



City of **Perth**

Agenda

Ordinary Council Meeting

25 October 2022

Notice of Meeting

To the Lord Mayor and Councillors

The next Ordinary Council Meeting will be held on Tuesday, 25 October 2022 in the Council Chamber, Level 9, 27 St Georges Terrace, Perth commencing at 5.00pm.

Michelle Reynolds

Chief Executive Officer

20 October 2022

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
2. Acknowledgement of Country/Prayer
3. Attendance
 - 3.1 Apologies
 - 3.2 Leave of Absence
 - 3.3 Applications for Leave of Absence

4. Announcements by the Lord Mayor

4.4 Election of a Deputy Lord Mayor

The Election of a Deputy Lord Mayor will be held in accordance with schedule 2.3 of the *Local Government Act 1995*.

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

Purpose

To acknowledge the resignation of Deputy Lord Mayor Di Bain from the position of Deputy Lord Mayor and to elect a new Deputy Lord Mayor.

Recommendation

That Council:

1. ACKNOWLEDGES the resignation of Deputy Lord Mayor Cr Di Bain from the position of Deputy Lord Mayor and thanks her for her service.
 2. NOTES the election of Cr _____ to the position of Deputy Lord Mayor until the City of Perth Ordinary Elections are held in 2023.
-

Background

1. The Deputy Lord Mayor, Cr Di Bain has submitted her resignation from the position, effective from the 25 October 2022.
2. The Deputy Lord Mayor position has been held by Cr Di Bain since October 2021.
3. As a result of her resignation the position of Deputy Lord Mayor has become vacant and a new Deputy Lord Mayor must be elected.
4. The role of the Deputy Lord Mayor is to perform the functions of the mayor when authorised to do so under section 5.34 of the *Local Government Act 1995*.

Discussion

5. Schedule 2.3 (Division 2, Clause 8) of the *Local Government Act 1995* requires that Council proceed to elect the Deputy Lord Mayor on the following basis;
 - a. The council is to elect a councillor (other than the Lord Mayor) to fill the office;
 - b. The election is to be conducted in accordance with the procedure prescribed by the Lord Mayor, or if he is not present, by the Chief Executive Officer;
 - c. Nominations for the office are to be given to the person conducting the election in writing before the meeting or during the meeting before the close of nominations;
 - d. Nominations close at the meeting at a time announced by the person conducting the election, which is to be sufficient time after the announcement by that person that nominations are about to close to allow for any nominations made to be dealt with;
 - e. If a councillor is nominated by another councillor the person conducting the election is not to accept the nomination unless the nominee has advised the person conducting the election, orally or in writing, that he or she is willing to be nominated for the office;
 - f. The council members are to vote on the matter by secret ballot as if they were electors voting at an election;
 - g. The votes are to be counted and the successful candidate determined in accordance with schedule 4.1 as if the votes were votes cast at an election. (I.e. first past the post basis will be applied),
 - h. As soon as practicable, after the result of the election is known, the person conducting the election is to declare and give notice of the result.
6. If two or more candidates, being the only candidates remaining in the count, receive the same number of votes, the count is to be discontinued. Not more than 7 days later, a Special Meeting of Council is to be held. Any nomination may be withdrawn, and further nominations may be made. When the Special Meeting is held the Council members are to vote again.
7. If at the Special Council Meeting two or more candidates, being the only candidates remaining in the count, receive the same number of votes, the Mayor is to draw lots to determine which candidate is elected.
8. An election for a new Deputy Lord Mayor will be held as the first item of business at the meeting to which this report relates.

Consultation

Nil.

Decision Implications

9. If council supports the recommendation, retiring Deputy Lord Mayor Cr Di Bain will be acknowledged for her service and the newly elected Deputy Lord Mayor will be noted.

Strategic, Legislative and Policy Implications

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

Legislation, Delegation of Authority and Policy	
Legislation:	<i>Local Government Act 1995</i>
Authority of Council/CEO:	Only Council can elect a Deputy Lord Mayor.
Policy:	Nil.

Financial Implications

Nil.

Further Information

10. At the Ordinary Council Meeting held on 26 October 2021 at which Cr Di Bain was elected to the office of Deputy Lord Mayor, the Lord Mayor during his announcements, advised that councillors had agreed amongst themselves that the position of Deputy Lord Mayor would be held for 12 months only, following which a new Deputy Lord Mayor would be elected.

5. Disclosures of Interests

Name	Councillor Liam Gobbert
Item number and title	12.1 Commemorative Works Proposal - Edith Cowan Sculpture
Nature of interest	Impartiality
Interest description	<i>"I have liaised directly with the consultant through my employer the Public Transport Authority."</i>

Name	Councillor Sandy Anghie
Item number and title	12.1 Commemorative Works Proposal - Edith Cowan Sculpture
Nature of interest	Direct Financial
Interest description	<i>"My husband Michael and I will donate the statue to be placed in front of Karrakatta Club and RSL on St Georges Terrace."</i>

6. Public Participation

6.1 Public Questions

7. Confirmation of Minutes

Recommendation

That Council CONFIRMS the minutes of the Ordinary Council Meeting held on 27 September 2022 as a true and correct record.

8. Questions by Members which due Notice has been Given

9. Correspondence

9.2 Letter – Councillor Di Bain Resignation from the office of Deputy Lord Mayor




10. Petitions

11. Planning and Economic Development Alliance Reports

Nil.

12. Community Development Alliance Reports

12.1 Commemorative Works Proposal - Edith Cowan Sculpture

Responsible Officer	Kylie Johnson – General Manager Community Development
Voting Requirements	Simple Majority
Attachments	Attachment 12.1A – Edith Cowan Edith Cowan Sculpture Commemorative Work Proposal ↓  Attachment 12.1B – Letter of Support - Graduate Women WA ↓  Attachment 12.1C – Letter of Support - Premier of WA ↓ 

Purpose

To consider a commemorative works proposal to install a commemorative statue of Edith Cowan at 28 St Georges Terrace, on the public footpath outside ANZAC House.

Recommendation

That Council APPROVES the installation of the commemorative statue that recognises the life and contribution of Edith Cowan at 28 St Georges Terrace, Perth subject to further investigation of underground services.

Background

1. Element, on behalf of the Anghie family (the applicants) are seeking Council approval to install a commemorative statue that recognises and celebrates the life and contribution of Edith Cowan.
2. As this statue commemorates the life of an individual in a place relevant to her life's work, it is subject to assessment under Council Policy 4.9 Commemorative Works. Under this Policy, approval or declining this commemorative works proposal must be by resolution of Council.
3. The City received this commemorative works proposal on 27 July 2022, with the supporting documentation finalised 8 September 2022, following feedback from the City.
4. The applicant provided a proposal (Attachment 12.1A) including supporting information from the Karrakatta Club, Government House (previous Governor), RSLWA, Edith Cowan University, Edith Cowan's family and Smith Sculptors. Additional letters of support from Graduate Women WA and the Premier of WA have been received directly (Attachments 12.1B and 12.1C).
5. This request meets the criteria and requirements of Council Policy 4.9 Commemorative Works, and an assessment is provided in the discussion section of this report.

Discussion

6. The proposal presents the case for a statue of Edith Cowan, who as the first woman elected to parliament in Australia (1924), is a figure of State and National importance. Her role as a champion of organisation care for returned service personnel, gender equality, the protection of children and social awareness are recognised as ground-breaking and led to institutional and political reform.
7. A range of locations along St Georges Terrace that represent ties to Edith Cowan are detailed in page 6 of Attachment 12.1A
8. The proposed placement of the statue outside ANAZAC House and the Karrakatta Club at 28 St Georges Terrace is significant. Edith was a founding member of the Club which was synonymous with women's suffrage and a major influence on the education and elevation of women at the time.
9. Installation of the statue on the footpath at 28 St Georges Terrace will require further investigation of underground services, at the cost of the applicant. If the investigation resolves that there is no suitable placement due to the underground services, then a new location and proposal will need to be submitted to Council for consideration. It is noted that a range of locations along St Georges Terrace that represent ties to Edith Cowan are detailed on page 6 of Attachment 12.1A.
10. The proposed placement is also near to, and within sight of, the recently installed statue of Fanny Balbuk Yooreel in the grounds of Government House. While the relationship of the two women is uncertain, the placement of the two statues in proximity to each other works as a meaningful recognition of the role of women in Western Australia.
11. The only other significant recognition of Edith Cowan's life within the City is the Clock on Kings Park Road.
12. The proposal recommends the statue is gifted to the City and becomes part of the Public Art Collection.
13. Information provided by the proposed makers, Smith Sculptors, demonstrates that the sculpture will be of high quality and manufactured to a standard suitable for long term display in an outdoor environment.

14. Ongoing maintenance of the statue will be scheduled and accommodated by the City's Public Art maintenance budget.

Consultation

15. Section 3.5 of Council Policy 4.9 Commemorative Works requires that appropriate community consultation is undertaken to ensure that community interests are represented in the commemorative works decision making process.
16. The applicant developed a community survey to consider support for the project. The applicants distributed the survey from 29 June to 8 July 2022, with 217 responses received that showed 99.53% support for the installation of the sculpture and 97.69% support for the location. The full details are outlined on page 56 of Attachment 12.1A.
17. If Council determined that broader consultation was appropriate before a decision was made on this proposal, this could be coordinated by the City and occur through Engage Perth.
18. The applicant has supplied letters of support from the Karrakatta Club, the previous Governor of Western Australia, the CEO of the RSLWA, the Premier of WA, Graduate Women WA, Vice-President (Engagement) at Edith Cowan University, and Edith Cowan's family.

Decision Implications

19. If Council supports the recommendation, the City will work with the applicants on installation, at the cost of the applicants, and the City will integrate maintenance of the statue into its ongoing Public Art maintenance budget and schedule.
20. If Council does not support the recommendation a response will be provided to the applicant.

Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	Liveable
Related Documents (Issue Specific Strategies and Plans):	Heritage Strategy 2020-2024 The City works with the community to identify significant places and stories that represent the history and diverse cultures of Perth and will showcase and celebrate these places and stories through initiatives such as commemorative works.

Legislation, Delegation of Authority and Policy	
Legislation:	Nil.
Authority of Council/CEO:	Council Policy 4.9 Commemorative Works states that approval or decline of commemorative works proposals must be by resolution of Council.
Policy:	Council Policy 4.9 Commemorative Works. Commemorative works decision making is informed by this policy.

Financial Implications

21. All costs associated with this project request are to be financed by the applicant, as stated in Council Policy 4.9 Commemorative Works. The applicant has acknowledged they are seeking no funding from the City of Perth (refer to page 5 of the proposal).
22. Following installation of the commemorative work, it will become an asset of the City of Perth to manage and maintain. The work will be accessioned and maintained as part of the Public Art Collection (Cultural Collections) and as part of the Public Art maintenance program, serviced by a City-appointed public art contractor.
23. The financial implications of the recommendation(s) are accommodated within the existing budget. The type of charges relating to a statue of this type include the following:
 - a. Regular maintenance (one wet and one dry clean per year) - \$1,000.00
 - b. Call out rate for reactive maintenance (e.g. graffiti removal) - \$460.00 per half day, \$720.00 per full day.

Further Information



24. Questions and responses received prior to and taken on notice at the Agenda Briefing Session held 18 October 2022 are as follows:

	Question	Response
1.	Do elected members declare an impartiality interest given one of the proponents is also a Councillor?	Yes, if they consider themselves to have “ <i>an interest arising from kinship, friendship or membership of an association</i> ” with the relevant elected member. However, this does not apply if the interest is only relevant because the elected member is a member of a body established under section 5.63 of the <i>Local Government Act 1995</i> (i.e. Council).
2.	It is not common to see statues so close to the road and from previous experience, artworks in roundabouts etc were very costly as they had to absorb the impact if they were hit by a vehicle. Is there any rules around this eg how close it can be to the road and what it can be made of?	Setbacks for street furniture, light poles etc in low-speed environments like the city centre are 600 – 700mm from face of kerb depending on the object and ground conditions. The proposed location of the statue is adjacent to a parking bay which will offer a level of protection. In this street environment materiality is not an issue.
3.	On page 62 on the ABS Agenda, the letter from the (now former) governor references an attachment. Has the attachment been provided with the submission? I originally assumed that it was Attachment 2 (from page 22 onwards) but the letter pre-dates the attachment.	The reference in the former Governor’s letter likely refers to Attachments 2, 3 and 4 of the Proposal (pages 22-58 of the Agenda).
4.	In Attachment 3, the pages are not consecutively numbered. Have the pages been removed by the applicant or the administration?	No pages have been removed by the Administration. The Proposal is attached as submitted by the applicant.
5.	Council policy requires appropriate community consultation. Was the survey available to the wider community? How would people know about it if there weren’t known to the applicant?	It is not uncommon for applicants to utilise their existing stakeholder databases and networks for community consultation. The Proposal states the community survey was distributed through networks via Element, Karrakatta Club and Cr Sandy Anghie, and 217 responses were received. Council Policy 4.9 Commemorative Works requires appropriate community consultation is undertaken to ensure that relevant community interests are represented, however does not specify the manner in which this is undertaken. As detailed in the Council report (paragraph 17), if Council determine broader community consultation is required this




	Question	Response
		can be coordinated by the City through Engage Perth.
6.	It is alluded in our reports about potential assets under the ground that we don't know about. Can I have some comment about what we do know and what we don't know?	The City is aware of services running through that frontage. To determine whether inground services may be impacted structural engineering analysis such as impact loading will be required to determine the size of the underground footing on which the statue is to be erected. Relocation of services may be required if the designed footing is deemed to interfere with the inground services.
7.	Have we done any preliminary work to see what might be underground?	No, the agenda item does reference that this is an uncertainty and could significantly contribute to costs.
8.	Can you please confirm if those costs are born by the applicant or if anything will be payable by the council?	All the costs including the service discovery are at the proponent's cost. Further to this response it is noted Section 8 of the Proposal includes budget for sculpture fabrication and installation and it is stated that no funding is being sought from the City of Perth. The statue will then be 'gifted' to the City's Public Art collection.
9.	Is there any leeway for the statue's location?	If the investigation resolves that there is no suitable placement because of the underground services or the cost, the city will work with the proponent around a new location and the proposal will come back to council. If it is in the realm of the location within a reasonable level of judgement, we can proceed but we have already highlighted to the proponent that it would come back to council if there is a change in location.
10.	Whose asset does the statue become?	The City's asset.
11.	Has the applicant provided any maintenance plan?	No, maintenance becomes the City's responsibility.
12.	Do we have any leeway through this negotiation process to require that as we have with other State Government assets at Elizabeth Quay and East Perth been handed over to the city?	Not aware of any arrangements like that with previous commemorative works. At this point in time the advice to the proponents is the installation, all of that prior to handover to the City, is at their cost but then it does become part of our public art portfolio. Asset maintenance costs are in the Council item but we can not




	Question	Response
		foresee the extent of additional preventative or reactive maintenance in the event of damage.
16.	We don't know what the annual cleaning program will be and what impact that will have on our service delivery?	Given the size of the City's public art portfolio, officers will adjust planned maintenance schedules with this additional asset without requesting additional operational budget, which covers planned and reactive maintenance. The Council report details the costs for planned and reactive maintenance.
17.	If at any point in the future the city deems this to no longer be the appropriate location, can it be moved at the request of the city?	This decision can be taken however would involve consultation with all the stakeholders involved in the original decision and the artist.
18.	Has any discussion taken place around a plan B if this site is not suitable?	Not at this stage. This is a proposal by the proponents for consideration by Council and we can assist with exploring further options if required.

25. The following table details statues and life sculptures within the Perth CBD managed as part of the Public Art Collection by the City of Perth :

Artwork	Artist	Date Created/Installed	Location	Image
Alexander Forrest Monument	Pietro Giacomo Porcelli	1903	Corner of Barrack Street and St Georges Terrace	 A photograph of the Alexander Forrest Monument, a bronze statue of a man in a suit standing on a large, tiered stone pedestal. The monument is located at the corner of Barrack Street and St Georges Terrace in Perth.
Peter Pan (replica)	Sir George Frampton	1927	Queens Gardens, corner of Hay Street and Plain Streets	 A photograph of the Peter Pan (replica) sculpture, a bronze statue of a young boy in a white outfit, standing on a large, ornate stone pedestal. The sculpture is located in Queens Gardens, at the corner of Hay Street and Plain Streets in Perth.

Artwork	Artist	Date Created/Installed	Location	Image
Memorial to Lieutenant-General Sir J. J. Talbot Hobbs	Edward Kohler	1940	Supreme Court Gardens, Barrack Street	
Captain Stirling Memorial	Phil Somers	1979	Cathedral Square, Hay Street	
Unidentified Photographer	Anne Neil	1996	St Georges Terrace, Elder Street and Malcolm Street	
Kangaroos	Smith Sculptures	1996	St Georges Terrace	
People in the City	Anne Neil and Steve Tepper	1999	Hay Street	

Artwork	Artist	Date Created/Installed	Location	Image
Bust of Baudin	P. Gelencser	2001	Riverside Drive	
Urban Reflections: Percy in the Mirror	Smith Sculptors	2006	Hay Street Mall	
John Septimus Roe	Greg James	1990	Corner Adelaide Terrace and Victoria Avenue	
Eliza	Tony Jones	2007	Mounts Bay Road	

Artwork	Artist	Date Created/Installed	Location	Image
Judith	Karin Tulloch	1936	Howard Street	
Sir Charles Court Memorial	Ben Jones	2011	Corner Mount Street and St Georges Terrace	
Koorden	Rod Garlett, Richie Kuhaupt and Fred Chaney	2015	Telethon Avenue	

element.

Edith Cowan Sculpture

Commemorative Work Proposal

— Artwork submission

Prepared for City of Perth | September 2022

Our Ref: 22-245

Edith Cowan Sculpture
Commemorative Work Proposal

Acknowledgment to Country

We acknowledge the Whadjuk people of the Noongar nation as traditional owners of the land on which we live and work.

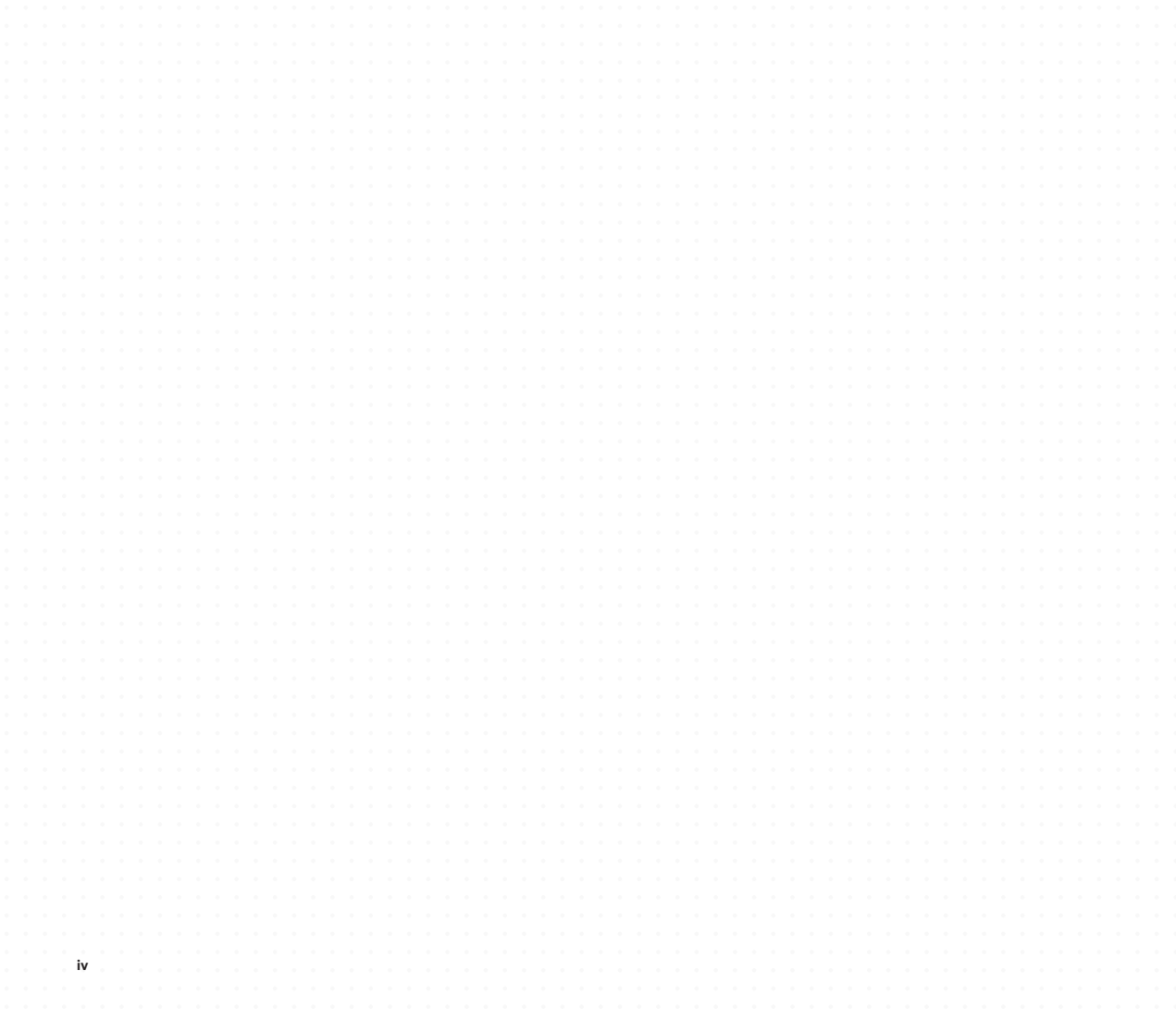
We acknowledge and respect their enduring culture, their contribution to the life of this city, and Elders, past and present.

element.

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Edith Cowan Sculpture
Commemorative Work Proposal



element.

Cover Letter

Our Ref: 22-245

07 September 2022

Attention: Mr Bill Seager
Coordinator Cultural Heritage Services

City of Perth - Council House
27 St Georges Terrace
Perth WA 6000

Dear Bill,

COMMEMORATIVE WORKS PROPOSAL – EDITH COWAN SCULPTURE

element is pleased to present this proposal for a commemorative artwork of Edith Cowan, on behalf of the artwork funders – Sandy, Michael and May-Lee Anghie.

The initial proposal for the sculpture was borne from a ground swell of community passionate about this project, including artists who have been inspired to independently research and imagine a creative response to Edith Cowan's incredible contribution to the City of Perth. This has since received further support through the online community survey (attached to this proposal).

It is envisaged that the inclusion of the Edith Cowan sculpture will be the precursor for the installation of future works representing the achievement of women in Western Australia and play a significant role in highlighting gender equality, with the City of Perth leading the way.

Should you have any queries or require clarification on the above matter, please do not hesitate to contact the undersigned on 9289 8300.

Yours sincerely

element



Kate Parker
Director
Principal – Arts & Culture

Edith Cowan Sculpture
Commemorative Work Proposal

Commemorative Works Proposal

1. Customer Details

First Name			
Kate			
Surname			
Parker			
Address			
Level 18, 191 St Georges Tce, Perth	State	WA	Postcode 6060
Telephone (home)		Telephone (business)	
		9289 8300	
Mobile		Facsimile	
Email			
kate.parker@element.wa.com.au			

2. Proposed Commemorative Work

Please provide a brief description of the proposed commemorative work (e.g. the proposed subject of the work (individual/organisation/community/event/place) and physicality of the work):

Edith Cowan commemorative sculpture – ‘a moment in time’. To celebrate and honour the life of Edith Cowan, 1861-1932.

The life and achievements of Edith Cowan are extraordinary, she is known for her pragmatism, intelligence and courage, during a time when women had very little rights or involvement in major decision making.

The ANZAC House location, 28 St Georges Terrace, Perth, is integral to the story of the statue and has been selected as the most appropriate site due to Edith's original links between the Karrakatta Club, the first women's club in Australia and The Soldiers Welcome Institute, which was the forerunner to the RSLWA we are familiar with today.

ANZAC House is also the current home of Karrakatta Club, of which Edith was a founding member and was synonymous with women's Suffrage and had major influence on the education and elevation of women at the time.

Edith had significant ties to St Georges Tce, she was a resident of the City of Perth for a significant part of her life, living on Malcolm Street (a continuation of St Georges Tce) until her death in 1934. She attended school, St Georges church and the Karrakatta Club and The Soldiers Welcome Institute were located on St Georges Tce.

The style of sculpture proposed will appear dynamic and lifelike and depicts her dynamism and energy, well suited to the hub of activity along St Georges Tce. It is important that women find their place, symbolically, on St Georges Terrace, the centre of the City and power base of WA.

The absence of artworks representing women is a global issue and a topic of recent discussion as highlighted in the below articles:

- [London has more statues of animals than of named women, audit finds](#)
- [London has twice as many statues of animals as named women](#)
- [Tracey Spicer: Why aren't more women immortalised in stone?](#)
- [In Australia there are more statues of animals than women](#)

It is envisaged that the inclusion of the Edith Cowan sculpture will be the precursor for the installation of future works representing the achievements of women in Western Australia and play a significant role in highlighting gender equality, with the City of Perth leading the way.

Refer Attachment 1 - Edith Cowan Ties to St Georges Tce

3. Type of Commemorative Work Proposed

(Refer to Commemorative Works Policy for definitions)

<input checked="" type="checkbox"/>	Memorial/monument
<input type="checkbox"/>	Plaque
<input type="checkbox"/>	Digital
<input type="checkbox"/>	Other (please provide a brief description):

4. Proposed Location for Commemorative Work

Address			
28 St Georges Tce Perth	State	WA	Postcode 6060
Property name (if applicable)			
ANZAC House Veteran Central			
Is the proposed location on the State Register of Heritage Places?			
<input type="checkbox"/> Yes			
<input checked="" type="checkbox"/> No			
<input type="checkbox"/> Unsure			

5. Cultural Significance of Proposed Commemorative Work

(Refer to Section 3.1b of the Commemorative Works Policy for definitions)

<input checked="" type="checkbox"/>	Historic
<input type="checkbox"/>	Aesthetic
<input type="checkbox"/>	Scientific
<input type="checkbox"/>	Social or Spiritual

Please provide evidence for how the proposed commemorative work will meet each of the cultural significance types selected.

A statement explaining the cultural significance of the work (ideally provided by an independent cultural heritage professional), supported by documentary evidence (e.g. historic documents and photographs), is recommended to support the assessment of the application. Evidence can be attached to this form.

The proposed sculpture is specifically referencing circa 1894, this is the year the Karrakatta Club was founded and was also the year in which women achieved the right to vote for the first time in Australia. This is a precursor of Edith's incredible achievement to become the first woman elected to parliament in Australia in 1921.

Through the activity of the Karrakatta Club members and in particular Edith Cowan, the concept of organisation care for returning service personnel was initiated in WA. Edith's role in pioneering civilian care for returned soldiers, sailors and nurses was unique and in 1920 she was awarded an Order of the British Empire (OBE) in recognition of her work during the war. In 1920, she also became the first female Justice of the Peace. In 1923, she pushed through the 'Women's Legal Status Bill, which not only allowed women to take up a legal career but also opened the door to other professions. The proposed location within the law precinct is even more fitting for this reason.

Edith Cowan Sculpture
Commemorative Work Proposal

Edith Cowan was deeply involved in over 20 community organisations in Perth from the 1890's, and remained active with committee and social work until her death in 1932, founding and co-founding many. Among these are the following:

- The Children's Protection Society, this society was key in passing the State Children Act which established the Children's Court.
- Co-founded the Western Australian Society for the Prevention of Cruelty to Animals, now RSPCA WA
- Foundation member of the Karrakatta Club
- Women's Service Guild
- Western Australian National Council of Women
- First woman member of the Anglican Church's Social Questions Committee
- Founding member of the Royal Western Australian Historical Society

A sculpture depicting another great Western Australian woman, Fanny Balbuk -Yooreel (1840 – 1907), has recently been installed within the grounds of Government House and both her statue and that of Edith Cowan in close proximity on either side of the Terrace, captures two very significant West Australian women during a unique time in history.

Refer Attachment 2 - Edith Cowan Commemorative Sculpture Concept Statement

6. Design, Construction and Maintenance of Proposed Commemorative Work

(Refer to Section 3.4 of the Commemorative Works Policy)

Please provide details of the proposed design, materiality and installation methodology for the proposed commemorative work. E.g. Proposed location plan, concept drawings and/or designs, photographs, fabrication specifications. Details can be attached to this form:

Private arrangements are being made for lighting to enhance viewing of the statue

Refer Attachment 2 - Edith Cowan Commemorative Sculpture Concept Statement

Refer Attachment 3 - 'A Moment in Time - Smith Sculptors'

7. Community Engagement in Support of Proposed Commemorative Work

(Refer to Section 3.5 of the Commemorative Works Policy)

Please provide evidence of the community engagement that has been undertaken and is in support of the proposed commemorative work (evidence can include statements and letters of support from individuals, community groups, organisations or businesses; survey findings):

The project is supported by organisations and individuals alike. With over 200 positive responses to the statues location. The initial proposal for the sculpture came about from a ground swell of people passionate about this project happening, including artists who have been inspired to independently research and imagine a creative response to Edith's compelling story and a donor with a vision for a female statue on St Georges Tce.

Refer:

- Attachment 4 – Edith Cowan Commemorative Sculpture – Technical Specifications
- Attachment 5 – Letter of Support – KarraKatta Club
- Attachment 6 – Letter of Support – Governor of WA
- Attachment 7 – Letter of Support – CEO RSLWA
- Attachment 8 – Letter of Support – Edith Cowan University (ECU)
- Attachment 9 – Letter of Support – Edith Cowan's Family
- Attachment 10 – Survey Results



8. Funding of Proposed Commemorative Work

(Refer to Section 3.6 of the Commemorative Works Policy)

Please detail how the proposed commemorative work will be financed:

No funding is being sought from the City of Perth for this project. Project funders include Sandy, Michael and May-Lee Anghie.

It is intended to 'gift' the artwork into the City's Public Art collection, which will bring it into the City's Public Art maintenance schedule. Ongoing maintenance of the artwork will be limited to regular cleaning similar to other bronze works in the City's collection.

Budget Overview:

Artwork Opportunity	Budget
Sculpture fabrication and installation	\$145,000
Artist fees, design development, insurances, documentation	\$100,000
Consultant fees	\$0
TOTAL	\$245,000

Please note – Smith Sculptors have significantly reduced their artist fees for this commission and **element** have undertaken this project Pro Bono.

9. Ownership and Management of Proposed Commemorative work

I/We, the applicant, agree that, unless established through a formal agreement in writing, all commemorative works approved for placement within the public realm of the City of Perth are deemed to be owned and under the unconditional control of the City of Perth and will be managed in accordance with the City's relevant policies and procedure.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No

10. Supporting Information

If you have supporting information, please ensure it is attached to this form.

11. Customer Authorisation

<input checked="" type="checkbox"/>	By ticking this box, I confirm I understand that this form authorises the City of Perth to reproduce any documents associated with this application for internal purposes only.
<input checked="" type="checkbox"/>	By ticking this box, I confirm the information I have provided in this form is accurate. (A signature is not required on forms lodged electronically and submissions will be treated in accordance with the Electronic Transactions Act 2011 (WA).)

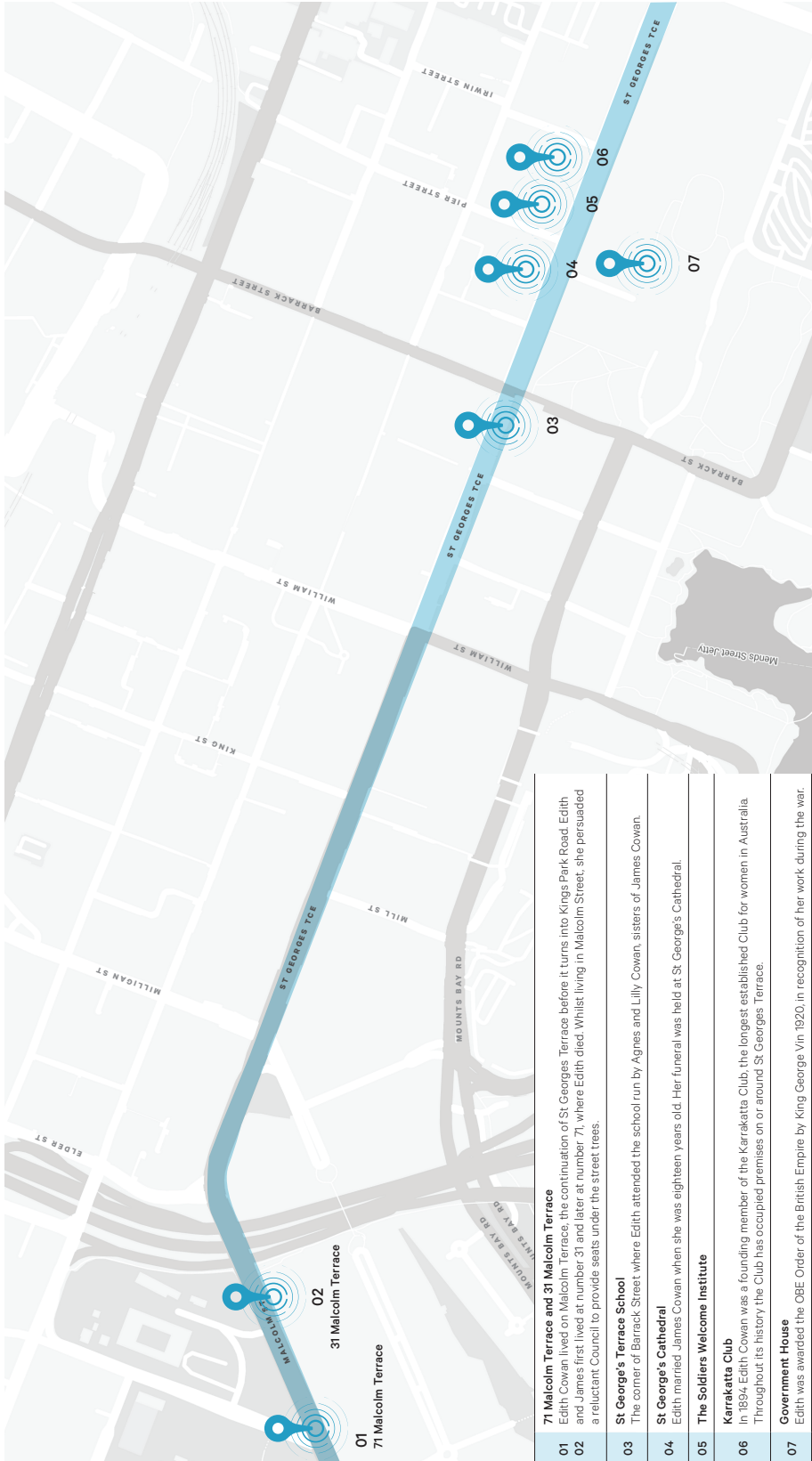
Response Time: Ten [10] working days from date of receipt.

Edith Cowan Sculpture
Commemorative Work Proposal

Attachment 1

Edith Cowan Ties to St Georges Tce

Edith Cowan ties to St Georges Tce



Edith Cowan Sculpture
Commemorative Work Proposal

Attachment 2

Edith Cowan Commemorative Sculpture – Concept statement



Fanny and Edith: "A Moment in Time".

16th May 2022

Purpose:

To celebrate and commemorate the lives of two outstanding women of different 'tribes', as it were - but each in their own way, freedom fighters, committed to achieving justice for their respective communities in what became Perth, spanning the years of their lives: **1840 to 1932.**

Fanny Balbuk-Yooreel- A Noongar woman. **1840-1907** *"She rattled and stormed- against the changes being wrought upon her homeland"*

Edith Cowan- a Colonial woman **1861-1932:** *"with fire in her heart...."*

This artwork is a unique project, based on the concept of creating a sculptural 'tableau', combining two very significant women, in a virtual 'imagined,' but unique 'moment in time'. They are captured in a hypothetical instant of exchange, which, while not obvious to them at that 'moment in time'(circa 1894), when we can assume that they must have crossed pathways in Perth, inspires us to create a symbolic gesture that holds major significance, "down the track" as it were, to this present day. Although people still must fight for their rights even today, the actions of Fanny and Edith have changed the lives of so many people. They paved the way for the resolution of crucial issues that opened the path to freedom and reconciliation in our time.

Background:

During the transition years of this society that we know as Perth, today, momentous events were taking place which would irrevocably change this place and its inhabitants forever. In these years when Perth was being established as a city and during which major societal changes took place, these two women, in their own way, left a positive mark which reverberates down through time.

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This was:

The indigenous Whadjuk Country, then the Swan River Colony
and today: the City of Perth.

Although they came from different backgrounds and moved in very different circles, within the confines of the “City of Perth” of their time, their stories and motivations came from the same basic desire to ‘set things right’ following the turbulent years of change which had such life-changing effects on so many.

Throughout all the many trials and tribulations of this period, women had their own battles to fight but many of these were also battles that changed the society in which they lived, culminating in a conclusion, which has healed many wounds and helped to establish the peaceful society in which we live today.

There were issues and matters of justice of which people of all ages, sex, and background in this place – the Swan River Colony - echoed and reflected a microcosm of what was going on throughout much of the world in this period of colonial expansion.

Both Fanny and Edith personify and embody much of the struggle to redress the wrongs of the time, which can be recognized now, from the historical perspective of 2021. People generally, in our hectic lives of the 21st Century do not make the effort to appreciate and understand the actions and motivations of the past and therefore the consequential effects that these special women had on the development of the society we live in today

Fanny Balbuk-Yooreel relied on her big stick (her “Wanna”) to empower her and enforce her objections to the destruction of her environment by the arrival of the overseas colonists. This devastation resulted from the construction of the city over her traditional home ground.....or ‘Country’. This was her ‘Booja-’ her home: the Derbal Yerrigan (Swan River) with all its abundant sustainable resources that supported her people for many thousands of years in this Whadjuk- Noongar Country destroyed by the establishment of the English “Swan River Colony” in 1829.

This is illustrated by the inlaid granite artwork of the first map of Perth, placed at Fanny Balbuk’s feet, showing the ancient waterways, lakes and ‘hunting grounds’ with the ‘new’ streets of the CBD overlaid on it. This is the area where a commemorative ‘walk’ has been established today following the original trail circumnavigating the CBD. This ‘walk’ is undertaken by her ‘successors’ the Noongar Aboriginal ladies of Perth today.

Fanny is engaged in pointing out the intrusion of the new Colonists on her home ground- glaring at us angrily, as she gestures towards the burial place

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of her great grandmother, Moodjurgul, in the grounds of the first Government House.

Fanny Balbuk was finally vindicated in 2006 by the acknowledgment of the Federal Court of Australia which found that Noongar people held native title over the metropolitan area of Perth: *the Noongar Native Title Claim in 2006 - where it was upheld that Native Title rights exist in the Perth Metropolitan Area*.

(The evidence for this claim was provided by writings of Daisy Bates, from her transcriptions of the stories and statements of Fanny Balbuk, now accepted as historically correct.)

Edith Cowan: The life achievements of Edith Cowan are extraordinary and have been well documented. A woman known for her pragmatism, intelligence and indomitable courage, her achievements were numerous.

<https://www.womenaustralia.info/leaders/biogs/WLE0162b.htm>

We won't go into any more details here, but suffice it to say that a sculpture of Edith Cowan most certainly should have its place right in the centre of Perth CBD.

The Clock

Existing Memorial. It is a sad reflection on the people involved at the time- 1934- (all men)- laid a major objection to the erection of the Memorial that now stands at Kings park- (outside, of course!) In fact quite a battle ensued and obviously culminated in a bland 'Memorial' in the form of a clock, that actually says nothing to the observer about the extraordinary achievements of this extraordinary woman placed as it was in the centre of a very busy roundabout thus cutting off all pedestrian access to it.

Concept

We have been inspired to create an intriguing tableau, combining both women, in the city centre on St. George's Terrace.

This is based on the concept that these two women lived many years in parallel with each other - in space and time, as it were - and had many ideals and aspirations in their common purpose to achieve justice for their communities which are crucial to us today.

Fanny Balbuk has received little recognition. Edith Cowan is commemorated by a clock!

Mise- en -scene:

Edith Cowan: is walking down St Georges Terrace, outside Anzac House, marking the fact of her major involvement in the rehabilitation of the returned soldiers from the horrors of World War when she founded the Soldiers

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Welcome Home organisation. This new building is also the headquarters/home of the Karrakata Club of which Edith was a founder and which was synonymous with Women's Suffrage and had major influence on the education and elevation of women at the time. – yet enduring to this day!

Our Memorial to Fanny Balbuk-Yooreel is already underway in the grounds of Government House, reiterating her rights to her ancient Country. While directly across from her, Edith is striding down St. George's Terrace, about her business on pursuing justice in the courts, symbolised by the stack of books she is carrying, and the political arena of her time.

Edith halts in her hurried-urgent footsteps, alerted by the loud voice of Fanny, protesting violently, as she did, within the present-day Government House grounds.

They share this moment in time and speak to us down through the years with their own distinctive voice.

Setting :Period-dates: spanning the years 1840 to 1932.
Specific: set in 1894.

We believe that it is appropriate that they symbolically join together to form this tableau, as their motivations for achieving social justice were the same - although their methods were different. Yet to us, in retrospect, they speak the same language. Which is all about the plight of people at the time - and especially women.

Site: setting: appropriate location.

St Georges Terrace is the place where many of Fanny's ancestors were buried. Many of them under prominent buildings and landmarks in the CBD including her grandmother who is buried under the 1st Government House in the grounds of today's Government House. In depicting her therefore, we have designed the sculpture as a narrative work, telling, as it were, her story, as she uses her Wanna to point in great anger to the new map of Perth, overlaid on the indigenous country - the ancient land abundant with the many sources of traditional sustenance for her people: especially the lakes, streams and vegetation which abounded in the centre of these rich wetlands that became known as the City of Perth.

As a virtual meeting point in time and space of these two women, St. George's Terrace, the heart of the Perth CBD, is a perfect symbolic place where these two ladies could have overlapped as they would have inhabited a very small community that was Perth at that time.

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We have set the date as circa 1894, as a significant year to coordinate these two extraordinary women in the time they overlapped in Perth.... Historically.

This is also the date of the foundation of the Karrakata Club.

.....1894 is also the year in which women achieved the right to vote for the first time in Australia, which is a precursor of Edith Cowan's incredible achievement to become the first woman elected to parliament in Australia in 1921. As 2021 is the Centenary of this event It is an ideal opportunity to mark this significant achievement by depicting both these women in the historical costume of the period- which is basically, Edwardian. The fact that Fanny also wore what are obviously 'Hand Me Down' versions of these cloths attest to the historical fact that she was been supported by quite a number of Settler families. This has been documented by Daisy Bates.

For the portrayal of Edith, we have 'dressed' her in the mode of a young lady of intellect- far away from the 'ideal' – popular - Gibson Girl look of the period but reflecting her serious studious demeanour and sense of purpose, eschewing the frivolities of life and concentrating her attentions on her goals. Her skirt is still blowing in the ever-pervasive St. Geo Tce wind- just as Fanny's skirt is whipped by the same wind as she pounds on the map of the 'new' city of Perth with her Wanna, just across the street.

We also think it is important that these women find their place, symbolically, in St. Georges Terrace, the centre of the city and power base of Western Australia. They will balance the many sculptures of white men on the Terrace and re-dress the situation whereby there are not alone no women sculptures featured there - but none of any significant Aboriginal people either. We feel this can be achieved with the minimum of disruption to traffic in this busy city centre- as Fanny is inside the walls of Gov. House grounds and Edith is only taking up a mere footstep area of ground, on the footpath directly opposite her across the road.

We see this as a unique opportunity to create and commemorate the wonderful story off two women whose political social activities where to the enrichment of the people of Perth- and to 'empower' them from the future, upon which they have had such influence as female social justice trailblazers. Demonstrating that all of us have basically the same beating hearts - although the pathway to freedom and justice may be different.

Note: Parallel lives- they both have been honoured on bank notes by the Federal Government.

Fanny and Edith...A moment in time.

Charles Smith and Joan Walsh-Smith

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Edith Cowan Sculpture
Commemorative Work Proposal

Attachment 3

A Moment in Time – Smith Sculptors

A Moment In Time

Proposed Edith Cowan Memorial Sculpture - Perth WA

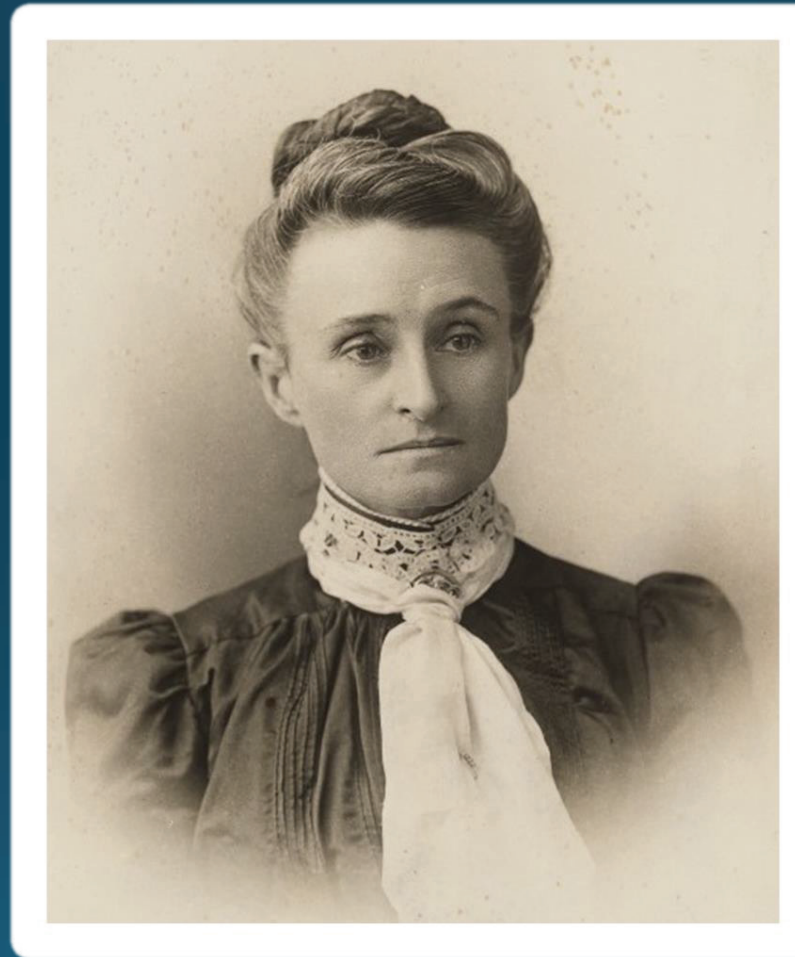


From The Studios of Smith Sculptors - 906 Reen Road – Gidgegannup WA

Purpose:

To celebrate and commemorate the life of **Edith Cowan**- a Colonial woman **1861-1932**:
“with fire in her heart....”

Edith Cowan



Edith Cowan - Proposed Bronze Sculptural Stance

12.2 Economic Development Sponsorship Program

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

Purpose

To provide sponsorship recommendations to Council, under the Economic Development Sponsorship 2022/23 program.

Recommendation

That Council APPROVES the following Economic Development Sponsorships totalling \$50,000 excluding GST:

Ref	Applicant / Project	Recommendation Total Amount (ex GST cash contribution)
A	Diversified Communications Australia Pty Ltd AOG Energy 2023	\$50,000 (excluding GST) cash contribution in FY2022/23.

**Approval subject to a suitable sponsorship agreement being entered into by the City and Diversified Communications Australia Pty Ltd. on terms acceptable to the City within three months.*

Background

1. The City is committed to supporting the growth and ongoing development of established or emerging key sectors that represent strategic importance to the City of Perth's economy.
2. There are three tiers of funding available under the Economic Development sponsorship:
 - a. Tier 1 - \$0 - \$15,000 (decision to be made by the Chief Executive Officer);
 - b. Tier 2 - \$15,001 - \$50,000 (decision to be made by Council); and
 - c. Tier 3 - \$50,001+ (decision to be made by Council).
3. Applications opened for Economic Development Sponsorship on 1 June 2022 and close on 30 June 2023.

Discussion

4. The Diversified Communications Australia application was assessed by a three-person panel, consisting of management and officers from the City's Economic Development and Community Development Alliances.
5. The General Manager Planning and Economic Development had oversight of the assessment and evaluation process but was not a voting member.
6. The assessment criteria have clear descriptions and a rating scale which guide the assessors when considering an appropriate score. The scores from panel members for each assessment criteria are averaged and ranked from highest to lowest.
7. A summary of the application, the assessment panel's recommendation rationale, and the total value of request versus the total value recommended is below:

Applicant Details			
Applicant Name	Diversified Communications Australia Pty Ltd		
Applicant Background	Diversified Communications Australia is a well-established, industry-leading media company, which specialises in bringing targeted business audiences together through trade shows, exhibitions, conferences, summits and digital publishing solutions.		
Previous Support (5-year period)	Year	Amount (ex GST)	Project
	2020-21	\$50,000	AOG Energy 2021 Energy Exhibition & Conference
	2019-20	\$50,000	AOG 2020 Australasian Oil & Gas Exhibition and Conference
	2018-19	\$50,000	AOG 2019 Australasian Oil & Gas Exhibition and Conference
	2017-18	\$50,000	AOG 2018 Australasian Oil & Gas Exhibition and Conference
	2016-17	\$50,000	AOG 2017 Australasian Oil & Gas Exhibition and Conference
	TOTAL	\$250,000	

Project Details		
Project Title	AOG Energy 2023	
Project Date / Venue	15 March 2023 – 17 March 2023	Perth Convention and Exhibition Centre (PCEC) QT Hotel (Official Hotel of AOG)
Project Description	<p>AOG Energy is Australia’s largest and most international oil, gas and energy event. For the last 41 years, it has been hosted in Perth and has grown to be the largest event of its kind in the Southern Hemisphere, attracting up to 6,000 attendees (pre-COVID-19) from across the world.</p> <p>Held over three-days, the event incorporates an international trade exhibition; conference forums; ‘Forward Walk Plans’ – presentations by industry-leading organisations providing local industry with information and access to supply major resource projects; ‘Diversity and Inclusion Breakfast’; a ‘Welcome Reception’; and an ‘Opening Event’.</p> <p>The City has supported AOG Energy through sponsorship since 2009, except in 2022 when the event was cancelled due to international travel and domestic COVID-19 restrictions.</p> <p>In 2020, it was attended by 5987 industry professionals of which 721 were overseas visitors; 685 from interstate; 1,465 from the City of Perth local government area; and 3,115 from the rest of Western Australia. It had a direct economic impact of over \$20M (travel, accommodation, hospitality and tourism) and 19 per cent of exhibitors and 14.9 per cent of visitors reported making an investment in Western Australia as a result of the event. Ninety-two per cent of exhibitors and 81 percent of visitors surveyed would recommend Perth as a business or investment destination to friends and colleagues [AOG Energy Audit Media of Australia Report 2020].</p> <p>In 2021, it was only a localised event due to COVID-19 travel restrictions, resulting in a drop of attendees by approximately 30 per cent compared to the previous year.</p> <p>In 2023, it is projected to meet pre-COVID figures and feature 90 exhibitors, 90 conference speakers, and a host of educational and networking events. Emerging technology, renewables and emission reduction technology industries will be the major theme, showcasing pilot projects and the emerging supply chain.</p> <p>The event comprises of the following components:</p> <p><u>Exhibition</u></p> <p>An opportunity for local businesses to showcase its operations and network with international exhibitors from around the world. In 2023, there will be six specialised zones within the exhibition area including ‘Subsea & Marine’; ‘Automation & Digital Technology’; ‘Asset Integrity and Health and Safety’; ‘Energy Transition Zone’; and an ‘Aboriginal Businesses Capability Pavilion’ – providing Aboriginal businesses the opportunity to provide goods, services and works to the energy sector.</p> <p>There will also be the National Energy Resources Australia (NERA) Technology Station, which gives opportunities for local Small Medium Enterprises, start-ups, innovators and research institutions to showcase their technologies to an international audience at no cost, as well as the ‘Centre for Decommissioning Hub’,</p>	

which will showcase capability and inform industry of opportunities in this burgeoning industry sector.

Conference Forums

The three conference forums will address opportunities and challenges in the energy industry, with a significant and renewed focus on industry supply, local capability, the energy transition, hydrogen, subsea and innovation.

It will also feature ‘Forward Walk Plans’ project presentations from major operators providing local industry with information and access to supply future resource projects.

Education and Networking Events

Dedicated networking functions provide a platform for attendees to network and develop business opportunities including:

- i. ‘AOG Opening Party’: The major networking event of AOG Energy welcoming all speakers, delegates, exhibitors and visitors.
- ii. ‘Subsea Welcome Drinks’: A welcome event for subsea industry exhibitors and delegates.
- iii. ‘AOG Diversity & Inclusion Breakfast’: Presented by the AOG Diversity and Inclusion Committee, it explores diversity and inclusion issues relevant to the industry including gender, LGBTIQA+, race, ability, religions and ages.

There will also be several satellite events held throughout the week hosted by various industry stakeholders.

AOG Energy 2023 will receive major sponsorship from the State Government of Western Australia, Woodside Energy, Chevron Australia and Business Events Perth. It will also be supported by the Centre for Decommissioning Australia and the National Energy Resources Australia (NERA) – a federally funded not-for-profit organisation that works with industry stakeholders to help decarbonise Australia’s energy sector. Additional sponsors include Society of Petroleum Engineers WA, Engineers Australia, Australian Institute for Non-Destructive Testing, Royal Institution of Naval Architects, Subsea Energy Australia, Society for Underwater Technology, Scottish Development International, Norwegian Energy Partners and the Global Underwater Hub.

AOG Energy will recognise the City’s support through designation as a ‘Host City’.

Estimated Attendance	5,300
Total Project Cost	\$1,689,000
Total Amount Requested	\$50,000
Total Assessment Score	87%

Recommendation	Approve
Recommended Amount	\$50,000 (excluding GST) cash contribution
Recommendation Rationale	
<p>The application was recommended for support due to:</p> <ol style="list-style-type: none"> a. The project is a highly prestigious and significant event as it is internationally recognised as the largest oil, gas and energy event in the Southern Hemisphere attracting a high calibre of exhibitors, high-profile speakers, sponsors and media partners locally, nationally and internationally. b. The project highlight's Perth significance as a major global player in the energy sector and showcases its capability, desirability and opportunities in investment, supply chain, research and education. c. The project provides opportunities for local businesses to knowledge-share, collaborate, identify and implement best practice aiding in further business development and the creation of business relationships. The event also has demonstrated associations with government trade bodies, companies and research institutions on a state, national and international basis. d. The project provides economic benefit with ongoing commerce and investment with 19 per cent of surveyed exhibitors and 14 per cent of attendees reportedly investing in this key sector of strength for Perth [AOG Energy Audit Media of Australia Report 2020]. e. The project has a strong economic impact for Perth in visitation with intrastate, interstate and international attendees injecting up to a reported \$20M to the City in pre-COVID years [AOG Energy Audit Media of Australia Report 2020]. f. The project saw reduced international and interstate visitation in 2021 due to COVID-19 border restrictions. With international borders open, there is a renewed sense to connect, engage and explore future opportunities within this key sector of strength for Perth. g. A large component of the event in 2023 will address innovative technologies for sustainable energy including hydrogen, emission reduction technologies and renewable energy, which will allow for the development of new industry opportunities for Perth and Western Australia. h. The consideration for measurements against the outcomes is sound, providing quantifiable metrics and reporting methods. i. The event positions Perth as a premier host city for international events. 	

Consultation

Nil.

Decision Implications

8. It is generally not possible to support every application or the total request for each applicant, due to budget constraints, lack of alignment with the City's strategic priorities and/or inadequate applications. This may result in unavoidable dissatisfaction from some applicants.
9. A City representative will negotiate sponsorship benefits with the applicant in line with sponsorship funding amounts, once approved by Council. Applicants will be required to provide significant benefits in recognition of the City's support.

10. Successful applicants will be required to submit an acquittal report within one month of project completion. Acquittal reports must demonstrate how the City’s sponsorship funding supported projects or initiatives within the City of Perth local government area and demonstrate direct impact on the City of Perth meeting its aspirations of Liveable, Sustainable and Prosperous.

Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	Prosperous
Related Documents (Issue Specific Strategies and Plans):	Economic Development Sponsorship FY2022/23 Guidelines

Legislation, Delegation of Authority and Policy	
Legislation:	Regulation 12 of the Local Government (Financial Management) Regulations 1996 – payments from municipal fund or trust fund, restrictions on.
Authority of Council/CEO:	Council Policy 4.3 directs that any sponsorship application for more than \$15,000 or from a funding round be considered by Council.
Policy:	4.3 Sponsorship and Grants - the policy directs that there be a consistent and transparent assessment process and criteria to guide recommendations to Council. An eligibility check has been conducted on all applications to ensure they are compliant with the Policy and the necessary assessment process has been followed.

Financial Implications

11. The financial implications of the recommendation are accommodated within the existing budget.

Account Number	1066-100-50-10095-7901	Operating
Account Description	Economic Development Sponsorship	
Total Budget	\$650,000	
Total Allocated to Approved Applicants	\$395,380	
Budget – This report	\$50,000	
Remaining Budget	\$204,620	
Budget Impact	Accommodated in approved budget 2022/23	

Further Information







Nil.

13. Infrastructure and Operations Alliance Reports

Nil.

14. Corporate Services Reports

14.1 Monthly Financial Statements - August 2022

Responsible Officer	Michael Kent – Chief Financial Officer
Voting Requirements	Simple Majority
Attachments	Attachment 14.1A – Financial Activity Statement and Notes to FAS ↓  Attachment 14.1B – Net Current Position ↓  Attachment 14.1C – Operating Variances by Alliance ↓  Attachment 14.1D – Capital Project Variances ↓  Attachment 14.1E – Investment Report ↓  Attachment 14.1F – Statement of Rates Debtors ↓ 

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 31 August 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 Variances - 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	\$ 23.886 M	\$ 24.859 M	\$ 973 K	F
Rates Revenue	\$ 99.278 M	\$ 99.618 M	\$ 340 K	F
Operating Expenditure	\$ 31.051 M	\$ 29.900 M	\$ 2.151M	F
Non-Operating Revenue	\$ 0 M	\$ 0 M	\$ 0 M	F
Capital - Infrastructure	\$ 2.776 M	\$ 3.107 M	\$ 331 K	U
Property, Plant & Equipment	\$ 364 K	\$ 954 K	\$ 589 K	U

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 2022/23.
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 Surplus from Operations of \$2.10M compared to a year-to-date budgeted Deficit of \$0.61M. This is a favourable variance of \$2.71M at the end of the month.
20. Investing activities reflect a result of (\$3.89M) compared to a year-to-date budget of (\$3.14M). This is an unfavourable variance of \$0.75M. This is due to a slightly accelerated start to capital program delivery, albeit in a low volume spend profile month.

21. Construction of infrastructure to month end is at 112% of year-to-date budget expectations at \$3.11M, against \$2.78M budget as noted at paragraph 14. Attachment 14.1D provides comments on specific variances for capital projects.
22. Acquisition of non-infrastructure to month end is \$0.95M and is 161% of 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 31 August shows that a rate yield of \$99.6M has been levied compared to the \$99.3M budget at rates strike date. The rates levied figure will be reduced to reflect the impact of the WACA concession (\$183K) and anticipated Heritage Concessions (\$232K) as they are processed, bringing the actual yield in line with the budgeted amount.
25. The disclosed year to date Closing Position of \$124.5M compares favourably to the year-to-date budgeted closing position of \$122.2M - a 1.8% variance reflecting the combined impact of the favourable variances noted in this report for revenues, expenses and financing activity.
26. The Net Current Position Report (Attachment 14.1B) indicates a year-to-date adjusted Net Current Position value of \$127.1M versus the budget of \$124.9M. 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 2023 budgeted year-end figures.

Table 2:

Item Details	June 2023 Annual Budget	August 2021 YTD Actual	August 2022 YTD Actual
Current Assets	\$ 153.527 M	\$ 301.592 M	\$ 316.247 M
Current Liabilities	(\$ 36.390 M)	(\$ 75.046 M)	(\$ 68.688 M)
Unadjusted Net Assets	\$ 117.137 M	\$ 226.546 M	\$ 247.559 M
Less Restricted Items	(\$ 113.832 M)	(\$ 96.325 M)	(\$ 120.423 M)
Adjusted Net Current Position	\$ 3.305 M	\$ 130.221 M	\$ 127.136 M

28. The comparative numbers from the Net Current Position report for August 2021 and August 2022 reflect the impact of a lower value of creditors in August 2022 but the cash balance was higher, largely due to higher balances in reserves.
29. There is currently a higher value of reserve funds (restricted assets) in 2022 than in 2021 but this will reduce when drawn down to make capital contributions for the WACA Aquatic Facility and Perth Concert Hall later in the year.
30. Attachment 14.1E - Investment Report for August 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.
31. 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.

32. Attachment 14.1F - Rates Debtors provides a monthly update and analysis of rates collections by differential property rating category and overall. The 2022/23 rates notices were issued on 28 July with a due date for the first instalment of 7 September 2022. At month end, collections represented 27% of the collectible amount. By the first instalment due date some 54% of the annual rates had been collected.

Consultation

Nil.

Decision Implications

33. 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. 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

34. 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

Nil.

14.2 Schedule of Accounts Paid - August 2022

Responsible Officer	Michael Kent – Chief Financial Officer
Voting Requirements	Simple Majority
Attachments	Attachment 14.2A – Schedule of Accounts Paid - August 2022 ↓ 

Purpose

For Council to note details of payments made under delegated authority for the month of August 2022.

Recommendation

That Council:

1. RECEIVES the Schedule of Accounts Paid for the period ended 31 August 2022 as attached.
2. RECORDS in the Ordinary Council Meeting minutes the summary of accounts paid being:

Total Accounts Paid	
Municipal Fund	\$18,549,744.13
Trust Fund	\$0
Total - All Funds	\$18,549,744.13

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 - August 2022		
Municipal Fund		
EFT & Cheque Payments	Direct Creditor Payments	12,774,965.53
Sub Total - EFT & Cheques		12,774,965.53
Direct Debits	Bank Charges and Merchant Fees	68,136.07
Sub Total - Direct Debits		68,136.07
Payroll	29/07/2022	2,357,007.48
	12/08/2022	1,655,404.18
	26/08/2022	1,686,157.66
Sub Total - Payroll		5,698,569.32
Corporate Cards		8,073.21
Sub Total - Cards		8,073.21
Total per Attachment 14.2A		18,549,744.13
Total Payments from Municipal Fund		
New Investments		40,000,000
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. 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:	Nil.

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.

14.3 Special Budget Review

Responsible Officer	Michael Kent – Chief Financial Officer
Voting Requirements	Absolute Majority
Attachments	Nil.

Purpose

This report is for Council to consider a proposed amendment to the 2022/23 Budget to recognise known variances to the timing of the City's Capital Contribution to the WACA Aquatic Facility, an anticipated positive improvement in earnings from investment of Municipal & Reserve Funds, a downwards revision to the Indicative Carry Forward Capital Projects. The report also responds to a July Council resolution requesting the administration to determine a funding source for additional business improvement grants awarded in July.

Recommendation

That Council:

1. ADOPTS the following amendments to the 2022/23 Budget for the period ending 30 June 2022 (as detailed in Tables 1(A), 2, 3, 4 and 5 of the Officer Report):
 - a. Revised timing of the WACA Capital Contribution No 1
 - b. Additional Interest Revenue on Municipal Funds
 - c. Additional Interest Revenue on Reserve Funds
 - d. Reduction in the required funding allocation for Capital Works carried forward from 2021/22
 - e. Funding the additional (unbudgeted) Business Improvement Grants of \$201,962 approved by Council from the additional budget surplus generated by the windfall municipal interest revenue noted at part b above.
2. NOTES the administrative adjustment to the Long Term Financial Plan (LTFP) for 2023/24 and 2024/25 for the revised timing of the WACA Capital Contribution No 2 as detailed in Table 1(B) and WACA Capital Contribution No 3 as detailed in Table 1(C).

Background

1. The Annual Budget is an informed financial forecast of the anticipated revenues and expenditures arising from the City's operations over the year.
2. As such, it is reasonably expected that some variations will occur between those forecasts and the actual financial outcomes. These differences may arise from cost savings, change of project scope, release of project contingency, changed economic conditions or receipt of unanticipated revenues.
3. The variations may be either favourable or unfavourable and it is important that the budget is dynamically managed so that Council maintains an informed perspective on the City's financial position.
4. This requirement is recognised by the Department of Local Government, Sport and Cultural Industries who have legislated that all local governments should conduct a review of their financial performance for the period commencing 1 July and ending no earlier than 31 December and consider the impact on their financial position at review date.
5. However, this requirement does not preclude review and amendment of the budget at other times of the year, especially when the values involved are material in size. Indeed, it is responsible financial management practice to dynamically amend the budget to reflect those changed financial circumstances.
6. This Special Budget Review addresses the following financially significant budget amendments:
 - a. Timing of the City's Capital Contribution to the WACA Aquatic Facility and related Transfers from the Asset Enhancement Reserve.
 - b. Anticipated improved investment performance on Municipal Fund investments.
 - c. Expected improved investment performance on Reserve Fund Investments and the consequential recognition of that windfall revenue on the balance of each cash-backed Reserve.
 - d. A downwards revision to the Indicative Carry Forward Capital Projects.
7. Amending the budget at this time also avoids the perpetuation of what are perceived rather than actual variances in monthly financial reports.

Discussion

8. Discussion on each proposed budget amendment and any related Reserve Fund transfers follows:

WACA Aquatic Facility Capital Contribution

9. The City's capital contribution to the WACA Aquatic Facility of \$25M is fully accommodated in the 2022/23 annual budget and the 2023/24 year of the LTFP.
10. Since the initial inclusion of the funding for this expense, the anticipated cash outflow pattern (yet to be finalised) for the contribution has shifted across financial years.
11. This means that \$8.75M less is likely to be paid out this year with a similar reduction in the 2022/23 draw down from the Asset Enhancement Reserve. Subsequently an increased payment and Reserve draw down will occur in 2023/24 and a final payment and draw down will occur in 24/25.
12. There is no net change in the quantum of funds involved, the only change is in which year the funds are paid / transferred.

Table 1 (A) - Budget Amendment - 2022/23:

Account Description	Current Budget	Amendment	Revised Budget
WACA Contribution - No 1	\$ 17,500,000	(\$ 8,750,000)	\$ 8,750,000
Transfer from Asset Enhancement Reserve	(\$ 12,500,000)	\$ 8,750,000	(\$ 3,750,000)
Net Change to Closing Position (Surplus)		\$ 0	

Table 1 (B) - LTFP Adjustment - 2023/24:

Account Description	Current Budget	Amendment	Revised Budget
WACA Contribution - No 2	\$ 7,500,000	\$ 3,750,000	\$ 11,250,000
Transfer from Asset Enhancement Reserve	(\$ 5,000,000)	(\$ 3,750,000)	(\$ 8,750,000)
Net Change to Closing Position (Surplus)		\$ 0	

Table 1 (C) - LTFP Adjustment - 2024/25:

Account Description	Current Budget	Amendment	Revised Budget
WACA Contribution - No 3	\$ 0	\$ 5,000,000	\$ 5,000,000
Transfer from Asset Enhancement Reserve	(\$ 0)	(\$ 5,000,000)	(\$ 5,000,000)
Net Change to Closing Position (Surplus)		\$ 0	

Interest Revenue on Municipal Funds

13. Since the 2022/23 Budget was developed there has been substantial improvement in the investment rates being offered by the financial institutions that the City invests funds with. Whilst increases are not directly aligned to changes in the RBA cash rate, there has been improvement in available rates and the administration has re-forecast its cash flow requirements across the year and recalculated potential interest earnings upside on invested funds.
14. An additional \$630K is anticipated from Municipal Fund investments, taking operational cash flow needs (and therefore investment terms) into account.
15. This will improve the projected 2022/23 year end position surplus accordingly.

Table 2 - Budget Amendment - 2022/23:

Account Description	Current Budget	Amendment	Revised Budget
Interest Revenue - Municipal Fund	\$ 1,238,840	\$ 630,000	\$ 1,868,840
Net Change to Closing Position (Surplus)		\$ 630,000	

Interest Revenue on Reserve Funds

16. Since the 2022/23 Budget was developed there has been substantial improvement in the investment rates being offered by the financial institutions that the City invests funds with.

17. Because Reserve Fund investments are larger balances and can typically be placed for longer terms, the potential interest earnings upside on invested funds with the improved rates is more material than for Municipal Funds.
18. The timing of draw-down of Reserve funds is generally more certain than operational funds enabling investment opportunities to be maximised (within the limited scope of permitted investments).
19. It is anticipated that an additional \$2,049,300 in interest revenue on Reserves is achievable.
20. As with all interest earned on cash backed reserves, this additional interest revenue will be allocated monthly to each Reserve in proportion to its balance.

Table 3 - Budget Amendment - 2022/23:

Account Description	Current Budget	Amendment	Revised Budget
Interest Revenue - Reserve Fund	\$ 1,318,330	\$ 2,049,330	\$ 3,367,630
Interest to Reserves - split proportionally	(\$ 1,318,330)	(\$ 2,049,330)	(\$ 3,367,630)
Net Change to Closing Position (Surplus)		\$ 0	

Revised Carry Forward Project Balance

21. When the 2022/23 budget was developed an estimate was made for funding to be carried forward into the new year for 2022/23 projects in progress but not invoiced by end of financial year. This is a standard local government practice and is always an imprecise science as the project managers are anticipating what invoices may be received after the 30 June date.
22. An amount of \$14.8M was allocated for the projected carry forward works in the adopted 2022/23 Budget - noting that it was flagged that this amount would be refined after the year end accounts were closed off.
23. Around half of that value related to the Roe Street Enhancement, and Covid supply chain related impacts such as mall bollards and vehicle acquisitions.
24. After finalising of the year end accounts, it has been established that a lesser amount of \$13.5M is required.
25. The revised list of carry forward projects have now been incorporated into the 2022/23 capital works program meaning that the estimated budget opening position is approximately \$1.2M higher than anticipated. This will increase the projected budget closing position accordingly.

Table 4 - Budget Amendment - 2022/23:

Account Description	Current Budget	Amendment	Revised Budget
Capital Works - Carry Forwards	\$ 14,800,000	(\$ 1,264,826)	\$ 13,535,174
Net Change to Closing Position - Surplus		\$ 1,264,826	

26. The revised capital works program for 2022/23 inclusive of carry forward projects is now \$ 61,319,321.

Funding Source for Business Improvement Grants

27. At its July 2022 Ordinary Meeting, Council resolved to:
REQUEST the Chief Executive Officer to identify an appropriate funding source for the additional \$201,961.57 at a future budget review.
28. It is recommended that the additional (windfall) municipal interest revenue referenced at Table 2 in this report be used as the appropriate funding source for these grant commitments as that action will preserve the allocations for other sponsorship programs in line with Council’s stated intent in making the July decision.
29. This has the effect of reducing the (revised) projected 2022/23 budget closing position by \$201,962.

Table 5 - Budget Amendment - 2022/23:

Account Description	Current Budget	Amendment	Revised Budget
Business Improvement Grants	\$ 150,000	\$ 201,962	\$ 351,962
Net Change to Closing Position - Surplus		(\$ 201,962)	

Consultation

Nil.

Decision Implications

30. Council’s acknowledgement of receiving this budget amendment report 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 6.2(2) (b) of the Local Government Act 1995 Regulation 33(A) of the Local Government (Financial Management) Regulations 1996</p> <p>This section of the Act and the related Financial Management Regulation prescribe the requirement to prepare and present to Council, a review of the Annual Budget for the period commencing 1 July and no earlier than 31 December.</p> <p>That review of the Budget must consider:</p> <ul style="list-style-type: none"> The local government’s financial performance for that period. The local government’s financial position as at review date.

	<ul style="list-style-type: none"> The financial outcomes as forecast in the budget for the end of the financial year. <p>However, this legislation does not preclude the local government amending its budget at other times during the year where it considers the adjustment to the budget is sufficiently material to warrant a separate budget review.</p>
Authority of Council/CEO:	Amendments to the City’s budget are required to be presented to, and formally approved by Council by absolute majority.
Policy:	CP 2.3 - Strategic Financial Planning & Budgeting CP 2.6 - Budget Variations.



Financial Implications

31. Adopting the Budget Review as presented will result in a (projected) budget surplus of \$4,968,214. This represents around 2.5% of Operating Revenues which is within the guidance target band of 1% to 3% referenced in CP 2.3 - Strategic Financial Planning & Budgeting.

Further Information

Nil.

14.4 WACA Rates Exemption 2022/23 - Determination by Minister

Responsible Officer	Michael Kent – Chief Financial Officer
Voting Requirements	Simple Majority
Attachments	Attachment 14.4A – WACA Rates Exemption Chronology ↓  Attachment 14.4B – Minister's Letter re WACA Rates Exemption ↓ 

Purpose

The purpose of this report is to advise Council that the City has been notified of a determination by the Minister for Local Government, that the WACA Ground at 39 Nelson Crescent East Perth has been declared exempt from local government rates for the 2022/23 year.

Recommendation

That Council:

1. NOTES the ministerial declaration of the 100% rates exemption for the WACA ground for 2022/23 and agrees to amend the rate record for 39 Nelson Crescent for that year accordingly.
2. REQUESTS the Administration to write to the Minister for Local Government expressing the City's disappointment at:

The overturning of the previous 2018 ministerial determination that the WACA ground would no longer be granted a 100% rates exemption.

Not being afforded the opportunity to make a submission on the WACA request for rates exemption prior to the determination being made.

Highlighting the inequitable financial burden experienced by the City's ratepayers in subsidising the ongoing operations of the WACA over many years despite the WACA having some capacity to operate on a commercial basis.

3. REQUESTS the Administration to explore alternative mechanisms to require the WACA to make an equitable contribution to the cost of provision of local government facilities and services in line with that made by all other commercial ratepayers within the city.

Background

1. All rateable properties within the City are levied rates based on the differential rate category applying to that land. The differential rating category relates to the predominant purpose for which the land is used.
2. The WACA ground at 39 Nelson Crescent is classified in the Commercial differential rating category.
3. All rateable land within the City is to be levied rates unless it qualifies for one of the limited statutory exemptions under Section 6.26 of the *Local Government Act 1995* or the Council agrees to offer a rate concession under Section 6.12 of the Act.
4. The two mechanisms for considering such concessional rating treatments are:
 - a. Rates Concession - determined by the City
 - b. Rates Exemption - determined by the Minister for Local Government
5. The WACA has previously been determined by the City to not be eligible for the statutory section 6.26(2)(g) exemption for land used exclusively for charitable purposes.
6. There has been a history of alternating exemptions and concessions associated with the WACA site and these are discussed in more detail later in this report.
7. **Attachment 14.4A - WACA Rates Concessions / Rates Exemptions Chronology** presents an info-graphic summarising those arrangements.
8. The WACA ground is the only property within the Commercial differential rating category that has been or is receiving a concessional rates arrangement. The adjacent Gloucester Park property pays full rates.
9. Recognising the anomaly that the WACA was the only rateable property in the Commercial category receiving a rates concession, Council resolved in 2021 to phase out the existing rating concession over the next three rating years.
10. For the 2022/23 year, Council had resolved to provide a 67% rate concession to the WACA in line with the decision to phase out the concession over three years (67% / 33% / 0%).
11. It was on that basis that the 2022/23 rates notice was issued to the WACA on 02 August 2022.
12. The City was notified in writing on 13 October that the WACA had approached the Minister for Local Government seeking a 100% exemption from the payment of local government rates for the 2022/23 year - and that the minister had granted that full rates exemption.
13. The Minister's 2022 determination is inconsistent with the decision by the then Minister for Local Government in 2018/19 that the WACA would no longer be granted a rate exemption.

Discussion

14. The WACA ground at 39 Nelson Crescent has benefitted from concessional or full exemption from rates since 1975/76.
15. Between 1975/76 and 1995/96, the WACA ground benefitted from the broad legislative rates exemption afforded to Sporting Clubs under the former *Local Government Act 1960*.
16. In 1995/96, the 'new' *Local Government Act 1995* removed the broad legislative exemption - however, the City of Perth continued not levying rates or charges to the WACA until 2003/04 when the Emergency Levy was introduced.

17. Between 2003/04 and 2013/14, the City was not levying rates to the WACA based on an exemption under a *Local Government Act 1995* section 6.26(2)(g). The estimated value of that concession was \$80K - \$100K per year. It was levying the WACA the ESL which was forwarded to the state government.
18. In 2013/14, the WACA was advised that it was not eligible for the *Local Government Act 1995* section 6.26(2)(g) concession.
19. The City proposed a progressive phasing out of the concession (commencing in 2013/14) over three years to ease the transitional burden on the WACA.
20. The WACA then approached the Minister for Local Government (annually) who granted a 100% ministerial exemption for each of the rating years between 2013/14 to 2017/18 inclusive.
21. This resulted in a forfeiture of approximately \$745K in rates - with the exemption effectively being subsidised by the City of Perth ratepayers.
22. In the 2018/19 year, the WACA again approached the then Minister for Local Government seeking a 100% rates exemption.
23. The Minister for Local Government **DECLINED** the request and advised that he required the City and the WACA to enter negotiations to agree an alternative rating approach.
24. Representatives of the City administration and the WACA met on site establishing that the ground houses the administration facility for the WACA, and whilst used for the purposes of developing and promoting cricket within the WA community; it also operates commercially in part and generates commercial income.
25. Agreement was reached that the proportion of the property that generated commercial income would be rated. This included the WA Cricket Museum, Prendiville Stand, Players' Pavilion, and the Bradman, Boundary, President's and Willow Rooms.
26. On the days on which the WACA playing surface was to be used for matches or other commercial purposes (concert performances etc), that area would also be deemed commercial on those days.
27. The City had the capacity to grant such a concession under Section 6.12(1)(b) of the *Local Government Act 1995*.
28. Between 2018/19 and 2021/22, rates totalling \$736K were levied (using the Landgate supplied GRVs) against which a concession of \$687K was granted - resulting in Total Net Rates paid by the WACA of \$49K.
29. In 2022/23, rates of \$199K were levied, which the minister's recently advised rate exemption has reduced to zero.
30. In the ten years since 2013/14, the WACA has benefitted from \$1.60M worth of rate exemptions and concessions; and has contributed a total of just \$49K in rates (for the same ten year period).
31. During that same period the WACA has recorded annual revenues in its audited financial statements of between \$28.3M and \$38.3M per year.
32. Given the cost of servicing the WACA precinct over that ten year period; it is fair to question whether the [Department of Local Government's own \(published\) Principles of Differential Rating](#), including 'Fairness and Equity' are being respected by these arrangements.
33. In addition, the Minister for Local Government's recent letter to the City indicates that he has not precluded the WACA from applying for a 100% rates exemption again in future years.

34. Whilst the City acknowledges that the WACA, like other ratepayers, can experience financial challenges; it also has a broader responsibility to the entire City of Perth community to expect a fair and equitable contribution from all its ratepayers towards the cost of delivery of facilities and services.
35. The repeated granting of 100% rate exemptions to a single ratepayer within the city would not appear to be consistent with that expectation.
36. Accordingly, it is considered appropriate for Council to request the Administration to explore alternatives to require the WACA to make an equitable contribution to the cost of provision of local government facilities and services in line with that made by all other ratepayers within the city.
37. It is also noted that whilst the WACA site is impacted to some degree by the redevelopment proposal, it does continue to have some opportunity to operate commercially on match days such as the Women's Big Bash League matches in October 2022 and hosting a performance of the opera Carmen in February 2023 (an event sponsored by the City of Perth).

Consultation

38. Since 2018/19, the City has engaged directly with the WACA each year to understand the commercial opportunities open to the WACA and to reflect those limitations appropriately in the calculation of the existing rates concession.
39. The City has also fully and openly conveyed any Council decisions relating to this matter to the WACA in a timely manner.
40. The City has not received advance notification from the WACA of any intent to seek a rates exemption.

Decision Implications

41. Council's adoption of the officer's recommendation will result in transparent disclosure of the extent of the subsidy that the ratepayers of the City of Perth have provided the WACA over the last ten years and will allow Elected Members and the community to:
 - a. Make an informed assessment of whether this is consistent with the principles of differential rating - which require a fair and equitable contribution from all ratepayers.
 - b. Indicate whether they support the continuation of this subsidy which is not afforded to other ratepayers.
42. Should Council not support this recommendation, it is probable that the WACA will continue to seek rates exemption in future years, resulting in them not making the same fair and equitable contribution to the cost of providing services and facilities that other ratepayers make.

Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	Sustainable
Related Documents (Issue Specific Strategies and Plans):	Annual Budget 2022/23 City of Perth Rates Methodology Statement

Legislation, Delegation of Authority and Policy	
Legislation:	Sections 6.12, 6.26(2)(g) and 6.33 of the <i>Local Government Act 1995</i> Part 5 of the <i>Local Government (Financial Management) Regulations 1996</i>
Authority of Council/CEO:	Council has a responsibility to ensure that the owner of every rateable property in the city makes a fair and equitable contribution to the cost of providing local government services and facilities.
Policy:	Department of Local Government Rating Policy - Differential Rates This guidance states the principles to be applied when levying differential rates under Section 6.33 of the <i>Local Government Act 1995</i> requires adherence to the principles of: <ul style="list-style-type: none"> • Objectivity • Fairness and Equity • Consistency • Transparency • Administrative Efficiency.

Financial Implications

43. The immediate direct financial implications of this report on the 2022/23 year are a further reduction of \$77K against the previously anticipated rates revenue (already reduced by a \$122K Council Concession).
44. Over the next two financial years, there is potential for another \$200K per year forfeiture of rates revenue should the Minister again approve a rates exemption.
45. This is in addition to the previously identified adverse financial impact of \$1.6M on the City's rating revenues over the last ten years as a consequence of rates exemptions and concessions allowed to the WACA.

Further Information


46. Questions and responses received prior to and taken on notice at the Agenda Briefing Session held 18 October 2022 are as follows:

	Question	Response
1.	What alternative mechanisms are realistically available to require the WACA to make a contribution to the City? It is a very disappointing outcome and I think the report captures the injustice perfectly but if we can't compel them to pay anything, should we waste resources trying?	<p>Should Council support the Officer Recommendation, the Administration would research how peer local governments have approached this issue – noting that the land tenure of the WACA site is different from numerous other sporting venues where the local government is actually in control of the land (usually via management order) and then has a lease arrangement with the relevant club / association.</p> <p>At the very least however, the City can clearly articulate via a submission to the Minister, the case presented in the Council report and request that the Minister encourages the WACA to work collaboratively, and in good spirit, with the City to develop a voluntary contribution model for City-provided amenity rather than being granted 100% exemptions in future.</p> <p>It may also be reasonable for the City to request that WACA publicly acknowledge the non-payment of rates for 2022/23 as being a similar benefit to a sponsorship provided by the City.</p>
2.	How much effort would we put into part 3 of the Officer's Recommendation?	I would expect some limited effort, the decision has been made by the minister however we might look to consider possibly any future decisions as it might relate to sponsorship or grants nothing that the city has already provided a significant grant to the WACA for the opera. There may well be matters that present, that we will be alive to look into.
3.	Do we have the opportunity to see the accounts of the WACA as their profitability and do they need support of this kind?	<p>The WACA annual financial reports are published on their website. For the 21/22 and 20/21 years the revenues were \$29.7M and \$28.7M respectively excluding grant revenues. Grant revenues were \$4.3M and \$2.7M respectively.</p> <p>The City did not have access to other more granular financial information.</p>
4.	Did the WACA talk with City admin before seeking an exemption from the Minister?	No.
5.	Did the Minister seek any feedback from City admin before making his decision?	No.

6.	In the Minister's letter he references approaching him again if a waiver is required for 2023/24. Should we interpret this to mean he will support further request?	The letter infers that the WACA may have the opportunity to request the exemption again.
7.	A modest revenue in the books, how modest is it?	The operating profit was in the vicinity of \$546K for 21/21 and \$2.2M in 21/22 and that was on close to \$30 million annual revenue.
8.	What were we proposing that charge would be for the financial year	The rates as calculated off the gross rental value was in the vicinity of \$199,000. Council's decision which was progressive phasing out of the rebate was that the rebate would be in the vicinity of \$122,000 of that \$199,000 so a little over \$70,000 is the net revenue the city would have received this year.
9.	Are there any other organisations in the city who receive the same relief as the WACA?	The City is required to provide the statutory exemptions for Crown land used for public purposes, religious institutions, schools and charitable institutions. There are no properties outside those statutory exemptions that receive rates relief.
10.	When we advertised our differential rates as part of the budget or any other advertising we did as part of the budget, did we receive a submission from either the minister or the WACA about this specific aspect?	There was no submission received from the WACA or any other party following the advertising of differential rates this year.
11.	Is there a right of appeal to the minister's decision?	There is not a formally prescribed mechanism to appeal. Further to the above the Administration is seeking external confirmation of this response.
12.	Am I right in saying this decision will reduce our revenue by \$70,000, is that correct?	It will impact the operating budget by \$70,000 and accordingly adjustments will need to be made to make up the shortfall.
13.	The Minister, under which of his portfolio is it that he has intervened here?	The determination was made in his portfolio as the Minister for Local Government.
14.	How many Council decisions have been overturned by the government?	Three.

15. Chief Executive Officer Reports

15.1 Elected Member Superannuation Policy Position

Responsible Officer	Michelle Reynolds – Chief Executive Officer
Voting Requirements	Simple Majority
Attachments	Attachment 15.1A – Elected Member Superannuation InfoSheet ↓ 

Purpose

The Western Australian Local Government Association (WALGA) has requested feedback on a motion, supporting compulsory superannuation for Elected Members in Band 1 and 2 Local Governments, carried at its 2022 Annual General Meeting. Council's position will be forwarded to WALGA to inform a report, through the November 2022 round of Zone meetings, to the State Council meeting in December 2022.

Recommendation

That Council SUPPORTS the position carried at the WALGA Annual General Meeting, that superannuation should be mandatory for Elected Members of Band 1 and Band 2 Councils and optional for Band 3 and Band 4 Councils.

Background

1. WALGA, as the peak sector body for local government in Western Australia advocates on behalf of member local governments.
2. In September 2021, WALGA had released a draft policy proposal 'Superannuation for Elected Members' (Attachment 15.1A) supporting the mandatory payment of super to elected members and canvassed the local government sector. WALGA reported that feedback to this proposal was mixed.
3. On 10 November 2021, the Minister for Local Government, Hon John Carey MLA, announced a suite of legislative reform proposals which included a proposal to amend legislation to enable local governments to pay superannuation to elected members, if determined by Council.
4. On 2 October 2022, at the WALGA Annual General Meeting, the Minister's proposal was discussed by attendees and an item of Special Urgent Business was carried, requesting that WALGA advocate for the reform proposal to include mandatory superannuation for elected members of Band 1 and Band 2 Councils and the optional payment of superannuation for Band 3 and 4 Councils.
5. The City has subsequently received a request to provide feedback on the City's position to WALGA by Wednesday 2 November 2022.

Discussion

6. At its Ordinary Meeting held 22 February 2022 Council considered the local government reform proposals and made the following comments and recommendation in response to proposal 5.4 - Local Governments May Pay Superannuation Contributions for Elected Members:

"The last major reform to sitting fees and allowances for elected members was last undertaken in 2013, where the Salaries and Allowances Tribunal was given legislative authority to set the payment levels for local government elected members (based on a banding system).

There is an ever-increasing amount of obligation and time commitment being placed local government elected members, especially mayors / presidents that are now often working in, or near to, a full-time capacity. Such time commitments could place serving elected members in a financial disadvantage in terms of earning capacity, and an ability to receive superannuation payments where employment opportunity is forgone.

The proposed discretionary approach for the payment of superannuation payments to elected members, should the Council so decide is supported. It is assumed the legislative change will provide that an elected member is not considered an employee of the local government, so that superannuation payments could occur.

Any such payments should be limited to the superannuation guarantee that is in place at the time, without the ability for a local government to pay for additional contributions where voluntary contributions are made by a respective Elected Member. Any superannuation contributions will be an additional financial cost to a local government, unless such contributions are deducted from the allowance limits set by the Salaries and Allowances Tribunal.

Recommendation: The proposed reform is supported, subject to being limited to the superannuation guarantee limit specified at the time."

7. It should be noted that the motion carried at the WALGA Annual General Meeting also proposes that payment be limited to the superannuation guarantee limit, as follows:
“The Local Government Act 1995 be amended to require local governments to pay elected members, into a nominated superannuation account, an amount equivalent to the superannuation guarantee determined with reference to fees and allowances paid to each elected member.”
8. Elected members can already voluntarily make contributions from their allowances into a superannuation fund.
9. Council can also unanimously resolve, under the *Superannuation Guarantee (Administration) Act 1992 (Cth)*, to be considered an ‘eligible local governing body’ through the *Taxation Administration Act 1953 (Cth)*, to treat elected members similarly to employees for purposes of superannuation. However, this approach is not commonly pursued by local governments as there are some implications that need to be considered such as pay as you go (PAYG) tax would need to be withheld, and any non-cash benefits would become subject to fringe benefits tax (FBT).
10. The current reform proposal means that a WA council would be enabled to approve the payment of superannuation to its members in respect of the fees and allowances already paid:
 - a. The Minister’s proposal, which is anticipated to be legislated in 2023, proposes making superannuation for elected members optional to be determined by Council resolution.
 - b. WALGA’s proposal is that superannuation for Bands 1 and 2 local governments are mandated while Bands 3 and 4 local governments retain the option, as described in the Minister’s proposal.
11. WALGA has requested feedback be received by Wednesday 2 November 2022.

Consultation

Nil.

Decision Implications

12. Council’s resolution in relation to this matter will be provided to WALGA.

Strategic, Legislative and Policy Implications

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

Legislation, Delegation of Authority and Policy	
Legislation:	<i>Local Government Act 1995</i>
Authority of Council/CEO:	Nil.
Policy:	Nil.

Financial Implications


13. Nil. However, should the proposal be supported and the legislation be amended, the maximum annual cost of superannuation based on the current superannuation guaranteed rate for the City of Perth elected members would be \$47,253 (based on nine elected members in a Band 1 local government) which can be considered in the normal budget process from 2023/24 onwards.

Further Information

14. Questions and responses received prior to and taken on notice at the Agenda Briefing Session held 18 October 2022 are as follows:

	Question	Response
1.	Do elected members declare a financial interest in this item?	No, interests relating to payments of allowances to elected members or the payment of money that a local government is legally obliged to pay are exempted from disclosure requirements (Admin Regulation 21).
2.	What is the justification for the position differing between councils?	<p>The additional cost associated with the payment of superannuation to Elected Members is anticipated to be more impactful on Band 3 and 4 Local Governments.</p> <p>It is recognised that Band 1 and 2 Local Government Elected Members, likely undertake a more time intensive commitment than those of smaller Band 3 and 4 Local Governments.</p>

15.2 Memorandum of Understanding – Inner City Councils

Responsible Officer	Michelle Reynolds – Chief Executive Officer
Voting Requirements	Simple Majority
Attachments	Attachment 15.2A – MOU ↓ 

Purpose

For Council to consider extending the existing Memorandum of Understanding (MOU) relating to the Inner City Mayors Group made between the Cities of Perth, South Perth, Subiaco, Vincent and the Town of Victoria Park, for consideration by Council.

Recommendation

That Council:

1. ENDORSES an extension of three years to the Memorandum of Understanding (MOU) for the Inner-City Group, made between the Cities of Perth, South Perth, Subiaco, Vincent and the Town of Victoria Park; and
 2. AUTHORISES the Lord Mayor and the Chief Executive Officer to negotiate with the other parties on the final terms of the Memorandum of Understanding and to execute the final document on behalf of the City.
-

Background

1. In February 2019 the City entered into an MOU with the Cities of South Perth, Subiaco, Vincent and the Town of Victoria Park, for the purposes of exploring objectives for possible collaboration opportunities on strategic issues impacting on local government.
2. The MOU objective is outlined as:
“to enhance the strategic outcomes of all members through cooperation and collaboration on shared issues in the following areas:
Infrastructure and Transport
Cooperation and collaboration on strategy, policy and projects which affect all ICG members
Planning, Economic Development & Culture
Share information and collaborate on planning, economic development, tourism, heritage and place based activation
Corporate & Business Services
Explore partnership opportunities for innovative business improvement and best practice governance
Community & Social Services
Working together with stakeholders to deliver quality services and improve community access to recreational and social opportunities

The cooperative activities can take the following form:
 - *Cooperative Research to inform sound decision making and policy development*
 - *Strategy Alignment: Federal, State & Local Government*
 - *Technology & Innovation: Creating smart cities*
 - *Best practice local policy development for consistent decisions*
 - *Cooperation on service delivery to benefit our communities*
 - *Joint Projects & Programs: Implement actions to deliver strategic objectives of MOU*
 - *Joint Advocacy & Stakeholder Engagement.”*
3. Member Mayors and CEO’s review and adopt an implementation plan each year to update and confirm annual priorities and projects.
4. The MOU is now due to expire or be authorised for extension.

Discussion

5. This MOU is a non-binding collaboration agreement with any activity or project resulting from the MOU to be subject to a further agreement between the parties.
6. The MOU provides an opportunity to strengthen relationships with the City’s local government neighbours to improve the services for the City’s ratepayers and broader stakeholders, and also to contribute to improving the services within the inner-city region.

Consultation

7. The Cities of South Perth, Subiaco, Vincent and the Town of Victoria Park have been consulted and are also currently considering the extension of this MOU.

Decision Implications

8. If Council does not support the recommendation the existing MOU will expire and the City will forego an opportunity to strengthen relationships with the City's local government neighbours to not just improve the services for the City's ratepayers and broader stakeholders, but also contribute to improving the services within the inner-city region.

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:	Nil.
Authority of Council/CEO:	Nil.
Policy:	Nil.

Financial Implications

9. There are no financial implications related to this report. Any future projects or activities initiated under the MOU which have financial implications would need to be considered on their merits.

Further Information

10. Questions and responses received prior to and taken on notice at the Agenda Briefing Session held 18 October 2022 are as follows:

	Question	Response
1.	If the options are for the MOU to expire or be extended, why does the recommendation contemplate negotiating terms?	To accommodate any minor amendments that may arise that do not affect the intent of the agreement, a contingency given that 5 Councils will be considering the agreement separately.

16. Committee Reports

Nil.

17. Motions of which Previous Notice has been Given

Nil.

18. Matters for which the meeting may be closed

Nil.

19. Urgent Business

20. Closure