



City of **Perth**

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# Minutes

Ordinary Council Meeting  
27 February 2024

Michelle Reynolds  
Chief Executive Officer  
1 March 2024

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

These minutes are hereby certified as confirmed.

Presiding member's signature \_\_\_\_\_

Date \_\_\_\_\_

## Information

This information is provided on matters which may affect members of the public. If you have any queries on procedural matters, please contact a member of the City's Governance team via [governance@cityofperth.wa.gov.au](mailto: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](http://www.perth.wa.gov.au/council/council-meetings).

## Disclaimer

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

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## 1. Declaration of Opening

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

## 2. Acknowledgement of Country/Prayer

The Presiding Member gave an Acknowledgement of Country:

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

The Chief Executive Officer recited a prayer:

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

## 3. Attendance

### Members in Attendance

Lord Mayor

Deputy Lord Mayor

Councillors

Basil Zempilas (Presiding Member)

Clyde Bevan

Brent Fleeton

Liam Gobbert

Viktor Ko

Catherine Lezer

Raj Doshi

David Goncalves

Bruce Reynolds

### Officers in Attendance

Chief Executive Officer

Chief Financial Officer

General Manager Infrastructure and Operations

General Manager Community Development

General Manager Commercial Services

General Manager Planning and Economic Development

General Manager Corporate Services

Executive Director Governance and Strategy

Alliance Manager Council Governance and Policy

Audit and Risk Manager

Governance Officer

Michelle Reynolds

Michael Kent (*retired at 6.21pm*)

Allan Mason (*retired at 6.21pm*)

Kylie Johnson (*retired at 6.21pm*)

Steve Holden (*retired at 6.21pm*)

Dale Page (*retired at 6.21pm*)

Wendy Attenborough (*retired at 6.21pm*)

Peta Mabbs (*retired at 6.21pm*)

Charlie Clarke

Natasha Balderston (*retired at 6.21pm*)

Anne-Marie Bartlett

Public Gallery

There were approximately 26 members of the public in the gallery.

3.1 Apologies

Nil.

3.2 Leave of Absence

Nil.

3.3 Applications for Leave of Absence

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### Council Resolution (OCM-24/02-001)

**Mover:** Councillor Brent Fleeton

**Seconded:** Councillor Liam Gobbert

That Council APPROVES the following leave of absence applications:

1. Deputy Lord Mayor Clyde Bevan for the periods:
  - a. 28 August 2024 to 30 September 2024, inclusive; and
  - b. 13 May 2024 to 18 May 2024, inclusive.
2. Councillor Liam Gobbert for the period 1 July 2024 to 5 July 2024, inclusive.

**CARRIED UNOPPOSED (9/0)**

**For :** Lord Mayor Basil Zempilas; Deputy Lord Mayor Clyde Bevan; Councillors Brent Fleeton, Liam Gobbert, Viktor Ko, Catherine Lezer, Raj Doshi, David Goncalves and Bruce Reynolds

**Against :** Nil

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## 4. Announcements by the Lord Mayor

### 4.1 New Tenants at Council House

The Lord Mayor was pleased to welcome the City's new tenants to Council House, McWilliam Davis Lawyers, who moved in over the weekend on Level 3.

### 4.2 WECP AGM

The Lord Mayor informed the meeting that at the December Ordinary Council Meeting, Council approved unspent funds from the Perth World Energy Cities Partnership AGM, which the City was successful in bringing to Perth, to be used to support a City delegation to attend the CERAWeek conference in 2024. The Lord Mayor advised that CERAWeek is the preeminent global conversation on energy transition, which is a firm focus for the state of Western Australia.

The Lord Mayor informed the meeting that the funds mentioned would cover the costs of the conference registration, delegation of City representatives and representatives from WA's energy transition sector. The Lord Mayor advised that in March the City will be taking delegations from 7 different WA companies, many of whom are City ratepayers, and that their details can be found on the City's website.

The Lord Mayor stated that it is a fantastic opportunity for these businesses to form connections with the key players in this space, it benefits their businesses and helps cement Perth's reputation as a global leader in energy transition.

### 4.3 City of Light Show at Elizabeth Quay

The Lord Mayor advised that over the weekend at Elizabeth Quay, the City of Light Summer series of light and drone shows, which included fireworks on various occasions, came to an end. He stated that on no fewer than 10 different occasions over the summer period, the City had either drones, fireworks or a combination of both.

The Lord Mayor stated that the weekend saw capacity crowds at Elizabeth Quay on both Saturday and Sunday night, and that the combination of drones and fireworks at the same time as the finale of the show was really quite superb.

The Lord Mayor thanked and congratulated the administration and in particular the Events and Marketing Teams for building these significant public events that have been embraced by the broader Perth community. He stated that everyone should be very proud to see so many faces and families travelling by public transport to Elizabeth Quay to enjoy the free entertainment.

## 5. Disclosures of Interests

Name	Councillor Viktor Ko
Item number and title	11.1 247-249 James Street, Northbridge - Proposed Temporary Safe Night Space for Women ('Community Centre') (DA-2023/5406)
Nature of interest	Impartiality
Interest description	<i>'I worked in the homelessness space between February 2022 to February 2023 as a General Practitioner.'</i>

Name	Councillor David Goncalves
Item number and title	11.1 247-249 James Street, Northbridge - Proposed Temporary Safe Night Space for Women ('Community Centre') (DA-2023/5406)
Nature of interest	Impartiality
Interest description	<i>'Elsie Blay, an employee of Ruah, is known to me through their prior advocacy work.'</i>

Name	Deputy Lord Mayor Clyde Bevan
Item number and title	11.3 Final Adoption of Amendment No. 51 to City Planning Scheme No. 2 (Additional Use)
Nature of interest	Impartiality
Interest description	<i>'I was a tenant in the above property for 22½ years from 1997-2020.'</i>

Name	Councillor Brent Fleeton
Item number and title	11.3 Final Adoption of Amendment No. 51 to City Planning Scheme No. 2 (Additional Use)
Nature of interest	Impartiality
Interest description	<i>'I have met Lachlan on several occasions to discuss property in Perth. Not a client relationship.'</i>

Name	Councillor Catherine Lezer
Item number and title	12.3 Review of Policy 2.11 - Heritage Rate Concession and Heritage Adaptive Reuse Grant Scheme and 12.4 Council Report - Heritage Conservation Grant Program 2023/24
Nature of interest	Impartiality
Interest description	<i>'I am a Councillor on Heritage Council WA'</i>

Name	Councillor Bruce Reynolds
Item number and title	12.3 Review of Policy 2.11 - Heritage Rate Concession and Heritage Adaptive Reuse Grant Scheme and 12.4 Council Report - Heritage Conservation Grant Program 2023/24
Nature of interest	Direct Financial and Proximity
Interest description	<i>“Sole Director/Beneficiary of Pty Ltd company that owns Heritage Listed Property. Item before Council relates to a decision required around rate concession for heritage property within City.”</i>



Name	Councillor Liam Gobbert
Item number and title	12.3 Review of Policy 2.11 - Heritage Rate Concession and Heritage Adaptive Reuse Grant Scheme and 12.4 Council Report - Heritage Conservation Grant Program 2023/24
Nature of interest	Impartiality
Interest description	<i>'69-75, 77-85, 87-93, 95-99 Barrack Street were the subject of a Development Application I determined. I briefly discussed the Liberty Theatre proposal with Mr Humich.'</i>

Name	Deputy Lord Mayor Clyde Bevan
Item number and title	12.4 Council Report - Heritage Conservation Grant Program 2023/24
Nature of interest	Impartiality
Interest description	<i>'I have known Mr Litis since 1998 when I purchased sound equipment from Jourich Hi-Fi in Murray Street, Perth.'</i>

Name	Councillor Catherine Lezer
Item number and title	12.4 Council Report - Heritage Conservation Grant Program 2023/24
Nature of interest	Impartiality
Interest description	<i>'I am a Councillor on Heritage Council WA'</i>

Name	Councillor Brent Fleeton
Item number and title	12.4 Council Report - Heritage Conservation Grant Program 2023/24
Nature of interest	Impartiality
Interest description	<i>'I have met the Strata Committee several times over my two terms to discuss various matters about the CBD – but not this application.'</i>

Name	Councillor Liam Gobbert
Item number and title	12.4 Council Report - Heritage Conservation Grant Program 2023/24
Nature of interest	Impartiality
Interest description	<i>'69-75, 77-85, 87-93, 95-99 Barrack Street were the subject of a Development Application I determined. I briefly discussed the Liberty Theatre proposal with Mr Humich.'</i>

Name	Councillor Catherine Lezer
Item number and title	19.1 Appointment of an Independent consultant - CEO performance review 2023/24
Nature of interest	Impartiality
Interest description	<i>'I am a Board Director of Strata Community Association WA, Anthony Quaha is a member of the association'</i>

## 6. Public Participation

### 6.1 Responses to Public Questions Previously Taken on Notice

Nil.

### 6.2 Public Questions

	<b>David Lim – Perth WA 6000</b>
<b>Q1</b>	I refer to the City’s update on the UWA-QEII Precinct Plan in the Corporate Business Plan Quarterly Report 2 October-December 2023. Can the City advise what are the potential delays to the commencement of community engagement and what factors outside the City’s control are impacting the development of the Plan progressing? Since the last community engagement three years ago, traffic congestion has become a major issue around the QEII Medical Centre precinct and the Crawley-Hollywood locality, particularly the traffic pressures experienced by road users and pedestrians whose complex interactions raise safety concerns. What working groups is the City part of which have the aim to put in place a interim Transport Management Plan and do these groups involve the City of Nedlands and Main Roads?
	<b>Provided by the General Manager Planning and Economic Development</b>
<b>A1</b>	Preparation of the UWA – QEII Precinct Plan is a substantial undertaking involving both the Cities of Perth and Nedlands and the Department of Planning, Lands and Heritage. State Planning Policy 4.2 identifies this Precinct as a specialised centre with a focus on regionally significant economic and institutional activities.  Currently the Department of Planning, Lands and Heritage are preparing an economic development strategy that will help to define the State Government’s expectations as it relates to future regionally significant activity in the precinct. The economic development strategy will influence the direction of the precinct plan, and therefore it is important that this work is completed before the City commences engagement with the community.  The City had anticipated commencing community engagement in May 2024, but given the above explanation, it is possible that there will be some delay to when this commences. Once the Department has completed its work, the City will be able to advise further.

The following member of the public submitted questions in writing with less than 24 hours’ notice in relation to matters not on the agenda. These questions have been taken on notice and will be included in the Agenda for the Ordinary Council Meeting on 26 March 2024.

	<b>Scott O’Keeffe – Perth WA 6000</b>
<b>Q1</b>	My question is two parts. Please read code of conduct section 3 improper use of office, section 18. Then read the Facebook post <a href="https://www.facebook.com/100069386301835/posts/702776145378589/?mibextid=lxhLg6">https://www.facebook.com/100069386301835/posts/702776145378589/?mibextid=lxhLg6</a> where the lord mayor of Perth links to a page asking for donations and other support under his title of lord mayor of Perth. Why is this post not in breach of the code of conduct? Using the title for financial gain using the title for political gain outside of city of Perth causing detriment to the city of Perth. When I raised this with governance it was dismissed, and the email not signed by who made the choice to dismiss the breach.

Q2 Why also emails replied to without signing of the responsible person?

## 7. Confirmation of Minutes

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### Council Resolution (OCM-24/02-002)

**Mover:** Deputy Lord Mayor Clyde Bevan

**Seconded:** Councillor Catherine Lezer

That Council CONFIRMS the minutes of the Ordinary Council Meeting held on 12 December 2023 as a true and correct record.

**CARRIED UNOPPOSED (9/0)**

**For :** Lord Mayor Basil Zempilas; Deputy Lord Mayor Clyde Bevan; Councillors Brent Fleeton, Liam Gobbert, Viktor Ko, Catherine Lezer, Raj Doshi, David Goncalves and Bruce Reynolds

**Against :** Nil

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## 8. Questions by Members which due Notice has been Given

Nil.

## 9. Correspondence

Nil.

## 10. Petitions

Nil.

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### Council Resolution (OCM-24/02-003)

**Mover:** Lord Mayor Basil Zempilas

**Seconded:** Councillor Brent Fleeton

That the officer recommendation for items 11.2, 11.4, 12.1, 12.2, 15.1, 15.2, 15.3, 15.4, 16.2, 17.1, 17.2 and be adopted en bloc, and the remaining items be dealt with separately.

**CARRIED UNOPPOSED (9/0)**

**For :** Lord Mayor Basil Zempilas; Deputy Lord Mayor Clyde Bevan; Councillors Brent Fleeton, Liam Gobbert, Viktor Ko, Catherine Lezer, Raj Doshi, David Goncalves and Bruce Reynolds

**Against :** Nil

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## 11. Planning and Economic Development Alliance Reports

*Councillor Viktor Ko disclosed an Impartiality Interest in Item 11.1 as detailed in Item 5.*

*Councillor David Goncalves disclosed an Impartiality Interest in Item 11.1 as detailed in Item 5.*

### 11.1 247-249 James Street, Northbridge - Proposed Temporary Safe Night Space for Women ('Community Centre') (DA-2023/5406)

Responsible Officer	Dale Page – General Manager Planning and Economic Development
Voting Requirements	Simple Majority
Attachments	Attachment 11.1A – Location Map Attachment 11.1B – Development Plans Attachment 11.1C – Amended Operational Management Plan Attachment 11.1D – Schedule of Submissions Attachment 11.1E – Applicant's Response to Submissions

### Purpose

For Council to determine a development application for a proposed Temporary Safe Night Space for Women ('Community Centre') at 247-249 James Street, Northbridge.

### Recommendation

That Council, in accordance with the provisions of the City Planning Scheme No. 2, the Metropolitan Region Scheme and the *Planning and Development (Local Planning Scheme) Regulations 2015 – Deemed Provisions for Local Planning Schemes*, **APPROVES** the application for a proposed Temporary Safe Night Space for Women (Community Centre) at 247-249 James Street, Northbridge as indicated on the Metropolitan Region Scheme Form One dated 7 December 2023 and as per plans and details received on 11 December 2023 subject to:

1. The Safe Night Space for Women only operating from 7:00pm to 7:00am seven days a week.
2. The Safe Night Space for Women having a limited approval period of 30 months from the date of this determination, after which time the use must cease to the satisfaction of the City.
3. The Safe Night Space for Women being managed and operating at all times in accordance with the amended Operational Management Plan (dated 23 January 2024) at Attachment C, to the satisfaction of the City.
4. Prior to the commencement of the Safe Night Space, an updated Waste Management Plan shall be submitted to and approved by the City providing the following:
  - a. Specify what measures are being taken to mitigate the disposal of illegal items.
  - b. Specify what measures are being taken to mitigate biohazard items.

with the approved Waste Management Plan being implemented at all times by the operator/manager, to the satisfaction of the City.

## Background

1. The subject site is located on the south-western side of James Street, near Fitzgerald Street and has a total area of 1,482m<sup>2</sup>. A location map is at Attachment A.
2. The area is typically characterised as a mixed-use area, with commercial properties to the east, west and south, including the Northbridge Police Station located immediately to the west. The street block to the north of the site, bound by James, Fitzgerald, John, and Shenton Streets, contains a mix of short stay and permanent residential accommodation. The development opposite the subject site contains ground floor commercial tenancies.

### The previous application / approval

3. In February 2022 a development application was lodged with the City for a change of use from an Education Facility to a Community Centre ('Community and Cultural') to accommodate the Ruah Engagement Hub.
4. At the 31 May 2022 Ordinary Council Meeting, the Council resolved to refuse the development application, for the following reasons:
  1. *The proposal is contrary to clause 67(2)(a) of the deemed provisions as the proposed use is inconsistent with the statement of intent for the Northbridge Precinct to provide a diverse, interesting and dynamic inner-city precinct that will be promoted as an attractive destination for the local population and interstate and overseas visitors.*
  2. *The proposal is contrary to clause 67(2)(n) of the deemed provisions as the proposed use will adversely impact upon the amenity and character of the locality which includes the permanent residential dwellings located in the surrounding locality, by way of adverse noise, reduced public safety and antisocial behaviour.*
  3. *The proposal is contrary to clause 67(2)(y) of the deemed provisions as the proposal does not adequately address community concern relating to an increase in antisocial behaviour, a reduction in public safety, loss of residential amenity, and an adverse impact on business.*
5. On 10 June 2022, the applicant applied to the State Administrative Tribunal (SAT) for a review of Council's decision.
6. Under Section 246(2) of the *Planning and Development Act 2005*, the President of the SAT may be directed to refer the application for review to the Minister for Planning for determination, if the Minister considers that the application raises issues of such State or regional importance that it would be appropriate for the application to be determined by the Minister. These "calling in" powers were exercised by the Minister on 22 June 2022.
7. On 21 September 2022, the Minister granted approval for the use of the subject site for a Community Centre, subject to conditions.
8. The Minister's decision was based largely on the following planning conclusions:
  - a. The use falls within the City Planning Scheme No. 2 (CPS2) definition of 'Community Centre'.
  - b. The use falls within the broader CPS2 use group of 'Community and Cultural'.
  - c. The use is, therefore, a Preferred or 'P' use for the subject site under CPS2.
  - d. In accordance with clause 32 of CPS2, an application for a **'P' use cannot be refused on the basis of the proposed use**, including potential amenity impacts of the use.

- e. No external works are proposed that would warrant the need for development approval; therefore, the specific development standards and requirements of CPS2, including any planning policy, are not relevant and the proposal can therefore not be considered against clause 36 of CPS2 for non-complying applications.
- f. Notwithstanding point d. above, the Minister made the following comments regarding amenity impacts when making the determination:
  - i. The use provides an important social service aimed at reducing homelessness and, as such, will assist to promote the Northbridge Precinct as a precinct that caters for a diversity of demands and is attractive to interstate and overseas visitors.
  - ii. The use is a service that is consistent with the 10-year Strategy on Homelessness and directly assists in implementing the Action Plan.
  - iii. The use will not significantly impact the existing amenity of the locality and the amenity concerns raised by the community can be effectively managed.
  - iv. The use will have minimal, if any, traffic impacts.
  - v. There is a community need for the use.
  - vi. The establishment of the use is in the public interest and if it doesn't exist, a significant number of people would be left without the services that it provides, and this would result in the homeless crisis in Perth to become worse.
- 9. The City is not bound by the Minister's previous decision when considering this (similar) application. However, due regard does need to be given to the Minister's decision - especially to the extent to which the decision was formed by factors relating to planning matters.
- 10. The Community Centre previously approved by the Minister has been operating from the subject site since late February 2023.

#### **Scheme amendments to change land use permissibility**

- 11. In response to an earlier Notice of Motion, at its Ordinary Meeting held on 30 May 2023, Council resolved to support Amendment 49 to CPS2 and Amendment 6 to LPS26.
- 12. The purpose of the amendments was to change the land use permissibility for the 'Community' and 'Community and Cultural' land uses from Preferred 'P' use to Contemplated 'C' use.
- 13. These amendments would not have prohibited the Community and Cultural use group and Community Centre land use from being approved; however, they would have enabled a higher level of scrutiny of the appropriateness of each individual proposal via an assessment against the matters set out under clause 67 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* and provided the ability for the City to refuse a proposal where it was deemed the proposal was not suitable for the specific site/locality in question.
- 14. On 27 September 2023, correspondence was received from the State Government advising that the amendments had not been approved.
- 15. The land use permissibility of 'Community' and 'Community and Cultural' land uses will be further reviewed as part of the City's new Local Planning Scheme No. 3 (LPS3).

**The current application**

16. In November 2023, Ruah queried the process required to operate a Safe Night Space for Women from their existing engagement hub. The City’s planning staff advised a preference for a new development application for any proposal that would change/expand the current operations at the subject site and advised that any such proposal would be advertised for community comment given the community interest in the previous development application.
17. A development application was received in December 2023 for a Temporary Safe Night Space for Women.

<b>Landowner</b>	Sawasdee Pty Ltd
<b>Applicant</b>	PTS Town Planning Pty Ltd
<b>Zoning</b>	(MRS Zone) Central City Area (City Planning Scheme Precinct) Precinct 1 - Northbridge (City Planning Scheme Use Area) City Centre
<b>Approximate Cost</b>	Nil

18. The proposed new temporary service is intended to operate for a period of 30 months, in addition to the existing Ruah Engagement Hub (Community Centre), which will continue under the terms and conditions of the Minister’s approval dated 21 September 2022.
19. The application does not include any physical alterations to the existing building.
20. The applicant’s written submission outlines that:
  - a. The Safe Night Space provides an emergency overnight space for women in crisis, including those seeking to escape domestic violence situations. It is a place where women can rest and connect to support services.
  - b. No beds will be provided – there will be access to basic services (laundry, toilets, shower).
  - c. There will be a maximum capacity of 30 women a night, limited to:
    - 20 referral clients - can stay for 10 consecutive nights with a five-night break between
    - Five self-presenting clients - can stay one night with a one-night break between
    - Five emergency clients - can stay one night with a one-night break between.
  - d. The Safe Night Space will operate from 7:00pm to 7:00am seven days a week, with a curfew on attendance via the main entrance from 10:00pm.
  - e. Two staff members (key worker/support worker/engagement worker) will be present on site between 6:30pm and 7:30am.
  - f. Two security staff will be present between 7:00pm and 8:00am.
  - g. A temporary approval is sought given that new facilities and services will come online within this period, meaning that the service will likely no longer be required from the subject site.
21. As part of the application, an Operational Management Plan has been submitted which details the breakdown of clients; the operation of the facility (staffing, security management, access to the building, servicing, and cleaning); risk and complaint management; local engagement and frequency of review of the Operational Management Plan.

## Discussion

22. The application has been assessed against the requirements of the City Planning Scheme No. 2 (CPS2).

### Land use definition

23. The proposed use is considered a Community Centre as per the following definition in CPS2: *“premises accommodating services (such as health or social services) or facilities (such as meeting or recreation facilities) primarily for the benefit of those who live or work in the surrounding locality”*.
24. Even if an argument could be made that the proposed use does not fall within the definition of a Community Centre on the assumption that users of the service do not live or work in the surrounding locality, the proposed use is considered to fall within the broader use group category ‘Community and Cultural’ - defined in Schedule 2 of CPS2 as: *“premises used to provide social, cultural or recreational facilities and services, generally on a non-profit basis, for the benefit of the community including: community centre, exhibition centre, public library, place of worship”*.
25. The Minister’s decision on the Ruah Engagement Hub (September 2022), was based on the premise that the existing use on the site falls within the CPS2 definition of ‘Community Centre’ and ‘Community and Cultural’.
26. The proposed use arguably has closer alignment with the above land use definitions, given the assumption that users of the Safe Night Space could ‘live or work’ in the surrounding locality.

### Land use permissibility

27. Under CPS2, the subject site falls within the City Centre area of the Northbridge Precinct.
28. In the use group table in Schedule 3 of CPS2 the use group ‘Community and Cultural’ is a Preferred ‘P’ use in the Northbridge Precinct.
29. Clause 32(b) of CPS2, which deals with Preferred ‘P’ uses, outlines that a development application for a Preferred ‘P’ use **cannot be refused** on the basis that the proposed use is said to be unacceptable.

### Assessment against specific development provisions and/or policy

30. The application proposes the addition of a service (use) only - no works that would ordinarily require a development approval are proposed. As such, the application is not subject to an assessment against any specific development requirements under CPS2 and cannot be refused for non-compliance with any specific development provisions of CPS2.
31. Given the above, it is also not appropriate for the City to refuse the application, based on any of the factors listed in clause 67 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, (including amenity) as this would essentially be an assessment of the appropriateness of a Preferred ‘P’ use which, as per clause 32(b), cannot be refused.
32. Notwithstanding this, community consultation was undertaken, and the City has assessed the application against the specific matters listed in clause 67(2) of the Deemed Provisions - including the objectives and intentions of CPS2 and the Precinct Plan for Northbridge. This was done to determine what conditions should be imposed if Council approves the application, and to inform the Operational Management Plan for the proposed Safe Night Space.
33. Issues raised by the community and details of the assessment against clause 67 of the Deemed Provisions are outlined below.



**Issues raised by the community**

34. Ordinarily, an application for a Preferred 'P' use, which does not propose any works to the building that would require development approval, is not required to be advertised prior to the City determining the application.
35. Notwithstanding this, because of the submissions received in response to the previous application and to assist in formulating conditions of approval which respond to community concerns, the current proposal was advertised for a period of 28 days. Letters were sent to owners and occupiers directly surrounding the site and an email was sent to submitters who provided comments on the previous development application.
36. The City received a total of 38 submissions - 30 objections and eight (8) submissions of support for the proposal. In addition to these submissions, Ruah provided a document containing 69 individual statements of support.
37. The submissions of support for the proposal relate primarily to the need for the service and the credentials of the service provider. Whilst these are important social considerations, they are not matters that can ordinarily be taken into account by local government in assessing the planning merit of any proposal.
38. The main areas of concern outlined in the submissions objecting to the proposal have been summarised and addressed under common themes below:

Issue	Response
<p><b>Antisocial behaviour and management of the service:</b></p> <ul style="list-style-type: none"> <li>• <i>Existing crime and vandalism will be exacerbated</i></li> <li>• <i>Capacity and capability of non-profit organisation managing the site</i></li> <li>• <i>Creation of a meeting hub for homeless people</i></li> <li>• <i>Proximity of the safe space to the entertainment centre, placing women at risk</i></li> <li>• <i>Existing Management Plan not complied with</i></li> <li>• <i>People loitering and sleeping within private properties</i></li> <li>• <i>Cleaning of biohazard waste around and within private properties</i></li> </ul>	<p>These matters are discussed in more detail in the next section of the report. The issues raised have been used to inform recommended conditions of approval, with a view to minimising any potential impacts of the proposal.</p>
<p><b>Loss of amenity for existing properties and businesses:</b></p> <ul style="list-style-type: none"> <li>• <i>Agglomeration of homeless services within the area</i></li> <li>• <i>Existing Community Centre the most disruptive addition to this area</i></li> </ul>	<p>These matters are discussed in more detail in the next section of the report. The issues raised have been used to inform recommended conditions of approval, with a view to minimising any potential impacts of the proposal.</p>

<ul style="list-style-type: none"> <li>• <i>Noise pollution</i></li> <li>• <i>Not in alignment with the intent of the Northbridge Precinct</i></li> <li>• <i>Loss of business and closure of a number of small businesses</i></li> <li>• <i>Public perception of Northbridge being unsafe already</i></li> <li>• <i>Acknowledge that this service is required, however this location is not appropriate</i></li> <li>• <i>Interests of all parties to be weighed against each other</i></li> </ul>	
<p><b>Loss of property values:</b></p> <ul style="list-style-type: none"> <li>• <i>People will be deterred to invest in area due to perceptions on location</i></li> <li>• <i>Abandonment of existing development approvals within close proximity to the site</i></li> <li>• <i>Establishment of a homeless precinct will impact on property values</i></li> </ul>	<p>Whilst potential impact on investment and property values are understandably of high importance to individual landowners and occupants, the City is not able to consider these in the assessment of the planning merit of any planning proposal.</p>
<p><b>Determination of application:</b></p> <ul style="list-style-type: none"> <li>• <i>Application of this nature to be determined by Council only and not under delegated authority</i></li> <li>• <i>Do not agree with the Council's decision to close the Safe Night Space at the Rod Evans Centre</i></li> <li>• <i>Decision of the State Government disregarded previous concerns raised in submissions</i></li> </ul>	<p>This application is being determined by Council.</p> <p>The closure of the Rod Evans Centre was a separate decision of Council and has no bearing on this development application.</p>

**Consideration of potential impacts – assessment against clause 67**

39. As outlined earlier in this report, the application cannot reasonably be refused, based on:
- the proposed use
  - non-compliance with specific development standards of CPS2 or planning policy
  - factors of the type listed within clause 67 of the Deemed Provisions (matters that local government generally takes account of when considering planning applications).
40. Notwithstanding this, the proposal has still been assessed against the relevant matters outlined in clause 67(2) of the Deemed Provisions (including the concerns raised in the submissions received), to assist in formulating conditions of approval to mitigate any potential impacts of the proposal on the surrounding community.

41. Clause 67(2)(a) requires consideration of the objectives of any applicable planning scheme. The objectives of CPS2 are high level and are not considered to have a strong or clear link to this specific proposal that would enable the objectives to inform any relevant conditions of approval.
42. Clause 67(2)(m) requires consideration of *“the compatibility of the development with its setting, including (i) the compatibility of the development with the desired future character of its setting; and (ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development.”*
43. The proposal is a Preferred ‘P’ use under CPS2. It **cannot be refused** based on the proposed use and as a result cannot be considered incompatible with its setting. There are no physical works proposed with this application so the compatibility of the development (building) in relation to adjoining development, is not a factor that can inform any relevant conditions of approval.
44. Clause 67(2)(n) requires consideration of the amenity of the locality including the environmental impacts of the development; the character of the locality; and the social impacts of the development. Amenity is defined as *“all those factors which combine to form the character of an area and include the present and likely future amenity”*.
45. It is acknowledged that some people attending the site to access the Safe Night Space could generate noise and behaviour that may have a negative impact on the amenity of nearby residents and business owners/operators.
46. These are similar issues, which were addressed in the Minister’s decision for the previous application for the Ruah Engagement Hub, with the Minister concluding that the service would not significantly impact the existing amenity of the locality and any potential impacts could be effectively managed.
47. Notwithstanding the previous position taken on potential amenity impacts, City staff have sought to strengthen the requirements of the new Operational Management Plan in response to concerns raised during the community consultation period for the current application.
48. To this end, more information/amendments were requested from the applicant/operator to address:
  - a. the management of those who are not able to be accommodated.
  - b. security staff to provide ongoing management of external spaces.
  - c. whether the staffing numbers of Ruah staff and security staff are sufficient.
  - d. how access to the building will be monitored (i.e., CCTV).
  - e. management of non-admitted individuals sleeping in cars.
  - f. cleaning of biohazards, cleaning of public spaces and cleaning of personal belongings.
  - g. immediate response protocols for out-of-hours public, city and agency complaints/concerns.
  - h. management of clients being allowed outside for fresh air.
  - i. incident escalation procedures.
  - j. frequency and reasons for local engagement.
  - k. protocols for disturbances after-hours.
49. More information was provided by the applicant/operator and changes were made to the Operational Management Plan, in relation to: extending security staffing times; availability of additional staff during peak times or situations of high demand; development of a comprehensive response protocol for a security team including addressing incident escalation; site hygiene; external noise management; litter

and abandoned belongings; CCTV monitoring; external monitoring of outside spaces by security staff; updates to the servicing and cleaning strategy for the site; and more rigour in the complaints management procedure, including details of staff responsibilities and signage installed at premises directing clients to alternative sites.

50. Based on assessment against clause 67(2)(n) and the issues raised by the community, it is recommended to impose a condition of development approval that will require the amended Operational Management Plan to be implemented at all times to the satisfaction of the City.
51. Given the current approval for the Ruah Engagement Hub was issued by the Minister, the City has limited ability to enforce the current management plan. However, if this application is approved by Council, it will allow the City to enforce the new management plan for the Safe Night Space, during the time-limited approval (30 months) for the use.
52. As a result of the proposed Safe Night Space and associated staff/security on site for longer hours, and tighter requirements in the proposed management than those that currently exist, this could assist in addressing any current amenity impacts on adjoining residential properties.

### Summary / Conclusion

53. The proposed Safe Night Space falls within the definition of a 'Community Centre' and within the broader 'Community and Cultural' use group category in the City's planning scheme.
54. This makes the proposed use a Preferred 'P' use in the Northbridge Precinct.
55. In accordance with clause 32 of CPS2, an application for a 'P' use cannot be refused on the basis of the proposed use, including potential amenity impacts of the use.
56. No works are proposed that would warrant the need for development approval; therefore, the specific development standards and requirements of CPS2, including any planning policy, are not relevant and the proposal can therefore not be considered against clause 36 of CPS2 for non-complying applications.
57. Notwithstanding the above, the proposal has been assessed/considered against:
  - a. The Minister's previous decision for the current use on site (Ruah Engagement Hub) – Council is required to have due regard to the previous decision given its similarity to the current proposal.
  - b. The relevant matters of clause 67(2) – even though the application cannot be refused on the basis of any of these matters.
  - c. The concerns raised in the submissions received from the community - for the purposes of formulating recommended conditions of approval.
58. As a result of this assessment/consideration, it is recommended that the application be approved subject to implementation of the amended Operational Management Plan and the use being time limited to a period of 30 months, after which the use must cease to operate at the premises.

### Consultation

59. Ordinarily, there would be no requirement for the proposal to be advertised, prior to determination of an application such as this one.
60. Notwithstanding this, consultation was undertaken as described earlier in this report and the issues raised by the community have assisted in strengthening the content of the Operational Management Plan and informing the recommended conditions of approval.

## Decision Implications

61. Should Council approve the application, the proposed Safe Night Space will operate for a period of 30 months, in addition to the existing Ruah Engagement Hub, which would continue to operate under the terms and conditions of the Minister’s approval dated 21 September 2021.
62. Should Council refuse the application, or should the applicant disagree with any conditions of approval, the applicant has the right to apply to the State Administrative Tribunal for a review of Council’s decision.
63. Under Section 246(2) of the *Planning and Development Act 2005*, the President of the SAT may be directed to refer any such application for review to the Minister for determination, if the Minister considers that the application raises issues of such State or regional importance that it would be appropriate for the application to be determined by the Minister.

## Strategic, Legislative and Policy Implications

Strategic Community Plan	
Strategic Pillar (Objective)	Liveable
Related Documents (Issue Specific Strategies and Plans):	<p><i>Homelessness Action Plan 2022-2024</i></p> <p>The proposed facility will support women escaping domestic violence, women awaiting placement in transitional or long-term accommodation and may include chronically street present women. The Safe Night Space will provide safety and shelter for these women who have no other place to go and end up sleeping rough.</p> <p>The City’s Homelessness Action Plan 2022 – 2024 aims to target rough sleeping, as the most vulnerable cohort, with the intention that future action plans across the ten years will have an increased focus on prevention and embedding system changes to improve and sustain efforts to end homelessness.</p>

Legislation, Delegation of Authority and Policy	
Legislation:	<p><i>Planning and Development Act 2005</i></p> <p><i>Planning and Development (Local Planning Schemes) Regulations 2015</i></p> <p><i>City Planning Scheme No. 2</i></p> <p><i>Metropolitan Region Scheme</i></p> <p><i>City of Perth Act 2016</i></p>
Authority of Council/CEO:	<p>The authority to determine this development application has been delegated by Council to the CEO, the General Manager Planning and Economic Development and the Alliance Manager Development Approvals under the <i>Planning and Development Act 2005</i>.</p> <p>However, in accordance with delegation 9.2(2)(b) the application is referred to Council, noting the nature of the objections received during public consultation.</p>
Policy:	No specific policies under the CPS2 are relevant to this development application.

## Financial Implications

Nil.

## Further Information

64. Questions and Responses forming part of the Agenda Briefing Session held on 20 February 2024 are as follows:

	Question	Response
1.	<p>1. I have read the submissions provided in the Agenda and reading the For and Against comments I am concerned that many 'Against' comments are focused on the failure to fully meet and execute your management plan. I recall during your tenure at Rod Evans this was also raised by several community members.</p> <p>a. How will this be managed at the new proposed site with the application changes ?</p> <p>b. Who reviews this and at what frequency?</p> <p>c. Many organisations similar to this like care homes have external auditors in to ensure that agreements are met, and good governance is adhered to in the workplace. Does your organisation do this? If yes, would the CoP be able to access the reports for totally transparency and good communication? If no, why?</p>	<p>1. The previous application was approved by the (then) Minister for Planning, including the Management Plan for that application. Given this, the City has no compliance jurisdiction and cannot enforce the provisions of the current Management Plan. If Council approves the current application, subject to the conditions recommended by the Administration, the City will have the ability to enforce the conditions of the planning approval and the provisions in the proposed new Management Plan.</p> <p>2. Ruah's Operational Management Plan outlines that Ruah will regularly review their Management Plan (at least annually). Significant amendments would need the City's approval.</p> <p>3. This is a question for Ruah and should be asked during Ruah's deputation.</p>
2.	<p>What community consultations within a half KM radius have you encouraged and engaged in especially those who live and work directly opposite the hub who will be impacted by the changes in use?</p>	<p>Technically, there is no requirement for the City to consult on an application for a Preferred 'P' use.</p>

	Question	Response
3.	<p>2. I noted in your management plan you intend to create a 'SNS Community Advisory Group", has this been done before and how effect was it? Do you intend to include the CoP and WA Police as members so information can be communicated fairly and transparently across the board and reduce hearsay in the community?</p> <p>a. When will this be set up, what frequency and will the meeting be minuted and available to the CoP and other stakeholders? If no, why?</p>	<p>This is a question for Ruah and should be asked during Ruah's deputation.</p>

## Recommendation

**Mover:** Lord Mayor Basil Zempilas

**Seconded:** Councillor Brent Fleeton

That Council, in accordance with the provisions of the City Planning Scheme No. 2, the Metropolitan Region Scheme and the *Planning and Development (Local Planning Scheme) Regulations 2015 – Deemed Provisions for Local Planning Schemes*, APPROVES the application for a proposed Temporary Safe Night Space for Women (Community Centre) at 247-249 James Street, Northbridge as indicated on the Metropolitan Region Scheme Form One dated 7 December 2023 and as per plans and details received on 11 December 2023 subject to:

1. The Safe Night Space for Women only operating from 7:00pm to 7:00am seven days a week.
2. The Safe Night Space for Women having a limited approval period of 30 months from the date of this determination, after which time the use must cease to the satisfaction of the City.
3. The Safe Night Space for Women being managed and operating at all times in accordance with the amended Operational Management Plan (dated 23 January 2024) at Attachment C, to the satisfaction of the City.
4. Prior to the commencement of the Safe Night Space, an updated Waste Management Plan shall be submitted to and approved by the City providing the following:
  - a. Specify what measures are being taken to mitigate the disposal of illegal items.
  - b. Specify what measures are being taken to mitigate biohazard items.

with the approved Waste Management Plan being implemented at all times by the operator/manager, to the satisfaction of the City.

## Amendment Motion (OCM-24/02-004)

**Mover:** Lord Mayor Basil Zempilas

**Seconded:** Councillor Brent Fleeton

That Council, in accordance with the provisions of the City Planning Scheme No. 2, the Metropolitan Region Scheme and the *Planning and Development (Local Planning Scheme) Regulations 2015 – Deemed Provisions for Local Planning Schemes*, APPROVES the application for a proposed Temporary Safe Night Space for Women (Community Centre) at 247-249 James Street, Northbridge as indicated on the Metropolitan Region Scheme Form One dated 7 December 2023 and as per plans and details received on 11 December 2023 subject to:

1. The Safe Night Space for Women only operating from 7:00pm to 7:00am seven days a week.
2. The Safe Night Space for Women having a limited approval period of 30 months from the date of this determination, after which time the use must cease to the satisfaction of the City.
- ~~3. The Safe Night Space for Women being managed and operating at all times in accordance with the amended Operational Management Plan (dated 23 January 2024) at Attachment C, to the satisfaction of the City.~~
3. *Prior to the commencement of the Safe Night Space, an updated Operational Management Plan, that includes:*
  - a. *a provision to require the presence of one (1) security personnel to be positioned external to the building at all times that the Safe Night Space is operational; and*
  - b. *specific provisions to engage with the Northbridge Neighbourhood Group on a regular basis to discuss any potential issues relating to the operation of the Safe Night Space and measures to resolve these issues*

*must be submitted to and approved by the City. The Safe Night Space being managed and operated in accordance with the approved Operational Management Plan at all times to the satisfaction of the City.*
4. Prior to the commencement of the Safe Night Space, an updated Waste Management Plan shall be submitted to and approved by the City providing the following:
  - a. Specify what measures are being taken to mitigate the disposal of illegal items.
  - b. Specify what measures are being taken to mitigate biohazard items.with the approved Waste Management Plan being implemented at all times by the operator/manager, to the satisfaction of the City.

**CARRIED UNOPPOSED (9/0)**

**For :** Lord Mayor Basil Zempilas; Deputy Lord Mayor Clyde Bevan; Councillors Brent Fleeton, Liam Gobbert, Viktor Ko, Catherine Lezer, Raj Doshi, David Goncalves and Bruce Reynolds

**Against :** Nil

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**Reason for Change:**

Having had the opportunity to hear our community last week, we took the opportunity to not only welcome them but thank them for their courage for coming forward and highlighting concerns. One of the consistent themes that we heard was the importance of security to be stationed at all times, during in particular, the Safe Night Space operation if indeed that did proceed.

We've also heard from our community a desire and a want to be able to be engaged and to engage via the City of Perth with RUAH who are coordinating and running the Safe Night Space facility. It's sensible that our community most impacted in the James Street area have that ability to be able to raise any concerns or issues of performance where perhaps standards have slipped as can happen from time to time.

---

## Council Resolution (OCM-24/02-005)

**Mover:** Lord Mayor Basil Zempilas

**Seconded:** Councillor Brent Fleeton

That Council, in accordance with the provisions of the City Planning Scheme No. 2, the Metropolitan Region Scheme and the *Planning and Development (Local Planning Scheme) Regulations 2015* – Deemed Provisions for Local Planning Schemes, APPROVES the application for a proposed Temporary Safe Night Space for Women (Community Centre) at 247-249 James Street, Northbridge as indicated on the Metropolitan Region Scheme Form One dated 7 December 2023 and as per plans and details received on 11 December 2023 subject to:

1. The Safe Night Space for Women only operating from 7:00pm to 7:00am seven days a week.
2. The Safe Night Space for Women having a limited approval period of 30 months from the date of this determination, after which time the use must cease to the satisfaction of the City.
3. Prior to the commencement of the Safe Night Space, an updated Operational Management Plan, that includes:
  - a. a provision to require the presence of one (1) security personnel to be positioned external to the building at all times that the Safe Night Space is operational; and
  - b. specific provisions to engage with the Northbridge Neighbourhood Group on a regular basis to discuss any potential issues relating to the operation of the Safe Night Space and measures to resolve these issues

must be submitted to and approved by the City. The Safe Night Space being managed and operated in accordance with the approved Operational Management Plan at all times to the satisfaction of the City.

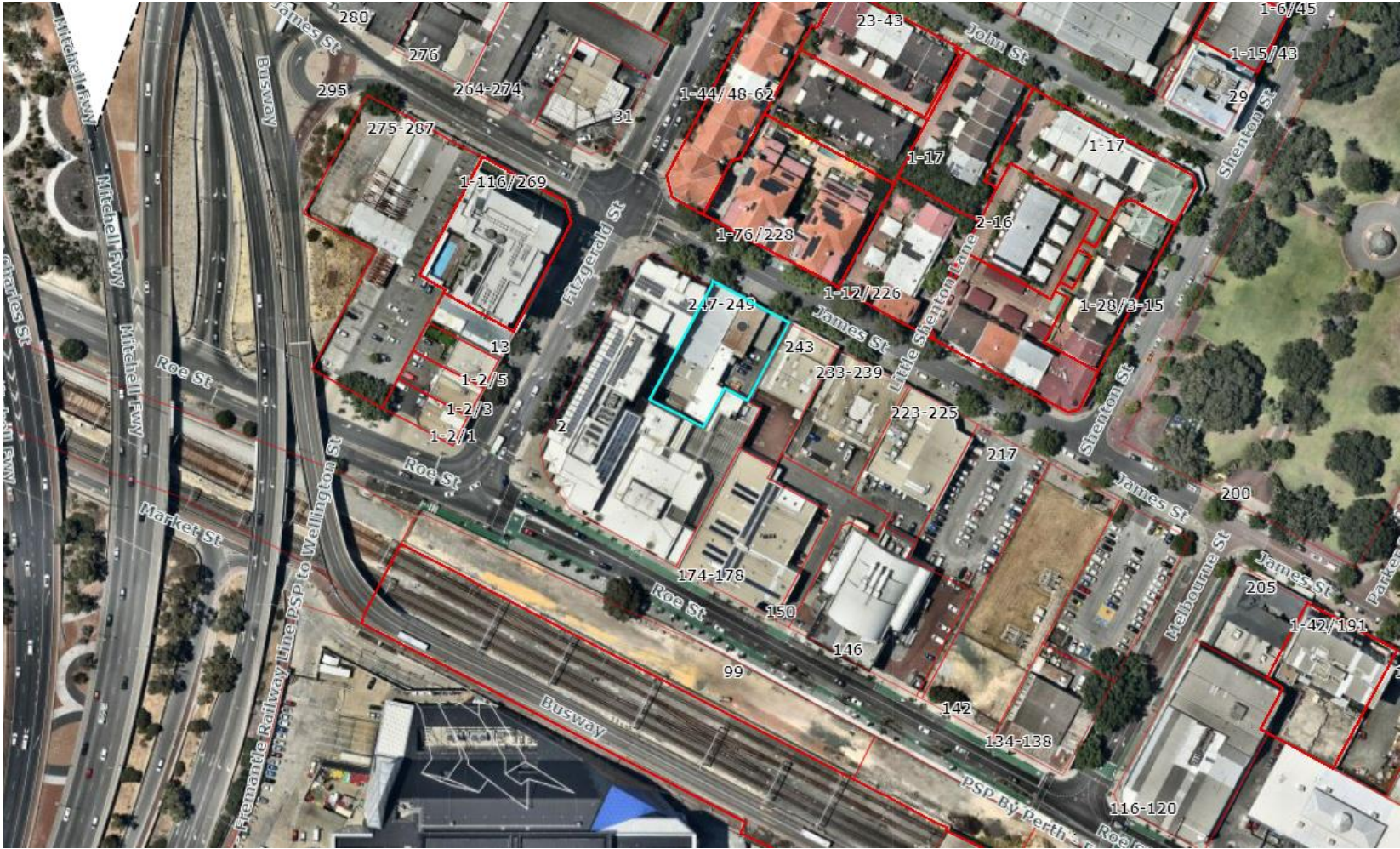
4. Prior to the commencement of the Safe Night Space, an updated Waste Management Plan shall be submitted to and approved by the City providing the following:
  - a. Specify what measures are being taken to mitigate the disposal of illegal items.
  - b. Specify what measures are being taken to mitigate biohazard items.with the approved Waste Management Plan being implemented at all times by the operator/manager, to the satisfaction of the City.

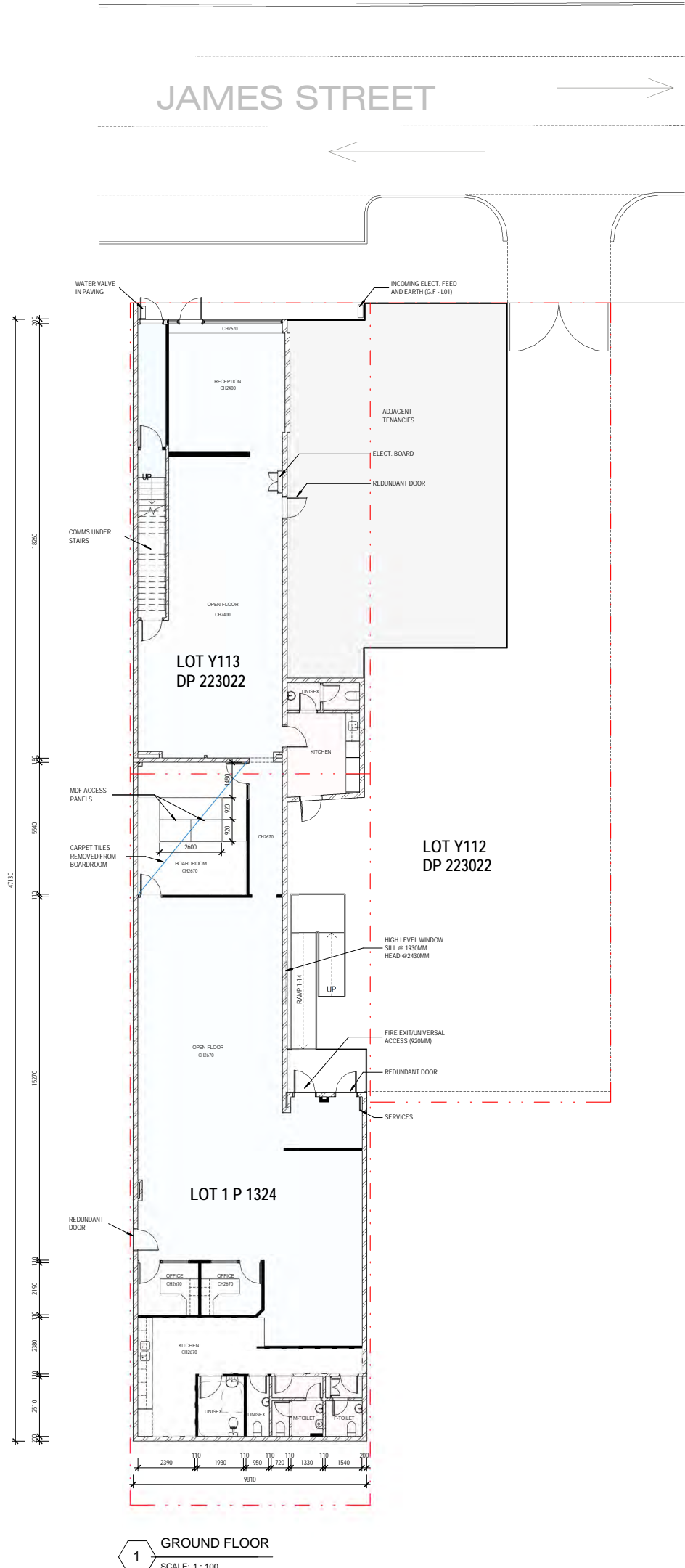
**CARRIED UNOPPOSED (9/0)**

**For :** Lord Mayor Basil Zempilas; Deputy Lord Mayor Clyde Bevan; Councillors Brent Fleeton, Liam Gobbert, Viktor Ko, Catherine Lezer, Raj Doshi, David Goncalves and Bruce Reynolds

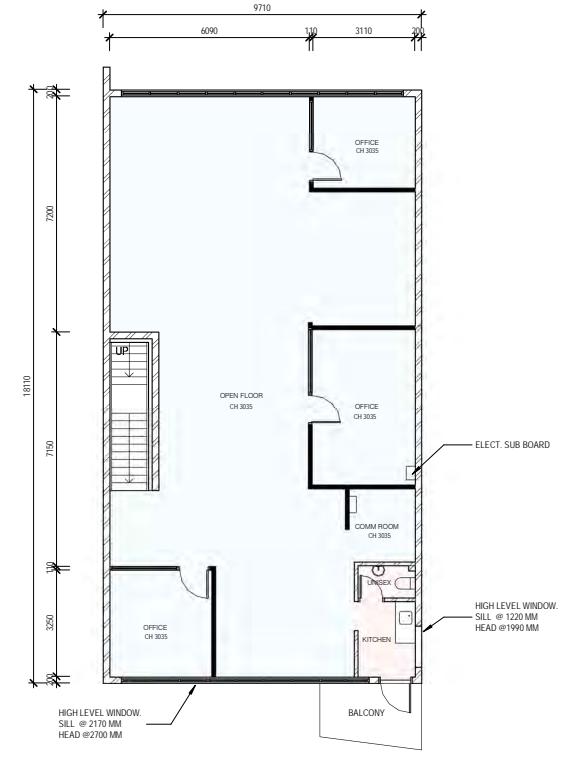
**Against :** Nil

Attachment 1 – Location Map





**1** GROUND FLOOR  
SCALE: 1 : 100

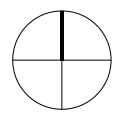


**2** LEVEL 01  
SCALE: 1 : 100

- LEGEND**
- LOT BOUNDARY
  - ADJACENT TENDENCIES
- WALL TYPES**
- ▨ BRICKWORK
  - ▬ PLASTERBOARD
- FLOOR TREATMENT**
- CARPET
  - TILE
  - VINYL
  - CONCRETE
  - MDF

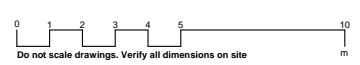
	G.F.A (M2*)	N.L.A (M2*)
GROUND FLOOR	335	267
LEVEL 01	154	149
<b>TOTAL</b>	<b>489</b>	<b>416</b>

\*NOTE THESE AREAS ARE APPROXIMATE ONLY



247 JAMES ST, NORTHBRIDGE  
EXISTING LAYOUT

Drawing: **FLOOR PLANS**  
Drawing no: **A.DA1000**  
Issue: **A**  
Scale @A1: **1 : 100**  
Date: **10.02.22**



**architectus™**



## **Ruah Safe Night Space for Women Operational Management Plan**

Status: 23 January amendments



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## 1 Background

This Management Plan supports the Development Application for 247 James Street, Northbridge as a Safe Night Space for Women. This proposed service would exist alongside the existing Engagement Hub, which is already in operation on the site.

### 1.1 About Ruah

Ruah Community Service has been providing services to vulnerable Western Australians for more than 60 years. In the last five years, Ruah led the successful '50 Lives 50 Homes' project, Western Australia's first Housing First initiative and collective impact project that provided sustainable housing and support to more than 160 vulnerable people. Following the success of this initiative, Ruah has been awarded the Housing First Homelessness Initiative System Coordinator function (HFSC), providing overall coordination to the Department of Communities: Housing First Homelessness Initiative (HFHI).

Ruah's manifesto is cited below:

*"We believe we are all better off, as a community, as a society, if we are all connected. We need the disconnected and the vulnerable as they need us. They are us. We, but for advantages of birth or circumstance, are them – human hearts, in need of human connection and meaning in their lives. There is more that unites us than divides us, yet the most disadvantaged are stigmatised, without a voice for change. Change does not come easily. We take our legacy and inspiration from the bold, courageous individuals from as far back as the 17th century doing what nobody else dared. Not because it was asked of them but because it was right, and it was needed. Today Ruah will not meander in our pursuit of measurably transforming lives. We go boldly toward not just helping people experiencing homelessness but ending homelessness. Ending domestic violence. Changing the lives and creating opportunities for those experiencing mental health issues. We choose to work with the most vulnerable, the most challenged – because it's difficult, because this makes a difference."*

Ruah delivers high quality wrap around supports to more than 3,000 people a year in the areas of mental health, housing, homelessness, family and domestic violence and community legal services. Our model of care (our roadmap to how to deliver services to our clients) operates through a 'no wrong door' approach. Whichever pathway people enter our services they can access the supports they need when they need them.

Our capacity to help change the lives of the people we work with is underpinned by strong corporate and clinical governance frameworks and processes– built from supporting people at a grassroots level and accredited against the National Safety and Quality Health Service Standards and National Standards for Mental Health Services.

Ruah is an independent, not-for-profit organisation lead by an experienced Board and Executive. We are driven to make a difference for people who are vulnerable, disadvantaged and discriminated against.

In 2021 Ruah implemented its innovative and ambitious new project; Ruah's Model of Care. Our Mode of Care guides our staff on how to support our clients through their journey of change while also making specialist support, such as child psychology and financial counselling, easily accessible. Implementing our Model of Care became more significant as Covid 19 placed additional demands and hardships on the clients we serve, but we used this added complexity as the motivational driver to successfully implement our model which will now in place to best serve our clients for decades to come.

How we support people through their journey of change moves from the traditional one-on-one support worker model to a team approach, where each client has unfettered access to the supports they need, from key workers, support workers and specialists who can walk beside them as they navigate their way from being 'stuck' through to



“believing”, “trying”, “learning” and, ultimately, “self-reliance” – based on the Outcomes Star Journey of Change model. That might also mean accessing support and services from across Ruah – a ‘no wrong door’ approach. Someone experiencing homelessness as a result of family violence might also access mental health support services and even legal advice and support (through Ruah Legal Services) as part of their journey of change. The people with whom we work and whom we support experience our breadth of services as ‘One Ruah.’



## 2 Overview - Ruah Safe Night Space for Women

The Ruah Safe Night Space for Women (SNS) will exist at the same facility as the existing Ruah Engagement Hub (REH). Each provides a different, but complementary service.

- A **Safe Night Space for Women** provides safety and shelter for women in crisis through the provision of an emergency overnight safe space. This space is for those who are in a situation of violence or escaping family domestic violence and with no other place to go end up sleeping rough.
- The existing **Ruah Engagement Hub** offers holistic support to those experiencing homelessness with a linkage to support services and engagement workers.

A part of this facility is already in operation (the REH), while the other service (the SNS) which was operating successfully at the Rod Evans Centre from May 2021 up until the end of November 2023, is planned to begin operation as soon as practical, and other preparations including staff recruitment and training have been completed.

### 2.1 Safe Night Space for Women

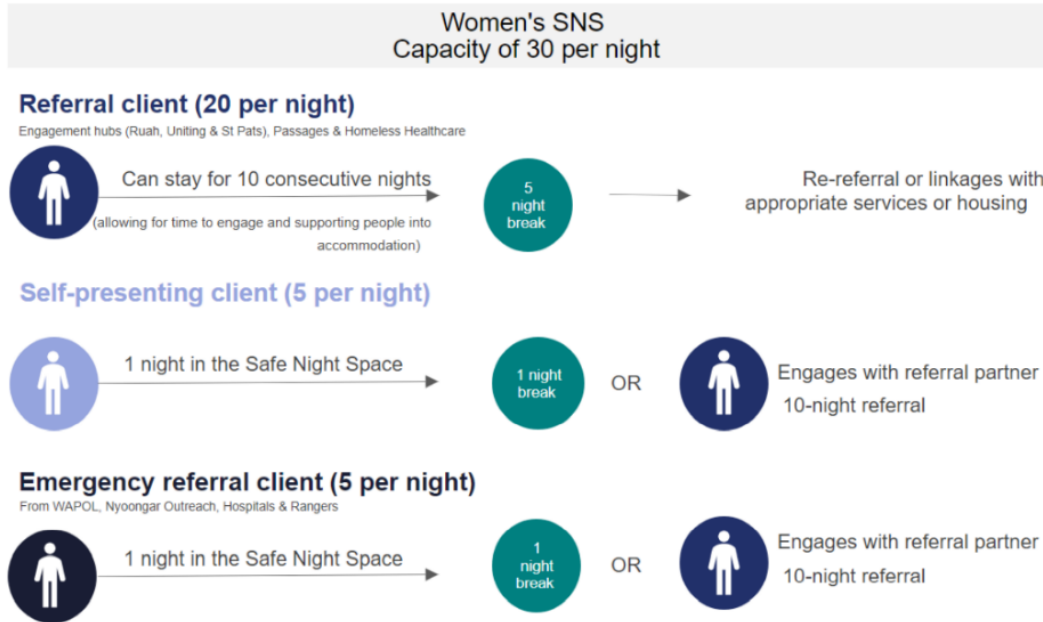
Information on the role of the SNS is described below:

1. Ruah was awarded the Safe Night Space by the CoP, to respond to the urgent need for a safe and culturally secure night space for women who are escaping violence or family and domestic violence who have no other place to go and end up sleeping rough.
2. The service model and planning presented was based on Ruah's 60+ years' experience supporting people experiencing homelessness and women escaping family and domestic violence in Perth. During Homelessness Week 2019 Ruah piloted a SNS for women from the Ruah engagement hub located at James Street, Northbridge.
3. The aim of the service is to provide a safe and culturally secure night space for women escaping violence or in situations of extreme vulnerability in Perth.
4. It is accessible to women during the evenings, seven days a week 365 days per year, and has capacity for thirty women a night. From our experience the demand in winter is higher and therefore due to weather events such as hot conditions or extreme winter conditions the opening hours are adapted to ensure safety of women escaping crisis.
5. Women who access SNS ordinarily are escaping family and domestic violence who would otherwise face being forced onto the streets; women awaiting placement in transitional or long-term accommodation and may include chronically street present women. The specific criteria include:
  - a. Women over the age of 18+
  - b. Women escaping family and domestic violence who would otherwise face being forced onto the streets.
  - c. Women awaiting placement in transitional or long-term accommodation.





- d. Women who have not exceeded their placement time.
  - e. Women who are street-present (rough sleepers).
6. The SNS operates with a low threshold approach, which places minimal demands on the people who use the services. It offers services without attempting to control people's life choices, offering harm minimisation and support to engage with further services and supports when requested.
  7. The SNS takes referral from other agencies, emergency services and walk-ins. Our in-depth understanding of rough sleepers in the cohorts addressed by the proposed services, in conjunction with our service data, has informed our referral modelling.
  8. Our current operational approach at the Safe Night Space (SNS) caters to a maximum of 20 scheduled referrals, 5 walk-ins, and 5 emergency cases per night. In scenarios where our capacity is reached, individuals are directed to alternative services like Crisis Care for support. We encourage those we cannot accommodate to seek safer locations, and we coordinate with local authorities only when necessary to ensure everyone's safety.
  9. Building upon our two years of successful operation at the SNS at Rod Evans and our services at James St, we continue to refine our approach to managing non-admittance. Our experience has enabled us to successfully support people through a variety of options, including the Noongar Patrol, Street chaplains, the HEART team, and providing taxis to safe locations for family or friends. Additionally, our security teams are adept at supporting individuals as they move on, and we can facilitate access to Crisis Care for refuge beds. We maintain strong links with partner organizations and agencies, including WAPOL, ensuring a collaborative and supportive network for those in need.
  10. The SNS model is dynamic, designed to be scalable and responsive to fluctuating demands and crises, such as extreme weather, health emergencies, or other situational challenges. Our adaptability allows us to provide the best possible service within our means, continually striving to expand our capabilities to avoid having to turn individuals away.
  11. The services are be operated in a manner that ensures maximum utilisation so that as many rough sleepers as possible can be off the streets and then supported into housing. We draw on our experience in running services for vulnerable people and continue to actively link with other services in the evenings to fill all available spaces.
  12. For the identified cohorts, the priority is safety from the streets. Most chronic rough sleepers on the streets of Perth are connected in with services such as engagement hubs. After safety, a secondary goal for this cohort is to promote positive outcomes in which people can work with case workers, engage in linked services, and be supported into permanent housing.
  13. This group, once housed, reduced the demand for the service and allow additional people into the service. People who do not wish to engage in formal support, are newly homeless or are from another area and will access the SNS through the self-presenting or emergency pathway.



1. Diagram: Capacity of the proposed SNS

### 3 Operation of the SNS facility

#### 3.1 Staffing

The SNS is staffed with Ruah workers between 6:30pm and 7:30am each night (client opening hours are 7am – 7pm, with security on-site are from 7pm until 8am). From our experience the demand in winter is higher and therefore due to weather events such as hot conditions or extreme winter conditions the opening hours are at times, slightly adapted to ensure the safety of women escaping crisis.

This structure assures that there are always four staff members present on-site, which is crucial for maintaining safety and managing risk effectively. Furthermore, during peak times or in situations of high demand, we activate our on-call process, which allows us to quickly mobilise additional staff members and leadership (on call) as needed. This includes leaning on other experienced teams stationed at nearby sites, thereby ensuring that we can scale our response appropriately and maintain the high standards of safety and service that we have set. Our proven track record in running the SNS model for over two years gives us the confidence in this dynamic and responsive staffing approach.

All Ruah staff are appropriately qualified and receive regular training and supervision and come with significant experience in the community services sector. They are supported in the evenings by Ruah’s internal on-call system which is staffed by management personnel. During usual business hours Ruah staff also have support from the Housing & Homelessness Leadership Team.

In alignment with our comprehensive understanding of our clientele and our unwavering commitment to their safety, we’ve established a robust staffing mix that ensures the safe management of client flow and intake processes. Our staffing configuration is as follows:

The Ruah team consists of:



1. SNS team leader who works across several sites, located on site for parts of the evening and as needed.
2. Presence of 2 security personnel at all times who are involved in the intake process and work with clients through the evening alongside the Ruah team.
3. 6:30pm – 12:00am / Ruah worker x 2
4. 11:30pm – 7:00am / Ruah worker x 1
5. 12:00am – 7:30am / Ruah worker x 1
6. Additional workers visit to provide specific activities and supports such as medical workers, volunteer support workers, are additional to this core model and support with group activities, at times counselling or specific supports as required.

Moreover, our senior leadership team is not only present but actively engaged in supporting our staff. They regularly participate in team meetings and are available during specific times when targeted support or training is needed. This leadership involvement is integral to our operational success, ensuring that staff feel supported, and that service delivery is of the highest standard. Our leadership's hands-on approach also facilitates a quick and effective response to any emerging needs or challenges, reinforcing our commitment to safety and excellence in client service.

## 4 Security Management

We have developed a comprehensive response protocol for our security team, addressing incident escalation, site hygiene, external noise management, litter, and abandoned belongings, which are integrated into our management plan:

1. Incident Escalation: Our security personnel are trained to assess situations and escalate incidents according to severity. This may involve direct communication with our management team, engagement with local services, or contacting WAPOL when necessary.
2. Site Hygiene: Security is responsible for monitoring the cleanliness of the site, coordinating with cleaning staff, and addressing any hygiene issues immediately to maintain a safe and sanitary environment.
3. External Noise Management: The team actively works to minimise noise disruptions, implementing strategies such as designated quiet hours and liaising with clients and neighbours to ensure community standards are met while SNS clients rest during the night.
4. Litter and Abandoned Belongings: Our staff follows a clear process for managing litter and belongings left behind, which includes safe disposal of trash and storage or return of personal items when possible, using Ruah's waste management processes.
5. Unauthorised Individuals: For individuals who should not be at the premises, we utilise a de-escalation process and our security work instructions, which have been developed in conjunction with our security team. This includes ongoing joint training sessions to ensure maximum safety and understanding of when to engage WAPOL for additional support.

Our approach is designed to provide maximum safety and efficiency, ensuring a responsive and responsible security presence at all times. Through continuous training and collaboration with our security team, we maintain an elevated level of preparedness to address any security concerns that may arise within the facility.



In alignment with our security strategy and commitment to safety, we have extended our security shift end time to 8 am, ensuring continuous oversight during critical transition periods and adherence to the protocols outlined above.

#### Composition of the Security Team

1. The facility is staffed by a dedicated security team, comprising of 2 security guards on duty from 7:00 pm to 8:00 am daily.

#### Role and Responsibilities

1. Subcontracted Security Services – Security personnel are subcontracted to ensure professional, efficient, and effective service.
2. Primary Duties – The core responsibility of our security team is to maintain safety within the facility. Their roles encompass surveillance, risk mitigation, and incident management.
3. Client-Staff Relationship – Based on our experience, we recognise the importance of a positive relationship between the security team and our clients, particularly those who are rough sleepers. Fostering a harmonious environment is crucial for the effective operation of our services.
4. Induction and Familiarisation – Ruah conduct thorough inductions for all security personnel to familiarise them with the facility's procedures, environment, and regular clients.

#### Training and Licensing Requirements

5. All security staff must hold a valid license in accordance with the Security and Related Activities (Control) Act 1996 and the Security and Related Activities (Control) Regulations 1997.

The security protocol is designed to ensure a safe and secure environment for both clients and staff, fostering trust and respect within the facility.

We have taken a multi-faceted approach to security concerns by integrating a series of proactive measures into our management plan to ensure the safety and orderliness of SNS:

1. The SNS team have an established positive working relationship with the City Watch team and rangers facilitating quick and effective communication. They work closely with Police, Ambulance and other supportive services used as required.
2. Our security personnel are required to remain on-site between the critical times of closure at 7 am and opening at 8 am to maintain continuous surveillance. Security recommence at the Ruah Hub working from 8am through to 2pm so there is adequate coverage of security during the handover period. All hours where there are clients at the James St facility – there is always two security on site at all times.
3. We have instituted a mandatory policy where all individuals must sign an agreement of rights and responsibilities before entering the space, with a time-out procedure for non-compliance.
4. Extra signage is installed to clearly communicate the rules and regulations, the presence of security measures, and the consequences of disregarding the established code of conduct.

Furthermore, the City of Perth's website serves as a resource for broader community services and facilities, offering comprehensive information on security and surveillance, accessible at the following link: [City of Perth Security and Surveillance](#).

For issues beyond our immediate SNS environment, we have established protocols to address community-related concerns:



1. Safe City: For assistance, call 9461 3333.
2. WA Police: For general assistance, call 131 444.
3. Emergency Services: In an emergency involving Police, Fire, or Ambulance, dial 000.
4. Crime Stoppers: To report crime anonymously, call 1800 333 000.

These integrated steps and resources reinforce a secure environment and uphold the highest standards of safety for both our clients and staff. Our ongoing commitment to proactive security management is reflective of our dedication to creating a supportive and secure space for everyone involved in our services.

#### 4.1 Access to the Building

We have established a secure and effective system for monitoring building access, which incorporates a combination of technological and strategic measures:

1. Continuous visual surveillance is maintained through operational CCTV systems, enhancing overall site safety.
2. The architectural design of the building is intentionally crafted to maximise visual surveillance capabilities. This, together with the presence of our trained security personnel and workers, ensures an elevated level of safety, mirroring the successful approaches used at our Rod Evans and James St facilities.
3. The building features a funnel entry design, serving a dual purpose of controlling the flow of people and allowing for the thorough triage and assessment of individuals. This setup is key to ensuring that all clients understand and adhere to their rights and responsibilities upon entry.
4. While we do not offer lockers for long-term storage, to accommodate clients during their time at the facility, lockers for day storage are available to safely house their possessions while they stay the night at the Safe Night Service.

Additionally, to maintain a secure and orderly environment:

1. Security staff are strategically positioned at the hub's entrance, allowing for a clear view of the building's front and immediate surroundings.
2. After our 7 am closure, clients are advised to move to day services, one of which is the Tranby homelessness engagement hub close by in Northbridge which opens at 7am, where women can find further support and services.
3. Client access is managed solely through the front door, which serves as the only entry point, thus simplifying security oversight. The James St facility features two access points:
  2. Main Entrance: Located at the front on James Street, this entrance is primarily for client use. It is managed by security officers at a reception and triage desk. To respect our neighbours, a 10pm attendance curfew is enforced for clients entering through this door.
  3. Staff Entrance: Situated in the rear car park, this entrance is exclusively for staff access and requires swipe card authentication. Staff may also enter through the Main Entrance using the swipe card system.

Together, these measures constitute a comprehensive security system, ensuring the safe access and departure of clients while fostering a secure environment for all who use our services.



## 4.2 Parking Provisions

Our approach to managing parking and non-admitted individuals in the vicinity of the Safe Night Space (SNS) is comprehensive and considerate of the community's needs:

1. Individuals who may need to rest in their cars often make use of public parking bays or paid parking facilities located nearby.
2. Based on our operational experience at the Rod Evans centre, incidents involving individuals resting in cars near the facility have been minimal and have not constituted a significant concern.
3. We ensure that our Rights and Responsibilities documentation clearly communicates expectations regarding the use of surrounding parking areas.
4. Our security team is vigilant both inside and outside the building, providing guidance and assistance to ensure individuals are aware of parking protocols and maintaining a secure environment for all.
5. We acknowledge that there is no street parking available directly across from the SNS, as these are reserved for WAPOL vehicles.

Through proactive engagement and clear communication, we aim to uphold a respectful coexistence with those who use nearby parking while ensuring the safety and well-being of our clients and the local community.

Staff Parking: Designated secure parking for staff is available at the rear of the building.

Client Transportation: Most clients are expected to utilise public transport or walk to the facility. Clients with vehicles are advised not to park directly in front of or adjacent to the facility. They are directed to alternative parking options in the nearby James Street and wider Northbridge area, with staff providing information on more affordable parking solutions.

- 

## 4.3 Deliveries and Suppliers

1. Parking for Deliveries: Suppliers and delivery personnel use the rear parking area of the building.
2. Delivery Access: They are required to present themselves at the Main Entrance. Deliveries generally consist of general office supplies and food items.

## 4.4 Servicing and Cleaning Plan

The facility works using a comprehensive servicing and cleaning strategy, combining internal efforts with contracted professional services to uphold a high standard of cleanliness and safety. Our James St facility is dedicated to upholding a high standard of cleanliness and safety, reflective of the established protocols at Rod Evans:

1. Hybrid Cleaning Approach: Routine operational cleaning, including the kitchen and communal areas, is managed by our in-house staff. This ensures day-to-day maintenance is attentive and consistent.



2. **Contracted Cleaning Services:** For deep cleaning and specialised tasks, we use professional cleaning services. Their expertise ensures the facility meets the highest hygiene standards through regular and comprehensive cleaning sessions.
3. **Rubbish Management:** We support personal responsibility for rubbish disposal and enhance this with additional general waste bins requested from the City of Perth (CoP).
4. **Handling of Illegal Items:** Consistent with our commitment to safety and legality, any illegal items found are promptly surrendered to WAPOL.
5. **Biohazard Management:** We maintain on-site biohazard bins, with a focus on sharps disposal. Staff are extensively trained in the safe handling of sharps and biohazardous waste.
6. **Periodical Pressure Cleaning:** Our cleaning regime is supplemented by scheduled pressure cleaning for the facility's exterior, coordinated with the CoP, to address any potential health hazards from residues.
7. **Staff Training:** Comprehensive training on biohazard management is provided, ensuring staff are well-equipped with knowledge on safe disposal practices and the use of PPE.
8. **Exterior Monitoring and Disposal:** Vigilant monitoring of the facility's exterior is undertaken to identify and manage unattended or unwanted personal items, with appropriate disposal or secure storage as required.

This approach integrates our proven day-to-day operations with external professional services to provide a clean, hygienic, and safe environment at the James St facility. Our strategy is designed to be responsive and responsible, maintaining the well-being of our clients and the broader community while continuing our practices of environmental cleanliness and public health.

## 5 Outdoor Cleaning

Ruah continually monitors the frontage and report on the maintenance of the outdoor areas at the facility. Recognising the importance of a clean environment for all, we are monitoring the public footpath in front of the building. Our staff and security are vigilant in removing any rubbish that may accumulate directly outside our facility to maintain a presentable space for both our clients and the community.

Ruah provides periodically deep cleaning services as needed. Ruah is attentive to the condition of the premises and will continue to remain responsive to any significant issues that may arise. Ruah acknowledges that the maintenance of the footpath falls under the jurisdiction of the City of Perth, and Ruah reports any concerns that may require the City's attention.

## 6 Risk and Complaint Management of Activities on Site

The facility includes a robust framework for managing risks and addressing complaints, ensuring:

1. A safe environment for both clients and staff
2. Transparent and accessible complaint resolution processes
3. Regular reviews of safety protocols and risk management strategies.



## 6.1 Ruah's Management Approach

Ruah has a robust Quality Assurance system in place that ensures compliance with all Quality Assurance requirements. Organisational and strategic risks are monitored by a Risk and Quality Team, reporting to senior leadership and Ruah's Board through a Risk and Quality Committee (comprised of Executive and Managers) that meets regularly (at least every six weeks), and a Finance Audit and Risk Committee (comprised of Ruah directors, CFO, CEO, Finance Manager, and Risk and Quality team) which meets bi-monthly.

Ruah uses Microsoft SharePoint systems, which are cloud-based, secure, and can be accessed by all workers for management and control of policies, procedures, and documents; reporting incidents, hazards, feedback, and quality improvements, with automated email notifications and escalation; and auditing.

Ruah's business activities are open, transparent and comply with the City of Perth's Statement of Business Ethics, relevant legislation and the City's policies, procedures, and practices. We employ appropriately qualified workers who demonstrate a high-level of commitment to good process and discipline. Ruah also has a vigorous training culture and promotes individual professional development.

Ruah's financial systems and procedures are continuously reviewed to ensure they are accurate, efficient and fit-for-purpose. Ruah's financial systems are secure and cloud-based, and provide appropriate access for workers, based on positions and security levels. Ruah undertakes interim and annual financial audits and was issued with an unmodified audit report with no recommendations for the FY2020.

Ruah was assessed against the National Standards for Mental Health Services and the National Safety and Quality Health Services Standards in November 2018 and achieved certification through to January 2022. Ruah also recently achieved Rainbow Tick Accreditation and anecdotal feedback was that we had set new benchmarks.

Ruah has many strategies in place to mitigate risk and ensure a safe environment for staff, clients, and the community. Ruah is committed to the health and safety of our people and the environment around us.

Our corporate-wide framework straddles our use of the space and is aligned to AS/NZ 31 000:2018 Risk Management Guidelines and includes the following components:

1. Delegation of Authority
2. Risk Appetite Statement, with zero tolerance for safety risks
3. Risk Management Procedure and Process Chart
4. Risk Matrix: supports consistent assessment of risk.
5. Safety Management Procedure
6. Critical Incident Process: reporting, investigation, and review
7. Risk and Quality Committee
8. Organisational Risk Register and Strategic Risk Register

Collectively, the framework ensures that Ruah understands, monitors, and manages the risks associated with the type of work that Ruah does.





## 6.2 Specific Management Strategies for the SNS

Ruah addresses the specific areas of concern through the following management strategies:

## 6.3 Managing Noise and Other Disturbances at the SNS

To maintain a peaceful and respectful environment at the facility, particularly in consideration of our neighbours and the local community, we have implemented a comprehensive strategy to manage noise and other disturbances:

1. *Security Personnel Contracting* – Ruah employs a team of contracted security personnel, ensuring a professional approach to facility safety and disturbance management. Two security workers are on site at all times.
2. *Monitoring and Patrols* – Security staff are tasked with monitoring client behaviour both within and external to the premises, conducting regular patrols to maintain order and address any potential disturbances.
3. *Security Licensing* – All security personnel are licensed in compliance with the Security and Related Activities (Control) Act 1996, ensuring that they are qualified and trained to handle various situations that may arise.
4. *Incident Escalation Procedures* – An established procedure is in place for incident escalation, including the management of clients who may refuse to leave the premises, to ensure that any disturbances are resolved in a safe and effective manner.
5. *Staff and Security Collaboration* – During operational hours, our staff and security team work closely together to promptly address any concerns or disturbances, ensuring a harmonious environment for all.
6. *Mandatory Security Presence* – At least two licensed security professional is on-site during all operational hours to oversee and manage the facility's environment.
7. *Client Responsibilities* – All clients are required to agree to a Rights & Responsibilities form upon entry, which outlines expected behaviours and mutual respect for property and individuals, both inside and outside the facility. Clients unable to adhere to these expectations are required to leave and must engage in a discussion with a senior worker upon their return to address their behaviour.
8. In our continued efforts to minimize antisocial behaviour and disturbances, we have proactively installed clear signage at the front of our premises. This signage, which is prominently displayed on the window, provides guidelines for public incident reporting and outlines the escalation processes. This initiative is part of our ongoing commitment to maintain a secure and community-friendly environment.

Through these measures, the SNS aims to effectively manage noise and disturbances, ensuring a safe, respectful, and peaceful environment for clients, staff, and the surrounding community.

## 6.4 Immediate response protocols for out-of-hours

We have a structured approach to managing complaints, ensuring that all concerns are handled promptly and effectively:

1. *Urgent Complaints and Safety Concerns*: In situations where there is an immediate concern for safety or other urgent complaints, we advise individuals to directly contact the Western Australia Police (WAPOL). This protocol is in place to ensure that any serious issues are dealt with in the most efficient and appropriate manner, with the assistance of law enforcement when necessary.



2. Complaints Policy and Procedures: Our policy outlines the specific steps to be followed when a complaint is lodged. It defines the process for escalating issues and ensures that every complaint is given due attention.
3. Non-Urgent Complaints: For complaints that do not require immediate attention, complaints (which could be in connection to a client or the services that Ruah provides) can be made via the feedback form via the website, calling 13 RUAH (who direct the complaint to the appropriate service/area), or emailing [connecting@ruah.org.au](mailto:connecting@ruah.org.au) or [feedback@ruah.org.au](mailto:feedback@ruah.org.au).
4. This system can be accessed through the Ruah website and allows for a structured and traceable way to manage and resolve issues.

## 6.5 Managing Removal of Unwanted or Unattended Personal Belongings

The following measures are in place to manage the removal of unwanted or unattended personal belongings:

1. Clients must agree to our Rights & Responsibilities policy, which emphasises maintaining a clean environment within and around the facility.
2. Clients are expected not to leave rubbish or personal items unattended; non-adherence necessitates a discussion with a senior staff member upon their next visit to address this behaviour.
3. Ruah staff routinely check for and clear any unattended items left in front of the property. Disposal of such items are managed sensitively, with storage options provided for larger belongings.
4. Secure outdoor storage crates for larger items and lockers for smaller valuables are available to clients. This aims to minimise clutter and maintain orderly surroundings.
5. Signage at the front of the property informs clients of our cleanliness standards and the protocol for unattended items, which are subject to removal during regular inspections.

## 6.6 Management of Congregation and Queuing

The following measures are in place to manage any potential congregation and queuing of clients:

1. Signage directs clients to alternative services during non-operational hours and request that clients refrain from gathering outside the facility when it is closed.
2. Due to local planning law and regulations, clients are not able to smoke around the back of the building. They often gather close by to the carpark on the side of the building to limit impact to surrounding private property.
3. The Rights & Responsibilities policy has been amended to include a clause urging clients to respect our neighbours' comfort by not congregating around the Hub when it is not open. This document has been amended to note clients they cannot present earlier than 15min prior to the service opening to limit disruption and congregation.
4. During operational hours, security personnel manage client flow and queuing to ensure orderly access to the facility and minimise any disruption to the local area. Doors open at 7pm sharp and clients promptly enter after that time.



5. Clients who congregate outside are invited in during open hours or asked to move on respectfully. Persistent refusal is managed according to our incident escalation procedure, ensuring the well-being of all parties involved.

This plan reflects Ruah's commitment to responsible property management, respecting our clients' needs while ensuring the safety and cleanliness of the community space around the facility.

## 6.7 Management of Clients Not Suitable for the SNS

When clients present to the SNS, it is possible that the service may not be suitable for everyone and their needs. SNS is a low-threshold service, meaning people can come in under the influence of drugs or alcohol, as long as their behaviour does not negatively impact others. It is an open space, not individual rooms, which is also not suitable to everyone's needs and this may be because they have been impacted by trauma and not able to be around other people. Clients may also present unwell or injured and therefore require medical care, including hospital-level care.

Staff assess clients on a case-by-case basis and provide one of a range of responses dependent on the situation. These may include:

1. Requiring another service (e.g., Alcohol and Drug substance use or mental health) – staff contact relevant services as required.
2. Disruptive or violent behaviour – managed by security staff and contacting Police if needed.
3. Significant injury or illness – arrange transport to hospital including calling an ambulance.

In all of the above instances, SNS staff and security are to take reasonable steps to prevent the client who is not suitable from remaining in the vicinity of the facility.

## 6.8 Management of Antisocial Behaviour

Antisocial behaviour is not tolerated both within the facility and in the exterior vicinity of the building. The overall objective is to maintain a safe and disturbance-free environment for staff, consumers, and local residents adjacent to the service.

Measures to support this objective are:

1. All clients are required to complete a Rights & Responsibilities form, which outlines our expectation of them and what they can expect from us. We ask that people: Respect others and property, inside and outside of the facility; If for whatever reason clients are not able to do this, they are asked to leave and next time they return, they must meet with a senior worker to discuss and address the behaviour.
2. CCTV cameras cover all main internal areas and the externally areas adjacent to the building.
3. Ensure that a minimum of 2 licensed security personnel is on-site during operational hours. They are be stationed in the hub on the ground floor and where possible, also patrol the exterior of the building periodically during the night. They are also available to respond to any client incidents that occur either within the building or in the immediate exterior vicinity of the building.
4. All SNS staff are be trained in de-escalation techniques. Clients who behave in a manner deemed unsafe or fail to comply with our Code of Conduct will be subject to a temporary suspension from our services to ensure the safety.



5. Ruah and the SNS have a formal relationship with WA Police, ensuring responsive support from Police where this may be needed.
6. There is an on-call system to provide senior-level support in the event of any incidents.

Loitering, in the context of our community guidelines and service operations at Ruah, is defined as the act of remaining in a particular public place for a protracted time without a clear purpose or activity. This does not include activities such as smoking, waiting for services, or being outside the building for a specific reason, such as having a cigarette.

Ruah is committed to minimising loitering around the facility. We recognise, however, that clients may be present outside the building as they wait for services or partake in smoking. Staff and security manage and monitor this to ensure safety for all.

Clients who self-present and gain a referral from a day centre attend the service at 7pm and must attend by 10pm. For emergency situations, clients can attend through the night when supported to the service via an emergency service. The clients who present in emergency presentations come based on need and attend through the front entrance. Based on our experience at Rod Evans, SNS allocated 5 placements for clients who were coming in emergency situations through police or ambulance. Therefore, the large majority of the clients present before 10pm and are settled for the evening at the SNS.

By distinguishing between loitering and the legitimate use of outdoor space by our clients, we aim to maintain a respectful and orderly environment while also being mindful of the needs and behaviours of those we serve.

## 7 Local Engagement and Complaints

### 7.1 Engagement with Local Businesses and Residents

The facility is situated in an area that contains a number of existing businesses and residents.

The services in this facility have been designed to co-exist with the local community and to play a positive part in improving the amenity and safety of the area. Ruah is committed to ensuring there is no antisocial behaviour in the vicinity of the building and ensure appropriate management of the surrounding area. Strategies such as security patrols, lighting, CCTV, and procedures to minimise disruptions after-hours are part of the approach to managing this important relationship.

Through these strategic engagements and security measures, we are committed to upholding the well-being of the community, ensuring the safe operation of our Hub, and maintaining a harmonious and mutually beneficial relationship with all local stakeholders.

### 7.2 Complaints Management

As part of operating this facility we take in complaints as a part of the quality improvement process. Listening and early communication is key to resolving concerns with clients, neighbours, and the community. Complaints (which could be in connection to a client or the services that Ruah provides) can be made via the feedback form via the website, calling 13 RUAH (who direct the complaint to the appropriate service/area), or emailing [connecting@ruah.org.au](mailto:connecting@ruah.org.au) or [feedback@ruah.org.au](mailto:feedback@ruah.org.au).

























































































































































































































## 11.2 Final Adoption of Amendment No. 50 to City Planning Scheme No. 2 (New Special Control Area)

Responsible Officer	Dale Page – General Manager Planning and Economic Development
Voting Requirements	Simple Majority
Attachments	Attachment 11.2A – Scheme Amendment No. 50 - Report and Precinct Plan Map

### Purpose

To present the outcomes of advertising of Amendment No. 50 to City Planning Scheme No. 2 (CPS2) and resolve whether to support the amendment for submission to the Western Australian Planning Commission (WAPC) for a final decision by the Minister for Planning.

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### Recommendation

That Council:

- SUPPORTS Amendment No. 50 to City Planning Scheme No. 2 without modification as per Attachment A, pursuant to Regulations 50(3) and 50(4) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
  - ADOPTS the amended Precinct Plan Map, in accordance with the Deemed Provisions Clause 4 and Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and subject to the gazettal of Amendment No. 50.
-

## Background

1. At its Ordinary Meeting held on 29 August 2023, Council resolved to prepare Amendment No. 50 to CPS2 and advertise the associated precinct plan map modification.
2. The Environmental Protection Authority did not require environmental assessment of the amendment and the Department of Planning, Lands and Heritage approved the amendment for advertising.
3. The amendment will establish a Special Control Area (SCA) over Lot 2 (618), Lot 3 (612-616) Hay Street Mall, Lot 4 (69-75), Lot 5 (77-85), Lot 6 (87-93), and Lot 7 (95-99) Barrack Street, Perth.
4. The SCA will allow for the lots to be treated as one site for the purposes of allocating plot ratio and parking. It will also allow the calculation and sharing of bonus plot ratio across the entire site and introduce provisions to guide future redevelopment.
5. The SCA has been requested to facilitate a Local Development Assessment Panel approval which was granted 9 September 2022 for the:
  - a. Demolition, conservation, and adaptive re-use of the existing heritage buildings
  - b. Construction of a 23-level office tower with 40 commercial tenant car parking bays
  - c. Construction of a new public laneway and a pocket park.

## Discussion

6. Council Policy 3.5 (CP 3.5) provides a framework to assess the appropriateness of preparing scheme amendments ahead of the new Local Planning Scheme No.3 (LPS 3). Council resolved to prepare Amendment No. 50 as it met the provisions of CP 3.5.
7. There were no submissions received during the advertising period.
8. It is recommended the amendment be supported without modification.

## Consultation

9. The amendment was advertised for a period of 42 days in accordance with Clause 47 (3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*. Advertising concluded on 1 December 2023.
10. The method of advertising included a notice being placed in the local newspaper, a notice being placed in the Council House foyer window and City of Perth Library, and information being displayed on the *Engage Perth* website.
11. There were no submissions received.

## Decision Implications

12. Council has the option to support Amendment No. 50, with or without modifications, or not support the amendment.
13. If Council supports the recommendation:
  - a. the amendment will be forwarded to the WAPC for its consideration and recommendation to the Minister for Planning for a final decision.
  - b. The amended precinct plan map will be updated following the Minister's approval of the amendment.

14. If Council does not support the recommendation:
- a. the amendment will be forwarded to the WAPC for its consideration and recommendation to the Minister for Planning for a final decision.
  - b. the precinct plan map will not be amended.

## Strategic, Legislative and Policy Implications

Strategic Community Plan	
Strategic Pillar (Objective)	Liveable, Prosperous
Related Documents (Issue Specific Strategies and Plans):	<p><b>Strategic Community Plan 2022-2032</b></p> <p>Amendment No.50 aligns with the ‘Liveable’ and ‘Prosperous’ pillars of the Strategic Community Plan 2022-2032, as the creation of the special control area (SCA) provides opportunities for a coordinated redevelopment of the lots. The redevelopment of Barrack Street will provide opportunities for urban regeneration and improved street and upper floor activation.</p> <p><b>Local Planning Strategy 2023</b></p> <p>The vision for Central Perth Area is to be the heart of the city and the busiest day time area with the highest economic output and greatest development intensity. The proposed SCA will facilitate a coordinated redevelopment of Barrack Street, which is currently underutilised. This is consistent with the vision of the Strategy.</p>

Legislation, Delegation of Authority and Policy	
Legislation:	<p><b><i>Planning and Development Act 2005</i></b></p> <p>Clauses 75, 81, 84 and 87 outline the process for amending a local planning scheme.</p> <p><b><i>Planning and Development (Local Planning Schemes) Regulations 2015</i></b></p> <ul style="list-style-type: none"> <li>• Regulation 47, 50 and 53 outline the process for a standard amendment to a local planning scheme.</li> <li>• Regulation 4(1) specifies the requirements for advertising local planning policy amendments.</li> </ul> <p><b><i>City of Perth Act 2016</i></b></p> <p>4 (a) to recognise, promote and enhance -</p> <ol style="list-style-type: none"> <li>i. The special, economic, cultural, environmental and civic role that the City of Perth plays because Perth is the capital of Western Australia; and</li> <li>ii. The important role that the City of Perth plays in representing the broader Perth area and the State of Western Australia on both a national and international level.</li> </ol> <p>8(1)(f) - Ensuring Perth’s role as a thriving business, cultural and entertainment centre.</p>

	<p><b>City Planning Scheme No. 2</b></p> <ul style="list-style-type: none"> <li>• Clause 39 refers to Special Control Areas.</li> <li>• Clauses 3A of Schedule A - Supplemental Provisions refers to amending Precinct Plans.</li> </ul>
Authority of Council/CEO:	<p>The <i>Planning and Development Act 2005</i> and <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> gives local governments powers in relation to Local Planning Schemes and Local Planning Policies.</p> <p>The above provisions of the <i>Planning and Development Act 2005</i> require a decision to amend a Local Planning Scheme by Council resolution.</p>
Policy:	<p><b>City Planning Scheme No.2 Planning Policy Manual Part 1 - Section 4.10 – Heritage</b></p> <p>The proposed amendment incorporates provisions to ensure the heritage considerations of the site are respected and appropriately conserved through the redevelopment of the area.</p> <p><b>City of Perth City Planning Scheme No.2 Precinct Plan 5 (P5) – Citiplace Precinct</b></p> <p>Amendment No. 50 is consistent with the statement of intent for Precinct No.5 - Citiplace Precinct as the SCA will facilitate a coordinated redevelopment of the subject site, supporting the continued development focus of business, administration, commerce, retail, tourist, civic, cultural and entertainment activities.</p> <p><b>Council Policy 3.5 (CP 3.5)</b></p> <p>Amendment No. 50 satisfies the criteria of CP 3.5 which provides a framework to guide the preparation of scheme amendments ahead of the new local planning scheme.</p>

## Financial Implications

15. In accordance with the *Planning and Development Regulations 2009* and *Planning and Development (Local Planning Schemes) Regulations 2015* the costs associated with the assessment, advertising and gazettal of the scheme amendment are met by the applicant.

## Further Information

16. Nil.



## Council Resolution (OCM-24/02-006)

**Mover:** Lord Mayor Basil Zempilas

**Seconded:** Councillor Brent Fleeton

That Council:

1. SUPPORTS Amendment No. 50 to City Planning Scheme No. 2 without modification as per Attachment A, pursuant to Regulations 50(3) and 50(4) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
2. ADOPTS the amended Precinct Plan Map, in accordance with the Deemed Provisions Clause 4 and Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and subject to the gazettal of Amendment No. 50.

**CARRIED EN BLOC (9/0)**

**For :** Lord Mayor Basil Zempilas; Deputy Lord Mayor Clyde Bevan; Councillors Brent Fleeton, Liam Gobbert, Viktor Ko, Catherine Lezer, Raj Doshi, David Goncalves and Bruce Reynolds

**Against :** Nil

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Deputy Lord Mayor Clyde Bevan disclosed an Impartiality Interest in Item 11.3 as detailed in Item 5.

Councillor Brent Fleeton disclosed an Impartiality Interest in Item 11.3 as detailed in Item 5.

### 11.3 Final Adoption of Amendment No. 51 to City Planning Scheme No. 2 (Additional Use)

Responsible Officer	Dale Page – General Manager Planning and Economic Development
Voting Requirements	Simple Majority
Attachments	Attachment 11.3A – Scheme Amendment No. 51 Report Attachment 11.3B – Proposed Modifications to Precinct Plan Policy - P13 Adelaide Attachment 11.3C – Schedule of Submissions and Administration Response

#### Purpose

- For Council to consider the submissions received on Amendment No. 51 to City Planning Scheme No. 2 (CPS2) and resolve whether to support the amendment for submission to the Western Australian Planning Commission (WAPC) for a final decision by the Minister for Planning.
- For Council to consider whether to adopt the amendments to Precinct Plan Policy - P13 Adelaide.

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#### Recommendation

That Council:

1. SUPPORTS Amendment No. 51 to City Planning Scheme No. 2, without modification, as per Attachment A, pursuant to Regulations 50(3) and 50(4) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
  2. NOTES the submissions (including late submissions) received during the formal consultation period for Amendment No. 51 to City Planning Scheme No. 2.
  3. ADOPTS the amended Precinct Plan Policy No. 13 – P13 Adelaide as per Attachment B, in accordance with the Deemed Provisions Clause 4 and Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and subject to the gazettal of Amendment No. 51.
-

## Background

1. At its Ordinary Meeting held on 29 August 2023, Council resolved to prepare Amendment No. 51 to CPS2 and advertise the proposed modification to Precinct Plan Policy – P13 Adelaide.
2. The Environmental Protection Authority did not require environmental assessment of the amendment and the Department of Planning, Lands and Heritage approved the amendment for advertising.
3. The purpose of the amendment is to include 'Healthcare 2' land use category as an additional use over the southern half of 99 (Lot 10) Adelaide Terrace, 10 and 40 (Lots 11 and 12) Terrace Road, East Perth (subject site).
4. In 2017, the site received planning approval for a mixed-use redevelopment. This approval comprised a supermarket, retail and restaurant tenancies, a community theatre, gallery, performance venues, childcare centre, health and wellness centre, and a medical centre.

## Discussion

5. The subject site is across two scheme use areas under CPS2. The northern half of the site is located within the Office/Residential scheme use area and the southern half of the site is located within the Residential scheme use area. 'Healthcare 2' is classified as a 'Contemplated' land use in the Office/Residential scheme use area and a 'Prohibited' land use in the Residential scheme use area under CPS2.
6. Amendment No. 51 is to amend Schedule 5 of CPS2 to allow for the 'Healthcare 2' land use category to be considered on the southern half of the site through a development application.
7. Clause 19 of CPS2 provides the criteria for when an amendment to Schedule 5 can be considered. Amendment No. 51 satisfies the criteria, as presented to Council at the Ordinary Council Meeting held on 29 August 2023.
8. As a result of advertising, 24 objections were received. The submissions were from landowners and occupiers in two different residential apartment buildings at 128 Adelaide Terrace and 42-52 Terrace Road, East Perth. The primary concern raised was the perceived loss in residential amenity due to incompatibility of the land use with the residential area, an increase in traffic and on-street parking availability along Terrace Road.
9. Clause 19(3) of CPS2 sets out that a land use listed in Schedule 5 is taken to be a 'Contemplated' land use. As a 'Contemplated' land use, a development application needs to be lodged, assessed and approved for 'Healthcare 2' use groups. The development application is the appropriate planning mechanism to assess and determine whether the size and scale of a proposed land use is appropriate and considers matters such as amenity, traffic and car parking.
10. The modifications to Precinct Planning Policy No. 13 that were advertised also ensures the development application process considers the potential impacts on surrounding residential properties, requiring:
  - a. any development application for 'Healthcare 2' use groups to be advertised in accordance with clause 64 of the Deemed Provisions; and
  - b. new mixed-use development to minimise conflict between non-residential and residential uses.
11. Whilst the scheme amendment report indicates the landowner seeks to develop a specialist hospital and medical centre to replace the existing squash courts and commercial floor area on Level Four of the southern half of the podium building, this is a concept plan only and does not commit the landowner or the City to this outcome.

## Consultation

12. The amendment and modification to Precinct Plan Policy No.13 were advertised for a period of 42 days in accordance with Clause 47 (3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
13. The method of advertising included letters to landowners located directly abutting and adjoining the subject site, a notice placed in the newspaper, notices placed in the Council House foyer and the City of Perth Library, and information displayed on the *Engage Perth* website.
14. A total of 26 submissions were received, including late submissions. The submissions comprised 24 objections and 2 non-objections. The majority of submissions were endorsement of an objection received from the Council of Owners of the Panorama Luxury Apartments (42-52 Terrace Road, East Perth).
15. The following issues were raised in the objections:
  - a. Concerns about loss of residential amenity
  - b. Concerns about reduced on street parking availability along Terrace Road
  - c. Concerns about increased traffic along Terrace Road
  - d. Concerns about the City's legal ability to consider the land use and the amendment process
  - e. Concern about potential loss in property values.
16. No modifications are proposed to the amendment and precinct plan policy as a result of the submissions.
17. Individual submissions and the Administration's responses are provided in Attachment C.

## Decision Implications

18. Council has the option to support Amendment No. 51, with or without modifications, or not support the amendment.
19. If Council supports the recommendation:
  - a. the amendment will be forwarded to the WAPC for its consideration and recommendation to the Minister for Planning for a final decision.
  - b. the precinct plan policy will be updated following the Minister's approval of the amendment.
20. If Council does not support the recommendation:
  - a. the amendment will be forwarded to the WAPC for its consideration and recommendation to the Minister for Planning for a final decision.
  - b. the precinct plan policy will not be amended.

## Strategic, Legislative and Policy Implications

Strategic Community Plan	
Strategic Pillar (Objective)	Liveable
Related Documents (Issue Specific Strategies and Plans):	<p><b>Strategic Community Plan 2022-2032</b></p> <p>The proposed scheme amendment aligns with the 'Liveable' pillar of the Strategic Community Plan 2022-2032, as the addition of the 'Healthcare 2' land use category at the site allows for the provision of services that support an increased residential community envisioned for East Perth.</p> <p><b>Local Planning Strategy 2023</b></p> <p>East Perth offers diverse housing options and is well placed to accommodate a larger resident population. The proposed 'Healthcare 2' use group will support the increased residential population through offering new healthcare facilities in East Perth, which is consistent with the vision of the Local Planning Strategy.</p>

Legislation, Delegation of Authority and Policy	
Legislation:	<p><b><i>Planning and Development Act 2005</i></b></p> <p>Clauses 75, 81, 84 and 87 outline the process for amending a local planning scheme.</p> <p><b><i>Planning and Development (Local Planning Schemes) Regulations 2015</i></b></p> <ul style="list-style-type: none"> <li>Regulation 47, 50 and 53 outline the process for a standard amendment to a local planning scheme.</li> <li>Schedule 2, Part 2, Cl 4(1) specifies the requirements for advertising local planning policy amendments.</li> </ul> <p><b><i>City of Perth Act 2016</i></b></p> <p>8(1)(d) - Ensuring Perth continuously improves the services and facilities that the City of Perth provides to the community and to local, interstate, and international visitors and tourists.</p> <p><b><i>City Planning Scheme No. 2</i></b></p> <ul style="list-style-type: none"> <li>Clauses 3A of Schedule A (Supplemental Provisions) refers to amending Precinct Plans.</li> <li>Clause 19 sets out the criteria for Schedule 5 - Additional Land Uses.</li> <li>Schedule 1 refers to Scheme Use Areas.</li> <li>Schedule 5 refers to Additional Land Uses.</li> </ul> <p><b><i>Minor Town Planning Scheme No. 14 - Withernsea (MTPS14)</i></b></p> <p>The subject site is located within the MTPS14 area. MTPS14 allows a permissible plot ratio of 4.0:1.0 within the subject site to be shared across the lots. MTPS14 does not include any provisions that relate to land use. Therefore, Amendment No. 51 does not impact or require amendment to this scheme.</p>

<p><b>Authority of Council/CEO:</b></p>	<p>The <i>Planning and Development Act 2005</i> and <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> gives local governments powers in relation to Local Planning Schemes and Local Planning Policies.</p> <p>The above provisions of the <i>Planning and Development Act 2005</i> requires a decision to amend a Local Planning Scheme be by Council resolution.</p>
<p><b>Policy:</b></p>	<p><b>City of Perth City Planning Scheme No.2 Precinct Plan No. 13 (P13) – Adelaide Precinct</b></p> <p>The intent for the Adelaide Precinct is to develop the Precinct as a residential quarter accommodating a wide range of residential and visitor accommodation and employment opportunities serviced by activities which support these uses.</p> <p>The proposal is consistent with the Statement of Intent as the addition of ‘Healthcare 2’ land use category provides essential healthcare services that support an increased residential population and employment opportunities.</p> <p><b>Terrace Road Design Policy</b></p> <p>The subject site is located within the Terrace Road Design Planning Policy Area which guides the built form outcomes of the area. Amendment No. 51 relates to land use and does not propose any built form modifications and therefore, the Terrace Road Design Policy is unaffected by the scheme amendment.</p> <p><b>Council Policy 3.5 (CP 3.5)</b></p> <p>Amendment No. 51 satisfies the criteria of CP 3.5 which provides a framework to guide the preparation of scheme amendments ahead of the new local planning scheme.</p>

## Financial Implications

21. In accordance with the *Planning and Development Regulations 2009* and *Planning and Development (Local Planning Schemes) Regulations 2015* costs associated with the assessment, advertising and gazettal of the scheme amendment are met by the applicant.



## Further Information

22. Questions and responses forming part of the Agenda Briefing Session held on 20 February 2024 are as follows:

	Question	Response
1.	Residents have contacted me about their concerns around the limited time to respond to the change in use. Some residents didn't get the information. Is there any reason why this was not sent to neighbouring buildings via their Strata management maybe?	<p>The City wrote to the five strata management companies of the properties directly abutting and adjoining the Hyatt Centre, as well as owners of nearby properties.</p> <p>The City requested confirmation from the strata management companies that the correspondence had been forwarded to all owners and occupiers of the building.</p> <p>The City received confirmation from all strata management companies that the correspondence had been forwarded within one week of receiving.</p> <p>A 42-day comment period was provided in which to submit comments on the scheme amendment, between 2 October and 1 December 2023.</p> <p>The public agenda for the Agenda Briefing Session was released on Friday 16 February 2024.</p> <p>All submitters were advised.</p>

## Council Resolution (OCM-24/02-007)

**Mover:** Councillor Brent Fleeton

**Seconded:** Councillor Liam Gobbert

That Council:

1. SUPPORTS Amendment No. 51 to City Planning Scheme No. 2, without modification, as per Attachment A, pursuant to Regulations 50(3) and 50(4) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
2. NOTES the submissions (including late submissions) received during the formal consultation period for Amendment No. 51 to City Planning Scheme No. 2.
3. ADOPTS the amended Precinct Plan Policy No. 13 – P13 Adelaide as per Attachment B, in accordance with the Deemed Provisions Clause 4 and Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and subject to the gazettal of Amendment No. 51.

**CARRIED UNOPPOSED (9/0)**

**For :** Lord Mayor Basil Zempilas; Deputy Lord Mayor Clyde Bevan; Councillors Brent Fleeton, Liam Gobbert, Viktor Ko, Catherine Lezer, Raj Doshi, David Goncalves and Bruce Reynolds

**Against :** Nil

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## 11.4 International Relationships - Potential New Relationship with India

Responsible Officer	Dale Page – General Manager Planning and Economic Development
Voting Requirements	Simple Majority
Attachments	Attachment 11.4A – Map of Relationships

### Purpose

The purpose of this report is to seek Council endorsement for the City to commence background research and preliminary engagement this financial year to progress qualifying opportunities and options for an international relationship with an Indian city.

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### Recommendation

That Council AGREES to commence the process of identifying and progressing a new international relationship with an Indian city, ahead of the 2024/25 project prioritisation and budget approval processes.

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## Background

1. The City of Perth has an active role in the international community via:
  - a. Membership of the (18-member) World Energy Cities Partnership (WECP).
  - b. Relationships with bilateral business councils and chambers; the Consular Corps; and Federal and State international business-related agencies.
  - c. Eight Sister City relationships, three Charters of Mutual Friendship, and one Memorandum of Understanding.
2. The cities involved in the WECP, and the cities involved in Sister City type relationships are outlined in Attachment 1.
3. With established government and business contacts in a variety of cities, the City of Perth facilitates and acts as a gateway to international markets and provides trade, investment, and knowledge-sharing opportunities.
4. The City regularly hosts delegations from overseas governments, bilateral associations, and business and special interest groups. Such actions establish or strengthen international links for the City and local stakeholders across priority sectors, attract investment, and promote international trade and people-to-people links.

## Types of International Relationships

5. A Sister City relationship is a broad-based, long-term partnership between two cities in two countries. It is officially recognized after the highest elected officials sign an agreement to that effect.
6. A Charter of Mutual Friendship is a long-term partnership between two cities in two countries at a lower level of formality than a Sister City relationship. Where appropriate, these Friendship Cities can be potentially upgraded to a Sister City relationship.
7. Over the decades the definition and role of such relationships has evolved, with less emphasis on culture and migration and more on economic or commercial links.
8. Special-purpose agreements now place a greater emphasis on specific fields of cooperation (e.g., Education Cities; Digital or Smart Cities; Energy Cities).
9. State Governments operate similar agreements at the State/Province/Prefecture level.
10. The City has been working towards a more formal relationship with India for some time, having attended the Sister State relationship delegation with WA and Andhra Pradesh in 2017. The City has also undertaken a variety of events with the Australian India Business Council and CCIWA International Trade and Investment Centre. In 2023 the City renamed a road in East Perth to Sailani Avenue in collaboration with the Department of Foreign Affairs and Trade and the State (through Landgate) in honour of sacrifices made by Anzacs from the Indian community during World War One.
11. At an Elected Member Engagement Session in December 2023, an overview of the City's International Relationships and International Engagement activity was presented along with future opportunities focussed on the Indo Pacific region.
12. Positive feedback was received about the potential for a new international relationship with an Indian city.

13. Through early engagement with stakeholders, it has been suggested that entering into a “Letter of Intent” (LOI) or “Memorandum of Understanding” (MOU) may be a more familiar and most appropriate first step for an Indian city in developing an international partnership with the City of Perth.

## Discussion

14. The scope, timeline, and actions required to research, identify and communicate with a targeted Indian city are outlined below:

<i>Step</i>	<i>Action</i>	<i>Description</i>
1	Research	<p>In-house research to identify synergies and commercial opportunities across key sectors, cultural and migration links, and assess against internal policy requirements (CP 4.5) and International Engagement resourcing.</p> <p>Key sectors of relevance to the City would include:</p> <ul style="list-style-type: none"> <li>• Education: India is WA’s largest source market for international students (8,818 enrolments; 2022).</li> <li>• Medical and Life Sciences: This is one of India’s fastest-growing sectors, with over 3000 start-ups in pharmacy, home healthcare, diagnostics and biotech. India is linked to WA universities through clinical trial testing.</li> <li>• Property and Construction: India has globally active companies who have considered bidding on city-based projects such as Elizabeth Quay</li> <li>• Resources and Energy: India is WA’s ninth largest export market (\$5.1B; 2022) with gold, petroleum and alumina accounting for 78%. Perth energy and resources companies are also exploring opportunities in India.</li> <li>• Technology and Innovation: India’s start-up ecosystem ranks second globally for unicorn count, with 100 collectively valued at US\$333B.</li> <li>• Tourism: India is WA’s fourth largest market for international visitors (23,835; 2022). Direct flights will significantly increase visitation.</li> </ul> <p><b>This step/action is already well underway.</b></p>
2	Stakeholder Engagement	<p>Strategic engagement with stakeholders including:</p> <ul style="list-style-type: none"> <li>• Department of Foreign Affairs and Trade (DFAT)</li> <li>• Australian Trade and Investment Commission (Austrade)</li> <li>• Consulate-General of India (WA)</li> <li>• High Commission of India (ACT)</li> </ul>

		<ul style="list-style-type: none"> <li>• Australia-India Business Council WA (AIBC-WA)</li> <li>• Chamber of Commerce and Industry WA (CCIWA)</li> <li>• Invest and Trade WA / JTSI</li> <li>• Relevant City of Perth businesses and universities</li> <li>• Perth Airport</li> </ul> <p><b>This step/action is already well underway.</b></p>
3	External review / support	<p>Engage a relevant industry association to review and provide feedback on:</p> <ul style="list-style-type: none"> <li>• the City's analysis</li> <li>• the shortlist of cities</li> <li>• recommendations for a preferred city.</li> <li>• City businesses / institutions who would support and benefit from a relationship with the preferred city</li> <li>• Mutual projects/initiatives that should be pursued with that city</li> </ul>
4	Engagement of Elected Members	Present shortlisted cities to Elected Members for review and discussion - <b>April 2024</b>
5	City to City Engagement (India)	Following identification of a prospective Indian city / cities, begin an engagement process with those cities, via Australian and Indian diplomatic channels - determine the degree of reciprocity, any internal requirements and approval processes for that city, and suggested mutual projects / initiatives and budget for first 2 – 3 years.
6	Engagement of Elected Members	Report to Council seeking endorsement of the nominated Indian city. <b>This step/action is currently intended to be completed by July / August 2024</b> - subject to internal resource and completion of step 5 above, which relies on external agencies/stakeholders.
7	DFAT: Foreign Arrangements Scheme	Arrange relevant documentation required to notify the Minister of Foreign Affairs of a proposal to enter non-core foreign arrangement (local government entity) through online notification portal.
8	Formal ceremony	Arrange logistics and inbound/outbound visit for official signing ceremony and commemorative activities to signify formal establishment of the relationship.
<b>Total estimated timeline:</b>		<b>~ 9 – 12 months (from commencement)</b>

## Consultation

15. Significant research and stakeholder engagement needs to occur before a decision can be made on preferred Indian city for a new formal relationship, as set out in the table above.
16. The Administration has already commenced this process, as follows:
  - a. Sectors have been identified, which should be targeted (initially) in formalising a new international relationship with an Indian city. These sectors include international education; tourism; resources and energy (including energy transition) and ICT / digital economy / innovation (including smart cities). Later linkages could include property and medical health and life sciences.
  - b. Based on the above, a researched “long list” has been compiled of over 15 Indian cities and their characteristics - in line with Council Policy 4.5 - International Partnerships. This list includes information on the population, priority economic sectors, number of universities, international airports, economic rankings, ease of doing business and the existing international relationships each city has (inclusive of Sister State relationships or other international city related Memorandum of Understanding).
  - c. Study Perth has provided the City with an overview of Indian city student source markets through education providers and the WA Trade Office.
  - d. Discussions and meetings have been held with the Department of Foreign Affairs and Trade, the Australian India Business Council WA, the Chamber of Commerce and Industry WA (International Trade and Investment), and the Indian Consul General, based in Perth.
  - e. The High Commissioner of India to Australia met with the Lord Mayor and senior City staff on Thursday 8 February 2024, and a potential new international relationship with an Indian city was a key topic of conversation.
  - f. The “long list” described above is being reviewed and refined as stakeholder engagement progresses – with the engagement assisting in narrowing the list of potential cities for consideration.
17. Feedback from the engagement already undertaken has been positive and has assisted in:
  - a. identifying areas of focus for Indian cities and some commonality on the type of Indian city that would be a good overall match for Perth.
  - b. validating the cities shortlisted for consideration and further review.
18. A shortlist of suitable Indian cities will be discussed with Elected Members in April 2024 and, once a preferred city has been identified, a report will be prepared for Council to endorse the nominated Indian city in July or August – depending on engagement timelines with the preferred city and responses received.
19. There is currently only one formal relationship between Indian and Australian cities – Hyderabad with Brisbane and Ipswich. The City of Melbourne also has a strategic alliance with the National Capital Territory Government of New Delhi.
20. General levels of activity with India have increased across stakeholders identified with the State Government actively progressing direct flights between Perth and India - with a recent trade mission to Delhi and Chennai aiming to pave the way for non-stop direct flights between India and WA. This is described as a significant aviation priority for the State Government and can assist in creating access and linkages for a new international relationship with an Indian city.

## Decision Implications

21. Given the resource that will need to be allocated to this project and the level of stakeholder engagement required, Council's approval is being sought to commence the process of identifying and progressing a new Sister City relationship with an Indian City, ahead of the 2024/25 project prioritisation and budget approval processes.
22. If Council endorses the recommendation, some re-prioritisation of existing International Engagement resourcing, activity and budget will be required for the 2023/24 financial year.

## Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	Prosperous
Related Documents (Issue Specific Strategies and Plans):	Economic Development Strategy Theme 5 – A City on the Global Stage - Multiple objectives including: 5.7 – Partner with key stakeholders to ensure Perth remains at the forefront of engagement with Asia and beyond through forums and dialogue, capacity building programs and the hosting of visiting government and business delegates

Legislation, Delegation of Authority and Policy	
Legislation:	The City of Perth Act 2016 – Part 1 (4) Objects Achieves multiple objects of the Act related to recognising promoting and enhancing the special social, economic, cultural, environmental and civic role the City of Perth plays
Authority of Council/CEO:	Council Allows the Administration to commence preliminary work to progress this opportunity
Policy:	CP 4.5 International Relationships Aligns to the objectives and scope of this policy

## Financial Implications

23. Commencement of early work to identify and progress a new Sister City relationship with an Indian City can be accommodated within the City's existing International Engagement budget.
24. Funding for a roadmap of activity and a relevant inbound/outbound visit for official signing ceremonies, commemorative activities to signify formal establishment of the relationship, and ongoing maintenance and recognition of the relationship will need to be accommodated in the budget for 2024/25 and future budgets.

## Further Information

25. Nil.

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### Council Resolution (OCM-24/02-008)

**Mover:** Lord Mayor Basil Zempilas

**Seconded:** Councillor Brent Fleeton

That Council AGREES to commence the process of identifying and progressing a new international relationship with an Indian city, ahead of the 2024/25 project prioritisation and budget approval processes.

**CARRIED EN BLOC (9/0)**

**For :** Lord Mayor Basil Zempilas; Deputy Lord Mayor Clyde Bevan; Councillors Brent Fleeton, Liam Gobbert, Viktor Ko, Catherine Lezer, Raj Doshi, David Goncalves and Bruce Reynolds

**Against :** Nil

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## 12. Community Development Alliance Reports

### 12.1 Commemorative Works Proposal - CWA Centenary Plaque

Responsible Officer	Kylie Johnson – General Manager Community Development
Voting Requirements	Simple Majority
Attachments	Attachment 12.1A – CWA Centenary Plaque Commemorative Works Proposal Attachment 12.1B – Letters of Support Attachment 12.1C – A Story of the Homes of the Country Women's Association of Western Australia (Inc) Attachment 12.1D – Example of Proposed Plaque Text and Type Attachment 12.1E – Proposed Plaque Location

### Purpose

The applicant, the Country Women's Association of Western Australia (CWA), is seeking Council approval to install a commemorative plaque to mark the centenary of the CWA in Western Australia. It is proposed the plaque be located within the footpath outside the CWA headquarters at 1176 Hay Street, West Perth.

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### Recommendation

That Council APPROVES the installation of the plaque that recognises the centenary of the CWA in Western Australia at 1176 Hay Street, West Perth.

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## Background

1. The CWA is seeking Council approval to install and unveil a plaque that recognises and celebrates 100 years of the CWA in Western Australia. It is proposed that this centenary plaque be unveiled during the Lotterywest Boorloo Heritage Festival in April 2024.
2. As this plaque commemorates an organisation significant to the history of Western Australia it is subject to assessment under Council Policy 4.9 Commemorative Works. Under this Policy, approval or decline of this commemorative work must be by resolution of Council.
3. The City received this commemorative works proposal on 12 January 2024 (Attachment 12.1A).
4. 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

5. The proposal presents a strong case for a plaque in a meaningful location and aligns with Clause 18 (a) of Council Policy 4.9 Commemorative Works which states '....a new commemorative work should be an individual, or organisation, that has made an outstanding contribution to changing the course of history of the site or the city of Perth, or has had an impact on the development of Perth.'
6. Since 1924 the CWA has operated as a volunteer led and not for profit organisation, representing and advocating for women and their families in regional and urban Western Australia, influencing change at many levels from grass roots community through to government.
7. The Western Australian branch of the CWA formed in Perth and quickly established links with individuals and organisations within the city, occupying many interesting and historic sites including Boans Ltd in Wellington Street (demolished 1987) and Kendenup in West Perth (demolished 1967).
8. The placement of the plaque outside CWA headquarters at 1176 Hay Street West Perth is significant as the CWA has been situated at that site since 1948. It has owned and occupied three premises on the site including the current CWA headquarters (refer to Attachment 12.1C). The CWA also has particularly strong links to the West Perth area including with Parliament and Kings Park. There is no other permanent recognition of the CWA in the City of Perth.
9. The proposal recommends that the plaque is gifted to the City of Perth and becomes part of the City's plaque collection.
10. The final location of the plaque will be determined by the City of Perth to ensure it does not compromise existing services or public safety. It is proposed that the plaque be similar in style to the St Mary's Anglican School for Girls plaque as referenced in section 6 of the Proposal (Attachment 12.1A) and visually in Attachment 12.1D.
11. Ongoing maintenance of the plaque will be scheduled in to and accommodated by the City's Public Art maintenance budget.

## Consultation

12. The applicant has supplied letters of support from the Hon Sue Ellery MLC and a number of local businesses (Attachment 12.1B).

13. The applicant has also undertaken face to face consultation with its business and community neighbours in West Perth. Property owners within the immediate vicinity of 1176 Hay Street have been consulted and offer their support to the installation of the plaque.
14. The applicant has consulted with its members and peers since its Centenary Committee was established in 2019. A commitment to proceed with the plaque was canvassed at the CWA State Conference in July 2023 and met with overwhelming support.

## Decision Implications

15. If Council supports the recommendation, the City will work with the applicant on the installation of the plaque and will integrate ongoing maintenance of the plaque into its ongoing Public Art maintenance budget and schedule.
16. 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

## Financial Implications

17. 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 that they are seeking no funding from the City of Perth (refer to Attachment 12.1A).
18. Following installation of the proposed 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 plaque collection and Public Art maintenance program, serviced by a City appointed public art contractor. Maintenance costs can incorporated within the existing public art maintenance budget.

## Further Information

Nil.

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## Council Resolution (OCM-24/02-009)

**Mover:** Lord Mayor Basil Zempilas

**Seconded:** Councillor Brent Fleeton

That Council APPROVES the installation of the plaque that recognises the centenary of the CWA in Western Australia at 1176 Hay Street, West Perth.

**CARRIED EN BLOC (9/0)**

**For :** Lord Mayor Basil Zempilas; Deputy Lord Mayor Clyde Bevan; Councillors Brent Fleeton, Liam Gobbert, Viktor Ko, Catherine Lezer, Raj Doshi, David Goncalves and Bruce Reynolds

**Against :** Nil

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## 12.2 Review of Council Policy 4.3 Outgoing Sponsorship and Grants

Responsible Officer	Kylie Johnson – General Manager Community Development
Voting Requirements	Simple Majority
Attachments	Attachment 12.2A – Attachment A: Amended Council Policy 4.3 Outgoing Sponsorship and Grants Attachment 12.2B – Attachment B: Summary of Changes to Policy 4.3 Outgoing Sponsorship and Grants

### Purpose

To present the review of Council Policy 4.3 Outgoing Sponsorship and Grants and in-principle budget allocations for the 2024/25 Sponsorship and Grant Programs.

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### Recommendation

That Council:

1. ADOPTS amended Council Policy 4.3 Outgoing Sponsorship and Grants
  2. SUPPORTS the 2024/25 Sponsorship and Grant Programs and in-principle budget allocation outlined in paragraph 4.
-




## Background

1. Through the annual sponsorship and grants program, the City of Perth supports a wide range of projects which bring visitation, vibrancy and increased economic activity to the city. The good governance of sponsorship and grant arrangements is provided for by Council Policy 4.3 Outgoing Sponsorship and Grants.
2. Council Policy 4.3 Sponsorship and Grants was first adopted at the OCM on 25 May 2021. Some minor amendments were subsequently adopted by Council in August and December in the same year.
3. A major review of Council Policy 4.3 Sponsorship and Grants occurred in mid-2022, with significant amendments adopted at the OCM on 30 August 2022 (OCM-22/08-138) including the change of policy name to CP 4.3 Outgoing Sponsorship and Grants (CP 4.3) to reflect the creation of new Council Policy 4.10 Incoming Sponsorship.

## Discussion

4. Council Policy 4.3 Outgoing Sponsorship and Grants will provide for the good governance of the 2024/25 program of sponsorships and grants and associated budgets below:

Programs	Proposed 2024/25 Budget	Liveable	Sustainable	Prosperous
Major Events and Festivals Sponsorship	\$1,600,000			
Event Sponsorship	\$1,000,000			
Art & Culture Sponsorship	\$800,000			
Residential Energy Upgrade Grant	\$100,000			
Economic Development Sponsorship	\$650,000			
Business Improvement Grant	\$250,000			
Business Relocation Grant	\$100,000			
Heritage Conservation Grant	\$200,000			
Local Activation Grant	\$500,000			
Community Group Insurance	\$20,000			
Venue Support Grants	\$50,000			
Residential Sustainability Assessment Grant	\$100,000			
	\$5,370,000			
In-kind Support Budget	\$250,000 (In-kind)			

Heritage Adaptive Reuse Grant	Heritage Incentive Reserve (\$4.0M over three years)			
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5. The proposed policy changes are marked up in Attachment A: Amended Council Policy 4.3 Outgoing Sponsorship and Grants.
6. The rationale for key changes are outlined in Attachment B: Summary of Changes to Policy 4.3 Outgoing Sponsorship and Grants.

## Consultation

7. The proposed policy changes were presented to Elected Members for feedback at an Elected Member Engagement Session on Tuesday 6 February 2024.

## Decision Implications

8. Increasing the CEO delegation from \$15,000 to \$20,000 will likely result in more funding applications being decided by the CEO. These decisions will be reported to Elected Members via quarterly updates.
9. If Council supports the changes to Council Policy 4.3 – Outgoing Sponsorships and Grants, it will more accurately outline the current framework, include clearer requirements for record-keeping, and all unnecessary provisions would be removed. If Council does not support the recommendation, the current policy would continue to apply.

## Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	Liveable
Related Documents (Issue Specific Strategies and Plans):	<ul style="list-style-type: none"> <li>• Strategic Community Plan 2022 – 2032 (Liveable, Sustainable and Prosperous pillars)</li> <li>• Economic Development Strategy 2022 - 2032</li> <li>• Sustainability Strategy 2022 – 2032</li> <li>• 2025 Events Strategy</li> <li>• Heritage Strategy 2020 – 2024</li> <li>• Tech Action Plan</li> <li>LGBTQIA+ Plan 2021-2024</li> </ul>

Legislation, Delegation of Authority and Policy	
Legislation:	<p>Section 8 (1) of the City of Perth Act 2016.</p> <p>(e) to promote awareness of the facilities and events provided or facilitated by the City of Perth and encourage the community to make use of or participate in them;</p> <p>(f) to initiate and promote the continued growth and environmentally sustainable development of the City of Perth and ensure its continued</p>

	<p>role as a thriving centre of business with vibrant cultural and entertainment precincts, while enhancing and protecting its natural environment and having due regard to the flow-on impact on the Perth metropolitan area;</p> <p>(g) to nurture and support the initiatives and innovations of the diverse precincts of the City of Perth;</p>
<b>Authority of Council/CEO:</b>	<p>The recommendation is made to Council in line with both:</p> <ul style="list-style-type: none"> <li>• section 2.10 (a) of the Local Government Act 1995 whereby under the role of Councillors; represents the interests of electors, ratepayers and residents of the district; and</li> <li>• section 2.7 which provides Council is to be responsible for the performance of the local government’s functions and oversee the allocation of the local government’s finances and resources.</li> </ul>
<b>Policy:</b>	Council Policy 4.3 Outgoing Sponsorship and Grants

## Financial Implications

10. 2024/25 Sponsorship and Grant Programs and in-principle budget allocation is outlined below.

Programs	Proposed 2024/25 Budget
Major Events and Festivals Sponsorship	\$1,600,000
Event Sponsorship	\$1,000,000
Art & Culture Sponsorship	\$800,000
Residential Energy Upgrade Grant	\$100,000
Economic Development Sponsorship	\$650,000
Business Improvement Grant	\$250,000
Business Relocation Grant	\$100,000
Heritage Conservation Grant	\$200,000
Local Activation Grant	\$500,000
Community Group Insurance	\$20,000
Venue Support Grants	\$50,000
Residential Sustainability Assessment Grant	\$100,000
	<b>\$5,370,000</b>
In-kind Support Budget	\$250,000 (In-kind)
Heritage Adaptive Reuse Grant	Heritage Incentive Reserve (\$4.0M over three years)

## Further Information

11. Nil.

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## Council Resolution (OCM-24/02-010)

**Mover:** Lord Mayor Basil Zempilas

**Seconded:** Councillor Brent Fleeton

That Council:

1. ADOPTS amended Council Policy 4.3 Outgoing Sponsorship and Grants
2. SUPPORTS the 2024/25 Sponsorship and Grant Programs and in-principle budget allocation outlined in paragraph 4.

**CARRIED EN BLOC (9/0)**

**For :** Lord Mayor Basil Zempilas; Deputy Lord Mayor Clyde Bevan; Councillors Brent Fleeton, Liam Gobbert, Viktor Ko, Catherine Lezer, Raj Doshi, David Goncalves and Bruce Reynolds

**Against :** Nil

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Councillor Catherine Lezer disclosed an Impartiality Interest in Item 12.3 as detailed in Item 5.

Councillor Liam Gobbert disclosed an Impartiality Interest in Item 12.3 as detailed in Item 5.

5:54pm Councillor Bruce Reynolds disclosed a Direct Financial and Proximity Interest in item 12.3 and departed the meeting accordingly.

### 12.3 Review of Policy 2.11 - Heritage Rate Concession and Heritage Adaptive Reuse Grant Scheme

Responsible Officer	Kylie Johnson – General Manager Community Development
Voting Requirements	Simple Majority
Attachments	Attachment 12.3A – Council Policy 2.11 - Heritage Rate Concession Attachment 12.3B – Heritage Adaptive Reuse Grants Guidelines

#### Purpose

To present the review of Council Policy 2.11 – Heritage Rate Concession and Heritage Adaptive Reuse Grant Scheme.

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#### Recommendation

That Council:

1. REVOKES Council Policy 2.11 – Heritage Rate Concession as at 30 June 2024.
2. SUPPORTS the continuation of the Heritage Adaptive Reuse Grant Scheme and revisions to update the eligibility and assessment criteria, and funding milestones as follows:

##### *Eligibility and Assessment Criteria*

- a. Inclusion of ground floor within scope of areas that are eligible if combined with an upper floor or basement project or, if at the discretion of the City, the ground floor project will provide a substantial adaptive reuse benefit that would otherwise not be realised.
- b. Amendment of the requirement that places must have been vacant for at least three years to 12 months.
- c. Adjustment of the 25% increase in gross leasable area to be preferred, not compulsory.

##### *Funding Milestones*

- d. Amendment of funding milestones to provide a higher proportion of payment at Milestone 2 – completion of works.

## Background

1. At the Ordinary Council Meeting held 31 May 2023, Council resolved:  
*That Council:*
  1. AMEND Council Policy 2.11 – Heritage Rate Concession as attached; and
  2. APPROVE allocation of \$200,000, subject to the approval of the Budget by Council, in the FY23/24 budget to fund a Heritage Conservation Grant Program to support property owners to conserve, revitalise and enhance heritage properties
2. The amended Council Policy 2.11 – Heritage Rate Concession provided continuation of the Heritage Rate Concession Program for a further one year for existing Heritage Rate Concession recipients located outside the Adaptive Reuse Zone. The Concession was provided to 194 applicants in FY23/24 at a total value of \$151,992 in foregone rates revenue. The one-year extension ceases on 30 June 2024.
3. The Heritage Conservation Grants were open from September – December 2023, resulting in 12 applications that have been assessed and is provided for Council consideration at 27 February 2024 Ordinary Council Meeting.
4. The Heritage Adaptive Reuse Grant Scheme was approved by Council at 21 December 2021 Ordinary Council Meeting with funding of \$4m over three years, commencing FY22/23. The Heritage Adaptive Reuse Grants have been open since mid-2022 with no applications received.

## Discussion

5. The current status of the Heritage Rate Concession Program, Heritage Conservation Grant Scheme and Heritage Adaptive Reuse Grants was discussed with Elected Members at the 6 February EMES. Discussion included:
  - a. Continuation of the Heritage Adaptive Reuse Grant Scheme with amendments to the Grant Guidelines to support additional applications, including:
    - Inclusion of ground floor within scope of areas that are eligible if combined with an upper floor or basement project or, if at the discretion of the City, the ground floor project will provide a substantial adaptive reuse benefit that would otherwise not be realised.
    - Amendment of the requirement that places must have been vacant for at least three years to 12 months.
    - Adjustment of the 25% increase in gross leasable area to be preferred, not compulsory.
    - Amendment of funding milestones to provide a higher proportion of payment at Milestone 2 – completion of works.
  - b. An overview of the Heritage Rate Concession Program in its current format, its focus on maintenance requirements, eligibility and effectiveness compared to grant programs and other incentives, in particular the Heritage Conservation Grant program introduced in FY23/24.
  - c. Continuation of the Heritage Conservation Grants for FY24/25 as part of the Sponsorship Program.
6. A review of Council Policy 2.11 – Heritage Rate Concession has been undertaken with a recommendation to revoke the Policy and cease the Heritage Rate Concession Program.
7. The rationale for ceasing the Heritage Rate Concession Program is that it is inequitably applied, impacts rates revenue and focuses on standard maintenance only.

8. Conclusion of the Heritage Rate Concession Program will result in approx. \$152,000 in otherwise foregone rates revenue, noting that in FY23/24 \$200k was allocated to a new Heritage Conservation Grant Program.
9. Simultaneously, proposed amendments to the Heritage Adaptive Reuse Grant Scheme as described in point 5 a) are intended to support greater uptake of the Scheme amongst property owners.
10. Heritage support for FY24/25 is proposed to be achieved through the Heritage Adaptive Reuse Grant Scheme (continuing) with proposed amendments, and continuation of the Heritage Conservation Grants, subject to the FY24/25 budget.

## Consultation

Nil.

## Decision Implications

11. If Council supports the recommendation, the Heritage Rate Concession Program will cease to be available to all heritage property owners from FY24/25 and the Heritage Adaptive Reuse Scheme will continue with amended criteria and funding milestones to support greater uptake amongst property owners.

## Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	Liveable
Related Documents (Issue Specific Strategies and Plans):	Heritage Strategy 2020-2024 The Strategy sets out the heritage vision and objectives of the City. This includes the City's statutory heritage work and community engagement initiatives.

Legislation, Delegation of Authority and Policy	
Legislation:	<i>Planning &amp; Development (Local Planning Scheme) Regulations (2015)</i> and <i>Heritage Act 2018</i> provide definitions of terms and guidance for the Policy.
Authority of Council/CEO:	Section 2.7(2)(b) of the <i>Local Government Act 1995</i> provides it is the role of Council to determine the local government's policies.
Policy:	Council Policy 2.11 Heritage Rate Concession (to be revoked).

## Financial Implications

12. Conclusion of the Heritage Rate Concession Program on 30 June 2024 will increase rates revenue to a value of approximately \$152,000 for FY24/25.

## Further Information

13. Questions and responses forming part of the Agenda Briefing Session held 20 February 2024 are as follows:

	Question	Response
1.	<p>12.3 Attachment B. This section in the guidelines</p> <ul style="list-style-type: none"> <li>• Properties that are nonrateable, rates exempt or properties that will cease to be rateable after completion of the Adaptive Reuse works; and</li> </ul> <p>does this preclude a strata company applying for works to common property (which are not rateable)?</p>	<p>Attachment B is the existing Heritage Adaptive Reuse Guidelines.</p> <p>This highlighted section relates to places that are non-rateable (e.g. churches, universities) rather than strata buildings which comprise rateable lots as well as common areas.</p> <p>Eligibility of a project proposed by a strata building would depend on the nature of the project against essential criteria, including whether proposed works include above or below ground floor areas, the activation of vacant or underutilised spaces, and result in an increase in leasable floorspace.</p> <p>Based on these existing essential criteria, projects for works to common areas only would not typically be eligible. These types of works would be directed toward a Heritage Conservation Grant.</p>
2.	<p>12.3 Attachment B. This answer</p> <p><b>1</b></p> <p><b>What if my project does not involve upper floor activation? Can I still receive a Heritage Grant from the City of Perth?</b></p> <p>Yes. A project does not have to include upper floor activation. This specific program relates to the activation of vacant and underutilised spaces of heritage buildings in the CBD.</p> <p>may need to be clarified to be closer to this statement:</p> <p><i>Eligibility and Assessment Criteria</i></p> <ol style="list-style-type: none"> <li>a. Inclusion of ground floor within scope of areas that are eligible if combined with an upper floor or basement project or, if at the discretion of the City, the ground floor project will provide a substantial adaptive reuse benefit that would otherwise not be realised.</li> </ol>	<p>Noted.</p> <p>Attachment B is the existing Heritage Adaptive Reuse Guidelines.</p> <p>Following Council’s consideration and decision on suggested amendments to the Heritage Adaptive Reuse Grant Program, the Guidelines will be updated to reflect revised terms, and approved by the CEO.</p>

## Recommendation

**Mover:** Councillor Catherine Lezer

**Seconded:** Councillor David Goncalves

That Council:

1. **REVOKES** Council Policy 2.11 – Heritage Rate Concession as at 30 June 2024.
2. **SUPPORTS** the continuation of the Heritage Adaptive Reuse Grant Scheme and revisions to update the eligibility and assessment criteria, and funding milestones as follows:

### *Eligibility and Assessment Criteria*

- a. Inclusion of ground floor within scope of areas that are eligible if combined with an upper floor or basement project or, if at the discretion of the City, the ground floor project will provide a substantial adaptive reuse benefit that would otherwise not be realised.
- b. Amendment of the requirement that places must have been vacant for at least three years to 12 months.
- c. Adjustment of the 25% increase in gross leasable area to be preferred, not compulsory.

### *Funding Milestones*

- d. Amendment of funding milestones to provide a higher proportion of payment at Milestone 2 – completion of works.

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## Procedural Motion (OCM-24/02-011)

**Mover:** Lord Mayor Basil Zempilas

**Seconded:** Councillor Liam Gobbert

That the matter be deferred for consideration at the Ordinary Council Meeting on 26 March 2024 to allow Council to properly consider the ramifications of amending the Heritage Rate Concession Policy.

**CARRIED (8/1)**

**For :** Lord Mayor Basil Zempilas; Deputy Lord Mayor Clyde Bevan; Councillors Brent Fleeton, Liam Gobbert, Viktor Ko, Catherine Lezer, Raj Doshi and Bruce Reynolds

**Against :** Councillor David Goncalves

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5:57pm Councillor Bruce Reynolds returned to the meeting prior to Item 12.4.

Deputy Lord Mayor Clyde Bevan disclosed an Impartiality Interest in Item 12.4 as detailed in Item 5.

Councillor Catherine Lezer disclosed an Impartiality Interest in Item 12.4 as detailed in Item 5.

Councillor Brent Fleeton disclosed an Impartiality Interest in Item 12.4 as detailed in Item 5.

Councillor Liam Gobbert disclosed an Impartiality Interest in Item 12.4 as detailed in Item 5.

## 12.4 Council Report - Heritage Conservation Grant Program 2023/24

<b>Responsible Officer</b>	Kylie Johnson – General Manager Community Development
<b>Voting Requirements</b>	Simple Majority
<b>Attachments</b>	Attachment 12.4A – Attachment A - Summary of Applications for Heritage Conservation Grants FY 2023/24

### Purpose

To provide a grant recommendation to Council under the Heritage Conservation Grant program.

### Recommendation

That Council APPROVES\* the following Heritage Conservation Grants totalling \$200,000 ex GST:

Ref	Applicant/Address	Recommendation
a.	The Owners of Warehouse 569 Strata Plan 39209 for <b>569 Wellington St, Perth</b>	\$15,000 ex GST
b.	Owners of The Box Building SP 40672 for <b>918 Hay St, Perth</b>	\$11,700 ex GST
c.	307 Murray Street Syndicate for <b>307 Murray St, Perth</b>	\$25,000 ex GST
d.	Lachlan Aitken for <b>47 Wellington St, East Perth</b>	\$25,000 ex GST
e.	Realside 108 SGT Pty Ltd for <b>108 St Georges Tce, Perth</b>	\$25,000 ex GST
f.	Brookfield Commercial Operations Pty Ltd for <b>125 St Georges Tce, Perth</b>	\$11,690.92 ex GST
g.	Owners of 299 Newcastle SP 50461 for <b>Unit 3/299 Newcastle St, Northbridge</b>	\$6,319 ex GST
h.	Owners of Lawson SP 14674 for <b>2 Sherwood Ct, Perth</b>	\$12,500 ex GST
i.	The Trustee for 67 King St Trust for <b>67 King St, Perth</b>	\$25,000 ex GST
j.	Christopher Sellings for <b>22 Palmerston St, Northbridge</b>	\$10,251.20 ex GST
k.	The Trustee for Wallis & Fuller Unit Trust for <b>1/885 Wellington St, Perth</b>	\$25,000 ex GST
l.	RYC Leong Pty Ltd for <b>69 King St, Perth</b>	\$7,538.88 ex GST

\*Approval subject to a suitable grant agreement being entered into by the City and the applicants on terms acceptable to the City within three months of Council decision.

## Background

1. The City recognises that Perth’s heritage makes a significant contribution to the city’s identity, prosperity, and ongoing liveability. The Heritage Conservation Grants aim to support physical conservation works, documentation and professional heritage advice relating to the conservation of heritage-protected places.
2. In the 2023/24 financial year, one funding round is offered for heritage conservation projects that can be completed before 1 September 2025.
3. Funding of up to \$15,000 ex GST or up to 75% of the total cost, whichever is the lesser amount, is available for Heritage Advice and Documentation.
4. Funding of up to \$25,000 or up to 50% of the total project cost, whichever is the lesser amount, is available for Heritage Conservation Works.
5. Grant funding is paid upon completion of the project as a reimbursement of the approved expenditure.
6. The City accepted applications for the Heritage Conservation Grant program 2023/24 from 4 September to 4 December 2023. The City received 12 applications in total.
7. The applications were assessed by a three-person assessment panel, consisting of a General Manager, Alliance Manager and Cultural Heritage Planner from within the City.
8. A panel member disclosed an Impartiality Interest in relation to one of the applications.

<b>Position</b>	a. Cultural Heritage Planner
<b>Reference</b>	b. Application Ref D – Attachment A: Summary of Applications – Heritage Conservation Grants
<b>Nature of interest</b>	c. Impartiality
<b>Interest description</b>	d. <i>“Carried out a Heritage Impact Statement for 47 Wellington Street in 2021, prior to my employment at the City.”</i>

9. Applications were assessed against the following criteria:
  - a. The extent to which the project addresses a critical or emerging need of the place.
  - b. Whether the project will contribute to the conservation of elements of places that are publicly accessible or that are visible from the public realm or are of high social value to the community.
  - c. The extent to which the project complies with best practice heritage conservation.
  - d. The extent to which the project is achievable and demonstrates value for money.
10. Each property on the City’s Local Heritage Survey is assigned a Category Classification, denoting the place’s heritage significance. The classifications are defined by the Heritage Council of WA as follows:

Level of significance to the local area	Classification	Description
Exceptional	Category 1	a. Essential to the heritage of the locality. Rare or outstanding example.
Considerable	Category 2	b. Very important to the heritage of the locality.

Some/moderate	Category 3	c. Contributes to the heritage of the locality.
Little	Category 4	d. Has elements or values worth noting for community interest but otherwise makes little contribution.

## Discussion

11. The Heritage Conservation Grant round was competitive, and the total funding requests across the applications received exceeded the available budget.
12. All maximum eligible funding requests received have been recommended in full, except for the lowest scoring application which has been recommended for partial funding, due to budget limitations. This is detailed in the attached Summary of Applications – Heritage Conservation Grants.
13. The City received two applications for Heritage Advice and Documentation, with the remaining ten applications requesting support for physical Heritage Conservation Works.
14. The recommendations are carefully considered with the view of achieving the best heritage conservation outcomes for the City. Project costs that are unrelated to the conservation of heritage, or that are unsubstantiated by supplier quotes, are not considered as part of an eligible funding request.
15. Each assessment criterium has clear descriptions and a rating scale which guides the assessors when considering an appropriate score. The scores from panel members for each assessment criteria are averaged and ranked from highest to lowest.
16. Of the 12 applications recommended for approval, four are of Exceptional Heritage – Category 1, and eight are of Considerable Heritage – Category 2. This reflects an investment in heritage buildings that are of high value to the City.
17. Where applications comprise physical works without a Conservation Management Plan to guide management and maintenance over time, the City will provide information on maintenance risks and approaches to help owners safeguard the conservation work once completed.

## Consultation

Nil.

## Decision Implications

18. It is generally not possible to support every application or the total request for each applicant, due to budget constraints, ineligible project costs, lack of alignment with the City's strategic priorities and/or poor-quality applications. This may result in unavoidable dissatisfaction from some applicants.

## Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	Liveable
Related Documents (Issue Specific Strategies and Plans):	Heritage Conservation Grant Guidelines 2023 - 24 Strategic Community Plan 2022 – 2032 Heritage Strategy 2020 - 2024

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 Outgoing Sponsorship and Grants directs that any sponsorship application for more than \$15,000 or for a funding round be considered by Council.
Policy:	Council Policy 4.3 Outgoing Sponsorship and Grants 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

19. The financial implications of the recommendation(s) are accommodated within the existing budget.

Account Number	1066-100-50-10371-7901	Operating
Account Description	Heritage Grants	
Total Budget	\$200,000	
Budget – This report	\$200,000	
Remaining Budget	\$0	
Budget Impact	Accommodated within 2023/24 budget	

## Further Information

20. Nil.

## Council Resolution (OCM-24/02-012)

**Mover:** Councillor Catherine Lezer

**Seconded:** Councillor Bruce Reynolds

That Council APPROVES\* the following Heritage Conservation Grants totalling \$200,000 ex GST:

Ref	Applicant/Address	Recommendation
a.	The Owners of Warehouse 569 Strata Plan 39209 for <b>569 Wellington St, Perth</b>	\$15,000 ex GST
b.	Owners of The Box Building SP 40672 for <b>918 Hay St, Perth</b>	\$11,700 ex GST
c.	307 Murray Street Syndicate for <b>307 Murray St, Perth</b>	\$25,000 ex GST
d.	Lachlan Aitken for <b>47 Wellington St, East Perth</b>	\$25,000 ex GST
e.	Realside 108 SGT Pty Ltd for <b>108 St Georges Tce, Perth</b>	\$25,000 ex GST
f.	Brookfield Commercial Operations Pty Ltd for <b>125 St Georges Tce, Perth</b>	\$11,690.92 ex GST
g.	Owners of 299 Newcastle SP 50461 for <b>Unit 3/299 Newcastle St, Northbridge</b>	\$6,319 ex GST
h.	Owners of Lawson SP 14674 for <b>2 Sherwood Ct, Perth</b>	\$12,500 ex GST
i.	The Trustee for 67 King St Trust for <b>67 King St, Perth</b>	\$25,000 ex GST
j.	Christopher Sellings for <b>22 Palmerston St, Northbridge</b>	\$10,251.20 ex GST
k.	The Trustee for Wallis & Fuller Unit Trust for <b>1/885 Wellington St, Perth</b>	\$25,000 ex GST
l.	RYC Leong Pty Ltd for <b>69 King St, Perth</b>	\$7,538.88 ex GST

\*Approval subject to a suitable grant agreement being entered into by the City and the applicants on terms acceptable to the City within three months of Council decision.

**CARRIED UNOPPOSED (9/0)**

**For :** Lord Mayor Basil Zempilas; Deputy Lord Mayor Clyde Bevan; Councillors Brent Fleeton, Liam Gobbert, Viktor Ko, Catherine Lezer, Raj Doshi, David Goncalves and Bruce Reynolds

**Against :** Nil

















13. Infrastructure and Operations Alliance Reports

Nil.

14. Commercial Services Alliance Reports

Nil.

## 15. Corporate Services Reports

### 15.1 Monthly Financial Statements - November 2023

Responsible Officer	Michael Kent – Chief Financial Officer
Voting Requirements	Simple Majority
Attachments	Attachment 15.1A – Statement of Financial Activity P5 Attachment 15.1B – Notes on Significant Variances Attachment 15.1C – Supplementary Notes to Statement of Financial Activity Attachment 15.1D – Monthly Financial Statistics P5 Attachment 15.1E – Statement of Financial Position P5. Attachment 15.1F – Alliance Operating Variances P5 Attachment 15.1G – Capital Variances P5. Attachment 15.1H – Investment Report P5 Attachment 15.1I – Rates Monthly Debtors Report - P5.

### 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:

1. RECEIVES the following financial reports for the period ended 30 November 2023:
  - a) Statement of Financial Activity (SFA) - Attachment 15.1A.
  - b) Notes on Significant Variances - Attachment 15.1B.
  - c) Supplementary Notes to the Statement of Financial Activity - Attachment 15.1C.
  - d) Monthly Financial Statistics - Attachment 15.1D.
  - e) Statement of Financial Position - Attachment 15.1E.
  - f) Alliance Operating Variances - Attachment 15.1F.
  - g) Capital Variances - Attachment 15.1G.
  - h) Investment Report - Attachment 15.1H.
  - i) Rates Monthly Debtors Report - Attachment 15.1I.

## 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 Statement of Financial Activity (SFA) 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 supplementary 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 Significant Variances (Attachment 15.1B) 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. It is a statutory requirement to present a set of Monthly Management Accounts within two months of the end of the month to which they refer.
14. Due to the Christmas / New Year Council meeting adjournment, there is no meeting opportunity within the two month period to present the November financial management reports, so they have been distributed to Elected Members via Council Hub for review and are then endorsed at the February OCM along with the December financial management reports.
15. The SFA by Nature & Type - Attachment 15.1A presents a whole of organisation perspective on the attainment of revenue and expenditure targets overall - classified by nature and type.
16. The headline data from the SFA is shown in Table 1 below.

**Table 1:**

Item Details	Annual Budget	YTD Budget	Actual 23/24	Variance	F/ U
Operating Revenue	\$ 113.24 M	\$ 53.63 M	\$ 56.41 M	\$ 2.78 M	F
Rates Revenue	\$ 103.81 M	\$ 103.81 M	\$ 104.35 M	\$ 544 K	F
Cash Operating Exp.	\$ 177.26 M	\$ 70.16 M	\$ 66.03 M	\$ 4.13 M	F
Non-Operating Revenue	\$ 10.15 M	\$ 250 K	\$ 307 K	\$ 83 K	F
Capital - Infrastructure	\$ 27.83 M	\$ 8.76 M	\$ 8.75 M	\$ 4 K	F
Property, Plant & Equip.	\$ 32.72 M	\$ 5.75 M	\$ 4.95 M	\$ 804 K	F
Capital Contributions	\$ 15.00 M	\$ 0.00 M	\$ 0.00 M	\$ 0.00 M	F

17. Material operating revenue and expenditure variances from Attachment 15.1A are detailed (with explanatory comments) in the Notes on Significant Variances (Attachment 15.1B).
18. Each line item listed in the SFA by Nature & Type Attachment 15.1A can be cross referenced (using the Note reference) back to the relevant note.
19. Examining the SFA (Attachment 15.1A) in more detail; the aggregation of operating revenues and operating expenses reflects a year-to-date Net Cash Position from Operations of \$94.73M compared to a year-to-date budgeted surplus of \$87.28M. This is a favourable variance of \$7.45M at the end of the month.
20. Investing activities reflect a result of (\$13.63M) compared to a year-to-date budget of (\$14.28M). This is a favourable variance of \$0.65M. This is largely related to an accelerated start to the capital program, albeit a program with a modest budget to date.



21. Construction of infrastructure to month end is in line with date budget expectations at \$8.75M, against a \$8.76M year to date budget as noted at paragraph 15.
22. Acquisition of non-infrastructure to month end is \$4.95M against the year-to-date budget of \$5.75M.
23. Comments on significant capital variances are contained in Attachment 15.1G.
24. 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.
25. The SFA for the period to 30 November shows that a rate yield of \$104.35M has been levied compared to the budget of \$103.80M after adjusting for interim rates.
26. The disclosed year to date SFA Closing Position of \$107.40M compares favourably to the projected budget closing position of \$100.18M - reflecting the combined impact of the favourable variances noted in this report for revenues, expenses, and financing activity.
27. Contributing to this difference are a very positive investment revenue performance and slower than anticipated operating cash outflows.
28. Key financial statistics at each month end are presented graphically in Attachment 15.1D as an alternative representation of the data.
29. The Net Current Position Note (Attachment 15.1C) at month end indicates a year-to-date adjusted Net Current Position value of \$105.13M versus the year end projection of \$5.53M.
30. Headline data from this month's Net Current Position report is shown in Table 2 below.

**Table 2:**

Item Details	June 2023 Actual	June 2024 Annual Budget	Nov 2023 Actual
Current Assets	\$ 210.21 M	\$ 180.60 M	\$ 315.01 M
Current Liabilities	(\$ 35.22 M)	(\$ 41.51 M)	(\$ 50.22 M)
Unadjusted Net Assets	\$ 174.98 M	\$ 139.09 M	\$ 254.78 M
Less Restricted Items	(\$ 143.97 M)	(\$ 133.56 M)	(\$ 149.65 M)
Adjusted Net Current Position	\$ 31.01 M	\$ 5.53 M	\$ 105.13 M

31. The Current Asset position at month end is favourably impacted by three major factors :
  - a. A higher value of reserve funds versus the projected year-end balance - which will be reduced later in the financial year based on planned drawdown of funds.
  - b. A higher municipal cash balance due to a strong rates first instalment collection profile.
  - c. A higher rates receivable balance representing the remaining two rate instalments yet to fall due for collection.
32. As noted above, there is currently a higher value of reserve funds (restricted assets) at present, and this difference will remain until drawn down to make the capital contributions for the WACA Aquatic Facility and Perth Concert Hall when required.

33. The remaining variances are essentially timing differences attributable to ‘unusual’ but relatively predictable pattern of local government cashflows. That is, revenue is largely recognised at the beginning of the year – but cash collections and expenditure are phased across the whole year.
34. A Statement of Financial Position as at month end (showing 2022/23 Actual balances, the Revised 2023/24 Budget and the 2023/24 Year to Date Actual balances) is presented as Attachment 15.1E.
35. In line with recent local government financial management reporting changes, Attachments 15.1A to Attachment 15.1C form the portion of monthly management accounts that is a statutory obligation.
36. The remaining attachments 15.1D through to 15.1I are supplementary information provided to give Council additional transparency of the City’s financial management performance.
37. Attachment 15.1F - Operating Variances and Attachment 15.1G - Capital Variances provide a more granular view of variances by alliance and service.
38. Attachment 15.1H - Investment Report for October 2023 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.
39. 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.
40. It also shows the impact of recent uplifts in investment rates and performance is currently comfortably ahead of the upward revision to the interest revenue budget in the 2023/24 annual budget.
41. Attachment 15.1I - Rates Debtors provides a monthly update and analysis of rates collections by differential property rating category and overall. The 2023/24 rates notices were issued on 28 July. At the end of November after the second instalment due date, 81% of the rates levied for 2023/24 have been collected.
42. As noted in Table 1, the rates yield is currently \$544K ahead budget. However, it is important to note that anticipated concessions will subsequently reduce the rate yield by approximately \$450K. A retrospective downwards interim rates adjustment of \$155K was processed in November.

## Consultation

Nil.

## Decision Implications

43. Council’s acknowledgement of receiving the Statement of Financial Activity 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)	Well Governed
Related Documents (Issue Specific Strategies and Plans):	Nil.

Legislation, Delegation of Authority and Policy	
Legislation:	<p>Section 6.4(1) and (2) of the <a href="#">Local Government Act 1995</a>            Regulation 34(1) of the <a href="#">Local Government (Financial Management) Regulations 1996</a></p> <p>This section of the Act and the related regulation prescribe the requirement to prepare and present to Council a Monthly Financial Report including a Statement of Financial Activity (SFA).            That Statement of Financial Activity (SFA) should contain:</p> <ul style="list-style-type: none"> <li>• Annual Budget estimates, and approved revisions to these for comparison purposes.</li> <li>• Actual amounts of income and expenditure to the end of the month of the SFA.</li> <li>• Material variances between the comparable amounts and commentary on reasons for these variances.</li> </ul> <p>The Monthly Financial Report should also contain:</p> <ul style="list-style-type: none"> <li>• A Statement of Financial Position at the end of the month.</li> <li>• An explanation of the composition of the Net Current Position at the end of the month to which the SFA relates.</li> </ul> <p>Any other information which the local government deems relevant.</p>
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

44. 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

45. In November 2023, an entry was made in the City's financial accounts for \$28.2M which relates to the de-recognition of the Perth Concert Hall (PCH) building, land, furniture and equipment assets following the City's relinquishment to the state of the management order for the venue. As the facility is no longer controlled by the City, all residual values for the PCH associated assets must be removed from the City's financial accounts. The written down (depreciated) values of the assets is required to be written out of the Statement of Financial Position, reducing the Net Equity by \$28.2M.
46. The depreciated value of the building was \$26.6M, furniture and equipment was \$1.3M, and land value was \$0.3M.
47. The total loss on disposal of \$28.2M is a non-cash cost and is therefore shown as a Loss on Disposal and also disclosed on the Statement of Financial Activity as a Non-Cash Amount excluded from Operating Activities.

## Council Resolution (OCM-24/02-013)

**Mover:** Lord Mayor Basil Zempilas

**Seconded:** Councillor Brent Fleeton

That Council:

1. RECEIVES the following financial reports for the period ended 30 November 2023:
  - a) Statement of Financial Activity (SFA) - Attachment 15.1A.
  - b) Notes on Significant Variances - Attachment 15.1B.
  - c) Supplementary Notes to the Statement of Financial Activity - Attachment 15.1C.
  - d) Monthly Financial Statistics - Attachment 15.1D.
  - e) Statement of Financial Position - Attachment 15.1E.
  - f) Alliance Operating Variances - Attachment 15.1F.
  - g) Capital Variances - Attachment 15.1G.
  - h) Investment Report - Attachment 15.1H.
  - i) Rates Monthly Debtors Report - Attachment 15.1I.

**CARRIED EN BLOC (9/0)**

**For :** Lord Mayor Basil Zempilas; Deputy Lord Mayor Clyde Bevan; Councillors Brent Fleeton, Liam Gobbert, Viktor Ko, Catherine Lezer, Raj Doshi, David Goncalves and Bruce Reynolds

**Against :** Nil

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## 15.2 Schedule of Accounts Paid - November 2023

<b>Responsible Officer</b>	Michael Kent – Chief Financial Officer
<b>Voting Requirements</b>	Simple Majority
<b>Attachments</b>	Attachment 15.2A – Schedule of Accounts Paid - November 2023

### Purpose

For Council to note details of payments made under delegated authority for the month of November 2023.

### Recommendation

That Council:

- RECEIVES the Schedule of Accounts Paid for the period ended 30 November 2023 as attached as Appendix 15.2A.
- RECORDS in the Ordinary Council Meeting minutes the summary of accounts paid being:

<b>Total Accounts Paid</b>	
<b>Municipal Fund</b>	\$20,992,917.14
<b>Trust Fund</b>	0
<b>Total - All Funds</b>	<b>\$20,992,917.14</b>

## 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 an attachment to this report.
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 15.2A) contains the following payments made under Delegated Authority 2.14 - Payments from the Municipal & Trust Fund:

Schedule of Accounts Paid - November 2023		
<b>Municipal Fund</b>		
EFT & Cheque Payments	Direct Creditor Payments	17,176,112.85
<b>Sub Total - EFT &amp; Cheques</b>		<b>17,176,112.85</b>
Direct Debits	Bank Charges and Merchant Fees	68,147.97
<b>Sub Total - Direct Debits</b>		<b>68,147.97</b>
Payroll	03/11/2023	1,968,084.55
	17/11/2023	1,749,028.49
<b>Sub Total - Payroll</b>		<b>3,717,113.04</b>
Corporate Cards		31,543.28
<b>Sub Total - Cards</b>		<b>31,543.28</b>
<b>Total per Attachment 15.2A</b>		<b>20,992,917.14</b>
<b>Total Payments from Municipal Fund</b>		<b>20,992,917.14</b>
Investments in Term Deposits		<b>4,000,000.00</b>
<b>Trust Fund</b>		
Trust EFT & Cheques		<b>0</b>
<b>Total - Trust Funds</b>		<b>0</b>

## Consultation

Nil.

## Decision Implications

7. 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"> <li>• Payee Name</li> <li>• Amount of the Payment</li> <li>• Date of the Payment</li> <li>• Sufficient information to identify the transaction</li> </ul>
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

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

## Further Information

Nil.

## Council Resolution (OCM-24/02-014)

**Mover:** Lord Mayor Basil Zempilas

**Seconded:** Councillor Brent Fleeton

That Council:

1. RECEIVES the Schedule of Accounts Paid for the period ended 30 November 2023 as attached as Appendix 15.2A.
2. RECORDS in the Ordinary Council Meeting minutes the summary of accounts paid being:

Total Accounts Paid	
Municipal Fund	\$20,992,917.14
Trust Fund	0
<b>Total - All Funds</b>	<b>\$20,992,917.14</b>

**CARRIED EN BLOC (9/0)**

**For :** Lord Mayor Basil Zempilas; Deputy Lord Mayor Clyde Bevan; Councillors Brent Fleeton, Liam Gobbert, Viktor Ko, Catherine Lezer, Raj Doshi, David Goncalves and Bruce Reynolds

**Against :** Nil

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### 15.3 Monthly Financial Statements - December 2023

Responsible Officer	Michael Kent – Chief Financial Officer
Voting Requirements	Simple Majority
Attachments	Attachment 15.3A – Statement of Financial Activity P6 Attachment 15.3B – Notes to Statement of Financial Activity P6 Attachment 15.3C – Supplementary Notes to SFA Attachment 15.3D – Monthly Financial Statistics P6 Attachment 15.3E – Statement of Financial Position P6 Attachment 15.3F – Alliance Operating Variance Report P6 Attachment 15.3G – Capital Projects Variances P6. Attachment 15.3H – Investment Report P6 Attachment 15.3I – Rates Monthly Debtors Report P6

#### 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:

1. RECEIVES the following financial reports for the period ended 31 December 2023:
  - a) Statement of Financial Activity (SFA) - Attachment 15.3A.
  - b) Notes on Significant Variances - Attachment 15.3B.
  - c) Supplementary Notes to the Statement of Financial Activity - Attachment 15.3C.
  - d) Monthly Financial Statistics - Attachment 15.3D.
  - e) Statement of Financial Position - Attachment 15.3E.
  - f) Alliance Operating Variances - Attachment 15.3F.
  - g) Capital Variances - Attachment 15.3G.
  - h) Investment Report - Attachment 15.3H.
  - i) Rates Monthly Debtors Report - Attachment 15.3I.

## 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 Statement of Financial Activity (SFA) 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 supplementary 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 Significant Variances (Attachment 15.3B) 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. It is a statutory requirement to present a set of Monthly Management Accounts within two months of the end of the month to which they refer.
14. The SFA by Nature & Type - Attachment 15.3A presents a whole of organisation perspective on the attainment of revenue and expenditure targets overall - classified by nature and type.
15. The headline data from the SFA is shown in Table 1 below.

**Table 1:**

Item Details	Annual Budget	YTD Budget	Actual 23/24	Variance	F/ U
Operating Revenue	\$ 113.24 M	\$ 61.99 M	\$ 65.32 M	\$ 3.33 M	F
Rates Revenue	\$ 103.81 M	\$ 103.81 M	\$ 104.35 M	\$ 545 K	F
Cash Operating Exp.	\$ 177.26 M	\$ 85.21 M	\$ 79.35 M	\$ 5.86 M	F
Non-Operating Revenue	\$ 10.98 M	\$ 224 K	\$ 705 K	\$ 481 K	F
Capital - Infrastructure	\$ 27.83 M	\$ 11.38 M	\$ 10.43 M	\$ 952 K	F
Property, Plant & Equip.	\$ 32.72 M	\$ 6.88 M	\$ 5.60 M	\$ 1.29 M	F
Capital Contributions	\$ 15.00 M	\$ 0.00 M	\$ 0.00 M	\$ 0.00 M	F

16. Material operating revenue and expenditure variances from Attachment 15.3A are detailed (with explanatory comments) in the Notes on Significant Variances (Attachment 15.3B).
17. Each line item listed in the SFA by Nature & Type Attachment 15.3A can be cross referenced (using the Note reference) back to the relevant note.
18. Examining the SFA (Attachment 15.3A) in more detail; the aggregation of operating revenues and operating expenses reflects a year-to-date Net Cash Position from Operations of \$90.32M compared to a year-to-date budgeted surplus of \$80.58M. This is a favourable variance of \$9.74M at the end of the month.
19. Investing activities reflect a result of (\$15.57M) compared to a year-to-date budget of (\$18.04M). This is a favourable variance of \$2.47M. This is largely related to an accelerated start to the capital program, albeit a program with a modest budget to date.
20. Construction of infrastructure to month end is 8% under budget expectations at \$10.43M, against a \$11.38M year to date budget as noted at paragraph 15.
21. Acquisition of non-infrastructure to month end is \$5.60M against the year-to-date budget of \$6.89M.

22. Comments on significant capital variances are contained in Attachment 15.3G.
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 SFA for the period to 31 December shows that a rate yield of \$104.35M has been levied compared to the budget of \$103.80M after adjusting for interim rates.
25. The disclosed year to date SFA Closing Position of \$95.89M compares favourably to the projected budget closing position of \$84.81M - reflecting the combined impact of the favourable variances noted in this report for revenues, expenses, and financing activity.
26. Contributing to this difference are a very positive investment revenue performance and slower than anticipated operating cash outflows, and revised transfers from Reserves.
27. Key financial statistics at each month end are presented graphically in Attachment 15.3D as an alternative representation of the data.
28. Significant variances are identified and addressed in the statutory Mid-Year Budget Review being considered by Council in this agenda.
29. The Net Current Position Note (Attachment 15.3C) at month end indicates a year-to-date adjusted Net Current Position value of \$95.89M which is expected to reduce to the year-end projection of \$5.53M.
30. Headline data from this month's Net Current Position report is shown in Table 2 below.

**Table 2:**

Item Details	June 2023 Actual	June 2024 Annual Budget	Dec 2023 Actual
Current Assets	\$ 210.21 M	\$ 1879.63 M	\$ 291.64 M
Current Liabilities	(\$ 35.22 M)	(\$ 41.51 M)	(\$ 42.08 M)
Unadjusted Net Assets	\$ 174.98 M	\$ 138.12 M	\$ 249.56 M
Less Restricted Items	(\$ 142.82 M)	(\$ 132.59 M)	(\$ 153.67 M)
Adjusted Net Current Position	\$ 32.16 M	\$ 5.53 M	\$ 95.89 M

31. The Net Current Asset position at month end is favourably impacted by three major factors :
  - a. A higher value of reserve funds versus the projected year-end balance - which will be reduced later in the financial year based on planned drawdown of funds.
  - b. A higher municipal cash balance due to a strong rates first instalment collection profile.
  - c. A higher rates receivable balance representing the remaining two rate instalments yet to fall due for collection.
32. As noted above, there is currently a higher value of reserve funds (restricted assets) at present, and this difference will remain until drawn down to make the capital contributions for the WACA Aquatic Facility and Perth Concert Hall when required (now expected for 2023/24 – so adjusted in the Budget Review).
33. The remaining variances are essentially timing differences attributable to 'unusual' but relatively predictable pattern of local government cashflows. That is, revenue is largely recognised at the beginning of the year – but cash collections and expenditure are phased across the whole year.



34. A Statement of Financial Position as at month end (showing 2022/23 Actual balances, the Revised 2023/24 Budget and the 2023/24 Year to Date Actual balances) is presented as Attachment 15.3E.
35. In line with recent local government financial management reporting changes, Attachments 15.3A to Attachment 15.3C form the portion of monthly management accounts that is a statutory obligation.
36. The remaining attachments 15.3D through to 15.3I are supplementary information provided to give Council additional transparency of the City's financial management performance.
37. Attachment 15.3F - Operating Variances and Attachment 15.3G - Capital Variances provide a more granular view of variances by alliance and service.
38. Attachment 15.3H - Investment Report for December 2023 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.
39. 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.
40. It also shows the impact of recent uplifts in investment rates and performance is currently comfortably ahead of the upward revision to the interest revenue budget in the 2023/24 annual budget. Further upwards adjustments are made in the mid-year budget review.
41. Attachment 15.3I - Rates Debtors provides a monthly update and analysis of rates collections by differential property rating category and overall. The 2023/24 rates notices were issued on 28 July. At the end of December, after the second instalment due date, 85% of the rates levied for 2023/24 have been collected.
42. As noted in Table 1, the rates yield is currently \$544K ahead budget. However, it is important to note that anticipated concessions will subsequently reduce the rate yield by approximately \$450K. A retrospective downwards interim rates adjustment of \$155K was processed in November.

## Consultation

Nil.

## Decision Implications

43. Council's acknowledgement of receiving the Statement of Financial Activity 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)	Well Governed
Related Documents (Issue Specific Strategies and Plans):	Nil.

Legislation, Delegation of Authority and Policy	
Legislation:	<p>Section 6.4(1) and (2) of the <a href="#">Local Government Act 1995</a>            Regulation 34(1) of the <a href="#">Local Government (Financial Management) Regulations 1996</a></p> <p>This section of the Act and the related regulation prescribe the requirement to prepare and present to Council a Monthly Financial Report including a Statement of Financial Activity (SFA).            That Statement of Financial Activity (SFA) should contain:</p> <ul style="list-style-type: none"> <li>• Annual Budget estimates, and approved revisions to these for comparison purposes.</li> <li>• Actual amounts of income and expenditure to the end of the month of the SFA.</li> <li>• Material variances between the comparable amounts and commentary on reasons for these variances.</li> </ul> <p>The Monthly Financial Report should also contain:</p> <ul style="list-style-type: none"> <li>• A Statement of Financial Position at the end of the month.</li> <li>• An explanation of the composition of the Net Current Position at the end of the month to which the SFA relates.</li> </ul> <p>Any other information which the local government deems relevant.</p>
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

44. 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

45. In November 2023, an entry was made in the City's financial accounts for \$28.2M which relates to the de-recognition of the Perth Concert Hall (PCH) building, land, furniture and equipment assets following the City's relinquishment to the state of the management order for the venue. As the facility is no longer controlled by the City, all residual values for the PCH associated assets must be removed from the City's financial accounts. The written down (depreciated) values of the assets is required to be written out of the Statement of Financial Position, reducing the Net Equity by \$28.2M.
46. The depreciated value of the building was \$26.6M, furniture and equipment was \$1.3M, and land value was \$0.3M.
47. The total loss on disposal of \$28.2M is a non-cash cost and is therefore shown as a Loss on Disposal and also disclosed on the Statement of Financial Activity as a Non-Cash Amount excluded from Operating Activities.

## Council Resolution (OCM-24/02-015)

**Mover:** Lord Mayor Basil Zempilas

**Seconded:** Councillor Brent Fleeton

That Council:

1. RECEIVES the following financial reports for the period ended 31 December 2023:
  - a) Statement of Financial Activity (SFA) - Attachment 15.3A.
  - b) Notes on Significant Variances - Attachment 15.3B.
  - c) Supplementary Notes to the Statement of Financial Activity - Attachment 15.3C.
  - d) Monthly Financial Statistics - Attachment 15.3D.
  - e) Statement of Financial Position - Attachment 15.3E.
  - f) Alliance Operating Variances - Attachment 15.3F.
  - g) Capital Variances - Attachment 15.3G.
  - h) Investment Report - Attachment 15.3H.
  - i) Rates Monthly Debtors Report - Attachment 15.3I.

**CARRIED EN BLOC (9/0)**

**For :** Lord Mayor Basil Zempilas; Deputy Lord Mayor Clyde Bevan; Councillors Brent Fleeton, Liam Gobbert, Viktor Ko, Catherine Lezer, Raj Doshi, David Goncalves and Bruce Reynolds

**Against :** Nil

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## 15.4 Schedule of Accounts Paid - December 2023

Responsible Officer	Michael Kent – Chief Financial Officer
Voting Requirements	Simple Majority
Attachments	Attachment 15.4A – Schedule of Accounts Paid - December 2023

### Purpose

For Council to note details of payments made under delegated authority for the month of December 2023.

### Recommendation

That Council:

1. RECEIVES the Schedule of Accounts Paid for the period ended 31 December 2023 as attached as Appendix 15.4A.
2. RECORDS in the Ordinary Council Meeting minutes the summary of accounts paid being:

Total Accounts Paid	
Municipal Fund	22,356,400.54
Trust Fund	0
<b>Total - All Funds</b>	<b>22,356,400.54</b>

## 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 an attachment to this report.
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 15.4A) contains the following payments made under Delegated Authority 2.14 - Payments from the Municipal & Trust Fund:

Schedule of Accounts Paid - December 2023		
<b>Municipal Fund</b>		
EFT & Cheque Payments	Direct Creditor Payments	18,750,628.38
<b>Sub Total - EFT &amp; Cheques</b>		<b>18,750,628.38</b>
Direct Debits	Bank Charges and Merchant Fees	32,390.50
<b>Sub Total - Direct Debits</b>		<b>32,390.50</b>
Payroll	01/12/2023	1,782,707.52
	15/12/2023	1,776,441.66
<b>Sub Total - Payroll</b>		<b>3,559,149.18</b>
Corporate Cards		14,232.48
<b>Sub Total - Cards</b>		<b>14,232.48</b>
<b>Total per Attachment 15.4A</b>		<b>22,356,400.54</b>
<b>Total Payments from Municipal Fund</b>		<b>22,356,400.54</b>
Investments in Term Deposits		0
<b>Trust Fund</b>		
Trust EFT & Cheques		0
<b>Total - Trust Funds</b>		

## Consultation

Nil.

## Decision Implications

7. 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"> <li>• Payee Name</li> <li>• Amount of the Payment</li> <li>• Date of the Payment</li> <li>• Sufficient information to identify the transaction</li> </ul>
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

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

## Further Information

Nil.

## Council Resolution (OCM-24/02-016)

**Mover:** Lord Mayor Basil Zempilas

**Seconded:** Councillor Brent Fleeton

That Council:

1. RECEIVES the Schedule of Accounts Paid for the period ended 31 December 2023 as attached as Appendix 15.4A.
2. RECORDS in the Ordinary Council Meeting minutes the summary of accounts paid being:

Total Accounts Paid	
Municipal Fund	22,356,400.54
Trust Fund	0
<b>Total - All Funds</b>	<b>22,356,400.54</b>

**CARRIED EN BLOC (9/0)**

**For :** Lord Mayor Basil Zempilas; Deputy Lord Mayor Clyde Bevan; Councillors Brent Fleeton, Liam Gobbert, Viktor Ko, Catherine Lezer, Raj Doshi, David Goncalves and Bruce Reynolds

**Against :** Nil

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## 15.5 Mid-Year Statutory Budget Review

Responsible Officer	Michael Kent – Chief Financial Officer
Voting Requirements	Absolute Majority
Attachments	Attachment 15.5A – Revised Budget Statement of Financial Activity Attachment 15.5B – Revised Budget Notes to SFA Attachment 15.5C – Revised Budget Capital Projects Schedule.

### Purpose

This report is for Council to consider the mid-year statutory review of the 2023/24 Annual Budget. The recommended adjustments arise from a comprehensive review of the City's financial performance relative to budget expectations from July 2023 to December 2023.

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### Recommendation

That Council

1. ADOPTS the statutory Mid-Year Review of the 2023/24 Budget as presented in the following schedules:
    - a. Revised Budget Statement of Financial Activity - Attachment 15.5A
    - b. Notes to the Revised Budget Statement of Financial Activity - Attachment 15.5B
    - c. Revised Budget Capital Projects Schedule - Attachment 15.5C
  2. In accordance with Regulation 33A of the *Local Government (Financial Management) Regulations 1996*, REQUESTS the Chief Executive Officer to provide a copy of this Review and determination to the Department of Local Government, Sport and Cultural Industries within 30 days of Council's resolution.
-



## 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. 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.
2. 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.
3. This requirement is recognised by the Department of Local Government, Sport and Cultural Industries (the Department) 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 their financial position at review date.
4. For the purposes of preparing the Mid-Year Budget Review, the City has used the December 2023 Statement of Financial Activity and supporting financial information.
5. The results of the review must be presented to Council - and then be forwarded to the Department before 31 March so that department officers may perform a value-adding review to ensure that the local government is not facing unidentified short-term financial challenges.
6. Council Policy 2.6 - Budget Variations notes the statutory obligation for the budget review and provides guidance on what should be included.

## Understanding the Budget Review Schedules

7. When reading the financial information in the Budget Review Schedules, amendments to budget expectations are classified as being either:
  - a. Favourable - increases the budget surplus
  - b. Unfavourable - decreases the budget surplus
8. Timing variances, which relate 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 are not included as there should be no impact on the projected budget surplus by year end.
9. A realised or known variance represents a genuine difference between the actual and budgeted revenue or expenditure item and needs to be considered in the budget review process.
10. 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.
11. A realised favourable variance on an expenditure item has the effect of increasing the projected budget surplus. A realised unfavourable year to date variance on an expenditure item (an over-expenditure) results in a decrease to the projected budget surplus.
12. Realised favourable or unfavourable variances that are material in value (of significant size), are amended through this formal budget review process.

## Discussion

13. Council adopted its 2023/24 Annual Budget on 17 July 2023 with a Projected Budget Closing Position (Surplus) of \$4,105,326.
14. Amendments to the budget already approved by Council prior to the date of this review are summarised in the table below.

**Table 1:**

Details	Timing	Impact on Surplus \$	Impact
Projected Budget Surplus @ Budget Adoption	Jul 23	4,105,326	-
Budget Amendments adopted by Council - Net (Full transaction reconciliation in Finance System) (including Carry Forwards & Budget Amendments)	Jul - Dec 23	1,427,086	▲
<b>Projected Budget Surplus before Budget Review</b>	<b>Jan 24</b>	<b>5,532,412</b>	<b>-</b>

15. It should be noted that the estimated surplus noted above was contingent on all funding and expenditure patterns running true to budget for the remainder of the year.
16. A comprehensive review of the City's budget was undertaken with engagement across all service areas. Items considered in the Statutory Budget Review Schedules included the following:
  - Recognition of revenues that exceed budget estimates.
  - Recognition of operational savings in expenditure budgets.
  - Reprioritisation of certain capital works projects.
  - Some additional capital equipment purchases required to support approved initiatives.
17. As part of the review process, there were also internal transfers / reallocation of existing approved budget lines due to changes in organisation structure or re-assigning of functional responsibilities. These simply relate to transferring an expenditure item recorded in one service area to another service area without change in the nature of the budget item or having impact on the budget surplus.
18. To provide an overall summary of the City's budgeted financial position following the Mid -Year Budget Review, the information contained in Table 1 is updated below in Table 2.

**Table 2:**

Details	Timing	Impact on Surplus \$	Impact
Projected Budget Surplus @ Budget Adoption	Jul 23	4,105,326	-
Budget Amendments adopted by Council – Net (Full transaction reconciliation in Finance System) (including Carry Forwards & Budget Amendments)	Jul - Dec 23	1,427,086	▲
<b>Projected Budget Surplus before Budget Review</b>	<b>Jan 24</b>	<b>5,532,412</b>	<b>-</b>

Projected Budget Surplus Carried Forward	Jan 24	5,532,412	
Mid-Year Budget Review - Operating Revenues	Feb 24	4,312,722	▲
Mid-Year Budget Review - Cash Operating Expenses	Feb 24	(1,357,674)	▼
Mid-Year Budget Review - Capital Revenues	Feb 24	98,367	▲
Mid-Year Budget Review - Capital Expense *1	Feb 24	10,912,149	▲
Mid-Year Budget Review - Capital Contributions *1	Feb 24	13,750,000	▲
Reserve Transfers - Separate Agenda Item *1	Feb 24	(23,050,648)	▼
Adjustment to Budget Opening Position	Feb 24	(965,790)	▼
Revised Budget Surplus after Budget Review	Feb 24	\$9,231,237	

\*1 - These items are addressed in Agenda Item 15.6 - Special Budget Review - Reserves

19. An executive level summary of the amendments is provided below - but for more detailed explanations of the budget amendments, please see the attached schedules.
20. Referring initially to the **Revised Budget Statement of Financial Activity - Attachment 15.5A** and then using the note references from that document to cross reference to the **Notes to the Revised Budget Statement of Financial Activity - Attachment 15.5B** provides more granular detail on the changes.
21. The Opening Budget Position was estimated for the purposes of adopting the budget. It was subsequently determined to be \$965K less than initially estimated after all the year-end adjustments were incorporated into the final audited accounts.
22. Operating revenue adjustments identified through the Mid-Year Budget Review resulted in a \$4.3M net Improvement in the budget operating position, largely driven by enhanced investment performance, and additional contributions received in support of events partly offset by softer revenue performance from parking activities.
23. Cash operating expense budgets adjustments identified through the Mid-Year Budget Review will result in a decrease in the Closing Position of approximately \$1.3M as detailed in the **Notes to the Revised Budget Statement of Financial Activity**.
24. Notes 1 - 9 of the **Notes to the Revised Budget Statement of Financial Activity - Attachment 15.5B** provide details of operating revenue budget adjustments whilst Notes 10 - 19 relate to operating expenditure budget adjustments.
25. Note 19, Non-Cash Items includes the \$28.2M book loss on disposal attributed to the surrender of the management order for the Perth Concert Hall buildings and fittings. This is a required accounting treatment - but has no cash impact.
26. Capital revenue items considered in the Mid-Year Budget Review resulted in a very most increase of \$98K in capital grant revenues.
27. Refer to Note 20 of the **Notes to the Revised Budget Statement of Financial Activity - Attachment 15.5B** and **Attachment 15.5C - Revised Budget Capital Projects** for details of Capital Revenue adjustments.
28. A net \$2.1M increase in capital works projects was identified in the budget review. Details of these adjustments can be found in the **Revised Budget Capital Projects Schedule - Attachment 15.5C (Note 30)**.

29. Proposed Reserve Fund adjustments relating to revised timing of capital contributions across financial years, and capital project outflows deferred to the 2024/25 year are addressed separately in Item 15.6 of this agenda with detailed narrative provided for each item.

## Consultation

Nil

## Decision Implications

30. Council's receipt of the Statutory Budget Review will meet its obligation under Regulation 33A of the *Local Government (Financial Management) Regulations 1996*. A copy of the review must then be lodged with the Department within 30 days.

## 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 <a href="#">Local Government Act 1995</a>            Regulation 33(A) of the <a href="#">Local Government (Financial Management) Regulations 1996</a></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"> <li>• The local government's financial performance for that period.</li> <li>• The local government's financial position as at review date.</li> <li>• The financial outcomes as forecast in the budget for the end of the financial year.</li> </ul> <p>Council must consider and adopt the review, or any parts of the review and any recommendations made in the review.</p> <p>Within 30 days of Council making its determination in respect of the Budget Review, it must submit a copy of the budget review to the Department of Local Government, Sport and Cultural Industries.</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. The Budget Review as presented will result in a (projected) budget surplus of \$9,231,237.
32. The financial implications of receiving this report will be reflected in revised Annual Budget once adopted by Council. This ensures that Council continues to receive current, complete and accurate assessments of the City's financial performance and financial position each month.
33. Any other budget amendments arising from the February 2024 Ordinary Council Meeting have not been included in this review as they are approved after the review date.

## Further Information

Nil.

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## Council Resolution (OCM-24/02-017)

**Mover:** Councillor Catherine Lezer

**Seconded:** Councillor Liam Gobbert

That Council

1. ADOPTS the statutory Mid-Year Review of the 2023/24 Budget as presented in the following schedules:
  - a. Revised Budget Statement of Financial Activity - Attachment 15.5A
  - b. Notes to the Revised Budget Statement of Financial Activity - Attachment 15.5B
  - c. Revised Budget Capital Projects Schedule - Attachment 15.5C
2. In accordance with Regulation 33A of the *Local Government (Financial Management) Regulations 1996*, REQUESTS the Chief Executive Officer to provide a copy of this Review and determination to the Department of Local Government, Sport and Cultural Industries within 30 days of Council's resolution.

**CARRIED BY ABSOLUTE MAJORITY (9/0)**

**For :** Lord Mayor Basil Zempilas; Deputy Lord Mayor Clyde Bevan; Councillors Brent Fleeton, Liam Gobbert, Viktor Ko, Catherine Lezer, Raj Doshi, David Goncalves and Bruce Reynolds

**Against :** Nil

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## 15.6 Special Budget Review - Reserves

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

### Purpose

For Council to consider a proposed amendment to the 2023/24 Budget to recognise known variances specifically involving transfers of funds to or from, cash-backed Reserves. This report and recommended amendments are supplementary to the statutory mid-year budget review.

---

### Recommendation

That Council

1. ADOPTS the following amendments to the 2023/24 Budget for the period ending 30 June 2023 (as detailed in Tables 1 (A), 3, 4 (A), 5 and 6 of the Officer Report):
  - a. Revised timing of the WACA Aquatic Facility Capital Contribution No 1
  - b. Revised transfers to manage cash flow implications of acquitted sponsorships
  - c. Revised timing of cash outflow associated with the library façade remediation project.
  - d. Revised budget for Stage 1 of the HRIS implementation.
  - e. Revised budget for Reserve fund interest revenue and associated Reserve Fund transfers.
2. NOTES the administrative adjustment to the Long-Term Financial Plan (LTFP) for 2024/25 and 2025/26 for the revised timing of the WACA Aquatic Facility Capital Contribution No 2 as detailed in Table 1(B) and WACA Aquatic Facility Capital Contribution No 3 as detailed in Table 1(C).
3. NOTES the administrative adjustment to the Long-Term Financial Plan (LTFP) for 2024/25 for the Perth Concert Hall (PCH) Capital Contribution as detailed in Table 2.
4. NOTES the administrative adjustment to the Long-Term Financial Plan (LTFP) for 2024/25 for the Library Façade Remediation as detailed in Table 4 (B).

## 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, 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 financially significant budget amendments which are also associated with transfers of funds to, or from, cash-backed Reserves:
  - a. Timing of Capital Contribution to the WACA Aquatic Facility and related Reserve transfer.
  - b. Revised timing of the PCH Capital Contribution as detailed in Table 2.
  - c. Drawdown from Sponsorship Reserve funds for payment of sponsorships awarded in prior years but not acquitted until the 2023/24 year.

## Discussion

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

### **WACA Aquatic Facility Capital Contribution**

8. The City's capital contribution to the WACA Aquatic Facility of \$25M is fully accommodated in the 2023/24 annual budget and the 2024/25 and 2025/26 years of the LTFP.
9. Since the initial inclusion of the funding for this expense, the anticipated cash outflow pattern for the contribution has shifted across financial years as negotiations have progressed over an extended period.
10. A construction contract has now been signed for the project - therefore giving greater clarity to the revised payment milestones.
11. This means that it is now likely that only \$1.25M will be paid out this year with only that value being required for a 2023/24 draw down from the Asset Enhancement Reserve.
12. Subsequently, a second payment totalling \$12.5M and similar Reserve draw down is now anticipated to occur in 2024/25 and a final payment of \$11.25M and associated draw down will occur in 25/26.
13. 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 - 2023/24:**

Account Description	Current Budget	Amendment	Revised Budget
WACA Contribution - No 1	(\$ 15,000,000)	\$ 13,750,000	(\$ 1,250,000)
Transfer from Asset Enhancement Reserve	\$ 12,500,000	(\$11,250,000)	\$ 1,250,000
Net Change to Closing Position		\$ 2,500,000	

**Table 1 (B) - LTFP Adjustment - 2024/25:**

Account Description	Current Budget	Amendment	Revised Budget
WACA Contribution - No 2	(\$ 10,000,000)	(\$ 2,500,000)	(\$ 12,500,000)
Transfer from Asset Enhancement Reserve	\$ 12,500,000	\$ 0	\$ 12,500,000
Net Change to Closing Position - Increase		(\$ 2,500,000)	

**Table 1 (C) - LTFP Adjustment - 2025/26:**

Account Description	Current Budget	Amendment	Revised Budget
WACA Contribution - No 3	(\$ 0)	(\$11,250,000)	(\$ 11,250,000)
Transfer from Asset Enhancement Reserve	\$ 0	\$ 11,250,000	\$ 11,250,000
Net Change to Closing Position - (Decrease)		\$0	

**Perth Concert Hall (PCH) Capital Contribution**

14. The City's anticipates that its \$4.0M capital contribution towards the redevelopment of the Perth Concert Hall is unlikely to be called by state government until August 2024. This funding requirement is fully accommodated in the Perth Concert Hall Reserve.
15. The proposed capital contribution was removed by decision of Council from the 2023/24 annual budget in November 2023.
16. The capital contribution, and the associated transfer from the Perth Concert Hall Reserve, is to be reinstated in the 2024/25 year of the LTFP.
17. This simply reflects a timing difference and there is no financial impact.

**Table 2 - LTFP Adjustment - 2024/25:**

Account Description	Current Budget	Amendment	Revised Budget
PCH Capital Contribution	(\$ 0)	(\$ 4,000,000)	(\$ 4,000,000)
Transfer from Perth Concert Hall Reserve	\$ 0	\$ 4,000,000	\$ 4,000,000
Net Change to Closing Position		\$ 0	

**Cash Flow Management for Acquitted Sponsorships**

18. In May 2022 Council resolved (OCM - 22/05-076) to create a Sponsorship Reserve to manage the cashflow implications of awarded sponsorship agreements that span multiple financial years.
19. This arrangement recognised that there is often a significant lag between the awarding of sponsorships and the staging of the sponsored event, and ultimately, the acquittal of costs associated with the event by the sponsorship recipient.
20. This means that the awarding of a sponsorship and its final acquittal frequently fall in different financial years. The use of the Sponsorships Reserve provides an efficient, transparent mechanism to manage these cash flow implications across financial years.
21. At 30 June 2023, there was an amount of \$2.0M worth of sponsorships that had been awarded prior 30 June, but which had not reached the acquittal stage of the process (in many cases the event dates were post year-end).
22. The committed funds were transferred to the Sponsorship Reserve at that time to quarantine the funds so that they would be available to honour the sponsorship obligations when the time came to pay them out (post acquittal).
23. Between 1 July and 31 December 2023, a total of \$672,670 worth of those sponsorship commitments were formally acquitted by the sponsorship recipients and paid to them from Municipal Fund (general) working capital.
24. This is because it is not permissible under the accounting standards to make payments directly from Reserve Funds, but rather they must be recognised through the Municipal Operating (Income) Statement.
25. It is now appropriate to reimburse the Municipal Fund for payment of those sponsorship amounts with the funds held in the Sponsorship Reserve explicitly for that purpose.

**Table 3 - Budget Amendment - 2023/24:**

Account Description	Current Budget	Amendment	Revised Budget
Sponsorships Program - 23/24	(\$ 5,510,000)	\$ 300,000	(\$ 5,210,000)
Strategic Partnerships	\$ 0	(\$ 300,000)	(\$ 300,000)
Sponsorship Award 21/22 - Now Acquitted	(\$ 0)	(\$ 35,000)	(\$ 35,000)
Sponsorship Award 22/23 - Now Acquitted	(\$ 0)	(\$ 637,670)	(\$ 637,670)
Transfer from Sponsorship Reserve - 23/24	\$ 0	\$ 672,670	\$ 672,670
<b>Net Change to Closing Position (Surplus)</b>		<b>\$ 0</b>	

26. It is currently projected that the Sponsorship Reserve will contain funds supporting around \$2.9M worth of awarded but yet to be acquitted sponsorships at 30 June 2024 plus accumulated interest revenue and the previously quarantined sponsorship funds of \$500K for an event that did not proceed.

**Library Façade Remediation**

27. Informed by a formal tender process, the timing and quantum of funds required for the Library Façade Remediation project has now been revised as follows.

**Table 4 (A) - Budget Amendment - 2023/24:**

Account Description	Current Budget	Amendment	Revised Budget
Library Façade Remediation - 2023/24	(\$ 9,925,000)	\$ 8,875,000	(\$ 1,050,000)
Transfer from Major Capital Reserve	\$ 5,000,000	(\$ 5,000,000)	\$ 0
Transfer to Major Capital Reserve	(\$5,500,000)	(\$5,000,000)	(\$10,500,000)
Net Change to Closing Position		(\$1,125,000)	

**Table 4 (B) - Budget Amendment - 2024/25:**

Account Description	Current Budget	Amendment	Revised Budget
Library Façade Remediation - 2024/25	(\$ 0)	(\$ 7,000,000)	(\$ 7,000,000)
Transfer from Major Capital Reserve	\$ 0	\$ 7,000,000	\$ 7,000,000
Net Change to Closing Position		\$ 0	

**HR Information System (HRIS)**

28. The initial estimated budget for stage 1 of the HRIS project was estimated at \$1.5M when the 2023/24 budget was developed (knowing that additional funding was available in the Technology Upgrade Reserve if required). At that time, a procurement process was yet to be undertaken, and the delivery model (in-source versus outsource) had not been determined. Now, six months later, following a formal tender process, and with the development of a detailed project delivery model, the timing and quantum of funds required for the project has now been established as follows.

**Table 5 - Budget Amendment - 2023/24:**

Account Description	Current Budget	Amendment	Revised Budget
HRIS Project - Operating	(\$ 1,500,000)	(\$ 500,000)	(\$ 2,000,000)
Transfer from Technology Reserve	\$ 0	\$ 500,000	\$ 500,000
Net Change to Closing Position		\$ 0	

**Reserve Fund Interest Revenue**

29. Reserve Fund interest revenues are significantly higher than budgeted due to several factors including higher Reserve Fund balances available for investment, including, but not limited to, due to deferral of capital contributions to the WACA Aquatic Facility and Perth Concert Hall Redevelopment, higher than anticipated interest rates due to judicious timing and placement of funds and proactive treasury management.

30. All Reserve Fund interest is reinvested into the Reserves in proportion to their respective balances, which helps sustain the City’s cash backed reserves.

**Table 6 - Budget Amendment - 2023/24:**

Account Description	Current Budget	Amendment	Revised Budget
Reserve Fund Interest Revenue	\$ 4,814,551	\$ 2,973,618	\$7,788,169
Transfer to Reserves - Interest * <sup>1</sup>	(\$4,814,551)	(\$ 2,973,618)	(\$7,788,169)
Net Change to Closing Position (Surplus)		\$ 0	

\*<sup>1</sup> All Reserves in proportion to contribution to total balance

31. The budget amendments detailed in Tables 1(A), 4 (A), 5 and 6 have the net effect of amending the (revised) projected 2023/24 budget closing position by \$1,475,000 (increase) for the 2023/24 year.
32. All other amendments are neutral and relate to managing cash flow implications across financial years.

## Consultation

Nil

## Decision Implications

33. Council’s acknowledgement of receiving this budget amendment report will meet its statutory obligation in respect of oversighting 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 <a href="#">Local Government Act 1995</a>  Regulation 33(A) of the <a href="#">Local Government (Financial Management) Regulations 1996</a></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"> <li>• The local government’s financial performance for that period.</li> <li>• The local government’s financial position as at review date.</li> <li>• The financial outcomes as forecast in the budget for the end of the financial year.</li> </ul>

	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.
<b>Authority of Council/CEO:</b>	Amendments to the City’s budget are required to be presented to, and formally approved by Council by absolute majority.
<b>Policy:</b>	CP 2.3 - Strategic Financial Planning & Budgeting CP 2.6 - Budget Variations.

## Financial Implications

34. The budget amendments detailed in Tables 1 (A), 3, 4 (A), 5 and 6 have the net effect of amending the proposed budget transfers to a (revised) projected 2023/24 budget closing position of \$9,231,237.
35. All other amendments are neutral and relate to managing cash flow implications across financial years.

## Further Information

Nil.

## Council Resolution (OCM-24/02-018)

**Mover:** Councillor Catherine Lezer

**Seconded:** Councillor Liam Gobbert

That Council

1. ADOPTS the following amendments to the 2023/24 Budget for the period ending 30 June 2023 (as detailed in Tables 1 (A), 3, 4 (A), 5 and 6 of the Officer Report):
  - a. Revised timing of the WACA Aquatic Facility Capital Contribution No 1
  - b. Revised transfers to manage cash flow implications of acquitted sponsorships
  - c. Revised timing of cash outflow associated with the library façade remediation project.
  - d. Revised budget for Stage 1 of the HRIS implementation.
  - e. Revised budget for Reserve fund interest revenue and associated Reserve Fund transfers.
2. NOTES the administrative adjustment to the Long-Term Financial Plan (LTFP) for 2024/25 and 2025/26 for the revised timing of the WACA Aquatic Facility Capital Contribution No 2 as detailed in Table 1(B) and WACA Aquatic Facility Capital Contribution No 3 as detailed in Table 1(C).
3. NOTES the administrative adjustment to the Long-Term Financial Plan (LTFP) for 2024/25 for the Perth Concert Hall (PCH) Capital Contribution as detailed in Table 2.
4. NOTES the administrative adjustment to the Long-Term Financial Plan (LTFP) for 2024/25 for the Library Façade Remediation as detailed in Table 4 (B).

**CARRIED BY ABSOLUTE MAJORITY (9/0)**

**For :** Lord Mayor Basil Zempilas; Deputy Lord Mayor Clyde Bevan; Councillors Brent Fleeton, Liam Gobbert, Viktor Ko, Catherine Lezer, Raj Doshi, David Goncalves and Bruce Reynolds

**Against :** Nil

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15.7 Corporate Business Plan Quarterly Progress Report 2 - October-December 2023

Responsible Officer	Wendy Attenborough – General Manager Corporate Services
Voting Requirements	Absolute Majority
Attachments	Attachment 15.7A – Corporate Business Plan Quarterly Progress Report 2 - October-December 2023

### Purpose

To provide Council an update on the implementation of the Corporate Business Plan 2023/24-2026/27 during the quarter 1 October to 31 December 2023.

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### Recommendation

That Council:

1. ENDORSES the Corporate Business Plan Quarterly Progress Report 2 for the quarter 1 October to 31 December 2023, as contained in Attachment A; and
  2. APPROVES the amendment of the Corporate Plan to remove the deliverable “Design for Heirisson Island toilet renewal completed”.
-

## Background

1. Council adopted the Corporate Business Plan 2023/24-2026/27 (the CBP) at its Special Meeting held on 17 July 2023 (Item 6.3, Council Resolution SCM-23/07-003).
2. The CBP establishes the City's priorities for the next four years, guided by the Strategic Community Plan 2022-2032. The first year of the plan, being the 2023/24 financial year, contains 71 deliverables.
3. Quarterly reports are provided to Council on the progress of the deliverables. Council received the first quarterly report for the 2024/25 financial year at its Ordinary Meeting held on 21 November 2023 (Item 15.3, Council Resolution OCM-23/11-014).

## Discussion

4. Of the 71 deliverables for FY2023/24:
  - a. 19 (27%) have been delivered
  - b. 48 (68%) are on track
  - c. 2 (3%) are on watch
  - d. 1 (1%) are delayed
  - e. 1 (1%) will not progress.
5. Of the 19 deliverables achieved to date, the following 12 were achieved during the quarter:
  - a. Christmas Lights Trail
  - b. New Year's Eve celebrations
  - c. Draft concept plan for Wolf Lane presented to Elected Members
  - d. Draft design for new entry statements to the City presented to Elected Members
  - e. The design for William Street enhancement completed
  - f. Renewal of Claisebrook river wall has commenced
  - g. Business case for tenancy upgrades at 87-89 Pier Street presented to Elected Members
  - h. Council House Level 3 fit-out design completed
  - i. Brand review completed and presented to Elected Members
  - j. Asset maintenance planning for Elizabeth Quay asset handover completed
  - k. Sponsorship information in relation to Tech Action Plan presented to Elected Members
  - l. Evaluation of City records management functions completed
6. The following three deliverables are on watch or delayed.

Project/program	Deliverables achieved	Comments
Public lighting enhancements	Installation of lighting upgrades <ul style="list-style-type: none"> <li>• Adelaide Terrace, East Perth completed</li> </ul>	<b>On watch</b> Adelaide Terrace installation is delayed awaiting Main Roads design of traffic signals, which is outside of the City's control.

Project/program	Deliverables achieved	Comments
Bus-stop replacement	26 new bus shelters installed at various locations	<b>Delayed</b> Installation of the first stage of shelters is complete. Fabrication of the remaining shelter structures is also complete, but Public Transport Authority inground civil works for the last five shelters will not be delivered this financial year, pushing overall completion beyond June 2024, which is outside of the City's control.
Core Technology Systems Transformation	Cloud-based human resources information system upgrade - Stage 1 implemented	<b>On watch</b> A vendor has been appointed and the project commenced on 5 December. Initial planning is underway. The project remains on watch due to tight timeframes and availability of key resources, but the project milestones remain on track.

7. The following deliverable will not progress and it is recommended that Council approve its removal from the CBP deliverables for the 2023/24 financial year.

Project/program	Deliverables achieved	Comments
Public Toilets	Design for Heirisson Island toilet renewal completed	Heirisson Island toilets will not progress based on advice received from the Department of Biodiversity, Conservation and Attractions and the Minister for Environment, precluding the installation of a new septic sewerage system. No other viable option is available to install a toilet adjacent to the new Causeway Pedestrian and Cycle Bridge, which is outside of the City's control.

## Consultation

Nil.

## Decision Implications

Nil.

## Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	A Well-Governed City
Related Documents (Issue Specific Strategies and Plans):	Strategic Community Plan – Articulates the community’s vision for Perth. Corporate Business Plan – Sets out how the City will deliver the vision in the Strategic Community Plan.

Legislation, Delegation of Authority and Policy	
Legislation:	Section 2.7 of the <i>Local Government Act 1995</i> provides that Council is responsible for the performance of the local government’s functions. Section 5.56 of the <i>Local Government Act 1995</i> requires a local government to plan for the future of the district. Regulation 19DA of the <i>Local Government (Administration) Regulations 1996</i> establishes the requirements for a Corporate Business Plan, including adoption and modification.
Authority of Council/CEO:	Under the Act and Regulations, the Council is responsible for the performance of the City’s functions and setting the Corporate Business Plan. Accordingly, it is appropriate for Council to receive regular updates on the progress of this plan. Regulation 19DA(6) of the <i>Local Government (Administration) Regulations 1996</i> requires that a Corporate Business Plan, or modifications of such a plan, be considered and adopted by an absolute majority of Council.
Policy:	Nil.

## Financial Implications

Nil.

## Further Information

Nil.

## Council Resolution (OCM-24/02-019)

**Mover:** Councillor Viktor Ko

**Seconded:** Councillor Catherine Lezer

That Council:

1. ENDORSES the Corporate Business Plan Quarterly Progress Report 2 for the quarter 1 October to 31 December 2023, as contained in Attachment A; and
2. APPROVES the amendment of the Corporate Plan to remove the deliverable “Design for Heirisson Island toilet renewal completed”.

**CARRIED BY ABSOLUTE MAJORITY (9/0)**

**For :** Lord Mayor Basil Zempilas; Deputy Lord Mayor Clyde Bevan; Councillors Brent Fleeton, Liam Gobbert, Viktor Ko, Catherine Lezer, Raj Doshi, David Goncalves and Bruce Reynolds

**Against :** Nil

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## 16. Chief Executive Officer Reports

### 16.1 Review of Council Policies relating to Elected Members

Responsible Officer	Michelle Reynolds – Chief Executive Officer
Voting Requirements	Absolute Majority
Attachments	Attachment 16.1A – Proposed Attendance at Events Policy Attachment 16.1B – Comparison Table - Attendance at Events Policy Attachment 16.1C – Proposed Professional Development Policy Attachment 16.1D – Table of Amendments to Professional Development Policy Attachment 16.1E – Proposed Council Member Allowances, Fees and Entitlements Policy Attachment 16.1F – Table of Amendments to Council Member Allowances, Fees and Entitlements Policy

### Purpose

To present a review of the following council policies:

1. CP 1.1 - Attendance at Events
2. CP 1.2 - Professional Development
3. CP 1.6 - Council Member Allowances Fees and Entitlements

### Recommendation

That Council:

1. ADOPTS the following amended policies as shown in the attachments, with red text for removal and green text for insertion:
  - a. CP 1.1 - Attendance at Events
  - b. CP 1.2 - Professional Development
  - c. CP 1.6 - Council Member Allowances, Fees and Entitlements
2. APPROVES minor typographical amendments, where the materiality of the policies is not affected, and placing the policies in future new templates may be made to improve the presentation and/or make corrections.

## Background

1. It is good practice to review policies that directly impact Council Members following each local government ordinary election to ensure newly elected members of council are aware of, and in support of, those policies. Section 5.128(5) of the Act prescribes this for Professional Development Policies.
2. Recent amendment to the *Local Government Act 1995* (the Act), as part of the State Governments Local Government Reform, has been considered and addressed in the proposed amendments.
3. An explanation of why each amendment has been proposed is provided in a table of amendments, one for each policy, as attached (attachments 16.1B, 16.1D and 16.1F).
4. As these three policies interrelate, they have been reviewed in conjunction with one another.

## Discussion

### Attendance at Events

5. Section 5.90A of the Act prescribes that Council adopts a policy that deals with matters relating to the attendance of Council Members and the CEO at events.
6. Council adopted its Attendance at Events policy at the Ordinary Council meeting on 15 December 2020, and it was last reviewed and amended at the Ordinary Council meeting held on 30 August 2022.
7. While the previous policy was basically functional, it was difficult to understand in places and has been proposed to be re-formatted and reworded to allow for greater clarity.
8. Other circumstances, such as attendances as part of sponsorship agreements and expanding on the types of events that are pre-approved has also been proposed for inclusion to ensure that the policy is contemporary and remains fit for purpose.
9. A table outlining the fundamental differences between the current policy and the proposed policy is provided at attachment 16.1B.

### Professional Development

10. Section 5.128 of the Act prescribes that Council adopt a policy related to the continuing professional development of its Council Members. Section 5.128(5) of the Act requires that this policy be reviewed following each ordinary election.
11. Council adopted its Professional Development policy at the Ordinary Council meeting on held on 15 December 2020. The policy was last reviewed and amended at the Ordinary Council meeting held on 22 February 2022.
12. The proposed amendments and the reasons for them have been outlined in a table of amendments in attachment 16.1D. Any text proposed to be removed from the policy is shown in red and struck through text and any text proposed for inclusion is shown in green.

### Council Member Allowances, Fees and Entitlements

13. Sections 5.98, 5.99, 5.99A and 5.129 of the Act provide for local governments to make payments or reimburse fees and expenses to Council Members.
14. The proposed amendments and the reasons for them have been outlined in a table of amendments in attachment 16.1F. Any text proposed to be removed from the policy is shown in red and struck through text and any text proposed for inclusion is shown in green.

### Consultation

15. Elected Members were invited to provide feedback during the review of these policies. One Elected Member responded noting that they had reviewed the draft policies. No other Elected Member provided feedback.

### Decision Implications

16. If Council supports the recommendation, the council policies will have been reviewed and the amended policies will be implemented.
17. If Council does not support the recommendation, the council policies will have been reviewed but the current policies will continue to apply.

### Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	A Well-Governed City
Related Documents (Issue Specific Strategies and Plans):	Nil

Legislation, Delegation of Authority and Policy	
Legislation:	<p><b>Attendance at Events</b> Section 5.90A(2) of the <i>Local Government Act 1995</i> requires local governments to prepare and adopt a policy in relation to Council Members and the CEO's attendance at events. The adoption and / or amendment of this policy is to be by absolute majority.</p> <p><b>Professional Development</b> Section 5.128 of the <i>Local Government Act 1995</i> requires local governments to prepare and adopt a policy in relation to the continuing professional development of Council Members. The adoption and/or amendment of this policy is to be by absolute majority. This policy must be reviewed following each local government ordinary election.</p> <p><b>Council Members Allowances Fees and Entitlements</b></p>

	Sections 5.98, 5.99, 5.99A and 5.129 of the <i>Local Government Act 1995</i> provide for local governments to make payments or reimburse fees and expenses to Council Members. A policy adopted under Section 5.129 is to be by absolute majority.
<b>Authority of Council/CEO:</b>	Section 2.7(2)(b) of the <i>Local Government Act 1995</i> states that Council is to determine the City’s policies.
<b>Policy:</b>	Policy amendments are proposed.

## Financial Implications

18. Funding for Council Member professional development is included in the annual budget.
19. In addition to the City arranging mandatory training and scheduling appropriate training for Council Members, individual Elected Members are provided with an individual professional development allocation in the annual budget.
20. No budget increase is proposed for the remainder of the 2023-24 financial year.
21. Council Members requesting professional development must either stay within their allocated allowance or make a request to Council to attend professional development in accordance with policy provisions.
22. Should the policies be adopted, the additional support proposed in the policies will be considered as part of the 2024-25 budget setting.

## Further Information

23. **Questions and Responses forming part of the Agenda Briefing Session held 20 February 2024 are as follows:**

	Question	Response
1.	Is this the first time we are dealing with Council Polices, specifically relating to Council Member fees and entitlements, since the abolishment of the Policy and Legislation Committee?	No, Council Policy 1.6 Council Member Allowances, Fees and Entitlements was amended at the <a href="#">Ordinary Council Meeting held on 28 March 2023</a> – to remove the “Legal expenses and insurance deductibles” section as a consequence of the adoption of new Council Policy 2.17 Legal Representation.
2.	What travel (including conferences, meetings, exchanges, or training) that may involve elected members has been planned for, scheduled, or envisioned for the rest of this calendar year?	CERAWeek – Houston 18 – 22 March 2024 Attending - Lord Mayor and Cr Reynolds ALGA National General Assembly 2 – 4 July 2024 Attending – Deputy Lord Mayor Bevan and Cr Gobbert.

	Question	Response
		<p>Attendance is consistent with the objects of the <i>City of Perth Act 2016</i>, specifically to recognise, promote and enhance —</p> <p>(i) the special social, economic, cultural, environmental and civic role that the City of Perth plays because Perth is the capital of Western Australia; and</p> <p>(ii) the important role that the City of Perth plays in representing the broader Perth area and the State of Western Australia on both a national and international level.</p> <p>The City’s International team has recommended considering visits to China, Japan and possibly India however this is still to be determined.</p>
3.	<p>Are there any elected members intending to engage in international travel or delegations? Can we have the list of any approved, designated or nominated elected members travelling?</p>	<p>See response to question 1 (previous).</p>
4.	<p>Are there any external members of the public, community or corporate nominees joining any international delegations? Are any such external members of any City hosted delegation receiving support, financial or otherwise in-kind?</p>	<p>Consistent with Council approval on 12 December 2023, there is an international delegation to CERAWeek involving 7 external delegates</p> <p>External delegates details are available on the City’s website: <a href="#">CERAWeek 2024   City of Perth</a></p> <p>Financial support for CERAWeek includes registration, and shared transportation to relevant functions.</p>

	Question	Response
5.	Can we have a list of any invited public, community or corporate nominees joining any international conferences, meetings or delegations and the rationale for their involvement?	<p>External delegates are featured on the City’s website: <a href="#">CERAWeek 2024   City of Perth</a></p> <p>Attendance is consistent with the objects of the <i>City of Perth Act 2016</i>, specifically to recognise, promote and enhance –</p> <p>(i) the special social, economic, cultural, environmental and civic role that the City of Perth plays because Perth is the capital of Western Australia; and</p> <p>(ii) the important role that the City of Perth plays in representing the broader Perth area and the State of Western Australia on both a national and international level.</p> <p>More specifically, Involvement of City stakeholders seeks to showcase and support Perth’s energy transition sector on the global stage, further leveraging the success of the WECP AGM hosted in Perth in November 2023.</p> <p>Attendance of delegates is consistent with Council’s decision on 12 December 2023 .</p>
6.	How many kilometres has been driven in the Lord Mayor's official car in the previous calendar and/or financial year?	The Lord Mayors vehicle travelled 6,103km from January 2023 to December 2023.
7.	What is the associated staffing costs for the provision of driving the Lord Mayor's official car - including any overtime and/or ancillary costs over the last three financial years?	<p>Associated staffing costs constitutes a small percentage of an officer’s role.</p> <p>In order to respond to this question in more detail, a significant body of work would be required. This would divert resources from priority work and indicatively require several days of effort.</p>

	Question	Response
8.	What is the maintenance costs of the Lord Mayor's car over the last three financial years?	<p>The cost of maintaining the Lord Mayor's vehicle over the past three financial years has been \$9,982.79</p> <p>The cost comprises:</p> <ul style="list-style-type: none"> <li>• Fuel</li> <li>• Registration</li> <li>• Insurance</li> <li>• Fleet management costs</li> <li>• Stores and materials</li> <li>• Servicing</li> </ul>
9.	Are elected member car bays used for any other purpose than the provision of parking for elected members during meetings and official business?	<p>The bays are available for City use when not required by Elected Members.</p>
10.	What has been the average actual spend per elected member on training in the past three financial years? And what had been the total travel costs associated with elected member training over the last three financial years?	<p>The actual cost of elected member training over the past 3 financial years is:</p> <p>2022/2023 - \$8,418.18</p> <p>2021/2022 - \$6,893.94</p> <p>2020/2021 - \$17,613.52</p> <p>Elected member training attendance is available via the register published on the City's website: <a href="#">Elected Members Registers   City of Perth</a>.</p> <p>To determine 'average actual spend per elected member' the total cost could be divided by the number of elected members (9) however not all elected members attended all training.</p> <p>The total travel costs associated with elected member training over the last three financial years is <b>nil</b> based upon no requests for reimbursement from EMs.</p>



	Question	Response
11.	What next-steps and processes does the CIBN titled "Review of Council Policies" (that details travel and elected member entitlements) outline and recommend?	<p>Feedback was sought from Elected Members via a <a href="#">CIBN</a>. As part of this consultation process, Elected Members were advised that these policies were to be reviewed following the 2023 Local Government Elections.</p> <p>Based upon no (material) feedback, the next step was to present the policies to Council for consideration. Had there been any material feedback, the draft policies may have been scheduled for an EMES but that was not the case.</p> <p>Any amendment of Council policy must be made by resolution of Council.</p>
12.	Was the policy developed before or after the OCM on December 12th 2023?	Following the October election, all elected member related policies were included in the plan for review.
13.	Was the approval to send a delegation to CERAwEEK on December 12th 2023 the basis, a consideration or otherwise a factor for this policy change?	Not the basis for, but certainly a contributory factor. The decision by Council to send a delegation overseas highlighted the need for clarity and transparency in our policy framework.
14.	Was the budgetary cost savings of economy flights fully weighted and considered as a way to expand budget capacity and thereby increase both participation and impact to CERAwEEK and/or any other future events?	<p>Total attendance numbers were determined by Council on 12 December 2023.</p> <p>In considering this decision, any suggestions should have been raised and considered by Council in December 2023.</p>

## Recommendation

**Mover:** Councillor Catherine Lezer

**Seconded:** Councillor Liam Gobbert

That Council:

1. ADOPTS the following amended policies as shown in the attachments, with red text for removal and green text for insertion:
    - a. CP 1.1 - Attendance at Events
    - b. CP 1.2 - Professional Development
    - c. CP 1.6 - Council Member Allowances, Fees and Entitlements
  2. APPROVES minor typographical amendments, where the materiality of the policies is not affected, and placing the policies in future new templates may be made to improve the presentation and/or make corrections.
- 

6.14pm *Councillor Brent Fleeton raised a point of order stating that Councillor David Goncalves had breached cl. 7.11(4) of the Standing Orders Local Law 2009 by speaking on a motion for longer than 5 minutes.*

*Councillor Goncalves replied that he had now finished speaking and would move a procedural motion.*

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## Procedural Motion

**Mover:** Councillor David Goncalves

**Seconded:** Councillor Viktor Ko

That the matter be deferred until it can be discussed at an Elected Member Engagement Session and be brought back to Council.

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6.16pm *Councillor Brent Fleeton raised a point of order stating that, under cl. 12.3 of the Standing Orders Local Law 2009, Councillor David Goncalves could not move a procedural motion as he had already spoken on the item.*

*The Lord Mayor ceased debate and advised the meeting that the proposed Procedural Motion could not stand.*

## Council Resolution (OCM-24/02-020)

**Mover:** Councillor Catherine Lezer

**Seconded:** Councillor Liam Gobbert

That Council:

1. ADOPTS the following amended policies as shown in the attachments, with red text for removal and green text for insertion:
  - a. CP 1.1 - Attendance at Events
  - b. CP 1.2 - Professional Development
  - c. CP 1.6 - Council Member Allowances, Fees and Entitlements
2. APPROVES minor typographical amendments, where the materiality of the policies is not affected, and placing the policies in future new templates may be made to improve the presentation and/or make corrections.

**CARRIED (5/4) BY ABSOLUTE MAJORITY**

**For:** Lord Mayor Basil Zempilas; Deputy Lord Mayor Clyde Bevan; Councillors Liam Gobbert, Catherine Lezer and Raj Doshi

**Against:** Councillors Brent Fleeton, Viktor Ko, David Goncalves and Bruce Reynolds

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16.2 City of Perth Inquiry Recommendations - Quarterly Progress Update - Q2  
2023/24 (1 October - 31 December 2023)

Responsible Officer	Michelle Reynolds – Chief Executive Officer
Voting Requirements	Simple Majority
Attachments	Attachment 16.2A – Recommendations of the Inquiry into the City of Perth Quarterly Progress Update - Q2 2023-24 - 1 October - 31 December 2023

### Purpose

To provide Council with an update on the progress of the recommendations from the Inquiry into the City of Perth.

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### Recommendation

That Council RECEIVES the quarterly Q2 2023/24 (1 October - 31 December 2023) progress update on the remaining recommendations from the Inquiry into the City of Perth.

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## Background

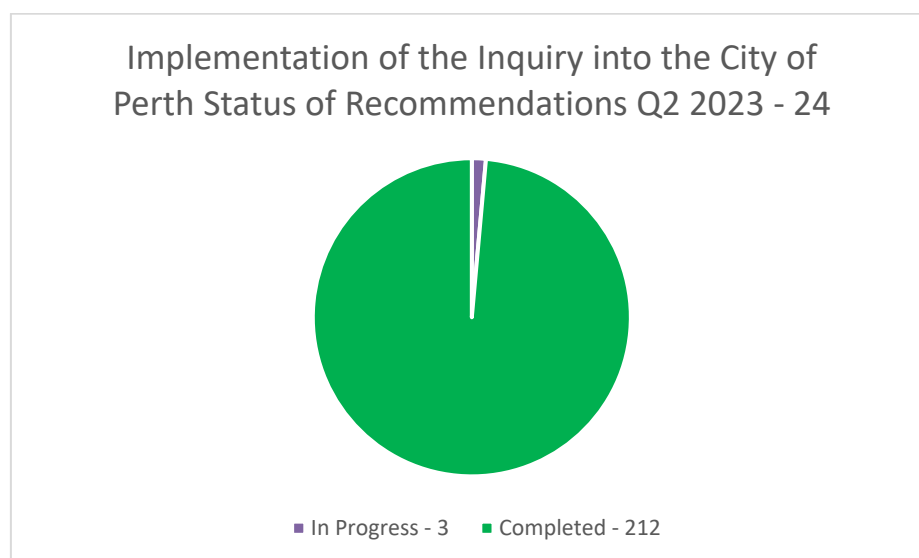
1. The final report of the Inquiry into the City of Perth (Inquiry) was tabled at State Parliament on 11 August 2020. The report detailed 341 recommendations for both the City of Perth (215) and State Government (126).
2. Quarterly progress updates on the implementation of the Inquiry's recommendations have been presented to Council as outlined in the below table, and the City of Perth (the City) has made significant progress toward addressing the Inquiry's recommendations.

City of Perth Inquiry recommendations - Quarterly progress updates presented to Council				
2020	2021	2022	2023	2024
15 December	30 March	22 February	28 February	
	27 July	31 May	26 April	
	23 November	30 August	25 July	
		22 November	21 November	

3. As of 30 September 2023, the City had completed 208 out of 215, or 96.7% of recommendations.
4. A further quarterly progress update, Q2 2023/24 (1 October - 31 December 2023) is now presented for Council to receive (Attachment A).

## Discussion

5. Subject to the endorsement of the Department of Local Government, Sport and Cultural Industries (DLGSC), the City has completed a total **of 212 out of 215, or 98.6%** of the recommendations and **3** recommendations remain in progress.
6. The progress achieved to date, subject to DLGSC's endorsement is included below:



## Consultation

### Next steps

- This quarterly progress update will be provided to the DLGSC along with evidence to validate completion. The Inquiry Oversight Group will then consider the information provided. If the recommendations are deemed to be addressed, they will be officially closed out.

## Decision Implications

- The City is working with the DLGSC to close out the recommendations of the Inquiry.

## Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	Prosperous
Related Documents (Issue Specific Strategies and Plans):	<a href="#">Report of the Inquiry into the City of Perth.</a>

Legislation, Delegation of Authority and Policy	
Legislation:	Sections 8.22 and 8.24 of the <i>Local Government Act 1995</i> .
Authority of Council/CEO:	The recommendation of this report is for noting only.
Policy:	Nil.

## Financial Implications

Nil.

## Further Information

- Questions and Responses forming part of the Agenda Briefing Session held on 20 February 2024 are as follows:

	Question	Response
1.	Do we know of the progress of the 126 recommendations to the State Government?	The City has written to the Director General at the Department of Local Government, Sport and Cultural Industries to request an update as to progress on the 126 Inquiry recommendations within its remit.

## Council Resolution (OCM-24/02-021)

**Mover:** Lord Mayor Basil Zempilas

**Seconded:** Councillor Brent Fleeton

That Council RECEIVES the quarterly Q2 2023/24 (1 October - 31 December 2023) progress update on the remaining recommendations from the Inquiry into the City of Perth.

**CARRIED EN BLOC (9/0)**

**For :** Lord Mayor Basil Zempilas; Deputy Lord Mayor Clyde Bevan; Councillors Brent Fleeton, Liam Gobbert, Viktor Ko, Catherine Lezer, Raj Doshi, David Goncalves and Bruce Reynolds

**Against :** Nil

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16.3 Appointment of an alternate member to attend the Mindarie Regional Council meeting on 29 February 2024

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

### Purpose

For Council to appoint an Alternate Member (Deputy) to the Mindarie Regional Council (MRC) Meeting on 29 February 2024.

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### Recommendation

That Council APPROVES the appointment of Councillor \_\_\_\_\_ as its Alternate Member (Deputy) for the Mindarie Regional Council meeting to be held on 29 February 2024, due to the inability of Council's appointed Member, Councillor Liam Gobbert, to attend on this occasion.

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## Background

1. It is a requirement of the Mindarie Regional Council Establishment Agreement that Council makes a specific resolution to nominate an Alternate Member for each occasion that the approved Member is unable to act.

## Discussion

2. At the Special Meeting of Council on 25 October 2023 Council appointed Councillor Liam Gobbert as its nominated representative to the Mindarie Regional Council for the period 25 October 2023 to 18 October 2025.
3. Councillor Gobbert is unable to attend the meeting scheduled for 29 February 2024 and therefore an Alternate Member (Deputy) will need to be appointed to attend on that occasion.
4. The 29 February 2024 Meeting is an MRC Ordinary Council Meeting and will commence at 6.30pm.

## Consultation

Nil.

## Decision Implications

5. Appointing an alternative member for the Mindarie Regional Council meeting on 29 February 2024 ensures the City is represented at this meeting.

## Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	A Well-Governed City
Related Documents (Issue Specific Strategies and Plans):	Nil.

Legislation, Delegation of Authority and Policy	
Legislation:	Nil.
Authority of Council/CEO:	Council may approve appointments of deputy members to the Mindarie Regional Council.
Policy:	Mindarie Regional Council Establishment Agreement.

## Financial Implications

Nil.



## Further Information

Nil.

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## Recommendation

That Council APPROVES the appointment of Councillor \_\_\_\_\_ as its Alternate Member (Deputy) for the Mindarie Regional Council meeting to be held on 29 February 2024, due to the inability of Council's appointed Member, Councillor Liam Gobbert, to attend on this occasion.

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*Councillor Liam Gobbert advised that he would be available to attend the Mindarie Regional Council Meeting to be held on 29 February 2024, and requested that this item be withdrawn.*

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## Procedural Motion (OCM-24/02-022)

**Mover:** Lord Mayor Basil Zempilas

**Secunder:** Councillor Brent Fleeton

That the meeting proceed to the next item of business in accordance with Clause 12.1(f) of the *City of Perth Standing Orders Local Law 2009*.

**CARRIED UNOPPOSED (9/0)**

**For :** Lord Mayor Basil Zempilas; Deputy Lord Mayor Clyde Bevan; Councillors Brent Fleeton, Liam Gobbert, Viktor Ko, Catherine Lezer, Raj Doshi, David Goncalves and Bruce Reynolds

**Against :** Nil

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## 17. Committee Reports

### 17.1 Internal Audit Report - Compliance Audit Return 2023

Responsible Officer	Natasha Balderston – Audit and Risk Manager
Voting Requirements	Simple Majority
Attachments	Attachment 17.1A – 2023 Compliance Audit Return Submission

### Purpose

The purpose of this report is to present the results of the Compliance Audit Return 2023 to the Audit and Risk Committee.

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### Recommendation

That Council:

1. ADOPTS the Local Government Annual Compliance Audit Return for the period 1 January 2023 to 31 December 2023 as shown in **Attachment A**.
  2. ACKNOWLEDGES that the Chief Executive Officer and Lord Mayor will certify the Local Government Annual Compliance Audit Return 2023, for submission to the Department of Local Government, Sport and Cultural Industries by 31 March 2024.
-

## Background

1. The Annual Compliance Audit Return (“CAR”) was included in the City’s FY 23/24 Audit Plan. This plan was approved by the City of Perth’s (“City”) Audit and Risk Committee and Council in its respective meetings in May 2023.
2. Local governments are required under regulation 14 of the *Local Government (Audit) Regulations 1996*, to carry out a CAR for the period of 1 January to 31 December of each year.
3. The completed CAR submission is required to be:
  - a. Presented to the Audit and Risk Committee for review, before being presented for adoption by Council;
  - b. Subsequently certified by the Lord Mayor and the Chief Executive Officer; and
  - c. Returned to the Department of Local Government, Sport, and Cultural Industries (“DLGSC”) with a copy of the relevant Council minutes by 31 March 2024.
4. The 2023 CAR submission for the DLGSC is provided in **Attachment A**.
5. The City received the scope from the DLGSC on 21 December 2023.
6. The scope of the audit covered the period 1 January 2023 to 31 December 2023 and covered ninety-four (94) questions to assess a local government's compliance with the requirements of the chosen sections of the *Local Government Act 1995* and subsidiary legislation, concentrating on areas of compliance considered "high risk", as determined by the Minister.
7. The audit was conducted by the Internal Audit Team.

## Discussion

8. The audit confirmed that the City was compliant with ninety-three (93) legislative requirements within the scope.
9. The audit identified non-compliance with one (1) legislative requirement within the optional questions within the scope.
10. The audit also verified that the one (1) area of non-compliance in the CAR 2022 audit has been rectified and was no longer an issue for this audit.

### Next steps:

11. The submission to the DLGSC will be presented to the Council meeting on 27 February 2024 for certification by the Lord Mayor and the CEO.
12. Once certified, the submission, together with the Council minutes, will be provided to the DLGSC for their review and information.

## Consultation

13. The following stakeholders were consulted to collate responses and evidence for this audit:
  - a. Executive Director Governance and Strategy
  - b. Financial Controller

- c. Manager Strategic Procurement
- d. Corporate Governance Lead
- e. Alliance Manager Corporate Planning and Performance
- f. Alliance Manager Council Governance and Policy
- g. Elections Coordinator
- h. Alliance Manager Properties
- i. Alliance Manager Community Service
- j. Alliance Manager Infrastructure and Operations
- k. Manager Audit and Risk

## Decision Implications

If Council supports the recommendations, the City will meet its obligation to submit the completed CAR submission to the DLGSC by 31 March 2024.

## Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	A Well-Governed City
Related Documents (Issue Specific Strategies and Plans):	Nil.

Legislation, Delegation of Authority and Policy	
Legislation:	<i>Local Government Act (1995), Local Government (Elections) Regulations 1997, Local Government (Administration) Regulations 1996, Local Government (Audit) Regulations 1996, Local Government (Functions and General) Regulations 1996</i>
Authority of Council/CEO:	Council.
Policy:	Nil.

## Financial Implications

Nil.

## Further Information

Nil.

## Council Resolution (OCM-24/02-023)

**Mover:** Lord Mayor Basil Zempilas

**Seconded:** Councillor Brent Fleeton

That Council:

1. ADOPTS the Local Government Annual Compliance Audit Return for the period 1 January 2023 to 31 December 2023 as shown in **Attachment A**.
2. ACKNOWLEDGES that the Chief Executive Officer and Lord Mayor will certify the Local Government Annual Compliance Audit Return 2023, for submission to the Department of Local Government, Sport and Cultural Industries by 31 March 2024.

**CARRIED EN BLOC (9/0)**

**For :** Lord Mayor Basil Zempilas; Deputy Lord Mayor Clyde Bevan; Councillors Brent Fleeton, Liam Gobbert, Viktor Ko, Catherine Lezer, Raj Doshi, David Goncalves and Bruce Reynolds

**Against :** Nil

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## 17.2 Review of the Independent Committee Members Policy and Audit and Risk Committee Terms of Reference

Responsible Officer	Charlie Clarke – Alliance Manager Council Governance and Policy
Voting Requirements	Simple Majority
Attachments	Attachment 17.2A – SAT Determination Variation Attachment 17.2B – Council Policy 1.7 Independent Committee Members - showing proposed changes Attachment 17.2C – Audit and Risk Committee Terms of Reference - showing proposed changes

### Purpose

For the Audit and Risk Committee to consider recommending that Council, in accordance with the *Local Government Amendment Act 2023*:

1. Amends Council Policy 1.7 Independent Committee Members and:
  - a. Sets the meeting attendance fees payable to Independent Committee Members as the maximum allowed by the Salaries and Allowances Tribunal, to be paid from 1 January 2024.
  - b. Prescribes the authorised functions for the purposes of reimbursable expenses to Independent Committee Members.
2. Amends the Audit and Risk Committee Terms of Reference.

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### Recommendation

That Council:

1. ADOPTS amendments to Council Policy 1.7 Independent Committee Members shown in red for removal and green for insertion (**Attachment B**) and:
    - a. Sets the meeting attendance fees payable to Independent Committee Members as the maximum allowed by the Salaries and Allowances Tribunal.
    - b. Prescribes the authorised functions for the purposes of reimbursable expenses to Independent Committee Members.
  2. ADOPTS amendments to the Audit and Risk Committee Terms of Reference shown in red for removal and green for insertion, (**Attachment C**) contained in the Committees, Sessions and External Bodies Register
  3. APPROVES that minor typographical amendments that do not affect the materiality of the Audit and Risk Committee Terms of Reference and Policy 1.7 Independent Committee Members may also be made to improve the presentation and/or make corrections.
-

## Background

1. Section 80 of the *Local Government Amendment Act 2023*, assented to on 18 May 2023, amends Section 5.100 of the *Local Government Act 1995* (the Act) to provide for independent committee members to receive meeting attendance fees (the amendments).
2. Independent committee members are those members of council committees who are not council members or local government employees.
3. These amendments came into effect on 1 January 2024 and payment amounts have been determined by the Salaries and Allowances Tribunal (the SAT).
4. Council Policy 1.7 Independent Committee Members was first adopted by Council on 25 May 2021.
5. Council at its Special Council Meeting on 25 October 2023 adopted the Committees, Sessions and External Bodies Register which contained the Terms of Reference (ToR) for the Audit and Risk Committee.
6. As a result, the Audit and Risk Committee ToR was adopted.

## Discussion

7. The SAT signed a Determination Variation on 23 October 2023. This is provided at **Attachment A**.
8. This Determination Variation has amended *The Local Government Chief Executive Officers and Elected Members Determination No. 1 of 2023*.
9. City of Perth Independent Committee Members are now entitled to be paid meeting attendance fees of between \$0 and \$415, per prescribed meeting.
10. Meetings prescribed in Regulation 34ACA of the *Local Government (Administration) Regulations 1996* (the Administration Regs) for the purposes of s.5.100 of the Act are:
  - a. Committee Meetings for which the Independent Committee Member is a member;
  - b. Committee Meetings for which the Independent Committee Member is not a member, but their attendance has been requested by Council.
11. In addition to the above, Section 5.100(4)(5) of the Act entitles Independent Committee Members to reimbursement of expenses as prescribed in the regulations and as determined by the local government.
12. Regulation 34ACA(2) of the Administration Regs prescribe that child care and travel costs incurred by Independent Committee Members, in attending a committee meeting for which they are a member, are to be reimbursed in accordance with the relevant SAT determination relating to elected members.
13. It is proposed that further authorised functions, for the purposes of reimbursement, be included in the Policy as follows:
  - a. Meetings of committees of Council on which they are not a member, but their attendance has been requested by Council.
  - b. Meetings with the City's Internal Auditor or the Office of the Auditor General, as required.
  - c. Meetings of Council where their attendance has been requested by Council.
  - d. Training organised by the City for the committee on which they are an independent member.

14. As a result of amendments to legislation, Council Policy 1.7 – Independent Committee Members (the Policy) is proposed to be amended for Council’s consideration.
15. A marked-up version of the Policy, showing proposed changes, is attached as **Attachment B**. A summary of the changes and reasons is included below.

**Table 1 – Summary of Changes and Reasons – Council Policy 1.7 – Independent Committee Members**

Ref	Change	Reason
4-6	<p>Amend the Objective as below: To provide rules and transparency regarding the appointment, <b>payment of fees</b> and reimbursement of expenses <del>of</del> <b>to</b> independent committee members, in accordance with the <i>Local Government Act 1995</i>, <i>Local Government (Administration) Regulations 1996</i>, and determinations of the Salaries and Allowances Tribunal.</p>	<p>The <i>Local Government Regulations Amendment Regulations (No. 2) 2023</i> include new provisions that came into effect on 1 January 2024 that allow for the payment of allowances and reimbursements associated with committee meeting attendance by independent committee members (ICM).</p>
8-14	<p>Amend the Scope as below: This policy sets the process for the appointment of persons who are not Council Members or employees to be a member of a committee of the Council (“independent committee member”) <b>and outlines the way in which independent committee members may be paid fees and receive reimbursements from the City.</b></p> <p>This policy also sets the nature and extent of <del>the reimbursements that independent committee members are entitled to receive from the City,</del> <b>and</b> the responsibilities of independent committee members and the Administration to ensure these appointments, <del>and reimbursements</del> are made fairly, consistently, and transparently.</p>	<p>To clarify that:</p> <ol style="list-style-type: none"> <li>1. the City will pay independent committee members</li> <li>2. the appointments are made fairly, consistently, and transparently.</li> </ol>
22-30	<p>Replace the word <del>‘shall’</del> with <b>‘will’</b>.</p>	<p>To improve clarity by removing wording that is ambiguous.</p>
	<p><b>Renumber the clauses that follow Clause 3 accordingly.</b></p>	<p>Following the deletion of clauses above, some of the clauses following will need to be renumbered.</p>
31-36	<p>Inclusion of new section allowing for the payment of meeting fees to the maximum amount as determined by the Salaries and Allowances Tribunal. <b>Meeting fees</b></p> <p><b>4. Independent committee members will be paid the maximum meeting attendance fee, as determined by the Salaries and Allowances Tribunal, for their attendance at:</b></p>	<ol style="list-style-type: none"> <li>1. Section 5.100 of the <i>Local Government Act 1995</i> allows for the payment of a determined fee for an independent committee member’s attendance at committee meetings</li> <li>2. Independent committee members may also be paid a determined fee for their requested attendance at a prescribed meeting type.</li> </ol>

Ref	Change	Reason
	<p>a. Meetings of the committee on which they are a member.</p> <p>Meetings of a committee of Council on which they are not a member, but their attendance has been requested by Council.</p>	<p>3. New regulation 34ACA(1) of the <i>Local Government (Administrations) Regulations 1996</i> prescribes “a meeting of a committee of the council of which the committee member is not a member.”</p> <p>4. The regulations do not allow for an independent committee member to be paid an attendance fee for attending a Council Meeting should they be requested to attend one.</p>
38-42	<p>Amend Clause 5 as below:</p> <p><del>5. 6. In accordance with section 5.100 of the Act, independent committee members are not entitled to be paid fees for attending committee meetings or other meetings associated with their role on the committee. However, they are eligible</del></p> <p>Independent committee members are entitled to be reimbursed for expenses relating to their duties, as defined below incurred in performing an authorised function.</p>	<p>To allow for the payment of fees to independent committee members in accordance with section 5.100 of the Act.</p>
43-51	<p>Insert Clause 6 as below:</p> <p>6. An authorised function refers to the independent committee member’s attendance at the following:</p> <p>a. Meetings of the committee on which they are an independent member.</p> <p>b. Meetings of committees of Council on which they are not a member, but their attendance has been requested by Council.</p> <p>c. Meetings with the City’s Internal Auditor or the Office of the Auditor General.</p> <p>d. Training organised by the City for the committee on which they are an independent member.</p>	<p>1. To include a list of defined ‘authorised functions’. This is consistent with the terminology used in Council Policy Council Member Allowances, Fees and Entitlements Policy.</p> <p>2. New regulation 34ACA(2) of the <i>Local Government (Administrations) Regulations 1996</i> <b>requires</b> local governments to reimburse ICM for childcare and travel expenses incurred because of their attendance at committee meetings.</p> <p>3. New regulation 34ACA(3) of the <i>Local Government (Administrations) Regulations 1996</i> <b>allows</b> for the reimbursement of the following expenses:</p> <p>(a) an expense incurred by a committee member in performing a function under the express authority of the local government; and</p> <p>(b) an expense incurred by a committee member in</p>

Ref	Change	Reason
		performing a function in their capacity as a committee member.
53-54	Amend Clause 7 as below: 7. Travel expenses refer to the costs of reasonable travel to and from <b>the location at which independent committee members are required to perform an authorised function</b> <del>meetings of a committee of which they are an independent committee member</del> . This may include reasonable bus, train, taxi or vehicle hire costs, and does not include the cost of any infringements or fines related to travel.	To accommodate the new term in the policy 'Authorised Function' when referring to the occasions reimbursements may be paid.
57-59	Amend clause 8 to remove the words as follows: 8. Travel costs incurred while driving a privately owned or leased vehicle are to be calculated at the rate determined by the Salaries and Allowances Tribunal <del>for the purposes of regulation 31(1)(b) of the Local Government (Administration) Regulations 1996 (the 'Administration Regulations')</del> .	<ol style="list-style-type: none"> <li>1. The legislation references are incorrect following legislative amendment.</li> <li>2. Reference to legislation does not need to be made in each clause for the purposes of the policy.</li> <li>3. Reference to relevant legislation is included in the document control section.</li> </ol>
61-63	Amend clause 10 to remove the words as follows: 10. The extent to which travel expenses may be reimbursed is to be in accordance with the extent determined by the Salaries and Allowances Tribunal. <del>for the purposes of regulation 31(1)(b) of the Local Government (Administration) Regulations 1996.</del>	<ol style="list-style-type: none"> <li>4. The legislation references are incorrect following legislative amendment.</li> <li>5. Reference to legislation does not need to be made in each clause for the purposes of the policy.</li> <li>6. Reference to relevant legislation is included in the document control section.</li> </ol>
65-68	Amend Clause 11 as below: 11. Parking expenses refer to the cost of parking <del>whilst</del> <b>to accommodate independent committee member attendance at the location at which they are required to perform an authorised function.</b> <del>attending meetings of a committee of which they are an independent committee member and does not include</del> Costs for valet parking, <del>or any</del> parking infringements or fines <b>will not be met by the City.</b>	To accommodate the new term in the policy 'Authorised Function' when referring to the occasions reimbursements may be paid and improve readability.
71-74	Amend Clause 13(a.) as below: a. Required in the absence of the independent committee member <del>whilst</del> <b>while they are performing an authorised function</b> <del>attending</del>	To accommodate the new term in the policy 'Authorised Function' when referring to the occasions reimbursements may be paid.

Ref	Change	Reason
	<p><del>meetings of a committee of which they are a member.</del></p>	
79-81	<p>Amend clause 14 to remove the words as follows: 14. The extent to which childcare expenses may be reimbursed is to be consistent with the extent determined by the Salaries and Allowances Tribunal <del>for the purposes of regulation 32(1) of the Local Government (Administration) Regulations 1996.</del></p>	<p>7. The legislation references are incorrect following legislative amendment. 8. Reference to legislation does not need to be made in each clause for the purposes of the policy. 9. Reference to relevant legislation is included in the document control section.</p>
83-85	<p>Amend Clause 15(a.) as below: a. Required <del>whilst</del> <b>while the independent committee member is performing an authorised function</b> <del>attending meetings of a committee of which they are a member.</del></p>	<p>To accommodate the new term in the policy 'Authorised Function' when referring to the occasions reimbursements may be paid.</p>
123-130	<p>Re-number clauses following accordingly.</p>	<p>Improve clarity by moving the governance section to the end of the Policy. Following the re-ordering of clauses, some of the following clauses will need to be renumbered.</p>
98-100	<p>Delete existing Clause 20 and re-number clauses following accordingly: <del>20. Where an independent committee member wishes to be reimbursed by the City for an expense to which they are entitled to be reimbursed for, the independent committee member is to submit a claim for reimbursement to the Chief Executive Officer within 60 days of the expense being incurred.</del></p>	<p>The information in this clause has been included in new clause 19.</p>
101-111	<p>To amend Clause 19 as below: 19. <b>An independent committee member making a claim for reimbursement is to</b> <del>consist of the following</del> <b>submit the following information to the Chief Executive Officer within 60 days of the expense being incurred:</b>  <del>a. The relevant City of Perth reimbursement of expenses form, fully by the independent committee member who incurred the expense, inclusive of all salient details.</del>  <b>a. A completed City of Perth reimbursement of expenses form;</b></p>	<p>To include the relevant information from the deleted Clause 20 and streamline the wording for improved readability.</p>



Ref	Change	Reason
	<ul style="list-style-type: none"> <li>b. <del>Full</del> A copy of the receipt(s) for the expense;</li> <li>c. Evidence of the nature, amount, date and time of the expense incurred and paid by the independent committee member, and who the independent committee member made payment to, where this information <del>cannot be adequately verified by the</del> <b>is not provided on the</b> expense receipt.</li> </ul>	
112-122	<p>Amend Clause 20 as below:</p> <p>20. A reimbursement <del>can only occur if</del> <b>will be authorised by the Chief Executive Officer where:</b></p> <ul style="list-style-type: none"> <li>a. The claim for reimbursement contains all required information and documents and <del>is</del> <b>has been</b> submitted within 60 days of the expense being incurred.</li> <li>b. The expense is of a kind that the independent committee member is entitled to be reimbursed under this Policy.</li> <li>c. <del>The Chief Executive Officer authorises the reimbursement.</del></li> <li>c. <del>The Chief Executive Officer can only authorise independent committee member to be reimbursed for an expense where.</del> <b>The Chief Executive Officer is satisfied that the sole purpose of the expenditure was for the performance of an authorised function. proper discharge of the individuals role as an independent committee member, as evidenced by the independent committee member's claim for reimbursement.</b></li> </ul>	Amend the wording to streamline the information and remove repeated information.
32	Amend the document control section as required.	Update the legislation reference numbers.

- 16. The Audit and Risk Committee is currently Council's only Committee with Independent Members.
- 17. The ToR has been reviewed as a result of the amendments to the Act, and other minor amendments are also proposed.
- 18. A marked-up version of the ToR, showing proposed changes, is attached as **Attachment C**.

Table 2 – Summary of Changes and Reasons – ARC Terms of Reference

Ref	Change	Reason
1.	<p>Update the following Paragraph:</p> <p>19. The ARC is comprised of a maximum of six (6) members, of which, two (2) must be independent. All members will have full voting rights. The ARC is led by a Presiding Member, who is responsible for reporting to Council. <del>The Lord Mayor cannot be appointed as the Presiding Member of the ARC.</del></p> <p>Although the Act provides that any committee member may nominate to be the Presiding Member of this committee, it is the Committee’s preference that the Committee’s presiding member be a Councillor or an Independent Committee Member.</p>	<p>Section 5.12 and Schedule 2.3 of the Act provide that each Council Member is to be given the right to nominate as a member of a local government committee and as such the Lord Mayor cannot be restricted from nominating to be elected or becoming the Presiding Member of a Committee, however the Committee may indicate a preference.</p>
2.	<p>Update the following Paragraph:</p> <p>Independent committee members must be appointed by Council, in accordance with section 5.10 of the Act. The appointment process will follow <b>relevant Council Policies relating to Independent Committee Members.</b> <del>Council Policy 1.7 Independent Committee Members and will consider the qualifications, skills, and expertise required for the functions of the ARC.</del></p>	<p>To avoid duplication of information between the two documents and refer to the Council Policy generally in the event of title changes or additional relevant policies being adopted.</p>
3.	<p>Update the following paragraph:</p> <p>Minutes: All meetings will be minuted, <del>by a member of the Council Governance Team,</del> and minutes will be submitted to the Committee at the next Committee meeting for confirmation, as per Section 5.22 of the Act.</p>	<p>This is to enable the meeting to be minuted by any City officer, as required by the CEO to allow for business continuity reasons.</p>
4.	<p>Delete the paragraph:</p> <p><del>As per Part 2, Regulation 12 of the Local Government (Administration) Regulations 1996, meeting details, including the date, time, and place where the meeting is to be held will be published on the City’s website.</del></p>	<p>This Committee has no delegated authority and is not open to the public. Regulation 12 of the Administration Regs states that only those meetings which are open to the public are required to have the details be published on the City’s website.</p> <p>This paragraph was originally included in the TOR in response to Audit Recommendation 28 of the Performance of ARC Audit, which states:</p>

Ref	Change	Reason
		<p><i>'Publish the ARC Agenda, Papers and Minutes on the City website in accordance with legislation, except where the information is confidential, and which may present a risk to the City'</i></p> <p>However, this is not required by legislation.</p>
5.	<p>Remove the following paragraphs:</p> <p><del>'The City is prohibited under Section 5.98-5.99 of the Local Government Act 1995, and Regulation 30 of the Local Government (Administration) Regulations 1996, to pay a council member a fee for attending the ARC.</del></p> <p><del>Under Section 5.98(2) (4) of the Local Government Act 1995, and Regulation 31(1) and 32(1) of the Local Government (Administration) Regulations 1996, some expenses incurred by Council members may be reimbursed.</del></p>	<p>Council determined when adopting <i>Council Policy 1.6 - Council Member Allowances, Fees and Entitlements</i>, to pay an annual fee to council members in lieu of a meeting attendance fee in accordance with Section 5.98- 5.99 of the Act. Committee members who are also council members may not receive a sitting fee for attending each meeting in addition to the annual fee they receive.</p>
6.	<p>Replace the following paragraphs:</p> <p><del>'Reimbursement of approved expenses for independent members may be paid to each independent external member in accordance with Section 5.100 of the Act, and as per Council Policy 1.7 Independent Committee Members.'</del></p> <p>With the following paragraph:</p> <p><b>Independent Committee Members will be paid meeting attendance fees and reimbursed expenses in accordance with Section 5.100 of the Act and Council's relevant policies on Independent Committee Members.</b></p> <p><b>*This section provides for Independent Member Committee members only as council members receive an annual fee for meeting attendance under relevant Council Policy.</b></p>	<p>Section 5.100 of the Act was amended on 1 January 2024 and now provides for both a meeting attendance fee and reimbursement of certain expenses for independent committee members. The proposed amendments to Council Policy 1.7 Independent Committee Members describe the extent to which these payments will be made.</p>
7.	<p>Delete the words:</p> <p><del>'The rules regarding remuneration for independent committee members are currently under review as part of the Local Government Reforms (2023). These guidelines are subject to any legislation changes.'</del></p>	<p>The reform provision related to Independent Committee Members has now commenced therefore this comment is no longer relevant.</p>
8.	<p>Replace the Paragraph:</p> <p><del>'The Presiding Member of the ARC meets with the Manager Audit and Risk prior to the Agenda</del></p>	<p>To clarify that additional meeting information is not being provided to only one member of the Committee and remain</p>

Ref	Change	Reason
	<p><del>Papers being circulated, and before the ARC meeting to discuss the Agenda Papers and address any questions.'</del></p> <p>With the following paragraph:</p> <p><b>'The Presiding Member of the ARC may meet with the Manager Audit and Risk for an Engagement Session:</b></p> <ol style="list-style-type: none"> <li><b>1. Prior to the Agenda Papers being prepared; and</b></li> <li><b>2. Before an ARC meeting to discuss the administration of the meeting and address any questions.'</b></li> </ol>	<p>compliant with Audit Recommendation 10 that states:</p> <p><i>'Chair of the ARC to consider meeting with the Manager Audit and Risk prior to the Agenda Papers being issued and before the ARC meeting.'</i></p>
9.	<p>Except for the first instance, <i>Local Government Act 1995</i> be amended to 'the Act'.</p>	<p>To maintain consistency throughout the Terms of Reference.</p>

## Consultation

20. The City reviewed other local governments and spoke with WALGA in relation to policy positions in the context of independent committee members.
21. The City of Bayswater advised they were recommending adoption of a Council Policy to manage payments and reimbursements, but the recruitment process of independent committee members was approved by Council on an as needed basis.
22. No response was provided at the time of drafting this report by the City of Joondalup and the City of Swan who the City consulted when CP 1.7 was first drafted for adoption.

## Decision Implications

23. If Council supports the Officer's Recommendation:
  - a. Meeting attendance fees to the maximum allowed by the SAT will be paid to Independent Committee Members for each prescribed meeting attended;
  - b. The Audit and Risk Committee ToR will be amended; and
  - c. Council Policy 1.7 - Independent Committee Members will be amended.
24. If Council does not support an amendment to the Audit and Risk Committee ToR and Council Policy 1.7 – Independent Committee Members, they will be inconsistent with legislative changes.

## Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	A Well-Governed City
Related Documents (Issue Specific Strategies and Plans):	Committees, Sessions and External Bodies Register Salaries and Allowances Tribunal Local Government Chief Executive Officers and Elected Members Determination No 1 of 2023

Legislation, Delegation of Authority and Policy	
Legislation:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• Section 7.1A – Audit Committee</li> <li>• Section 5.10 – Committee members, appointment of</li> <li>• Section 5.11 - Committee membership, tenure of</li> <li>• Section 5.99 - Annual fee for council members in lieu of fees for attending meetings</li> <li>• Section 5.100 – Fees paid and expenses reimbursed to committee members</li> <li>• Section 5.12 – Presiding members and deputies, election of</li> <li>• Schedule 2.3, Division 1 – Mayors and presidents</li> </ul> <p><i>Local Government (Administration) Regulations 1996:</i></p> <ul style="list-style-type: none"> <li>• Regulation 34ACA – Fees paid and expenses reimbursed to committee members</li> <li>• Regulation 4 - Committee members, resignation of</li> </ul> <p><i>Local Government (Audit) Regulations 1996:</i></p> <ul style="list-style-type: none"> <li>• Regulation 16</li> </ul> <p>Section 30.6 of the <i>Local Government Officers' (Western Australia) Interim Award 2011</i>.</p>
Authority of Council/CEO:	Whilst the authority to set the meeting attendance fees lies with 'the local government' (CEO or Council), given Council adopt and amend Council policies and Committee Terms of Reference, it is appropriate for Council to make this decision.
Policy:	Council Policy 1.7 – Independent Committee Members. Council Policy 1.6 – Council Member Allowances, Fees and Entitlements

## Financial Implications

25. The financial implications of the recommendation(s) have been considered for inclusion, subject to Council's approval of the 2024 mid-year budget review at the Ordinary Council Meeting on 27 February 2024.

## Further Information

During the Audit and Risk Committee Meeting held on 12 February 2024, the Committee requested that the Chief Executive Officer consider further amendment to the Audit and Risk Committee ToR to include the Committee's preference for the Presiding Member to be a Councillor or an Independent Committee Member.

The CEO has amended the Report that was provided to the Audit and Risk Committee.

The following information was included in the Report to the Audit and Risk Committee.

1.	Delete the words 'The Lord Mayor cannot be appointed as the Presiding Member of the ARC.'	Section 5.12 and Schedule 2.3 of the Act provide that each Council Member is to be given the right to nominate as a member of a local government committee and as such the Lord Mayor cannot be restricted from nominating to be elected or becoming the Presiding Member of a Committee.
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The Report to Council has been updated to include the following and **Attachment C** has also been updated to reflect this change:

1.	<p>Update the following Paragraph:</p> <p>26. The ARC is comprised of a maximum of six (6) members, of which, two (2) must be independent. All members will have full voting rights. The ARC is led by a Presiding Member, who is responsible for reporting to Council. <del>The Lord Mayor cannot be appointed as the Presiding Member of the ARC.</del></p> <p>Although the Act provides that any committee member may nominate to be the Presiding Member of this committee, it is the Committee's preference that the Committee's presiding member be a Councillor or an Independent Committee Member.</p>	Section 5.12 and Schedule 2.3 of the Act provide that each Council Member is to be given the right to nominate as a member of a local government committee and as such the Lord Mayor cannot be restricted from nominating to be elected or becoming the Presiding Member of a Committee, however the Committee may indicate a preference.
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## Council Resolution (OCM-24/02-024)

**Mover:** Lord Mayor Basil Zempilas

**Seconded:** Councillor Brent Fleeton

That Council:

1. ADOPTS amendments to Council Policy 1.7 Independent Committee Members shown in red for removal and green for insertion (**Attachment B**) and:
  - a. Sets the meeting attendance fees payable to Independent Committee Members as the maximum allowed by the Salaries and Allowances Tribunal.
  - b. Prescribes the authorised functions for the purposes of reimbursable expenses to Independent Committee Members.
2. ADOPTS amendments to the Audit and Risk Committee Terms of Reference shown in red for removal and green for insertion, (**Attachment C**) contained in the Committees, Sessions and External Bodies Register
3. APPROVES that minor typographical amendments that do not affect the materiality of the Audit and Risk Committee Terms of Reference and Policy 1.7 Independent Committee Members may also be made to improve the presentation and/or make corrections.

**CARRIED EN BLOC (9/0)**

**For :** Lord Mayor Basil Zempilas; Deputy Lord Mayor Clyde Bevan; Councillors Brent Fleeton, Liam Gobbert, Viktor Ko, Catherine Lezer, Raj Doshi, David Goncalves and Bruce Reynolds

**Against :** Nil

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### 17.3 Changes to CEOPR Committee meeting dates

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

#### Purpose

To consider amending the adopted dates for the holding of CEOPR Committee meetings in 2024.

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#### Recommendation

That Council:

1. ENDORSE the following replacement schedule for Chief Executive Officer Performance Review Committee Meeting dates:

Date	Start time
Thursday 9 May 2024	4:00pm
Thursday 8 August 2024	4:00pm
Thursday 7 November 2024	4:00pm

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## Background

1. Clause 2.3 of the City of Perth Standing Orders Local Law 2009 states that an Ordinary Committee Meeting will be held if decided by the Council or Committee. As the CEOPR Committee has no delegated authority to make decisions, a Committee recommendation to set annual meeting dates would require ratification by Council.
2. At the Ordinary Council Meeting held on 21 November 2023 Council approved the following schedule of Chief Executive Performance Review Committee Meetings for 2024:

Date	Start time
Tuesday, 13 February 2024	4:00pm
Tuesday, 9 April 2024	4:00pm
Tuesday, 9 July 2024	4:00pm
Tuesday, 8 October 2024	4:00pm

## Discussion

3. The administration has become aware that the adopted meeting dates for the 2024 CEOPR Committee do not align well with the reporting schedule of the City.
4. Regular quarterly updates (CBP Deliverables and Inquiry update reports) are provided to Council as soon as possible after the close of the relevant quarter. The data in these reports, once endorsed by Council is included in the CEO KPI achievement progress report.
5. As the current schedule for CEOPR Committee Meetings has the meetings being held before the Council Meeting, following the close of each quarter, the data would not have been endorsed by Council so could not be presented to the CEOPR Committee until the next scheduled meeting. This means that the CEO KPI achievement progress report would be provided to the Committee far later in the year than is desirable.
6. The following amended schedule recommends holding the CEOPR Committee Meetings on the first Thursday of the month following the OCM at which quarterly update reports are ordinarily presented, for the remainder of 2024).
7. Noting that:
  - The CEO Key Performance Indicators update report - Q1 2023/24 (1 July 2023 - 30 September 2023) was presented directly to Council on 21 November 2023 because of the change in meeting schedules due to the local government election 2023. (update attached)
  - The CEO Key Performance Indicators update report – Q2 2023/24 (1 October 2023 – 31 December 2023) will be presented directly to Council at the March OCM to avoid delays in the information being presented as required (quarterly reporting to Council) by the CEO Performance Criteria for the 2023/24 financial year (attached).
  - Additional meetings and changes to meeting schedules for this committee may be required as the CEO Performance review process progresses.



- The following changes to the adopted annual meeting dates are recommended with red struck through text for removal and green text for inclusion:

Date	Start time
Tuesday, 13 February 2024	4:00pm
<del>Tuesday, 9 April 2024</del> Thursday 9 May 2024	4:00pm
<del>Tuesday, 9 July 2024</del> Thursday 8 August 2024	4:00pm
<del>Tuesday, 8 October 2024</del> Thursday 7 November 2024	4:00pm

## Consultation

Nil.

## Decision Implications

- If the Committee supports the recommendation, Council support will be sought to amend the meeting dates to better align with the City's quarterly reporting schedule.

## Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	A Well-Governed City
Related Documents (Issue Specific Strategies and Plans):	

Legislation, Delegation of Authority and Policy	
Legislation:	Clause 2.3 of the <i>City of Perth Standing Orders Local Law 2009</i>
Authority of Council/CEO:	Clause 2.3 of the <i>City of Perth Standing Orders Local Law 2009</i>
Policy:	Nil.

## Financial Implications

Nil.

## Further Information

Nil.

## Council Resolution (OCM-24/02-025)

**Mover:** Lord Mayor Basil Zempilas

**Seconded:** Councillor Brent Fleeton

That Council:

1. ENDORSE the following replacement schedule for Chief Executive Officer Performance Review Committee Meeting dates:

Date	Start time
Thursday 9 May 2024	4:00pm
Thursday 8 August 2024	4:00pm
Thursday 7 November 2024	4:00pm

**CARRIED EN BLOC (9/0)**

**For :** Lord Mayor Basil Zempilas; Deputy Lord Mayor Clyde Bevan; Councillors Brent Fleeton, Liam Gobbert, Viktor Ko, Catherine Lezer, Raj Doshi, David Goncalves and Bruce Reynolds

**Against :** Nil

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18. Motions of which Previous Notice has been Given

Nil.

## 19. Matters for which the meeting may be closed

*The Meeting was closed to the public and the livestream paused at 6.21pm.*

6.21pm The Chief Financial Officer, General Manager Infrastructure and Operations, General Manager Community Development, General Manager Commercial Services, General Manager Planning and Economic Development, General Manager Corporate Services, Executive Director Governance and Strategy and Audit and Risk Manager left the meeting and did not return.

*In accordance with Section 5.23(2)(a) of the Local Government Act 1995, the following Item 19.1 and its attachments are confidential.*

*Councillor Catherine Lezer disclosed an Impartiality Interest in Item 19.1 as detailed in Item 5.*

### 19.1 Appointment of an Independent consultant - CEO performance review 2023/24

Responsible Officer	Peta Mabbs – Executive Director Governance and Strategy
Voting Requirements	Absolute Majority
Attachments	Attachment 19.1A – Consultant comparison and assessment table - CEO Performance Review 2023/24 Attachment 19.1B – Quote - CEO Performance Review - Civic Legal Attachment 19.1C – Quote - CEO Performance Review - Price Consulting Group Attachment 19.1D – Scope of work - Engagement of independent consultant to undertake CEO Performance Review Process

## Council Resolution (OCM-24/02-026)

**Mover:** Councillor Liam Gobbert

**Seconded:** Deputy Lord Mayor Clyde Bevan

That Council APPOINTS Anthony Quahe, Managing Principal, Civic Legal to undertake the CEO annual performance review for 2023/24 and draft key performance indicators for 2024/25.

**CARRIED BY ABSOLUTE MAJORITY (9/0)**

**For :** Lord Mayor Basil Zempilas; Deputy Lord Mayor Clyde Bevan; Councillors Brent Fleeton, Liam Gobbert, Viktor Ko, Catherine Lezer, Raj Doshi, David Goncalves and Bruce Reynolds

**Against :** Nil

*The Meeting was reopened to the public and the live stream resumed at 6.22pm.*

**20. Urgent Business**

Nil.

**21. Closure**

There being no further business, the Presiding Member declared the meeting closed at 6.23pm.