange that support an active, vital, and engaged public life, along with a desire for the inclusion of a range of leisure, cultural and celebratory activities. Contemporary city spaces need to support a range of functions, in addition to the current and traditional focus on passive recreation.

PLACEHOLDER: prepare graphic.

"People in the 21st Century have more options on how to spend their time and they will only spend it in public spaces that are high quality, easy to access and convenient."
- Gehl Architects

1.3.4 Impact of COVID-19

Lockdowns and other restrictions resulting from the COVID-19 pandemic have impacted on open space. Across the globe, cities have been monitoring these changes which include:

- a significant increase in the use and appreciation of local open space as a place to exercise and socialise safely during periods of lock down
- concerns about overcrowding in open space.

Many cities have responded by putting innovative projects in place to expand and repurpose space to facilitate social distancing and higher levels of use.

1.4 Why do we need an open space framework?

Perth is growing and changing, and this is creating challenges for how we plan, design, and manage open space to ensure it continues to enrich the city.

While the City has made significant investments in enhancing streets, squares and other urban spaces in recent years, investment in upgrading existing parks and reserves has generally not kept pace, with the recent exception of the successful enhancement of Wellington Square. We need to plan proactively to address upcoming challenges.

The preparation of an Open Space Framework is identified as an action in the draft City of Perth Local Planning Strategy (2021). The Framework's development also supports stage three of the City of Perth Urban Forest Plan, which focuses on wider elements of green infrastructure.

1.5 What our community thinks

As part of the Framework's development the City hosted a community survey on its online platform, Engage Perth. The survey was live between 7 February and 7 March 2022 and captured a total of 402 visits and 171 survey responses.

The intent of the survey was to capture information on community use of open space along with high-level expectations for its future planning, enjoyment, and environmental quality. Findings showed that while the community values open space as a place to relax, unwind and spend time in nature, there is also a clear expectation for it to perform a wider range of functions in the future. This reflects the broader challenge of evolving community expectations for open space.

Further details on the survey's findings are set out in the Appendix to this report.

1.6 How has the framework been developed?

The Open Space Framework is an evidence-based document underpinned by the findings of two specifically commissioned research studies. These provided key technical information to inform the development of the Framework.

The City of Perth Open Space Study, 2018 (the Open Space Study) was a comprehensive review of the city's open space network and identified several gaps in current and future provision.

The Green Infrastructure (GI) and Biodiversity Study (2017) undertook a broad evaluation of the range of benefits delivered by the city's wider GI network. It found that while the network was generally performing well in terms of urban cooling, there was room to improve with regard to sustainable water management and biodiversity. The study concluded that overall levels of biodiversity were low, and fragmentation and the small scale of many of the city's GI assets were identified as key factors impacting on overall performance.

The study recommended the following actions to improve the network:

- creation of biodiversity links or corridors; both across the city and beyond its boundaries to connect with the wider regional network
- increasing the structural complexity of planted areas within existing open spaces and including more native planting to create habitat
- continuing support for innovative approaches to sustainable water management to keep spaces green, inviting, and cool.

1.7 How will the Framework be used?

The Open Space Framework is an important tool that will guide the City's planning and investment in open space over the next 15 years.

It sets out a range of projects, at both the city and neighbourhood scale, that will address gaps in the provision and quality of space; and will facilitate the development of an accessible open space network that meets current and future community needs and expectations.

Project selection and prioritisation has been informed by:

- findings from the research studies
- analysis of the City's strategic objectives and major initiatives
- review of current best practice and case studies from a range of national and international capital cities.

1.8 Framework overview

The Framework is set out in three parts:

Part One: Open space in the City of Perth: describes the existing network and identifies key gaps in provision.

Part Two: Future Opportunities: sets out innovative approaches for open space in cities with examples of local, national, and international best practice along with key urban design principles for open space planning and design.

Part Three: Open space projects: sets out future projects for open space, at the city and neighbourhood scale.

Part One:

Open space in the City of Perth

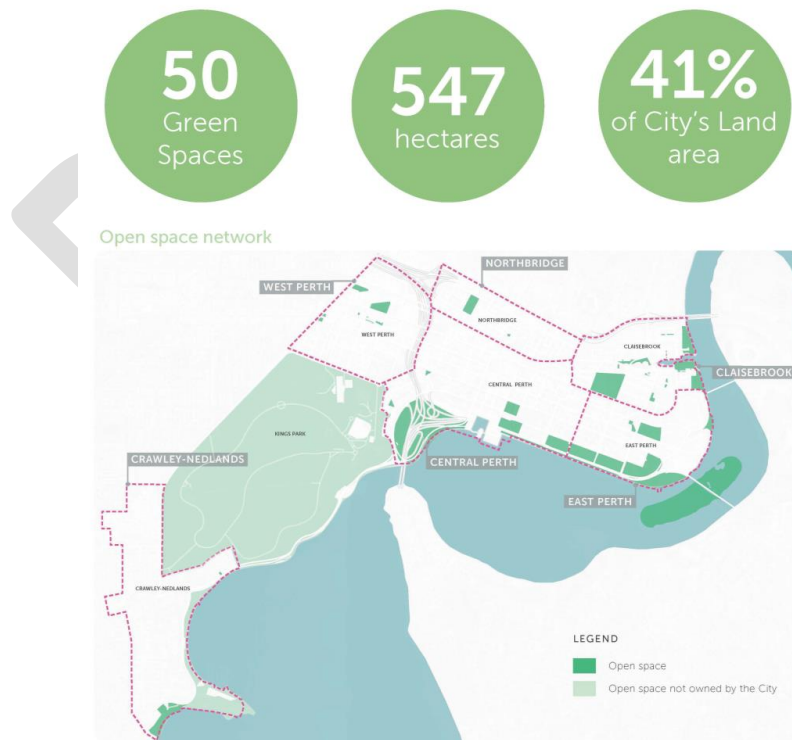
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2. What do we have?

2.1 Open space in the City of Perth

Perth city has approximately 547ha (41%) of its total land area dedicated to open space. Spaces range from:

- Small micro parks that provide city workers with a spot for lunch, such as Florence Hummerston Reserve in Central Perth, and Frank Baden Powell Park in West Perth.
- Local and neighbourhood parks that offer recreational opportunities and areas of green respite for city dwellers. Examples include Totterdell Park in West Perth, and Pioneer Gardens and Mardalup Park in Claisebrook.
- Heritage listed parks that form part of the city's European cultural heritage, including Stirling Gardens in Central Perth and Queens Gardens in East Perth.
- Larger green reserves with space for more active recreational activities and large-scale community events, including Wellington Square in Claisebrook and Langley Park in Central Perth/East Perth.
- Perth's riverfront, a place of great spiritual, economic, and cultural importance to Whadjuk Nyoongar people.



2.1.1 Distribution

Open space is currently distributed unevenly across the city. Kings Park and the Swan River Foreshore are by far the biggest areas, and a large percentage of the city's open space is provided in the neighbourhoods of East Perth, Claisebrook, and Central Perth.

Other neighbourhoods, such as Northbridge and sections of West Perth and Crawley-Nedlands are undersupplied in terms of provision. They are either located too far away from Kings Park and the Swan River or are separated by the city's rail and freeway reserves, which create significant barriers to pedestrian movement. Larger parks to the north of the city (i.e. Wellington Square, Russell Square and Harold Boas Gardens) help to address this imbalance.

2.1.2 Size and function

Open space within the city broadly falls into one of three functional categories:

Passive space: predominately used in a traditional and unstructured way for sitting, relaxing, and informal play and exercise.

Active space: predominately used in a formal and structured way for sport and active play.

Events space: spaces that provide opportunities for large scale, formal community gatherings and structured events.



Open space function

12. Community Development Alliance Reports

Deputy Lord Mayor Di Bain and Councillor Gordon each disclosed an Impartiality Interest in Item 12.1 (as detailed in Item 6).

5.29pm Councillor Liam Gobbert disclosed a Proximity and Impartiality Interest in Item 12.1 (as detailed in Item 6) and accordingly departed the meeting prior to 12.1.

12.1 Draft Local Heritage Survey

Responsible Officer	Kylie Johnson – General Manager Community Development
Voting Requirements	Simple Majority
Attachments	Attachment 12.1A – Draft Local Heritage Survey list of places & Place Record Forms - new places (under separate cover)

Purpose

To seek Council's endorsement for the Draft Local Heritage Survey (LHS).

Recommendation

That Council, in accordance with property owner notification requirements in the State Government Guideline for Local Heritage Surveys:

1. APPROVES progressing the Draft Local Heritage Survey (LHS) on the proposed heritage places to public notification.
 2. APPROVES the inclusion of places on the final LHS that receive **zero** submissions during public notification.
 3. REQUESTS the Chief Executive Officer to submit to Council any places that receive **at least one** submission during public notification, for Council's determination to include on the final LHS.
-

Background

1. The *Heritage Act 2018* requires each local government to identify places of cultural heritage significance in a Local Heritage Survey (LHS) (previously known as Municipal Heritage Inventory or MHI).
2. The purpose of the LHS is to record information on places of cultural heritage significance, providing an accessible public record of places of cultural heritage significance, including trees and gardens within the City of Perth. Inclusion of a place on the LHS does not have any implications for the development of a place.
3. The Department of Planning, Lands and Heritage's Guideline for Local Heritage Surveys (the Department's Guideline) states that "The LHS is identified as having no direct statutory role in respect of the *Planning and Development Act 2005*, and in particular should not be used as the basis of decision-making for development or subdivision proposals. This function is served by a heritage list or heritage area."
4. The Department's Guideline states that "the LHS of a local government with ongoing urban development is likely to require review within 5-8 years". The City's LHS has not had a general review since 2000.
5. In 2000/2001 Council considered over 700 places for inclusion. A partial list was adopted in 2000/2001 and there have been minor amendments since then which comprises 405 existing places on the LHS. Information on the remaining places not included in the LHS was maintained and these 308 places were assessed in this general review by consultants Element.
6. Since the review in 2000/2001 there has been significant changes in assessment criteria, such as the introduction of the criteria under the Heritage Convention (HERCON) Factors and an update to Australia ICOMOS Charter for Places of Cultural Significance, 2013 (Burra Charter criteria). The new individual Place Record Forms have been developed in accordance with these higher level criteria and represent significant work in enhancing cultural heritage records.

Discussion

7. A general review of the LHS has been completed. The Draft LHS comprises:
 - a. 405 existing places previously adopted.
 - b. 308 places assessed by Element and proposed to be included (drawn from those proposed but not adopted in 2000/2001), and
 - c. Eight further places nominated for inclusion by the community through the 2021 community engagement process, also assessed by Element for inclusion.
8. Assessment by Element of the 316 proposed additional places was undertaken in line with the Department's Guidelines and all 316 were found to have cultural heritage significance to the City of Perth. The inclusion of these places will ensure the City has a representation of heritage places from all neighbourhoods and their contribution to the City's history is recorded.
9. In the attached Draft LHS the existing adopted places are already in the State inherit online database. The Record Place Forms for the proposed new places are included in the attachment and are ordered alphabetically by street name.

10. Generally, the valuation of properties is not affected by the Local Heritage Survey listing. The Productivity Commission produced an inquiry into the Conservation of Historic Heritage Places in 2006 which showed a positive or neutral outcome of heritage listing. Like any property, its value is dependent on various factors including the property market and if it is well maintained.
11. The Draft LHS includes significant trees, some of which are on private property while others are in the public realm. The trees will be managed based on the tree's health and if pruning is required an arborist may be required to provide independent advice. This is consistent with the management of heritage buildings where a heritage architect or consultant is required to provide advice on building works.
12. There are no immediate plans to review the Heritage List, however when this does occur the relevant places within the Local Heritage Survey and other potential places will be considered by Council for inclusion as a separate process, under different legislation. The Heritage List identifies those places which are protected under the City's Planning Scheme. Planning controls and incentives apply to places on the Heritage List, not the LHS.

Consultation

13. The City undertook community consultation for the LHS between 1 April and 30 July 2021. Seven engagement sessions aligned to neighbourhoods were held in May, June and July. This consultation provided external stakeholders with a forum to submit information on places which are important, to highlight gaps in the themes representing the City's heritage and reinforce the importance of places which are already listed. Eight nominations were received as a result of the engagement sessions which were assessed by Element.
14. Ratepayers were informed about the project via email (10,935 emails) and mailout (6,500 letters).
15. Postcards were produced to promote the project and were available at the City of Perth library, Citiplace Rest Centre, iCity kiosk and Council House.
16. Once Council has adopted the Draft Local Heritage Survey, public notification will occur in line with Department's Guidelines:
 - a. Property owners will be informed directly on the proposed inclusion of their place on the LHS and will be invited to participate, noting the assessment of a place should not be conditional on owner support.
 - b. The Draft LHS will also proceed to general public notification via Engage Perth for a period of eight weeks to enable comment from other interested stakeholders.

Decision Implications

17. If Council supports the recommendation then the places will be included on the Draft LHS and move to public notification.
18. There are no immediate implications for places included on the LHS. Places on the LHS are considered and approved by Council for inclusion on the Heritage List as a separate process.
19. As noted in the Department's Guidelines there is no direct statutory role in respect of the *Planning and Development Act 2005*, and in particular should not be used as a basis for decision making for development or subdivision proposals.

Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	Liveable
Related Documents (Issue Specific Strategies and Plans):	Corporate Business Plan Heritage Strategy 2020 -2024 Goal: Heritage places in Perth are well researched, documented and easily available to the public.

Legislation, Delegation of Authority and Policy	
Legislation:	Section 103 of the <i>Heritage Act 2018</i> (Part 8) prescribes: 103. Local heritage survey (1) <i>A local government must prepare a survey of places in its district that in its opinion are, or may become, of cultural heritage significance.</i> (2) <i>In preparing, or reviewing and updating, a local heritage survey, a local government must have regard to —</i> (a) <i>the purposes set out in section 104; and</i> (b) <i>guidelines published under section 105.</i> (3) <i>Nothing in subsection (2) —</i> (a) <i>derogates from the duty of the local government to exercise its discretion in a particular case; or</i> (b) <i>precludes the local government from taking into account matters not set out in the guidelines.</i> (4) <i>After preparing a local heritage survey, or reviewing and updating, a local heritage survey, a local government must —</i> (a) <i>provide the Council with a copy of the local heritage survey; and</i> (b) <i>make the local heritage survey available to the public.</i>
Authority of Council/CEO:	The DPLH Guidelines for Local Heritage Surveys item 2.3.3 states that at the end of the review the LHS requires formal adoption by the local government.
Policy:	Nil.

Financial Implications

Nil.

Further Information

20. Questions and responses received prior to and at the Agenda Briefing Session held 21 June 2022 are as follows:

	Question	Response
1.	What are the practical implications of being listed on the local heritage survey?	The Local Heritage Survey is under the Heritage Act so it is not under the Planning and Development Act. There is no direct statutory development requirement in respect to this survey. It is about creating an accessible public record of places of cultural heritage significance and providing a collated identification of places of heritage significance; so there are no statutory requirements from planning.
2.	Will a proponent be required to do a special consultant report especially on heritage merit of their application?	No, it is dealt with as a local heritage survey. It is not a heritage list.
3.	The City proposed to Element to assess 316 properties and they recommended all 316 are worthy of merit. Did the City give Element a brief as to what those specific requirements?	Yes the conventions and factors Element have used and applied are as per the State Department guidelines. Element have come back and acknowledge that all 316 are of cultural heritage significance. The City would note that in terms of comparison, somewhere like Fremantle has over 3,500 places on their Local Heritage Survey. There are other localities that are close by that are also similar like Subiaco and East Fremantle have around 800 places each. The intent is using the guidelines and the criteria factor that are set out within the State Department guidelines.
4.	Please clarify the Officer's Recommendation.	The State Department guidelines note there is no ability for property owners to identify that a property shouldn't be on the Local Heritage Survey. There is no mechanism for someone to appeal the heritage survey. That's in accordance to the guidelines, however there may be further information that may be relevant to be included or different views on the cultural heritage of a place. Given the volume of Place Records the recommendation is to effectively approve all those without a submission so Council does not have to consider the same information twice.
5.	Does the internal condition of a property affect the listing?	Element conducted site visits to all the places they assessed. The City did not request internal inspections, however the internal equipment,

		<p>fixtures and fittings are part of the definition of a heritage place so are automatically included.</p> <p>The internal condition of a place does not affect its listing, as this is determined on its cultural heritage significance as outlined by National Heritage Convention (HERCON) factors.</p>
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Council Resolution (Officer's Recommendation) (OCM-22/06-089)

Mover: Councillor Viktor Ko

Seconded: Councillor Catherine Lezer

That Council, in accordance with property owner notification requirements in the State Government Guideline for Local Heritage Surveys:

1. APPROVES progressing the Draft Local Heritage Survey (LHS) on the proposed heritage places to public notification.
2. APPROVES the inclusion of places on the final LHS that receive **zero** submissions during public notification.
3. REQUESTS the Chief Executive Officer to submit to Council any places that receive **at least one** submission during public notification, for Council's determination to include on the final LHS.

CARRIED UNOPPOSED (7/0)

For: Deputy Lord Mayor Di Bain; Councillors Sandy Anghie, Clyde Bevan, Brent Fleeton, Rebecca Gordon, Viktor Ko and Catherine Lezer

Against: Nil

13. Infrastructure and Operations Alliance Reports

Nil.

14. Corporate Services Reports

14.1 Monthly Financial Report - April 2022

Responsible Officer	Michael Kent – Project Director Strategic Finance (CFO)
Voting Requirements	Simple Majority
Attachments	Attachment 14.1A – Financial Activity Statement and Notes to FAS P10 Attachment 14.1B – Net Current Position P10 Attachment 14.1C – Operating Variances by Alliance P10 Attachment 14.1D – Capital Projects Schedule P10 Attachment 14.1E – Investment Register P10 Attachment 14.1F – Statement of Rates Debtors P10

Purpose

This suite of reports provides Council with timely, meaningful financial insights regarding the City's operating activities, financial performance and financial position.

Recommendation

That Council RECEIVES the following financial reports for the period ended 30 April 2022:

1. Financial Activity Statement (FAS) and Notes to the FAS - Attachment 14.1A.
 2. Net Current Position - Attachment 14.1B.
 3. Operating Variances by Alliance & Service Unit - Attachment 14.1C.
 4. Capital Projects Schedule - Attachment 14.1D.
 5. Investment Report - Attachment 14.1E.
 6. Statement of Rates Debtors - Attachment 14.1F.
-

Background

1. Presentation of a monthly financial report to Council is both a statutory obligation and good financial management practice that:
 - a. Demonstrates the City's commitment to managing its operations in a financially responsible and sustainable manner.
 - b. Provides timely identification of variances from budget expectations for revenues and expenditures and identification of emerging opportunities or changes in economic conditions.
 - c. Ensures proper accountability to the community for the use of financial resources.
2. Preparation of a monthly Financial Activity Statement (FAS) is the minimal statutory requirement of the *Local Government Act 1995* and regulation 34 of the *Local Government (Financial Management) Regulations 1996*. It is also a responsible financial management practice to allow Council to effectively execute their financial management responsibilities.
3. Financial information that is required to be reported directly to Council monthly includes:
 - a. Operational financial performance against budget expectations
 - b. Explanations for identified variances from expectations
 - c. Financial position of the City at each given month end
4. This statutory financial information is supported by additional information including investments performance and reports on rates and general debtors.

Understanding the Financials

5. When reading the financial information provided in this report, 'variances' (deviations from budget expectations) are classified as being either:
 - a. Favourable variance
 - b. Unfavourable variance
 - c. Timing variance
6. A timing variance relates to a budgeted revenue or expense that has not occurred at the time it was expected, but which is still expected to occur within the budget year. That is, the financial transaction will still occur - but just in a different month. There should be no impact on the projected budget surplus by year end.
7. A realised favourable or unfavourable variance is different to a timing variance. It represents a genuine difference between the actual and budgeted revenue or expenditure item.
8. A realised favourable year to date variance on a revenue item is a positive outcome for the City as it increases the projected budget surplus. An unfavourable variance on a revenue item has the opposite effect, resulting a decrease to the projected budget surplus.
9. A realised favourable variance on an expenditure item may have either of two causes - one being a saving because the outcome was achieved for a lesser cost, which has the effect of increasing the projected budget surplus. The other cause may be that the proposed expenditure may not have been undertaken and is not expected to be incurred in that financial year. Whilst this may seem positive from the financial position perspective, it may not be a positive outcome for the community if the service or project is not delivered.

10. A realised unfavourable year to date variance on an expenditure item, (over-expenditure) results in a decrease to the projected budget surplus.
11. The Schedule of Variances (Attachment 14.1A) provides commentary on whether the nature of the variance is savings related, timing related or otherwise.
12. If a realised favourable or unfavourable variance is material in value (of significant size), it will be amended through a formal budget review process.

Discussion

13. The FAS by Nature & Type - Attachment 14.1A presents a whole of organisation perspective on the attainment of revenue and expenditure targets overall - classified by nature and type.
14. The headline data from the FAS is shown in Table 1 below.

Table 1:

Item Details	YTD Budget	YTD Actual	Variance	F/ U
Operating Revenue - Excluding Rates	\$ 84.175 M	\$ 82.464 M	\$ 1.711M	U
Rates Revenue	\$ 97.852 M	\$ 97.850 M	\$ 2 K	F
Operating Expenditure	\$ 170.288 M	\$ 160.366 M	\$ 9.921 M	F
Non-Operating Revenue	\$ 9.628 M	\$ 8.499 M	(\$ 1.129 M)	U
Capital - Infrastructure	\$ 30.641 M	\$ 20.428M	\$ 10.213 M	F
Property, Plant & Equipment	\$ 12.653M	\$ 7.804M	\$ 4.849 M	F

15. Material operating revenue and expenditure variances from Attachment 14.1A are detailed (with explanatory comments) in the Notes to the FAS (also contained within Attachment 14.1A).
16. Comments on the material variances between budget and actual capital expenditures are presented in Attachment 14.1D - Capital Projects Schedule which lists all approved, budgeted capital projects for 2021/22.
17. Each line item listed in the FAS by Nature & Type Attachment 14.1A can be cross referenced (using the Note reference) back to the relevant note.
18. Attachment 14.1C provides an alternative view showing how the organisation is tracking against budget by Alliance - and then disaggregating those figures by Service. This reporting view includes all internal charges and internal recoveries so the full service-cost can be understood.
19. Examining the FAS (Attachment 14.1A) in more detail; the aggregation of operating revenues and operating expenses reflects a year-to-date Net Cash Deficit from Operations of (\$44.5M) compared to a year-to-date budget of (\$53.9M). This is a favourable variance of \$9.5M at the end of the month.
20. Investing activities reflect a result of (\$19.7M) compared to a year-to-date budget of (\$33.6M). This is a favourable variance of \$13.9M. This is largely attributable to a favourable timing variance on invoicing for construction of infrastructure at Roe Street, supply chain delays on materials for electrical lighting works and mall bollards as well as delayed approvals on East Perth foreshore works.

21. Construction of infrastructure to 30 April 2022 is at 66.7% of year-to-date budget expectations at \$20.4M, against \$30.6M budget as noted at paragraph 14. Attachment 14.1D provides comments on specific variances for capital projects.
22. Acquisition of non-infrastructure to 30 April 2022 is \$7.8M and is 38.3% under the year-to-date budget. Readers are directed to Attachment 14.1D for comments on specific variances.
23. Adjusting for opening funds (Net Current Position), generates the Budget Deficiency before Rates. This then indicates the Amount Required to be Raised from Rates. The difference between the Rates amount, and the Deficiency before Rates is the Closing Position.
24. The FAS for the period to 30 April shows that a rate yield of \$97.9M has been levied compared to the \$97.9M budget at rates strike date. The budget was amended downwards at mid-year budget review because of the impact of the WACA concession (\$183K) and Heritage Concessions (\$232K) on the net rates yield which was also impacted by some negative adjustments via interim rates.
25. The disclosed year to date Closing Position of \$57.3M compares favourably to the year-to-date budgeted closing position of \$41.5M - a variance of 28.7%, reflecting the combined impact of the favourable variances noted in this report for revenues, expenses, financing activity and investing activity. Most of this variance is due to the timing of cash outflows relating to capital projects as noted in this report at paragraphs 20 – 22.
26. The Net Current Position Report (Attachment 14.1B) indicates a year-to-date adjusted Net Current Position value of \$65.3M versus the budget of \$35.1M. This is primarily attributable to a favourable variance in cash from a timing difference in spending on capital works and a stronger than budgeted operating result.
27. Headline data from this month’s Net Current Position report is shown in Table 2 below. Comparative figures are provided for 2021 as well as the 30 June 2021 year-end figures.

Table 2:

Item Details	June 2021	Apr 2021	Apr 2022
Current Assets	\$ 179.657 M	\$ 211.855M	\$ 205.820 M
Current Liabilities	(\$ 44.730 M)	(\$ 35.091 M)	(\$ 36.187 M)
Unadjusted Net Assets	\$ 134.927 M	\$ 162.649 M	\$ 169.634 M
Less Restricted Items	(\$ 102.872 M)	(\$ 95.977 M)	(\$112.803 M)
Adjusted Net Current Position	\$ 32.054 M	\$ 83.238 M	\$ 57.938 M

28. The comparative numbers from the Net Current Position report for April 2021 and April 2022 reflect the impact of a higher value of restricted cash in 2021 than in 2022. This is due to prudently managing funds throughout the year and with the intention of reducing the much higher closing position in 2021 – which became the opening position for 2022.
29. Attachment 14.1E - Investment Report for April 2022 presents detail of the City’s cash investment portfolio in terms of performance, percentage exposure of total portfolio by credit risk, counterparty exposure and maturity profile.
30. The report indicates the City has adequate cash flow to meet its financial obligations as and when they will fall due; and it has achieved compliance with the various Investment Policy limits.

31. Attachment 14.1F - Rates Debtors provides a monthly update and analysis of rates collections by differential property rating category and overall. It shows that the City has collected 97.8% of all collectible rates. It shows that collections are stronger than in previous years. It also contains some brief commentary regarding payment arrangements and financial hard-ship cases.

Consultation

Nil.

Decision Implications

32. Council’s acknowledgement of receiving the Financial Activity Statement and supporting documents will meet its statutory obligation in respect of overseeing the City’s financial resources.

Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	Prosperous
Related Documents (Issue Specific Strategies and Plans):	Nil.
Legislation, Delegation of Authority and Policy	
Legislation:	<p>Section 6.4(1) and (2) of the Local Government Act 1995 Regulation 34(1) of the Local Government (Financial Management) Regulations 1996</p> <p>This section of the Act and the related regulation prescribe the requirement to prepare and present to Council (monthly), FAS.</p> <p>That FAS should contain:</p> <ul style="list-style-type: none"> • Annual Budget estimates, and approved revisions to these for comparison purposes. • Actual amounts of income and expenditure to the end of the month of the FAS. • Material variances between the comparable amounts and commentary on reasons for these variances. • Net current assets at the end of the month. • An explanation of the composition of the net current assets at the end of the month to which the FAS relates. • Any other information which the local government deems relevant.
Authority of Council/CEO:	The above legislation prescribes that this report be presented to Council on a monthly basis.
Policy:	CP 2.1 Management of Investments

Financial Implications

33. There are no direct financial implications of receiving this report as it reflects a historical accounting of financial transactions. When material variances are noted, appropriate remedial action will be initiated by the administration in a timely and prudent manner.

Further Information

34. Questions and responses received prior to and at the Agenda Briefing Session held 21 June 2022 are as follows:

	Question	Response
1.	Page 100 - 66% year to date capital infrastructure completed. Does that mean the carry forward figure will be around 33%?	<p>At the end of April, the actual cash outflow on capital projects was 66% of budget - but this cash information is always a 'lag' indicator of completion of project milestones.</p> <p>Recent projections indicate that carry forward projects after the end of financial year, will be in the order of \$12.5M which is 23% of the \$54.9M budget (including carry forward works from the previous year).</p> <p>This infers actual expenditure \$42.4M or 77% of the capital budget expended. This may increase, but will not be confirmed until after all year-end adjustments are made</p> <p>The \$12.5M carry forward projects at 21/22 year-end includes \$3.4M of items impacted by supply chain issues outside the City's control. These are street lighting \$1.8M, plant & equipment \$0.8M & Mall Bollards \$0.8M. The in-progress Roe St project, which has had some third-party delays again not within the City's control is a further \$5.2M.</p> <p>Given the uncontrollable factors impacting on delivery, this is a very solid program delivery effort.</p>
2.	Page 104 – Parking revenue is down \$1.4M, is that correct?	<p>Yes. The pace of workers returning to the office post Covid, free night-time parking and other parking initiatives have constrained the revenue in comparison to expectations.</p> <p>The shortfall has reduced to \$1.3M in May and it is anticipated that by 30 June it will \$1.2M.</p> <p>It should be noted that the decision to provide free night-time parking did not occur until after the last budget review.</p>

3.	Page 107 – how many current vacancies are there? How many are being actively recruited for and how many are not being replaced?	<p>As at 20 June 2022, the City has 99.87 vacancies. 30 of these vacancies are backfilled by casuals and agency contractors, with 48 active recruitment briefs open. Seven candidates have accepted offers and will commence soon, and 14 positions are currently being reviewed and re-scoped in line with the current employment market conditions. All current vacancies are needed and are being replaced.</p> <p>Most vacancies are within the Infrastructure and Operations Alliance and the Corporate Services Alliance. Both Alliances have roles that are heavily impacted by the current skills shortage.</p>
4.	Page 124 - Assertive outreach services (cultural) - states "working on contract extension"- who is this with? What are the contract terms, performance, KPIs etc?	<p>ACE have an existing contract with the City to provide security services in our carparks and Moore Street services hub. Using ACE to assist in the CBD is an extension of service under this contract.</p> <p>The quote to assist is \$43,139.38 for a 6-week period, and aligns with Homeless Outreach.</p> <p>ACE will be an adjunct to the Ranger Services, operating seven days, 0500 – 0900 am and 1800 – 2300 pm. Areas of operation will be the CBD and Northbridge at this stage, with scope for expanding out as required.</p> <p>Engagement will be an outreach first approach to provide advice and support regarding welfare. Other outcomes of this collaboration will target behaviours that are antisocial. Their authorisation will allow them to act under our Throughfares and Public Place Local Law and Local Government Property Local Law. They are working mainly alongside WA Police to proactively focus on CBD streets.</p>
5.	Why are there two lines for Safe Night Space? There is a smaller amount of \$10-11k then the larger amount of \$1m plus on page 124.	<p>Line 10116 Safe Night Spaces \$11k is late invoices received for capital works for Rod Evans Centre fit-out from the previous year.</p> <p>Line 10335 Safe Night Space – Women’s Only \$1m is the annual operational funding commitment.</p>

Council Resolution (Officer's Recommendation) (OCM-22/06-090)

Mover: Deputy Lord Mayor Di Bain

Seconded: Councillor Brent Fleeton

That Council RECEIVES the following financial reports for the period ended 30 April 2022:

1. Financial Activity Statement (FAS) and Notes to the FAS - Attachment 14.1A.
2. Net Current Position - Attachment 14.1B.
3. Operating Variances by Alliance & Service Unit - Attachment 14.1C.
4. Capital Projects Schedule - Attachment 14.1D.
5. Investment Report - Attachment 14.1E.
6. Statement of Rates Debtors - Attachment 14.1F

CARRIED EN BLOC (8/0)

For: Deputy Lord Mayor Di Bain; Councillors Sandy Anghie, Clyde Bevan, Brent Fleeton, Liam Gobbert, Rebecca Gordon, Viktor Ko and Catherine Lezer

Against: Nil

14.2 Schedule of Accounts Paid - April 2022

Responsible Officer	Michael Kent – Project Director Strategic Finance (CFO)
Voting Requirements	Simple Majority
Attachments	Attachment 14.2A – Schedule of Accounts Paid - April 2022

Purpose

To note details of payments made under delegated authority for the month of April 2022.

Recommendation

That Council:

1. RECEIVES the Schedule of Accounts Paid for the period ended 30 April 2022 as attached.
2. RECORDS in the Ordinary Council Meeting minutes the summary of accounts paid being:

Total Accounts Paid	
Municipal Fund	\$14,973,792.62
Trust Fund	\$0
Total - All Funds	\$14,973,792.62

Background

1. In accordance with Regulation 13(2) and 13(3) of the *Local Government (Financial Management) Regulations 1996*, where this power has been delegated, a list of payments for each month is to be compiled and presented to the Council. The Chief Executive Officer is delegated this authority under Delegation 2.14.
2. This authority has then been subdelegated by the Chief Executive Officer.
3. The listing of payments with full disclosure of all required information, is presented as Attachment 14.2A.
4. The listing of payments was made available to the Elected Members via the Council Hub, ahead of the agenda distribution, to provide additional time for review.
5. This summary report then facilitates the acknowledgement of the listing having been received.

Discussion

6. The Schedule of Accounts Paid (Attachment 14.2A) contains the following payments made under Delegated Authority 2.14 - Payments from the Municipal & Trust Fund:

Schedule of Accounts Paid - April 2022		
Municipal Fund		
EFT & Cheque Payments	Direct Creditor Payments	11,470,212.11
Sub Total - EFT & Cheques		11,470,212.11
Direct Debits	Bank Charges and Merchant Fees	48,304.29
Sub Total - Direct Debits		48,304.29
Payroll	08/04/2022	1,684,104.68
	22/04/2022	1,751,565.91
Sub Total - Payroll		3,435,670.59
Corporate Cards		19,605.63
Sub Total - Cards		19,605.63
Total per Attachment A		14,973,792.62
Total Payments from Municipal Fund		
New Investments		0
Trust Fund		
Trust EFT & Cheques		0
Total - Trust Funds		

Consultation

7. As the contents of this report focus on the organisation's recent past financial performance, no external consultation is relevant to the preparation of this report.

Decision Implications

8. In Council’s acknowledgement of receiving the Schedule of Accounts Paid will meet its statutory obligation under Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*.

Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	Prosperous
Related Documents (Issue Specific Strategies and Plans):	Annual Budget

Legislation, Delegation of Authority and Policy	
Legislation:	<p>Section 6.10 of the <i>Local Government Act 1995</i> Regulation 13(1) of the <i>Local Government (Financial Management) Regulations 1996</i></p> <p>This section of the Act and the related regulation prescribes the requirement to prepare a list of all payments made for each month and to present them to Council. The Schedule of Accounts Paid (the ‘list’) should contain, for each payment:</p> <ul style="list-style-type: none"> • Payee Name • Amount of the Payment • Date of the Payment • Sufficient information to identify the transaction
Authority of Council/CEO:	In accordance with Regulation 13(2) and 13(3) of the <i>Local Government (Financial Management) Regulations 1996</i> , where this power has been delegated, a list of payments for each month is to be compiled and presented to the Council.
Policy:	Delegated Authority 2.14 has been granted to the Chief Executive Officer to make payments from the Municipal and Trust Funds.

Financial Implications

9. There are no direct financial implications of receiving this report as it reflects a historical accounting of financial transactions that were provided for in the adopted budget (as amended).

Further Information

Nil.

Council Resolution (Officer's Recommendation) (OCM-22/06-091)

Mover: Deputy Lord Mayor Di Bain

Seconded: Councillor Brent Fleeton

That Council:

1. RECEIVES the Schedule of Accounts Paid for the period ended 30 April 2022 as attached.
2. RECORDS in the Ordinary Council Meeting minutes the summary of accounts paid being:

Total Accounts Paid	
Municipal Fund	\$14,973,792.62
Trust Fund	\$0
Total - All Funds	\$14,973,792.62

CARRIED EN BLOC (8/0)

For: Deputy Lord Mayor Di Bain; Councillors Sandy Anghie, Clyde Bevan, Brent Fleeton, Liam Gobbert, Rebecca Gordon, Viktor Ko and Catherine Lezer

Against: Nil

5.30pm Councillor Liam Gobbert returned to the meeting prior to Item 14.3.

14.3 Long Term Financial Plan 2022/23 - 2031/32

Responsible Officer	Michael Kent – Project Director Strategic Finance (CFO)
Voting Requirements	Absolute Majority
Attachments	Attachment 14.3A – LTFP 2022-23 to 2031-32 Narrative Attachment 14.3B – LTFP 2022-23 to 2031-32 Financial Schedules

Purpose

To seek Council's endorsement of the Long-Term Financial Plan 2022/23 - 2031/32.

Recommendation

That Council ADOPTS the Long-Term Financial Plan (LTFP) 2022/23 - 2031/32 as detailed in Attachment 14.3A and Attachment 14.3B.

Background

1. The Long-Term Financial Plan (LTFP) is a rolling ten-year financial blueprint for the City and is used to ensure proper alignment between community aspirations, Council's strategic intent and organisational financial capacity.
2. The LTFP guides the City's approach to achieving best value outcomes when delivering services, projects and infrastructure to the community in a responsible, considered and affordable way.
3. The LTFP supports this objective by projecting the City's financial position forward over a ten-year time horizon using a series of realistic, conservative financial assumptions.
4. This financial modelling provides the City with reliable, robust information to assess the City's capacity to maintain overall financial sustainability into the long term and, most importantly, to ensure that the City has in place the necessary funding arrangements to support proposed capital replacement programs and new capital projects.
5. The LTFP is a critical informing document that allows Council to understand the financial impacts of decisions it makes in relation to operating and capital expenditures - and the funding mix.
6. Adopting this plan demonstrates Council's commitment to managing its operations in a financially responsible and sustainable manner.

Discussion

7. The attached Long Term Financial Plan (LTFP) presents a \$2.67 Billion financial blueprint for the City for the 2022/23 to 2031/32 period.
8. With its continuing focus on making the City more financially sustainable into the future, this plan continues to drive structural reform of the City's finances.
9. Fundamental principles underpinning the development of this plan include:
 - a. Critical review of operational expenditures to ensure value for money.
 - b. Engaging with our community in meaningful ways to understand their priorities.
 - c. Emphasising community priorities at a neighbourhood level.
 - d. Better matching staffing with agreed service levels.
 - e. Adjusting the scale of the capital program to better align to organisational delivery capacity.
10. Combining these approaches with an agile, service-based resource allocation model, means that the City now can deliver quality, targeted services that offer a value for money proposition to its ratepayers whilst ensuring that the capital city is efficiently run and that service levels are responsive to the community's needs.
11. This 10 Year Financial Plan has been developed at a time when the State has emerged from the height of the Covid 19 pandemic, but still is in an economic recovery phase and is being impacted by supply chain and labour market impacts of Covid. These impacts and the current and anticipated economic conditions have been responsibly and conservatively considered in modelling the plan.
12. The Plan is presented in two parts - **Attachment 14.3A** which is the narrative that provides analysis and interpretation of the financial model, and **Attachment 14.3B**, which contains the detailed financial schedules.

13. Headline expenditure data from the Long-Term Financial Plan 2022/23 - 2031/32 is shown below.

Table 1:

Expenditure Type	Amount \$M
Core Service Delivery	1,588.850
Programs - Events & Sponsorship	119.707
Discretionary Operating Projects	86.054
WACA & PCH Capital Contribution	29.000
Asset Renewal & Community Infrastructure	559.834
Financing Activities - Reserve Transfers, Loan Repayments	280.188
Closing Balance (Surplus)	2.510
Total Expenditure Allocation	2,666.143

14. The LTFP presents a balanced funding model incorporating a responsible mix of funding sources over the ten-year period to support the proposed expenditure program as indicated below:

Table 2:

Funding Source	Amount \$ M
Rates	1,243.053
Parking Operations	750.714
Fees & Charges	209.207
Grant Funds	72.630
Interest & Other Revenues	47.370
Financing Activities - Cash Reserves & Borrowings	340.933
Opening Balance	2.236
Total Funding	2,666.143

The major changes in this update of the Long-Term Financial Plan are detailed below:

- a. Aligning the first year of the LTFP and the proposed 2022/23 Budget.
 - b. Adjusting the model's indexing parameters to reflect contemporary economic conditions.
 - c. Incorporating agreed project and service allocations presented at Elected Member budget forums over the last six months.
 - d. Ensuring that the City's continues to meet its ongoing asset renewal responsibilities.
 - e. Incorporating updated City Deal project information and other external funding opportunities.
 - f. Incorporating priorities emerging from Elected Member Engagement Sessions.
 - g. Acknowledging recent community input through neighbourhood forums.
 - h. Incorporating the future financial impacts of resolutions resulting from Elected Member notices of motion.
16. The LTFP 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 yet been incorporated into the model due to their uncertainty, however, the financial model can readily be adapted to respond to such opportunities should they arise.

17. The LTFP also references the 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 specific year, the LTFP 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.
18. Modelling the financial ratios and the Financial Health Indicator (FHI) scores for each of the years covered by the LTFP provides valuable insight to help inform future Council resource allocation decisions and to proactively address potential future financial challenges.
19. A meaningful analysis and interpretation of the ten-year financial model is presented in the LTFP 2022/23 - 2031/32 Narrative - **Attachment 14.3A**.

Consultation

20. Preparation of the Plan is informed by the outputs of various community consultation exercises including, but not limited to, the Strategic Community Plan, Corporate Business Plan and community budget workshops. It also incorporates inputs from internally generated documents including Asset Management Plans and the Workforce Plan.

Decision Implications

21. Council’s endorsement of the Long-Term Financial Plan 2022/23 - 2031/32 will mean that the plan is embedded into the City’s operations and updated regularly to reflect changing economic conditions and emerging trends

Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	Sustainable
Related Documents (Issue Specific Strategies and Plans):	Strategic Community Plan Corporate Business Plan Annual Budget 2022/23 The LTFP exerts a persuasive influence on the budget for the first year of the plan (2022/23 in this case).

Legislation, Delegation of Authority and Policy	
Legislation:	Section 5.56 (1) and (2) of the Local Government Act 1995 This section of the Act prescribes the requirement to prepare a plan for the future of the district and to ensure that such plans are in accordance with any regulations made about planning for the future of the district.
Authority of Council/CEO:	Council adoption of the LTFP is considered best practice in terms of transparently disclosing how the City aligns community aspirations and the City’s strategic intent with its financial and resource capacity.
Policy:	CP 2.3 Strategic Financial Planning & Budgeting CP 2.4 Cash Backed Reserves CP 2.5 Use of Debt as a Funding Option

Financial Implications

22. The LTFP should reflect a prudent, sustainable financial blueprint for the future that provides the necessary funding to sustain the delivery of the services and projects that our community wants.
23. It should also be sufficiently agile in its design and modelling that it can flex to accommodate changing community priorities or economic circumstances and emerging future opportunities.
24. The Long-Term Financial Plan 2022/23 - 2031/32 as presented, achieves that outcome.

Further Information

25. Due to a formatting error, a correction has been made to Attachment 14.3A (Section 6.5 – Commentary on Capital Project Allocations). Next to the heading ‘Lighting & Electrical Upgrades’, the blue-shaded box has been amended from \$118M to \$32M. This was a formatting issue and does not relate in any way to the calculations or numbers in the financial model for the LTFP.
26. **Questions and responses received prior to and at the Agenda Briefing Session held 21 June 2022 are as follows:**

	Question	Response
1.	Page 244– waste fees and charges over the next few years – is this gradual increase due to expected population change or the waste charges and recovery levy increasing? Or both? What assumptions are made here in the State increases?	<p>In determining the budget for waste fees and charges each year, the City estimates its likely tonnages and a projected per tonne rate for transport / processing of waste. This is not always known with certainty at budget time and may need to be re-assessed once the tip site fee is advised by Mindarie Regional Council. Any movement up or down to that rate during that year is adjusted via the Refuse Treatment Reserve.</p> <p>As future increases in the state waste levy are foreshadowed or gazetted, the LTFP will be dynamically adjusted to reflect these and will inform future pricing decisions for waste services.</p>
2.	<p>There is a place making levy income listed of \$844k starting 23/24 – is this levied on top of the rates bill for EQ residents? Or businesses or both?</p> <p>Is this purely for maintenance of what is in the public space? Or new plans?</p> <p>Further down it states the City is expecting to pay an additional \$3.1 million in expenses for additional maintenance. So for EQ all up, at its capacity, what value of rates is expected?</p>	<p>The LTFP models the anticipated rate revenues and associated Place Making Levy for the EQ Precinct based on the build-out dates for the various sites - fully built out by 2026. The Place Making Levy (PPM) was signed by the purchasers of each lot at EQ upon purchase and is a percentage of the site valuation. The PPM can be applied towards maintenance, marketing and activation of the precinct under the terms of sale.</p> <p>When ‘normalisation’ (handover) occurs, the intent is that the City will assume responsibilities for maintenance and activations - and in return will levy rates and collect the PPM. The City has</p>

		<p>been advised that currently around \$3.1M is spent on these activities by Dev WA. Once the City has a better understanding of the precinct's maintenance programs and activations, it will build up its own cost profiles for these activities.</p> <p>EQ is expected to be cash flow positive for the City by 2025 based on preliminary modelling data - but this is subject to more rigorous analysis once all datasets are available and validated.</p>
3.	<p>What is the \$10 million for in borrowing in 23/24 and another \$10m in 27/28?</p>	<p>The LTFP uses notional debt in 23/24 to support the overall capital package – primarily relating to the final instalment for the WACA facility and the capital spend on buildings renewal. Potentially, future property portfolio cash inflows could remove the need for these notional borrowings.</p> <p>A further notional \$10M of borrowings is flagged in 27/28 to support major capital initiatives including, but not limited to, the major public open space strategy implementation in that year.</p> <p>The inclusion of potential borrowings in the 10-year plan is done to sustain a balanced budget program across the ten-year time horizon. This reflects best practice strategic financial modelling approaches. As the LTFP is updated and refined each year, the notional borrowings are critically re-evaluated and their need may be adjusted as happened in 21/22.</p> <p>Debt is an appropriate part of the overall funding strategy as per Policy CP2.5.</p>
4.	<p>Page 245 why does the pay out in utilities drop in 24/25? In the assumptions on 263 it builds in an increase of 0.25% on the previous year.</p>	<p>Total utilities expenses actually do increase in 24/25 by the amount flagged in the model parameters. The document on page 245 is the Cash Flow Statement which reflects cash paid out rather than total cost. This includes an allowance for a timing / accrual difference at year end.</p>
5.	<p>Assumptions page 263 – 2% in employee costs for 23/24 – what is the impact to the bottom line if this is changed to 2.5%?</p>	<p>Employee costs is a function of several different variables – so the notional parameter does not reflect all the nuances of the modelling. It includes salary costs, superannuation guarantee levy, training, salary step increment adjustments etc plus a deflator/ inflator if staff numbers may change with adjustments to service levels.</p> <p>It should also be noted that the City is in sensitive 'live' negotiations with employees in relation to the enterprise agreement at present.</p>

<p>6.</p>	<p>The employee vacancy rate assumption for 22/23 is 3% however it is currently approx. 14%. How realistic is 3%?</p>	<p>This is differentiation between a point in time 'Vacancy Rate' and an annualised 'Vacancy Rate Adjustment'. When calculating a vacancy rate adjustment, it is assumed that on average, a position remains vacant for around three months during the process of advertising and recruiting. If it is assumed this applies to most positions; but note that some may have to be backfilled immediately, then a vacancy rate of 14% times 0.25 of a year (3 months) then a 3% Annualised Vacancy Rate Adjustment is considered realistic and appropriate in the long term based on the CFO's experience in local government.</p> <p>The vacancy adjustment rate is monitored and will be reconsidered at the end of the 2022/23 year.</p>
<p>7.</p>	<p>Materials and contracts only increasing by 2.75% - how was this number arrived at?</p>	<p>The parameters tab in the LTFP is a general summary of indexation factors by broad categories. As noted in Schedule SS6, it includes the purchase of materials and provision of services such as advisory, professional services etc. It is calculated by applying different % to previous cost bases adjusting for known atypical increases. For instance, fuel & asphalt are abnormally larger but other cost are not increasing as much. Also, the volume of operating projects varies year-to-year, and this is reflected in the indexation parameter.</p> <p>Past experience suggests this figure is suitable given that savings have been realised on the previous year cost base. The modelling also takes some cues from economic modelling by organisations such as CPA Australia and ACIL Allen.</p> <p>It is important to note that longer term modelling reverts to long term averages rather than atypical spikes such as the current CPI.</p>
<p>8.</p>	<p>Page 235 - projected rate yields - what is factored in as future changes to GRV's - and will that have a material impact in the total dollar amounts expected to be collected?</p>	<p>The Rates Increase Projections referenced in the LTFP are premised on the year-on-year (baseline) rates increases being held to an average of 2% per annum (less than the projected CPI).</p> <p>The LTFP also notes that there will be an increase above this for new developments over and above the existing rates base.</p>

		<p>In establishing what these new GRV increases might be, the City maintains a comprehensive database of potential future development proposals based upon lodged development proposals, projects in discussion with the City, those promoted in the media that are considered likely to proceed. Each is assigned a probability of execution and benchmarked against a similar development.</p> <p>This allows the potential future rates yields to be modelled - although the future rates yields are progressively 'discounted' for less advanced proposals so that future expectations are not unrealistic in quantum.</p> <p>Overall, the estimated future rate projections are considered reasonable, and they are proactively reviewed and modified when necessary to reflect emerging circumstances.</p> <p>The most immediate and most significant of these relate to the EQ development sites between now and 2026.</p>
<p>9.</p>	<p>Page 263 - what were the assumptions used for employee costs? Total % Increase?</p>	<p>Employee costs is a function of several different variables – so the notional parameter quoted in the LTFP does not reflect all the nuances of the modelling. It includes salary costs, increase in the superannuation guarantee levy, training, salary step increment adjustments etc plus a deflator/ inflator if staff numbers may change to reflect changed service levels. These are adjusted by different % depending on the specific cost element.</p>

Council Resolution (Officer's Recommendation) (OCM-22/06-092)

Mover: Councillor Brent Fleeton

Seconded: Councillor Catherine Lezer

That Council ADOPTS the Long-Term Financial Plan (LTFP) 2022/23 - 2031/32 as detailed in Attachment 14.3A and Attachment 14.3B.

CARRIED BY ABSOLUTE MAJORITY (8/0)

For: Deputy Lord Mayor Di Bain; Councillors Sandy Anghie, Clyde Bevan, Brent Fleeton, Liam Gobbert, Rebecca Gordon, Viktor Ko and Catherine Lezer

Against: Nil

14.4 Transfer of Unacquitted Sponsorships to Reserve

Responsible Officer	Michael Kent – Project Director Strategic Finance (CFO)
Voting Requirements	Simple Majority
Attachments	Nil.

Purpose

To seek Council's approval for a budget amendment to transfer the value of awarded, but yet to be acquitted, 2021/22 sponsorships to the Sponsorship Reserve.

Recommendation

That Council APPROVES the transfer of an amount of \$2,907,275 representing 2021/22 awarded, but yet to be acquitted, sponsorships to the Sponsorship Reserve.

Background

1. The timing of the sponsorship funding rounds, and the lead times required by sponsorship recipients to deliver their events or sponsorship obligations typically does not conveniently align to financial years.
2. The elapsed time between calling for applications, assessing applications and then presenting recommendations to Council can consume several months, after which the successful applicants still need to prepare for, procure and deliver their event.
3. This means that the amount awarded for sponsorships may not be the same as the amount disbursed in any year because of timing differences in acquittals.
4. Having some sponsorships (even single year ones) that span across multiple financial years is inevitable.
5. The Sponsorship Reserve was created specifically to manage the cashflow implications associated with awarded sponsorship arrangements that span multiple financial years (either across the 30 June end of financial year or alternatively, awarded multi-year sponsorships).

Discussion

6. It was foreshadowed at the May 2022 Ordinary Council Meeting that a report would be submitted to the June 2022 Ordinary Council Meeting seeking approval to transfer the value of awarded, but yet to be acquitted, 2021/22 sponsorships to the Sponsorship Reserve until the sponsorship obligations are fully acquitted.
7. Council began the year with a \$4,975,000 budget allocated for sponsorships. All but \$96,892 of that allocation has been awarded.
8. To date, for the reasons noted in paragraph 2 of this report, some \$2,067,725 is projected to be acquitted and disbursed to sponsorship recipients by 30 June 2022.
9. The remainder of the awarded amount will ultimately be acquitted and following successful acquittal, will be disbursed to sponsorship recipients, although this will not occur until after the end of the 2021/22 financial year.
10. To quarantine the budget allocation that will support the payment of the yet to be acquitted sponsorships, it is proposed to transfer the amount of \$2,907,275 to the Sponsorship Reserve.
11. As the sponsorships are acquitted and disbursed in the subsequent year, funds will be drawn down from the reserve to reimburse the municipal (general) fund.

Consultation

Nil.

Decision Implications

12. Council's adoption of the report recommendation will quarantine the funds supporting the awarded, but yet to be acquitted, sponsorships in the reserve until such time as the sponsorship recipients have fulfilled their obligations and successfully acquitted their funds.

Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	Prosperous
Related Documents (Issue Specific Strategies and Plans):	Long Term Financial Plan Cash backed Reserves are an essential component of the City's strategic financial planning and are used to manage the City's cash flow demands and ensure the City's ongoing financial sustainability.

Legislation, Delegation of Authority and Policy	
Legislation:	Section 6.11 of the <i>Local Government Act 1995</i> and Regulation 17(1) of the <i>Local Government (Financial Management) Regulations 1996</i> . Council is to establish a separate reserve account for monies to be set aside in cash backed reserves. The reserve is to have a title and stated purpose that clearly identifies the purpose for which the monies are set aside.
Authority of Council/CEO:	The CEO has responsibility for ensuring that the local government has effective systems and processes in place for proper accounting of expenses paid or payable. The approach proposed in this report supports that objective.
Policy:	CP 2.4 Cash Backed Reserves This policy identifies the City's approved cash backed reserves and the specified purpose for which funds from each cash backed reserve may be used.

Financial Implications

13. The financial implication of this report is a budget transfer of \$2,907,275 to the Sponsorship Reserve.

Further Information

Nil.

Council Resolution (Officer's Recommendation) (OCM-22/06-093)

Mover: Deputy Lord Mayor Di Bain

Seconded: Councillor Brent Fleeton

That Council APPROVES the transfer of an amount of \$2,907,275 representing 2021/22 awarded, but yet to be acquitted, sponsorships to the Sponsorship Reserve.

CARRIED EN BLOC (8/0)

For: Deputy Lord Mayor Di Bain; Councillors Sandy Anghie, Clyde Bevan, Brent Fleeton, Liam Gobbert, Rebecca Gordon, Viktor Ko and Catherine Lezer

Against: Nil

14.5 Review of Delegations

Responsible Officer	Melissa Murphy – General Manager Corporate Services
Voting Requirements	Absolute Majority
Attachments	Attachment 14.5A – Draft Register of Delegations and Authorisations 2022/2023 (with tracked changes)

Purpose

For Council to complete the review of its delegations as required by sections 5.18 and 5.46 of the *Local Government Act 1995* and other laws.

Recommendation

That Council:

1. ENDORSES the review of its delegations in accordance with sections 5.18 and 5.46 of the *Local Government Act 1995*.
 2. DELEGATES its functions strictly as stated in the Register of Delegations and Authorisations (Attachment 14.5A).
-

Background

1. Sections 5.18 and 5.46 of the *Local Government Act 1995* require Council to review its delegations to Committees of Council and the CEO each financial year. The last review for financial year 2020/2021 was considered by Council at its meeting on 6 July 2021. Similar provisions are also contained in other acts under which delegations are given by Council.
2. The annual review of delegations requires the City to consider if:
 - a. There are any changes in legislation affecting the current delegations;
 - b. The current delegations are fit for purpose and promote efficient and effective decision making; and
 - c. The conditions on delegations are appropriate and ensure Council has appropriate oversight over decision making.
3. Since Council adoption of the Register of Delegations and Authorisations for 2021/2022, the following amendments have been made as passed by Council or otherwise sub-delegated by the CEO within their delegated power from Council.

Table of Amendments to the Delegations and Authorisations Register 2021/2022

Version	Decision Reference	Synopsis of Changes
1.0	Council Resolution OCM-21/07-167	Completely revised register of Council Delegations adopted
2.0	CEO Briefing Note Record # 140197/21	CEO, following Council adoption of revised register, delegated authority to employees.
3.0	CEO Briefing Notes Record #'s 180135/21, 241297/21, 241307/21, 241316/21	Amendments to financial delegations, addition of Principal Safe City Operations, establishment of Commercial Services Alliance and changes to Governance and Strategy roles.
4.0	CEO Briefing Note Record # 272405/21	Amendment to delegations due to organizational changes in community development.
5.0	CEO Briefing Note Record # 6749/22	Amendment to delegations due to organizational changes in community development.
6.0	CEO Briefing Note Record # 34455/22	Amendment to delegations to add Alliance Manager Properties
7.0	Council Resolutions OCM-22/03-033, OCM-22/03-039 CEO Briefing Notes Record #'s 50204/22, 61684/22	Modification by Council to delegation 2.13 by Council. Addition of Delegation 2.22A by Council. Addition of delegation 2.27 by CEO. Removal of delegate in delegation 2.17 by CEO.
8.0	CEO Briefing Note Record # 101856/22	Amendment to delegations relating to land, roads and property, financial management and the <i>Building Act 2011</i> to add new position titles and rename existing position titles.
9.0	CEO Briefing Note 117117/22	Amendment to delegations 2.21, 7.1, 7.2, 7.4, 11.7 and 11.9 to rename position titles

Discussion

4. The review of the City' statutory delegations sought to identify any necessary amendments to statutory delegations in line with legislation and the City's current Policies and operations, but also any opportunities for improvement to the clarity and useability of the register and efficiency and appropriateness of the delegations.
5. The extent of the review consisted of:
 - a. Circulating the current Register of Delegations and Authorisations for 2021/22 to General Managers and Alliance Managers for feedback, particularly noting current employees with delegated authority who have had a title change, or new employees seeking delegated authority;
 - b. A review of the legislation granting delegated authority to determine if any amendments were made since the time of the last review period and if so, whether they impact employee roles with delegated authority;
 - c. Noting the Delegation Register Templates by WALGA and the Department of Local Government, Sport and Cultural Industries (DLGSCI).
6. Few changes have been proposed by the review process as evinced by the tracked changes in Attachment 14.5A. This is attributable to:
 - a. the extensive overhaul of the Register for 2021/2022 which remains appropriate and aligned with the WALGA Template and DLGSCI Guidelines which remain unchanged since last review;
 - b. ongoing amendments over the 2021/2022 financial year that were implemented throughout the operation of the Register; and
 - c. no amendments being made to legislation, regulations, or local laws since the time of the last review period that require the modification of existing delegated functions or the implementation of new delegations.
7. The Register of Delegations and Authorisations for the 2022/2023 financial year has had minor amendments based on considerations of commercial operations, along with modifying current or including new employee titles who are granted delegated authority under sub-delegation by the CEO.
8. Slight formatting changes were made to correct errors in references to legislation, regulations and local laws and specific provisions therein.
9. The proposed changes are as follows:

Summary of the changes proposed

Delegation	Substantive Changes
2.9. Tender exempt procurement	<p>The authority in Function 1 to:</p> <ol style="list-style-type: none"> a) undertake exempt procurement; and b) enter into an agreement directly with a supplier <p>that has been delegated to the CEO (and further sub-delegated to employees) has been reworded to clarify the applicability and primacy of the <i>Local Government (Functions and General) Regulations 1996</i> (Regulations) and to improve clarity in referring to CP 2.2 Purchasing that generally governs procurement.</p>

	<p>Function 3 has been amended to clarify that GST is excluded from the maximum contract cap of \$2,000,000 consistent with other delegations dealing with procurement.</p> <p>Function 4 that references regulation 11(2)(f) has been deleted as it simply duplicates the conditions of activation from the provision and the City’s Purchasing Policy.</p>
<p>2.11. Varying and extending tender contracts</p>	<p>Function 1 that delegates authority to vary contracts provided the original scope of the contract is unchanged has been amended by changing the wording from “successful tenderer” to “regulated tender”. This is done to add clarity that this delegation is not applicable to non-regulated tenderers, i.e. those under \$250,000.</p> <p>After consultation with the Procurement Manager and General Manager Infrastructure and Operations, it is suggested to revise the contract variation limit of 20% found in Condition 3 of the delegation.</p> <p>As it currently exists, it is an absolute limit that prevents any consideration of a variation to a contract that greater than 20%. That means that for smaller-scale contracts (for example where a \$40,000 contract needs to be increased to \$60,000 which is a 50% increase, the variation is outright prohibited).</p> <p>To serve the interests of commercial efficiency, it is recommended that variations of any value or percentage should be considered, but not necessarily accepted by the City, subject to relevant approval and proper justification processes.</p> <p>Checks and balances already exist that require justifying variations to contracts, escalation to an officer with the Financial Authority where necessary, and in contracts being consistent with the Annual Budget.</p> <p>The variation limit should instead be based on the total Financial Authority given to the approving officer, and if the total contract value (including variation) exceeds the person’s individual limit, it simply escalates to the next Line Manager up to the maximum contract limit of \$2,000,000 found in the CEO’s delegated Financial Authority..</p> <p>Any variation over \$250,000 can only be approved by 20 Officers within the organisation, and furthermore, any variation over \$500,000 could currently only be approved by a General Manager, CFO, or the CEO, which greatly limits the number of Officers that could approve higher-sum variations.</p> <p>Removing the variation condition unlocks flexibility to follow the CP 2.2. Purchasing Policy and implement a Line Manager approval process for variations over certain amounts, up to the CEO’s Financial Authority.</p> <p>It is important to note that here are no variation limits on regulated tenders as per the <i>Local Government (Functions and General) Regulations 1996</i>.</p>

	<p>If approved by Council, the corresponding CEO condition will be revised accordingly.</p> <p>Function 4 has been amended to clarify that GST is excluded from the maximum variation to a contract cap of \$2,000,000 consistent with other delegations dealing with procurement</p>
2.13. Disposing of land or buildings	Function 9 and Council Condition 5 which gives authority to dispose of Shop 3, Regal Place Car Park, 81-95 Royal Street, East Perth has been deleted as it is no longer applicable.
2.15 Defer, Grant Concessions, Waive or Write Off Debts	Section 4 of the Council Conditions on this delegation has been amended to reflect the administrative process that currently operates with respect to waiving individual rate debts equal to \$10.00 or below.
9.2. Planning Approval – City of Perth City Planning Scheme No. 2	Condition 2 of Council’s conditions on this delegation has been amended so that the conditions applicable to the authority in Function 1 for determining development applications are also applied to determining amendments and extensions to development applications as provided in Function 3.

Consultation

10. Each General Manager of the City was engaged for consultation on the delegations particular to their Alliance and provided commentary based on current commercial operations which included advice from Alliance Managers and other Managers.
11. As this review is minor in nature and the majority of the Register remains the same as the 2021/2022 Register, external stakeholders were not consulted.

Decision Implications

12. Council is required to review its delegations under the *Local Government Act 1995* and some other acts at least once every financial year. Failure to complete the review will mean the City is in breach of the *Local Government Act 1995*.
13. By delegating its functions under various acts, decision on the matters delegated will be undertaken by the City and not by Council.

Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	Sustainable
Related Documents (Issue Specific Strategies and Plans):	Nil.

Legislation, Delegation of Authority and Policy	
Legislation:	Sections 3.57 and 3.58 of the <i>Local Government Act 1995</i> (WA) Regulations 11, 21A and 30 of the <i>Local Government (Functions and General) Regulations 1996</i> (WA) Clause 77 of the <i>City of Perth City Planning Scheme No. 2</i> Section 81C of the <i>Road Traffic Act 1974</i> Section 26 of the <i>Health (Miscellaneous Provisions) Act 1911</i>
Authority of Council/CEO:	Council deciding to delegate or authorise functions requires a resolution of Council in accordance with the various acts under which the delegation is made.
Policy:	CP2.2 Purchasing

Financial Implications

Nil.

Further Information

14. At the Agenda Briefing Session, it was advised that Attachment 14.5A did not include all track changes represented in full. This has now been corrected and all proposed changes to the Register appear as track changes. In addition, Attachment 14.5B (the 2020/21 Delegations Register pre-track changes) included in the Agenda Briefing Session Agenda has been deleted as an attachment to remove a duplication in documents.
15. The Table of Amendments to the Delegations and Authorisations Register 2021/2022 under paragraph 3 has been amended to include reference to a new CEO Briefing Note which approved changes to position titles. The Summary of the Changes Proposed table under paragraph 9 was updated accordingly.
16. **Questions and responses received prior to and at the Agenda Briefing Session held 21 June 2022 are as follows:**

	Question	Response
1.	Please clarify the 20% variation limit relating to delegations 2.11.	<p>There is no restriction in the <i>Local Government (Functions and General) Regulations 1996</i> to have a cap on contract variations. The mechanics of contract variation should (and will be) be addressed in the Council Policy 2.2 Purchasing.</p> <p>The proposed removal of the “20% variation cap” in the CEO Delegation 2.11 allows contract variations (of any value) to be reviewed and assessed by a City Officer with sufficient Financial Authority (i.e. Alliance Manager, GM, CEO or ELT). Checks and balances are still in place for variations to be accepted or rejected on merit.</p> <p>For clarity, Purchase Thresholds (\$5,000, \$20,000, \$75,000 and \$250,000) dictate the level of process applied to the quotation or tender process prior to selection of suppliers.</p>

Council Resolution (Officer's Recommendation) (OCM-22/06-094)

Mover: Councillor Liam Gobbert

Seconded: Councillor Catherine Lezer

That Council:

1. ENDORSES the review of its delegations in accordance with sections 5.18 and 5.46 of the *Local Government Act 1995*.
2. DELEGATES its functions strictly as stated in the Register of Delegations and Authorisations (Attachment 14.5A).

CARRIED BY ABSOLUTE MAJORITY (8/0)

For: Deputy Lord Mayor Di Bain; Councillors Sandy Anghie, Clyde Bevan, Brent Fleeton, Liam Gobbert, Rebecca Gordon, Viktor Ko and Catherine Lezer

Against: Nil

15. Chief Executive Officer Reports

15.1 Appointment of an Elected Member to the Mindarie Regional Council

Responsible Officer	Michelle Reynolds – Chief Executive Officer
Voting Requirements	Absolute Majority
Attachments	Nil.

Purpose

To appoint an elected member to represent the City of Perth on the Mindarie Regional Council.

Recommendation

That Council APPOINTS Councillor _____ to the Mindarie Regional Council from 1 July 2022 until 30 June 2023.

Background

1. On 1 June 2022, the Mindarie Regional Council (MRC) wrote to the City of Perth (the City) advising that in accordance with the MRC's Constitution Agreement (made under the *Local Government Act 1960*), the tenure of regional councillors expires on 30 June each year, meaning that member councils are required to appoint their regional councillors in June, with effect from 1 July. Council is therefore required to re-appoint a member to this external body.
2. In accordance with Item 2 of the Amended Schedule of the Constitution, the City is to have one elected member representative on the MRC. As the Constitution was formed under the previous Local Government Act, the Council is required to appoint a deputy each time its appointed member cannot attend an MRC meeting.
3. Council appointed Councillor Liam Gobbert as the City's member at its meeting held 26 October 2021.

Discussion

4. 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.
5. The constituent local governments are the Cities of Joondalup, Perth, Stirling, Vincent and Wanneroo and the Towns of Cambridge and Victoria Park.
6. 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.
7. There are many complexities surrounding the waste industry and its rapidly evolving landscape, such as:
 - a. changes in waste regulation and its impacts on the long term viability of the MRC
 - b. the disposal of the uneconomic Resource Recovery Facility asset in Neerabup
 - c. the likely transition from residual waste disposal to landfill in favour of Waste to Energy.As such, Council may consider it important that the incumbent be retained as its member for continuity.

Consultation

Nil.

Decision Implications

8. If Council does not nominate an elected member to the MRC, the City's representative will be vacant.

Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	Sustainable
Related Documents (Issue Specific Strategies and Plans):	Nil.

Legislation, Delegation of Authority and Policy	
Legislation:	The MRC's Constitution was enacted under the <i>Local Government Act 1960</i> and currently remains in force under Schedule 9.3, Clause 10 of the <i>Local Government Act 1995</i> . Section 52(1)(b) of the <i>Interpretation Act 1985</i>
Authority of Council/CEO:	Council has the authority to appoint elected members to external bodies.
Policy:	Nil.

Financial Implications

Nil.

Further Information

Nil.

Council Resolution (Officer's Recommendation) (OCM-22/06-095)

Mover: Councillor Catherine Lezer

Seconded: Councillor Clyde Bevan

That Council APPOINTS Councillor Liam Gobbert to the Mindarie Regional Council from 1 July 2022 until 30 June 2023.

CARRIED BY ABSOLUTE MAJORITY (8/0)

For: Deputy Lord Mayor Di Bain; Councillors Sandy Anghie, Clyde Bevan, Brent Fleeton, Liam Gobbert, Rebecca Gordon, Viktor Ko and Catherine Lezer

Against: Nil

16. Committee Reports

Reports referred from the Audit and Risk Committee meeting held 13 June 2022

16.1 Work Health and Safety – April 2022

Responsible Officer	Melissa Murphy – General Manager Corporate Services
Voting Requirements	Simple Majority
Attachments	Confidential Attachment 16.1A – Work Health and Safety Report - April 2022 (<i>Confidential in accordance with Sections 5.23(2)(a)</i>)

Purpose

The purpose of this paper is to recommend that the Audit and Risk Committee note the attached Work Health and Safety Report.

Committee Recommendation

That the Audit and Risk Committee NOTES the Work Health and Safety Report as detailed in Attachment 16.1A.

Background

1. A request was received from a member of the Audit and Risk Committee to provide Work Health and Safety information.
2. Council has a zero risk appetite for injury to members of the public and staff, meaning that every reasonable practical measure will be taken to prevent the occurrence of an adverse event.
3. The City uses Work Health and Safety statistics to understand whether it is meeting this risk appetite.
4. Under the Risk Management Framework, any Lost Time Injuries (LTI) or Total Recordable Injury Frequency Rate (TRIFR) greater than 30 are to be reported to the Audit and Risk Committee.

Discussion

5. The Work Health and Safety Report as at April 2022 is provided in Confidential Attachment 16.1A.
6. The TRIFR is less than 30.

Consultation

Nil.

Decision Implications

Nil.

Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	Prosperous
Related Documents (Issue Specific Strategies and Plans):	Nil

Legislation, Delegation of Authority and Policy	
Legislation:	<i>Work Health and Safety Act 2020</i>
Authority of Council/CEO:	This report is for noting only.
Policy:	Nil.

Financial Implications

Nil.

Further Information

Nil.

Council Resolution (Committee's Recommendation) (OCM-22/06-096)

Mover: Deputy Lord Mayor Di Bain

Seconded: Councillor Brent Fleeton

That Council NOTES the Work Health and Safety Report as detailed in Attachment 16.1A.

CARRIED EN BLOC (8/0)

For: Deputy Lord Mayor Di Bain; Councillors Sandy Anghie, Clyde Bevan, Brent Fleeton, Liam Gobbert, Rebecca Gordon, Viktor Ko and Catherine Lezer

Against: Nil

16.2 Proposed Revision to Annual Internal Audit Plan 2021/22

Responsible Officer	Michelle Reynolds – Chief Executive Officer
Voting Requirements	Simple Majority
Attachments	Nil.

Purpose

To consider a proposed revision to the Annual Internal Audit Plan 2021/22.

Committee Recommendation

That the Audit and Risk Committee recommends that Council APPROVES revising the date of the OSH Management System Audit to 2022/23.

Background

1. The Institute of Internal Auditors' International Professional Practices Framework requires the Chief Internal Auditor to produce a risk-based plan, which takes into account the organisation's risk management framework, its strategic objectives and priorities, and the views of Corporate Executive, Senior Managers and the Audit and Risk Committee.
2. The objective of audit planning is to direct audit resources in the most efficient manner to provide sufficient assurance that key risks are managed effectively and value for money is achieved.
3. At its Ordinary Meeting held 31 August 2021, Council (on recommendation from the Committee) approved the Strategic Internal Audit Plan 2021/22 to 2023/24 and the annual Internal Audit Plan 2021/22. At the Committee's 13 December 2021 meeting, the Committee noted the updated Annual Internal Audit Plan 2021/22.

Discussion

4. The Annual Internal Audit Plan 2021/22 is proposed to be revised by delaying the OSH Management System Audit until 2022/23.
5. The reason for the delay is because the 2021/22 Audit Plan did not have audit hours allocated against the OSH Management System Audit in May 2022. This may relate to an anticipation of potential delays in the implementation of the new WA WHS legislation.
6. It is therefore proposed that this audit be considered in the 2022/23 Audit Plan given the WA Work Health and Safety Act regulations associated with the *Work Health and Safety Act 2020* were delayed and recently came into effect as at 31 March 2022.

Consultation

Nil.

Decision Implications

Nil.

Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	Prosperous
Related Documents (Issue Specific Strategies and Plans):	Nil

Legislation, Delegation of Authority and Policy	
Legislation:	<i>Local Government (Audit) Regulations 1996</i>
Authority of Council/CEO:	As the Committee has no delegated authority, Council is required to approve changes to timeframes.
Policy:	Nil.

Financial Implications

7. This will be considered as part of the 2022/23 Annual Internal Audit Plan.

Further Information

8. Questions and responses received prior to and at the Agenda Briefing Session held 21 June 2022 are as follows:

	Question	Response
1.	Page 400- why was there an item on the Audit Plan with no hours allocated against it?	This item relates to the OSH Management System Audit on the 21/22 Audit Plan. Point 5 of the report refers to the anticipation of potential delays from the implementation of WA WHS (Work Health and Safety) legislation. As noted at point 6, the new WA WHS regulations came into effect on 31 March 2022. Audit scope and hours are generally considered once the impact of any new legislation is known.
2.	What other items had no hours allocated?	OSH Gap Analysis of City's Contractor Management System. This audit and the one referred to above, both relate to OSH audits.
3.	Who is responsible for ensuring the integrity of the Audit Plan?	The Internal Audit and Risk Manager is responsible for the preparation of the 3 year Strategic Audit Plan and annual Internal Audit Plan.
4.	Can the audit for OSH be scheduled early in the 2022/23 calendar?	The 22/23 Audit Plan will consider the scope and timing of the audit to be undertaken at the earliest opportunity, noting the need to balance implementation, and embedding of the new legislation into the City's systems and culture.
5.	What happens if the audit plan is not revised?	The 21/22 Audit Plan includes audits to be undertaken during the financial year to 30 June 2022. For the reasons noted in Q1 above, it is not prudent to commence the audit between 1 April and 30 June 2022 prior to implementation and embedding of the WA WHS legislation and regulations by Management. The WA WHS regulations came into effect on 31 March 2022.
6.	What are the implications of the new Act for elected members?	An EMES will be scheduled in August to address this request.

Councillor Rebecca Gordon moved an alternate motion as follows:

Alternate Motion

Mover: Councillor Rebecca Gordon

Seconder: Councillor Liam Gobbert

That Council:

1. NOTES the delay in delivering the OSH Management System Audit to 2022/23; and
2. REQUESTS the Chief Executive Officer to complete the OSH Management System Audit within three months of this decision.

LOST (3/5)

For: Deputy Lord Mayor Di Bain; Councillors Liam Gobbert and Rebecca Gordon

Against: Councillors Sandy Anghie, Clyde Bevan, Brent Fleeton, Viktor Ko and Catherine Lezer

Reasons:

Item 16.1 of our agenda papers states that:

“Council has a zero risk appetite for injury to members of the public and staff, meaning that every reasonable practical measure will be taken to prevent the occurrence of an adverse event.”

This risk appetite does not seem to be reflected in the officer’s recommendation for 16.2.

Whilst I can appreciate that there may be resourcing issues, I do not believe we should be compromising when it comes to safety. This audit should therefore be prioritised.

I understand that new legislation has recently been enacted in this space. This legislation has been discussed for many years and the changes known to health and safety professionals. Although these changes may be yet to be fully implemented at the City, I don’t think we should be afraid to fail the audit. To me, it is more important that we demonstrate our commitment to a safety culture and conduct the audit to demonstrate our ongoing interest in this space.

During debate on the alternate motion, Councillor Catherine Lezer foreshadowed the Committee’s Recommendation.

The alternate motion was declared lost and debate commenced on the Committee’s Recommendation:

Council Resolution (Committee’s Recommendation) (OCM-22/06-097)

Mover: Councillor Catherine Lezer

Seconder: Councillor Viktor Ko

That Council APPROVES revising the date of the OSH Management System Audit to 2022/23.

CARRIED (7/1)

For: Deputy Lord Mayor Di Bain; Councillors Sandy Anghie, Clyde Bevan, Brent Fleeton, Liam Gobbert, Viktor Ko and Catherine Lezer

Against: Councillor Rebecca Gordon

16.3 Corporate Services Alliance - Revised Target Dates for E2E and Audit

Responsible Officer	Melissa Murphy – General Manager Corporate Services
Voting Requirements	Simple Majority
Attachments	Attachment 16.3A – E2E Actions Completed or Due by 30 June 2022 Confidential Attachment 16.3B – External and Internal Audit Actions Completed or Due by 30 June 2022 (<i>Confidential in accordance with Sections 5.23(2)(f) of the Local Government Act 1995</i>) Attachment 16.3C – Action Plans

Purpose

To consider outstanding Corporate Services Alliance:

- Evolution to Excellence actions (recommendations from the Inquiry into the City of Perth and the City's voluntary adoption of the Australian Business Excellence Framework (ABEF)); and
- Audit (external and internal) actions.

Committee Recommendation

That the Audit and Risk Committee recommends that Council:

1. NOTES the Evolution to Excellence (Inquiry and ABEF) actions allocated to the Corporate Services Alliance that have been completed or are planned for completion during the quarter ending 30 June 2022, per Attachment 16.3A.
 2. APPROVES the revised timeframes proposed for Evolution to Excellence (Inquiry and ABEF) actions allocated to the Corporate Services Alliance that are estimated to be overdue following 30 June 2022, as identified Attachment 16.3A.
 3. APPROVES the revised timeframes for completion of the external and internal audit actions (refer Item 16.5) allocated to the Corporate Services Alliance.
-

Background

1. At its Ordinary Meeting held 15 December 2020, Council endorsed the Inquiry into the City of Perth Recommendation Implementation Plan.
2. The Implementation Plan was subsequently incorporated into the City's Evolution to Excellence document (E2E) published in June 2021. The E2E includes a comprehensive summary of all Inquiry and ABEF recommendations reported by the City with target implementation dates ranging from 2020/21 to 2022/23.
3. Regular reporting is provided to Council and the Audit and Risk Committee of Inquiry and audit actions respectively, as part of their responsibility to ensure good governance, oversight and monitoring of management's implementation of strategic and audit actions.
4. A significant proportion of the E2E actions were allocated to the Corporate Services Alliance (47% or 111 of the total 236 (213 Inquiry and 23 ABEF) recommendations)). Of the 111, 83% or 92 of the total E2E actions have been completed or are on track for completion by 30 June 2022. 12 of 24 external and internal audit actions outstanding as at January 2022 are targeted for completion by 30 June 2022.

Discussion

5. In supporting the City's evolution to excellence, the Corporate Services functions has embarked on a journey of transformation with a focus on engaging quality resources with relevant skills and experience, implementing contemporary systems and robust processes.
6. For ease of reference and transparency, the E2E actions report has been prepared in line with the E2E document.
7. Whilst progress has been made, some actions have been delayed due to constraints from resourcing in a heated employment market, conflicting business priorities in a demanding COVID-19 environment, further exacerbated by the increase in workload in addressing significant number of E2E and internal and external audit actions.
8. Given the importance of addressing the E2E and audit actions in an efficient and timely manner, in early March 2022 the General Manager Corporate Services initiated a holistic and strategic review of all actions (Inquiry, ABEF, external and internal audit) assigned to the Corporate Services Alliance and targeted for completion by 30 June 2022.

Project Approach

9. Key objectives were clearly communicated to drive momentum and prioritisation. Teams were advised to:
 - a. evaluate for synergies between actions and consolidate, where appropriate;
 - b. deliver quality and sustainable outcomes; and
 - c. for actions not achievable by 30 June 2022, management to prepare robust plans based on a phased, practicable approach and achievable timeframes. Guidance was provided on the following level of priority:
 - i. Complete E2E actions with initial target dates up to 30 June 2022, maximising on quick wins.
 - ii. Complete any 2020/21 external audit actions.
 - iii. For any incomplete E2E/ internal audit actions due by 30 June 2022, management to prepare individual measurable action plans with proposed revised targets for 2022/23,

identifying staged implementation by quarter, where appropriate. These are provided for information only at Attachment 7.4C.

Risk

10. The risk of non-compliance of the actions may result in potential reputational damage.
11. The risk of Audit and Risk Committee and Council not approving revised target dates may result in poor quality execution, lack of accountability and ownership by staff.

Consultation

Nil.

Decision Implications

12. Subject to approval of the proposed revised timeframes for Inquiry actions, the City will provide an update to the Department of Local Government, Sport and Cultural Industries and the Inquiry Oversight Group.

Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	Foundation
Related Documents (Issue Specific Strategies and Plans):	Report of the Inquiry into the City of Perth, which provides recommendations which the City is obligated to implement. Evolution to Excellence plan, which outlines the City's response to the findings and recommendations in the Inquiry Report, including intended completion dates.

Legislation, Delegation of Authority and Policy	
Legislation:	<i>Local Government Act 1995</i> (WA) Part 8, Division 2 The Inquiry into the City of Perth was enabled by this legislation.
Authority of Council/CEO:	Council approval is sought to revise timeframes proposed for E2E (Inquiry and ABEP) actions.
Policy:	Nil.

Financial Implications

13. Planning and execution of the actions will require additional resourcing e.g. establishment of the project management office.

Further Information

14. Questions and responses received prior to and at the Agenda Briefing Session held 21 June 2022 are as follows:

	Question	Response
1.	Page 404 – please provide more detail about the constraints from resourcing in a heated employment market.	<p>Overall the Australian labour market is very tight. Even as migration recovers, forecasters such as the Reserve Bank and Treasury expect unemployment to remain below 4 per cent for at least the next couple of years, which is at some of the lowest levels experienced within Australia. The City too is experiencing retention challenges across both its salaried officer and outside workforces. Constraints are across all areas of both workforces with the City not able to fill roles across a number of business service units.</p> <p>Consultants/ third party providers are also experiencing the same staff movements and challenges as employers broadly. Engagement of external providers/ consultants is considered where appropriate. This is dependent on the nature of work.</p> <p>Elected Members were notified of these challenges via CIBN</p>
2.	Page 405 - what are the expected budget implications for the establishment of the Project Management Office?	<p>The approved budget includes staffing to establish and lead the Project Manager Office.</p> <p>Subject to establishment of the operating model, management will consider any changes in future budgets including skill shortages in this particular area of expertise.</p>
3.	Some of the items that are requesting revised dates are multi-year items. Did they have interim deliverables? Are these the “high level milestones”?	<p>Yes, a staged approach has been undertaken including key interim milestones. The revised dates reflect the final date for implementation of the entire action.</p>
4.	Why is the confidentiality citation not in the agenda proper?	<p>This was an error and has been corrected in the OCM agenda.</p>

Council Resolution (Committee's Recommendation) (OCM-22/06-098)

Mover: Deputy Lord Mayor Di Bain

Seconded: Councillor Brent Fleeton

That Council:

1. NOTES the Evolution to Excellence (Inquiry and ABEF) actions allocated to the Corporate Services Alliance that have been completed or are planned for completion during the quarter ending 30 June 2022, per Attachment 16.3A.
2. APPROVES the revised timeframes proposed for Evolution to Excellence (Inquiry and ABEF) actions allocated to the Corporate Services Alliance that are estimated to be overdue following 30 June 2022, as identified Attachment 16.3A.
3. APPROVES the revised timeframes for completion of the external and internal audit actions (refer Item 16.5) allocated to the Corporate Services Alliance.

CARRIED EN BLOC (8/0)

For: Deputy Lord Mayor Di Bain; Councillors Sandy Anghie, Clyde Bevan, Brent Fleeton, Liam Gobbert, Rebecca Gordon, Viktor Ko and Catherine Lezer

Against: Nil

16.4 Audit Reports 2021/22

Responsible Officer	Michelle Reynolds – Chief Executive Officer
Voting Requirements	Simple Majority
Attachments	Confidential Attachment 16.4A – Health Check - Homelessness Program - May 2022 Confidential Attachment 16.4B – Discretionary Grant Funding Arrangements - May 2022 Confidential Attachment 16.4C – OSH Gap Analysis of City's Contractor Management System - August 2021

Purpose

To consider three Internal Audit Reports.

Committee Recommendation

That Council:

1. NOTES the Internal Audit Reports for 2021/22, including:
 - a. Health Check - Homelessness Program – May 2022;
 - b. Discretionary Grant Funding Arrangements – May 2022; and
 - c. OSH Gap Analysis of City's Contractor Management System – August 2021.
2. NOTES that the remaining internal audits from the 2021/22 Internal Audit Plan are underway and planned to be submitted to the Audit and Risk Committee at its meeting on 12 September 2022, including:
 - a. Procurement and Contracting;
 - b. Development Approvals;
 - c. Expenditure, Interests and Gifts Register;
 - d. Decisions of Council, Committee and CEO;
 - e. Misconduct and Fraud;
 - f. Compliance with NSW Confidentiality Agreement; and
 - g. Compliance with VicRoads Confidentiality Agreement.
3. APPROVES the addition of an audit on the implementation of the new *Work Health and Safety (General) Regulations 2022* (WA) in the Internal Audit Plan for 2022/23.

Background

1. At its Ordinary Meeting held 31 August 2021, Council (on recommendation from the Committee) approved the Strategic Internal Audit Plan 2021/22 to 2023/24 and the annual Internal Audit Plan 2021/22. At the Committee's 13 December 2021 meeting, the Committee noted the updated Annual Internal Audit Plan 2021/22.

Discussion

2. The following 2021/22 internal audits are now complete:
 - a. Health Check - Homelessness Program;
 - b. Discretionary Grant Funding Arrangements; and
 - c. OSH Gap Analysis (by HWL Ebsworth Lawyers) of the City's Contractor Management System. This report dated August 2021 appears to have been omitted for inclusion in previous reports to this Committee. This report provides high level guidance on the then upcoming WA WHS legislation rather than having undertaken the audit, as included in the 2021/22 Audit Plan. The report may not have captured the final legislative requirements as the new WA WHS legislation came into effect on 31 March 2022.
3. The WA WHS legislation impacts various internal and external stakeholders. Good progress has been made with implementing the required changes.
4. It is therefore recommended that an audit be included on implementation of the WA WHS legislation in the 2022/23 Internal Audit Plan.
5. The following 2021/22 internal audits are underway and are planned to be submitted to the Audit and Risk Committee's September 2022 meeting:
 - a. Procurement and Contracting;
 - b. Development Approvals;
 - c. Expenditure, Interests and Gifts Register;
 - d. Decisions of Council, Committee and CEO;
 - e. Misconduct and Fraud;
 - f. Compliance with NSW Confidentiality Agreement; and
 - g. Compliance with VicRoads Confidentiality Agreement.

Consultation

Nil.

Decision Implications

6. If Council does not adopt the recommendation of these reports, there will be no formal consideration by Council of findings and recommendations contained within the reports. As a result, management would lack direction on process improvement.

Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	Prosperous
Related Documents (Issue Specific Strategies and Plans):	Nil.

Legislation, Delegation of Authority and Policy	
Legislation:	<i>Local Government (Audit) Regulations 1996</i>
Authority of Council/CEO:	As the Committee has no delegated authority, Council is required to approve changes to timeframes.
Policy:	Nil.

Financial Implications

Nil.

Further Information

7. Questions and responses received prior to and at the Agenda Briefing Session held 21 June 2022 are as follows:

	Question	Response
1.	Why is the City a party to confidentiality agreements with VicRoads and NSW?	The agreements allow the City to access Victoria and NSW vehicle registration systems which in turn enables the City to enforce and collect revenue from parking infringements issued to drivers registered in Victoria and NSW. The audits' test compliance with the terms of access agreements by the City.

Council Resolution (Committee's Recommendation) (OCM-22/06-099)

Mover: Deputy Lord Mayor Di Bain

Seconded: Councillor Brent Fleeton

That Council:

1. NOTES the Internal Audit Reports for 2021/22, including:
 - a. Health Check - Homelessness Program – May 2022;
 - b. Discretionary Grant Funding Arrangements – May 2022; and
 - c. OSH Gap Analysis of City's Contractor Management System – August 2021.
2. NOTES that the remaining internal audits from the 2021/22 Internal Audit Plan are underway and planned to be submitted to the Audit and Risk Committee at its meeting on 12 September 2022, including:
 - a. Procurement and Contracting;
 - b. Development Approvals;
 - c. Expenditure, Interests and Gifts Register;
 - d. Decisions of Council, Committee and CEO;
 - e. Misconduct and Fraud;
 - f. Compliance with NSW Confidentiality Agreement; and
 - g. Compliance with VicRoads Confidentiality Agreement.
3. APPROVES the addition of an audit on the implementation of the new *Work Health and Safety (General) Regulations 2022* (WA) in the Internal Audit Plan for 2022/23.

CARRIED EN BLOC (8/0)

For: Deputy Lord Mayor Di Bain; Councillors Sandy Anghie, Clyde Bevan, Brent Fleeton, Liam Gobbert, Rebecca Gordon, Viktor Ko and Catherine Lezer

Against: Nil

16.5 Outstanding Audit Recommendations - May 2022

Responsible Officer	Michelle Reynolds – Chief Executive Officer
Voting Requirements	Simple Majority
Attachments	Confidential Attachment 16.5A – Internal Audit Log (<i>Confidential in accordance with Section 5.23(2)(f) of the Local Government Act 1995</i>) Confidential Attachment 16.5B – OAG Audit Log (<i>Confidential in accordance with Section 5.23(2)(f) of the Local Government Act 1995</i>)

Purpose

To provide a progress report on all outstanding audit actions for the City as at 31 May 2022.

Committee Recommendation

That Council recommends that Council:

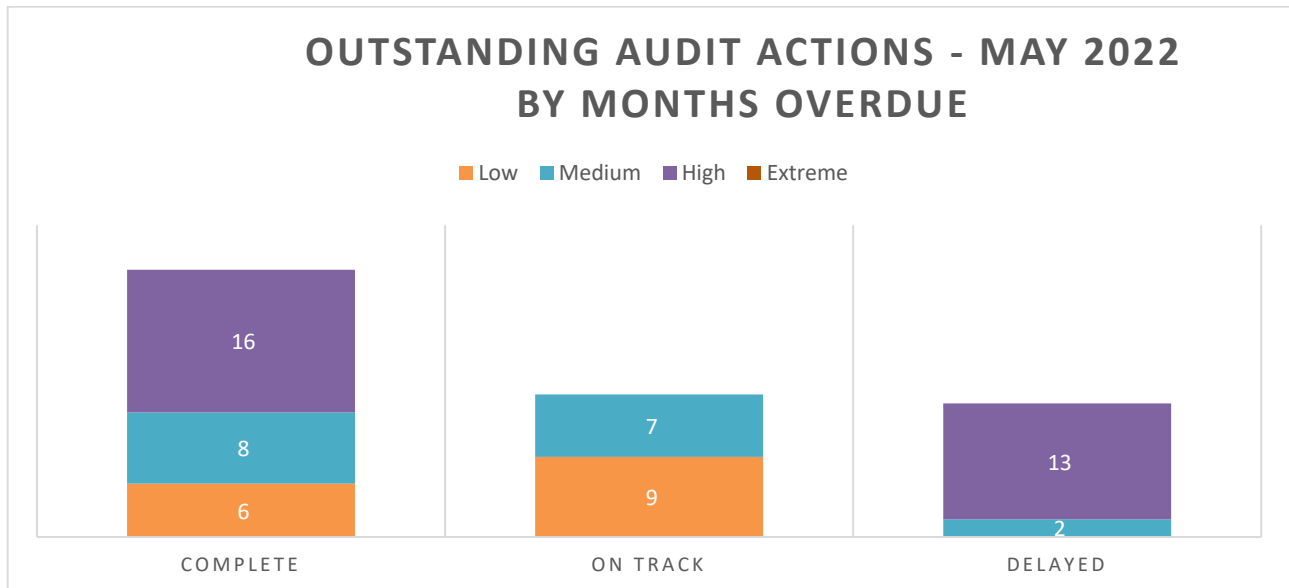
1. NOTES the progress report on Outstanding Audit Recommendations – May 2022.
 2. APPROVES the revised timeframes for completion of outstanding audit actions.
-

Background

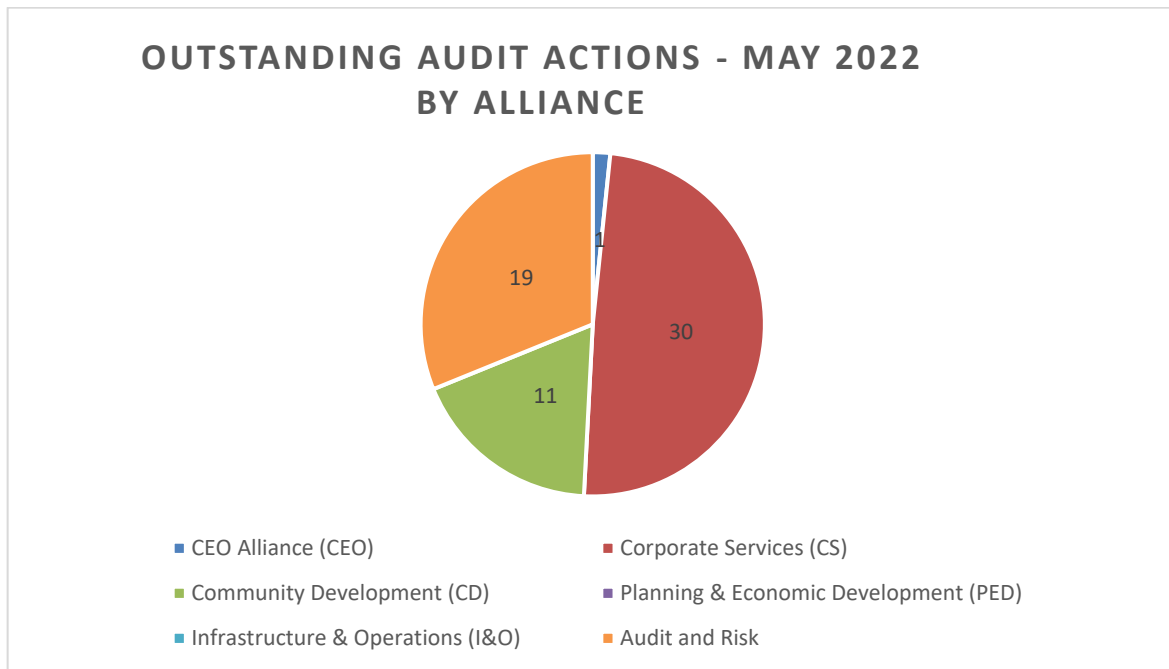
1. This report is a standard item on the agenda for the Audit and Risk Committee meeting. It provides a status update of implementation of outstanding audit recommendations from prior audits carried out by the City’s Internal Auditors or by external parties.

Discussion

2. This report includes audit recommendations across the whole organisation. However it is important to note that the revised timeframes for the audit actions relating to the Corporate Services Alliance are dealt with at item 16.3 and incorporated into this report.
3. A progress summary of all the outstanding is provided in the table below. Of the sixty one actions, forty six are complete or on track. Fifteen actions are currently delayed with revised dates proposed. This information is further detailed at Attachment 16.5A and 16.5B.



4. Of the fifteen actions delayed, twelve relate to the Corporate Services Alliance for which action plans have been developed and approval sought as part of item 16.3 on this Agenda.
5. Other delayed actions with target dates of June 2022 relate to Internal Audit and Risk. These will be progressed by the new manager upon her commencement in July
6. The chart below shows the number of outstanding actions by Alliance.



7. Approval for proposed revised dates is sought for those actions that are unlikely to be completed by the original target dates as detailed in Confidential Attachment 16.5A.

Consultation

Nil.

Decision Implications

Nil.

Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	Prosperous
Related Documents (Issue Specific Strategies and Plans):	Nil

Legislation, Delegation of Authority and Policy	
Legislation:	The Audit and Risk Committee is to oversee the implementation of any action that Council is required to take or has accepted should be taken following receipt of an audit report (Regulation 16 of the <i>Local Government (Audit) Regulations 1996</i>).
Authority of Council/CEO:	As the Committee has no delegated authority, Council is required to approve changes to timeframes.
Policy:	Nil

Financial Implications

8. Financial implications, if any, will be detailed as part of progress reporting.

Further Information

Nil.

Council Resolution (Committee's Recommendation) (OCM-22/06-100)

Mover: Deputy Lord Mayor Di Bain

Seconded: Councillor Brent Fleeton

That Council:

1. NOTES the progress report on Outstanding Audit Recommendations – May 2022.
2. APPROVES the revised timeframes for completion of outstanding audit actions.

CARRIED EN BLOC (8/0)

For: Deputy Lord Mayor Di Bain; Councillors Sandy Anghie, Clyde Bevan, Brent Fleeton, Liam Gobbert, Rebecca Gordon, Viktor Ko and Catherine Lezer

Against: Nil

Report referred from the Policy and Legislation Committee meeting held 16 May 2022

In accordance with Clause 4.11(4) of the Standing Orders Local Law 2009, the CEO withdrew Item 16.6 from the Agenda with the Deputy Lord Mayor's consent.

16.6 Review of Council Policy 1.1 Attendance at Events

Responsible Officer	Michelle Reynolds – Chief Executive Officer
Voting Requirements	Absolute Majority
Attachments	Attachment 16.6A – Amended Council Policy 1.1 Attendance at Events Attachment 16.6B – Current Council Policy 1.1 Attendance at Events

Purpose

To present the review of Council Policy 1.1 Attendance at Events.

Committee Recommendation

That Council recommends that Council ADOPTS amended Council Policy 1.1 – Attendance at Events (Attachment 16.6A).

Background

1. At its meeting held 3 November 2020, Council endorsed the establishment of a Policy Committee with the direction to review all 78 Council policies by 1 September 2021.
2. At its meeting held 15 December 2020, Council was presented with a proposed Attendance at Events Policy on recommendation from the Policy Committee and resolved to adopt the policy.
3. Council Policy 1.1 – Attendance at Events (the Policy) has not been amended since its adoption in December 2020.
4. It is a requirement of the *Local Government Act 1995*, section 5.90A that the Council has a policy that deals with matters relating to the attendance of council members and the CEO at events.

Discussion

5. The following table summarises the substantive proposed changes to the Policy and provides a brief reason for each of the proposed amendments.

Existing policy	Proposed policy	Reason
Purpose Outlined briefly under the 'policy objective' heading.	Includes an expanded paragraph explaining the purpose of this policy, as described by the Department of Local Government, Sport and Cultural Industries' 'Local Government Operational Guidelines: Attendance at Events Policy' .	The purpose of the policy is clearer, reducing possible confusion / ambiguity.
Gifts and Excluded Gifts The difference between these concepts is not explained. The fact that attendance at an event can be approved by an Attendance at Events policy (such as CP 1.1) and hence qualify as an excluded event under s5.62(1B) of the <i>Local Government Act 1995</i> and r20B of the <i>Local Government (Administration) Regulations 1996</i> is also not stated in the current policy.	The definition of 'gifts' and 'excluded gifts' under the legislation is clearly outlined. One of the main purposes of this policy is to approve attendance at events so that they are classified as 'excluded events' under the legislation.	Clarifies the purpose of the policy and clearly sets out the legislative framework to minimise confusion.

Existing policy	Proposed policy	Reason
<p>Pre-approval and Other approval to attend events The current policy includes a table of what appears to be 'pre-approved events'.</p>	<p>Includes separate, clearly defined sections outlining:</p> <ol style="list-style-type: none"> 1. attendance at events that are automatically classified as 'excluded events' under legislation – e.g. attendance at an event run by WALGA; and 2. attendance at events that are pre-approved by virtue of this policy CP 1.1. 	<p>Separating these distinct concepts increases clarity and reduces possible confusion. The events listed at (1) on the left are automatically excluded events, whereas the events listed at (2) can be altered by Council at any time by amending this policy CP 1.1. The proposed amended policy draws out this nuance.</p>
<p>Partner attendance Includes provision for limited circumstances where partners of Council Members or the CEO can attend events paid for by the City.</p>	<p>Remove this section. Include it in a new section titled 'Attendance at events paid for by the City'. Proposes the City does not pay for partner attendance at events.</p>	<p>There is no foreseeable utility in the City paying for Council Members or the CEO's respective partners to attend events.</p>
<p>Events related to Discretionary Grant Funding and Prohibited events These are two separate sections.</p>	<p>These sections are combined into one section under the title 'Prohibited events'. Includes an explicit reference to recommendation 233 of the Report of the Inquiry into the City of Perth (the Inquiry Report).</p>	<p>Combining these sections results in the policy being more concise and easier to understand. The reference to the Inquiry Report contextualises the references to 'Discretionary Grant Funding Arrangements'.</p>
<p>Attendance Register A register of events attended by Council Members or the CEO are to be recorded on a register and published on the City's website for the durations of the Council Members term of office of the CEO's employment.</p>	<p>Remove this section.</p>	<p>Registering attendance at events such as City-convened working groups is administratively onerous.</p>
<p>N/A</p>	<p>Included a new section regarding the provision of tickets to events.</p>	<p>This is a suggested inclusion under the Department of Local Government, Sport and Cultural Industries' 'Local Government Operational Guidelines: Attendance at Events Policy'. Best practice is that invitations / tickets to events are addressed to the City rather</p>

Existing policy	Proposed policy	Reason
		than individual Council Members or the CEO.

Consultation

Nil.

Decision Implications

6. If Council supports the changes to the Policy, it would be more concise, include clearer requirements for approval and all unnecessary provisions would be removed. If Council does not support the recommendation, the current policy would continue to apply.

Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	Prosperous
Related Documents (Issue Specific Strategies and Plans):	Nil.

Legislation, Delegation of Authority and Policy	
Legislation:	<ul style="list-style-type: none"> Section 2.7(2)(b) of the <i>Local Government Act 1995</i>, which states that Council is to determine the City's policies. Section 5.90A(2) of the <i>Local Government Act 1995</i>, which requires the City to prepare and adopt a policy in relation to the continuing Council Members and the CEO's attendance at events. The adoption and / or amendment of this policy requires absolute majority under ss 5.90A(2) and 5.90A(3), respectively.
Authority of Council/CEO:	Section 2.7(2)(b) of the <i>Local Government Act 1995</i> , which states that Council is to determine the City's policies.
Policy:	CP 1.2 Professional Development CP 1.6 Council Member Allowances, Fees and Entitlements Attendance at Events Register - Form

Financial Implications

Nil.

Further Information

7. At its meeting held 16 May 2022, the Committee resolved to defer this Item to the June Ordinary Council Meeting to allow two minor changes to be made to the Policy’s wording. Those changes have been made and are track changed in Attachment 16.6A.
8. **Questions and responses received prior to and at the Agenda Briefing Session held 21 June 2022 are as follows:**

	Question	Response
1.	Please clarify the sentence “There is no foreseeable utility in the City paying for Council Members or the CEO’s respective partners to attend events.”	<p>Section 3.4 of the Department of Local Government Guidelines state that, “where partners of an authorised local government representative attend an event, any tickets for that person, if paid for by the local government, must be reimbursed by the representative unless expressly authorised by the council.”</p> <p>This is a common approach contained within the Attendance at Events policies of various WA local governments. Such an approach reinforces fiscal responsibility of ratepayer funds.</p>
2.	When does the City pay for attendance at events? Can you provide some examples?	<p>The proposed policy lists those events that are pre-approved in clause 7, and in clause 8 where council approval is given.</p> <p>The events and meetings listed under clause 7 would be paid for by the City, being:</p> <ol style="list-style-type: none"> City-convened working groups; City-convened advisory groups; Council of Capital City Lord Mayors; World Energy Cities Partnership; and where a Council Member or the CEO has been appointed by Council as a representative of the City for a particular entity, that entity.
3.	On page 433 - excluded gifts – paragraph 5. b vii. This week all councillors received an invitation to a City of Perth event being an exhibition launch. Does that type of event fall in the excluded event category?	<p>Amongst other things, the policy is intended to provide a list of those events for which attendance is not considered a ‘gift’ and therefore does not need to be declared by an elected member. The scope of events considered ‘excluded’ (and which therefore will not be considered a gift) will be weighed up as the policy is implemented and if required, suggested amendments brought before Council.</p>

4.	Can a definition for 'discretionary grant funding arrangement' be added to the policy?	A 'discretionary grant funding arrangement' was defined in the City of Perth Inquiry as 'a specified, pre-determined part of its Annual Budget (allocated to) to discretionary spending on partnership, grant, sponsorship and donation funding arrangements'. This has been added to the draft Policy.
5.	Paragraph 12. c. ii. very similarly to paragraph i. Is this paragraph required?	Yes. Paragraph 12 c. ii. can and has been deleted.

17. Motions of which Previous Notice has been Given

17.1 Notice of Motion - Councillor Brent Fleeton - Scheme Amendment dealing with 'Community Centre' Land Use

The following Notice of Motion was submitted in accordance with clause 4.12 of the *Standing Orders Local Law 2009*.

Councillor	Councillor Brent Fleeton
Date Received	8 June 2022
Motion	That Council <u>REQUESTS</u> the Chief Executive Officer to prepare a report to initiate amendments to the various planning schemes to change the land use permissibility of any community centre/facility land uses to 'C' (contemplated) throughout the City of Perth.
Reasons Provided	<p>The purpose of this motion is to avoid future uncertainty/confusion when dealing with development applications like the recent proposal for a change of use at 247-249 James Street, by putting in place planning mechanisms to enable decisions to be made on the locational suitability of any future proposal that falls within the definition of a Community Centre, taking into account the existing context, amenity and views of the local community.</p> <p>Three technical options to achieve this outcome have been considered:</p> <ol style="list-style-type: none"> 1. Initiate a scheme amendment to create a new land use definition for homelessness drop-in centres and make it an 'X' use (not permitted) in the City. This is not preferred as a new definition would not align with the Model Scheme Text and, therefore the amendment may not be successful through the State Government. 2. Initiate a scheme amendment to make the 'Community Centre' land use an 'X' use (not permitted). This is not recommended as it could have unintended consequences in making all community centres and facilities 'non-conforming uses' and preventing the establishment of new facilities in the City that the Council may want to approve. 3. Initiate a scheme amendment to change the land use permissibility of 'Community Centres' from 'P' (preferred) uses to 'C' (contemplated uses). This would have the effect of allowing the City to refuse an application on the basis of the land use if not considered appropriate for the site. It would also allow for advertising of the application to the community. This could potentially be supplemented with a local planning policy to guide the exercise of discretion. <p>The amendments will have to cover all the planning schemes – not just City Planning Scheme No. 2. The schemes have different land use definitions and permissibilities, so the wording of the Motion is broad</p>

enough to capture the intent that the amendment will cover all community centre (type) land uses in all the planning schemes.

Administration Response to Notice of Motion

Responsible Officer	Dale Page – General Manager Planning and Economic Development
Voting Requirements	Simple Majority
Attachments	Nil.

Discussion

1. There are three planning schemes that will require modification to implement the Motion. These schemes are:
 - a. City of Perth City Planning Scheme No. 2.
 - b. Local Planning Scheme No. 26 – former DevelopmentWA planning areas that have been transferred back to the City of Perth.
 - c. Subiaco Town Planning Scheme No. 4 (TPS4) – transferred to the City of Perth in 2016.
2. A review of land use permissibilities for each of these schemes has identified that there are 18 instances where ‘Community Use’ land uses are identified as either ‘Permitted’ or ‘Preferred’. Each of these Use Group/Zoning tables will require amendment.
3. There is likely to be scheme text and/or policy changes required to provide greater guidance as to the circumstances of when a Discretionary Use should be supported or not.
4. An estimation of the tasks and timing for the preparation of three scheme amendments and policy changes identified the following:

Phase

Timing

- | | |
|--|--------------------------------|
| 1. Research and prepare scheme amendments and policy | August to September 2022 |
| 2. Council review and approval including lead-in times | September to October 2022 |
| 3. State referral process | November to December 2022 |
| 4. Formal consultation (42 Days) | Late January to mid-March 2023 |
| 5. Consideration (of submissions) period | March to May 2023 |
| 6. Council approval process including lead-in times | June to July 2023 |
| 7. WAPC and Minister for Planning approval | August to October 2023 |
| 8. Finalisation (gazettal) | November 2023 |
5. Preparation of the new Local Planning Scheme No. 3 is underway. It is anticipated that the draft new planning scheme and planning policies will be completed by end of 2023, with Council adoption anticipated at the February 2024 Ordinary Council Meeting. Conditional approval of the new scheme by the Minister for Planning (following State assessment and consideration processes) is estimated for November 2025, followed by finalisation and gazettal of the new scheme between January to April 2026. It is unknown if the Western Australian Planning Commission would support these amendments in advance of the new LPS3.
 6. The City of Perth is working with the City of Nedlands and Department of Planning, Lands and Heritage in the preparation of the UWA-QEII Precinct Plan for the Crawley-Nedlands neighbourhood. Final approval, after formal consultation and Council adoption, by the Western Australian Planning

Commission (WAPC) is estimated to occur by February 2025. It is unknown if the Western Australian Planning Commission would support an amendment to TPS4 in advance of the Precinct Plan.

Decision Implications

7. If the Council supports the motion, staff resources to commence the work can be allocated as of August 2022. It is estimated that the work will involve approximately 185 staff hours start to finish, including Manager and General Manager review/approval. Allocation of officer time to this work will require an examination of other work priorities and timing for delivery.
8. Budget will be between \$3,500 and \$4,500 to cover landowner consultation, public notices, and Government Gazette.
9. The final decision on scheme amendments rest with the Minister for Planning.

Strategic, Legislative and Policy Implications

Strategic Community Plan	
Strategic Pillar (Objective)	Liveable
Related Documents (Issue Specific Strategies and Plans):	City of Perth City Planning Scheme No. 2, Local Planning Scheme No. 26 City of Subiaco Town Planning Scheme No. 4

Legislation, Delegation of Authority and Policy	
Legislation:	Sections 75, 81, and 84 of the Planning and Development Act 2005 - outline the process for amending a local planning scheme, including referrals to the EPA and advertising. Regulations 34 and 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 - Assist to determine whether the amendment is basic, standard, or complex. The City of Perth City Planning Scheme No. 2 - Clause 39 - refers to Special Control Areas.
Authority of Council/CEO:	The Council is authorised to initiate, refuse, and adopt Scheme Amendments. The Administration does not have the authority to initiate, refuse and adopt internal/external scheme amendment requests.
Policy:	Nil.

Financial Implications

10. Budget will be between \$3,500 and \$4,500 to cover landowner consultation, public notices, and Government Gazette. These costs would occur over the 2022/23 and 2023/24 financial years.

Further Information

Nil.

Council Resolution (OCM-22/06-101)

Mover: Councillor Brent Fleeton

Seconded: Deputy Lord Mayor Di Bain

That Council REQUESTS the Chief Executive Officer to prepare a report to initiate amendments to the various planning schemes to change the land use permissibility of any community centre/facility land uses to 'C' (contemplated) throughout the City of Perth.

CARRIED (4/4)

For: Deputy Lord Mayor Di Bain; Councillors Brent Fleeton, Rebecca Gordon and Viktor Ko

Against: Councillors Sandy Anghie, Clyde Bevan, Liam Gobbert and Catherine Lezer

Casting Vote For: Deputy Lord Mayor Di Bain

17.2 Notice of Motion - Councillor Brent Fleeton - Stakeholder Events at Council House

The following Notice of Motion was submitted in accordance with clause 4.12 of the *Standing Orders Local Law 2009*.

Councillor	Councillor Brent Fleeton
Date Received	15 June 2022
Motion	<p>That Council <u>REQUESTS</u> the Chief Executive Officer to:</p> <ol style="list-style-type: none"> 1. Identify an appropriate mechanism for holding events held at Council House; and 2. Submit the proposed mechanism to an Elected Member Engagement Session in August 2022.
Reasons Provided	<p>To introduce a mechanism for the implementation/management of more events at Council House.</p> <p>We have a great asset both on the ground floor, and the 11th floor, which isn't used enough. We have a lot of different community groups, business groups, stakeholders/ratepayers we can easily engage better with a light touch way if we had say 9 or 10 events per year (nothing in January or December). Not sit down dinners but more cocktail style events (though this could be an option considered I suppose in the administration's drafting)</p> <p>We could have a monthly theme, or we could allow groups we sponsor/support to host an event there with the Lord Mayor speaking and councillors attending.</p> <p>We'd pay for it, the goodwill generated and the content for our comms channels would be worth it.</p> <p>The report would need to consider the budget, how to pick and choose who comes, allowing every councillor to have input, and invited to every event.</p> <p>As an example - In October we have the Biomedical conference coming to Perth, I was approached at the PropTech Hub event about how to get something organised at Council for VIPs, the person approaching me said these attendees really value one on one engagement with dignitaries – it gives them something to market as a special event to keep them in Perth a night or two longer – a great way for the Lord Mayor to show value to ratepayers – these people spend each night as we always hear.</p>

Administration Response to Notice of Motion

Responsible Officer	Karen Callaghan – Executive Director Governance and Strategy
Voting Requirements	Simple Majority
Attachments	Nil.

Discussion

1. A formal mechanism does not currently exist to manage and implement stakeholder events at Council House although ad-hoc requests are considered and authorised by the CEO.
2. A mechanism which supports and promotes strategically aligned, strong partnerships with industry, community groups and key stakeholders can be considered and presented to an EMES, while balancing and considering Recommendations 101 – 103 of the Inquiry into the City of Perth which state that the City’s civic and function facilities be used only by the City to discharge its unique civic responsibilities.
3. An appropriate mechanism, aligned to the Code of Conduct for Council Members, Committee Members and Candidates, could be investigated further, and will require criteria which considers:
 - a. decision making processes which are responsible, inclusive, participatory, and representative and deliver outcomes which are in the best interests of the community and stakeholders; and
 - b. developing and strengthening public trust in the integrity of the City and local government.

Decision Implications

4. The work required to identify an appropriate mechanism will require utilisation of existing resources.

Strategic, Legislative and Policy Implications

Strategic Community Plan	
Strategic Pillar (Objective)	Prosperous
Related Documents (Issue Specific Strategies and Plans):	Corporate Business Plan Strategic Community Plan

Legislation, Delegation of Authority and Policy	
Legislation:	<i>Local Government Act 1995</i> <i>Local Government (Model Code of Conduct) Regulations 2021</i>
Authority of Council/CEO:	Section 2.7(2)(b) of the <i>Local Government Act 1995</i> The Council determines its policies and strategies to enable the City to achieve its objects under the <i>Local Government Act 1995</i> and <i>City of Perth Act 2016</i> .
Policy:	Code of Conduct for Council Members, Committee Members and Candidates

Financial Implications

5. The financial implications of the motion have not been quantified however existing staff resourcing will be utilised to undertake this work. In addition, the financial implications of holding events on a potentially regular basis will need to be determined.

Further Information

Nil.

Council Resolution (OCM-22/06-102)

Mover: Councillor Brent Fleeton

Seconded: Councillor Viktor Ko

That Council REQUESTS the Chief Executive Officer to:

1. Identify an appropriate mechanism for holding events held at Council House; and
2. Submit the proposed mechanism to an Elected Member Engagement Session in August 2022.

CARRIED UNOPPOSED (8/0)

For: Deputy Lord Mayor Di Bain; Councillors Sandy Anghie, Clyde Bevan, Brent Fleeton, Liam Gobbert, Rebecca Gordon, Viktor Ko and Catherine Lezer

Against: Nil

17.3 Notice of Motion – Councillor Sandy Anghie - Council House Gallery Space

The following Notice of Motion was submitted in accordance with clause 4.12 of the *Standing Orders Local Law 2009*.

Councillor	Councillor Sandy Anghie
Date Received	20 June 2022
Motion	<p>That Council <u>REQUESTS</u> the Chief Executive Officer:</p> <ol style="list-style-type: none"> 1. Investigate options to create a permanent gallery space in the Council House Foyer for use by the City of Perth and its community. 2. Identify an appropriate mechanism for making the space available to the City of Perth community. 3. Submit the proposed options and mechanism to an Elected Member Engagement Session in August 2022.
Reasons Provided	<p>The City of Perth’s foyer has sat largely vacant since we were elected to Council now over 18 months ago.</p> <p>The only exhibition I recall seeing in this time was to mark the City’s NAIDOC week celebrations in 2020 – with the Elders portraits being displayed in an exhibition entitled Moorditj Bridyas - Solid Bosses.</p> <p>Details via the link here: Celebrating the legacy of our Moorditj Bridyas City of Perth</p> <p>This exhibition was brilliant. But it would be great to see more of it – all year round.</p> <p>And the City of Perth doesn’t need to create or pay for all of the content itself. There is so much great content available across the Perth community – from artists and photographers to universities and school groups, to name just a few.</p> <p>I have in fact been asked a number of times by such groups whether they could exhibit work in the Council House foyer.</p> <p>Creating a gallery space is a way we can activate the Council House foyer every day – engaging with and showcasing the great work being done in the Perth community, while providing a point of interest for visitors and providing a backdrop for the proposed events program.</p> <p>It is important to note that the gallery space doesn’t have to be, and shouldn’t be, a big budget item. I have seen such spaces created cost effectively across the city. For example, for numerous temporary exhibitions at Brookfield Place, Central Park and also St Georges Cathedral.</p> <p>Creating a permanent space could even save the City of Perth money in the long term. My understanding is that the cost to the City of Perth of creating one off exhibitions is significant.</p>

Administration Response to Notice of Motion

Responsible Officer	Karen Callaghan – Executive Director Governance and Strategy
Voting Requirements	Simple Majority
Attachments	Nil.

Discussion

1. In May 2021, Elected Members were notified of a Cultural Collections Service Review via a CIBN which noted that exhibitions in the Council House foyer either by the City or external cultural groups were not part of ongoing service levels for 2021/22.
2. This position can be re-evaluated as part of the investigation that this motion requests and the options for exhibitions and use of the foyer can be considered and presented to an EMES.
3. It is noted that as part of NAIDOC there will be an exhibition in the foyer for the month of July which features the Elders and their oral history.
4. An appropriate mechanism, aligned to the Code of Conduct for Council Members, Committee Members and Candidates will require criteria which considers:
 - a. decision making processes which are responsible, inclusive, participatory, and representative and deliver outcomes which are in the best interests of the community and stakeholders; and
 - b. developing and strengthening public trust in the integrity of the City and local government.

Decision Implications

5. The investigation of options, identification of an appropriate mechanism and their submission to an EMES will require utilisation of existing resources.

Strategic, Legislative and Policy Implications

Strategic Community Plan	
Strategic Pillar (Objective)	Prosperous
Related Documents (Issue Specific Strategies and Plans):	Corporate Business Plan Strategic Community Plan

Legislation, Delegation of Authority and Policy	
Legislation:	<i>Local Government Act 1995</i> <i>Local Government (Model Code of Conduct) Regulations 2021</i>
Authority of Council/CEO:	Section 2.7(2)(b) of the <i>Local Government Act 1995</i> The Council determines its policies and strategies to enable the City to achieve its objects under the <i>Local Government Act 1995</i> and <i>City of Perth Act 2016</i> .

<p>Policy:</p>	<p>Code of Conduct for Council Members, Committee Members and Candidates</p> <p>CP 4.7 Culture Collections</p> <p>CP 4.8 Public Art</p> <p>CP 4.9 Commemorative Works</p>
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Financial Implications

- The financial implications of the motion have not been quantified however existing staff resourcing will be utilised to undertake the investigation. In addition, the financial implications of a permanent gallery space will be determined as part of the investigation.

Further Information

Nil.

Council Resolution (OCM-22/06-103)

Mover: Councillor Sandy Anghie

Seconded: Councillor Clyde Bevan

That Council REQUESTS the Chief Executive Officer:

1. Investigate options to create a permanent gallery space in the Council House Foyer for use by the City of Perth and its community.
2. Identify an appropriate mechanism for making the space available to the City of Perth community.
3. Submit the proposed options and mechanism to an Elected Member Engagement Session in August 2022.

CARRIED (7/1)

For: Deputy Lord Mayor Di Bain; Councillors Sandy Anghie, Clyde Bevan, Brent Fleeton, Liam Gobbert, Rebecca Gordon and Viktor Ko

Against: Councillor Catherine Lezer

17.4 Notice of Motion – Councillor Sandy Anghie - Sustainable City

The following Notice of Motion was submitted in accordance with clause 4.12 of the *Standing Orders Local Law 2009*.

Councillor	Councillor Sandy Anghie
Date Received	21 June 2022
Motion	<p>That Council:</p> <ol style="list-style-type: none"> 1. <u>REQUESTS</u> the Chief Executive Officer to prepare a report outlining: <ol style="list-style-type: none"> a. current barriers and disincentives to the incorporation of sustainability measures in both new developments and existing buildings in the city; and b. recommendations on initiatives and incentives to stimulate and accelerate incorporation of sustainability measures in new developments and existing buildings in the city, which could be implemented by the city and others in the 2023/24 financial year. 2. <u>REQUESTS</u> the City to engage with relevant industry bodies, State and Federal Government agencies and representatives from the design and construction industry to seek their views and feedback on 1a. and b. above, to inform the City’s recommendations.
Reasons Provided	<p>The built environment globally accounts for 39% of carbon emissions in construction and operation. So for real action on climate, and the creation of thriving future cities, this needs to be addressed.</p> <p>And it is happening – the award winning Walyalup Civic Centre in Fremantle, designed by Kerry Hill Architects to be carbon neutral in operation, is just one recent example, with the City of Fremantle taking the lead.</p> <p>There are some innovative projects in the pipeline for Perth including the proposed 10 storey timber building designed by Donaldson Boshard Architects for Brookfield and Hawaiian. Use of structural timber can go a long way to reducing embodied carbon relative to concrete.</p> <p>Could the City of Perth, and the State Government, offer incentives for greener buildings and carbon neutral design in our city?</p> <p>This is what I am asking the City to explore. For example, could the City of Perth offer incentives such as:</p> <ul style="list-style-type: none"> • % for green (trees, roof gardens, and / or open space) • bonus plot ratio for carbon neutral buildings or • rate discounts or rebates for carbon neutral buildings. <p>Let’s create a more sustainable future for our city.</p>

Administration Response to Notice of Motion

Responsible Officer	Dale Page – General Manager Planning and Economic Development
Voting Requirements	Simple Majority
Attachments	Nil.

Discussion

1. The Notice of Motion is not supported. It is considered that a separate resolution of Council is not necessary as the work is already anticipated in the draft Local Planning Strategy and recently adopted Sustainability Strategy. Most of the outcomes sought will be implemented via the Local Planning Scheme No. 3 and associated planning policies.
2. A separate body of work risks shifting focus away from progressing the Local Planning Scheme No. 3 and the Sustainability Implementation Plan.

New Buildings

3. The City of Perth draft Local Planning Strategy was endorsed by the Council on 13 July 2021 and certified for formal consultation by the Western Australian Planning Commission on 22 January 2022. This strategy identified various actions regarding sustainable buildings and urban greening to be investigated and implemented through the new Local Planning Scheme No. 3, preparation of which is underway.
4. The Strategy identifies the introduction of Environmentally Sustainable Design, potentially through a combination of mandatory minimum standards and incentives for best practice.
5. The Strategy also identifies the introduction of incentives for green roofs and walls, as well as provisions around tree protection and water sensitive design.
6. An Elected Member Engagement Session on these matters is expected to be held between January and March 2023 as part of the preparation of the Local Planning Scheme No. 3.
7. The opportunity to influence the performance and improvement of existing buildings through the planning scheme is limited.

Existing Buildings

8. On 26 April 2022 Council adopted the City of Perth Sustainability Strategy. Under 'Theme 4 – A Well Planned City', Council adopted initiative 4.3:
"Identify opportunities to upgrade existing buildings to improve their environmental performance"
Under the three roles of Advocate, Partner and Deliver, this initiative was identified as an opportunity that the City would both advocate for and partner with others, but not directly deliver.
9. The next step is the preparation of the Sustainability Strategy Implementation Plan. This plan will define more clearly the roles of Federal, State and Local Government, expand on the initiatives, identify resourcing and cost estimates. In consultation with Elected Members initiatives will be prioritised for short, medium and longer term.
10. Subject to resource availability it is anticipated that this Implementation Plan will commence in August/September, with a completion date of August 2023.

11. The recent Federal Election has resulted in the Labour Government confirming its goal of reducing Greenhouse Gas Emissions by 43% by 2030 from 2005 levels. This target is likely to result in increased opportunities for the Federal and State Governments to support building owners to improve the environmental sustainability of their buildings. These opportunities will be defined through the Implementation Plan.

Decision Implications

12. Given the direction provided by Council in the draft Local Planning Strategy and Sustainability Strategy, it is considered that a separate resolution of Council is not required to implement the intent of the motion.
13. The motion requires recommendations on initiatives and incentives, which could be implemented by the City and others in the 2023/24 financial year. Given the budget planning process commences in January/February this would necessitate a reprioritisation of resources allocated to preparing the Sustainability Strategy Implementation Plan to meet this timeline. This would have a flow on effect to finalisation of the Implementation Plan.

Strategic, Legislative and Policy Implications

Strategic Community Plan	
Strategic Pillar (Objective)	Sustainable
Related Documents (Issue Specific Strategies and Plans):	Draft Local Planning Strategy Sustainability Strategy

Legislation, Delegation of Authority and Policy	
Legislation:	<i>City of Perth Act 2016</i> clause 8 Objects of the City of Perth (1) (e) initiate and promote the continued growth and environmentally sustainable development of the City of Perth and ensure its continued role as a thriving centre of business with vibrant cultural and entertainment precincts, while enhancing and protecting its natural environment and having due regard to the flow-on impact on the Perth metropolitan area; <i>Planning and Development Act 2005</i> - Clause 69 General Objects of Schemes and Schedule 7 Matters which may be dealt with by planning scheme
Authority of Council/CEO:	Section 2.7(2)(b) of the <i>Local Government Act 1995</i> Council is to determine the policies and strategies enable the City to achieve its objects under the <i>Local Government Act 1995</i> and <i>City of Perth Act 2016</i>
Policy:	Nil.

Financial Implications

14. The work can be accommodated with the proposed budgets for the Local Planning Scheme No. 3 and Sustainability Strategy Implementation Plan.
15. While the staff resources of the planning and sustainability areas of the organisation will be able to accommodate this motion, any significant scope creep and additional motions during the 2022/23 financial year will not be able to be accommodated without impacting project delivery timeframes or increasing resources.

Further Information

Nil.

Council Resolution (OCM-22/06-104)

Mover: Councillor Sandy Anghie

Seconder: Councillor Clyde Bevan

1. REQUESTS the Chief Executive Officer to prepare a report outlining:
 - a. current barriers and disincentives to the incorporation of sustainability measures in both new developments and existing buildings in the city; and
 - b. recommendations on initiatives and incentives to stimulate and accelerate incorporation of sustainability measures in new developments and existing buildings in the city, which could be implemented by the city and others in the 2023/24 financial year.
2. REQUESTS the City to engage with relevant industry bodies, State and Federal Government agencies and representatives from the design and construction industry to seek their views and feedback on 1a. and b. above, to inform the City's recommendations.

CARRIED (7/1)

For: Deputy Lord Mayor Di Bain; Councillors Sandy Anghie, Clyde Bevan, Brent Fleeton, Liam Gobbert, Viktor Ko and Catherine Lezer

Against: Councillor Rebecca Gordon

18. Matters for which the meeting may be closed

Council Resolution (OCM-22/06-105)

Mover: Deputy Lord Mayor Di Bain

Seconded: Councillor Brent Fleeton

That, in accordance with Section 5.23(2)(c) of the *Local Government Act 1995*, Council CLOSE the meeting to the public to consider the following item:

18.1 Major Events and Festivals Sponsorship Postponement

CARRIED UNOPPOSED (8/0)

For: Deputy Lord Mayor Di Bain; Councillors Sandy Anghie, Clyde Bevan, Brent Fleeton, Liam Gobbert, Rebecca Gordon, Viktor Ko and Catherine Lezer

Against: Nil

6.20pm *The Meeting was closed to the public and the public gallery accordingly departed the Chamber. The Meeting's livestream was also paused.*

In accordance with Section 5.23(2)(c) of the Local Government Act 1995, the following Item 18.1 is confidential.

Deputy Lord Mayor Bain disclosed an Impartiality Interest in Item 18.1 (as detailed in Item 6).

18.1 Major Events and Festivals Sponsorship Postponement

Responsible Officer	Kylie Johnson – General Manager Community Development
Voting Requirements	Simple Majority
Attachments	Nil.

Council Resolution (OCM-22/06-106)

Mover: Councillor Liam Gobbert

Seconded: Councillor Catherine Lezer

That Council APPROVES the Major Events and Festivals sponsorship postponement detailed in the confidential report, to the value of:

- a. \$1,405,400 (ex GST) cash contribution (FY 23/24),
- b. \$1,339,573 (ex GST) cash contribution (FY 24/25) subject to satisfactory annual review of year one, and subject to a suitable sponsorship agreement being entered into by the City and the Applicant on terms acceptable to the City by 26 October 2022 and without limitation, such agreement must include the terms approved by Council at its 26 April 2022 Ordinary Meeting.

CARRIED (6/2)

For: Councillors Clyde Bevan, Brent Fleeton, Liam Gobbert, Rebecca Gordon, Viktor Ko and Catherine Lezer

Against: Deputy Lord Mayor Di Bain; Councillor Sandy Anghie

Council Resolution (OCM-22/06-107)

Mover: Deputy Lord Mayor Di Bain

Seconded: Councillor Catherine Lezer

That Council OPEN the meeting to the public.

CARRIED UNOPPOSED (8/0)

For: Deputy Lord Mayor Di Bain; Councillors Sandy Anghie, Clyde Bevan, Brent Fleeton, Liam Gobbert, Rebecca Gordon, Viktor Ko and Catherine Lezer

Against: Nil

6.34pm *The Meeting was reopened to the public and the livestream was resumed.*

19. Urgent Business

Nil.

20. Closure

There being no further business, the Presiding Member declared the meeting closed at 6.34pm.