



# Minutes

## ORDINARY COUNCIL MEETING

3 December 2019



## TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1.	<b>OFFICIAL OPENING</b>	5
2.	<b>ACKNOWLEDGEMENT OF COUNTRY</b>	5
3.	<b>ANNOUNCEMENTS FROM THE PRESIDING MEMBER</b>	5
4.	<b>ATTENDANCE</b>	6
4.1	Apologies	7
4.2	Approved Leave of Absence	7
4.3	Applications for Leave of Absence	7
5.	<b>DISCLOSURE OF INTEREST SUMMARY</b>	8
6.	<b>PUBLIC QUESTION TIME</b>	9
6.1	Responses to Public Questions Taken on Notice at the Ordinary Council Meeting of 19 November 2019.	9
6.2	Public Question Time	12
7.	<b>CONFIRMATION OF MINUTES</b>	18
7.1	Ordinary Meeting: 19 November 2019	18
8.	<b>PRESENTATIONS</b>	18
8.1	Petitions	18
8.2	Presentations	18
8.3	Deputations	19
8.4	<b>Delegates Reports</b>	21
8.4.1	Cr Catherine Ehrhardt – North Metropolitan TAFE Certificate III in Conservation and Land Management	21
8.4.2	Cr Catherine Ehrhardt – Australian Institute of Company Directors Foundations of Directorship: Governance for Directors Unit	23
8.4.3	Cr Catherine Ehrhardt – Australian Institute of Company Directors Foundations of Directorship: Finance for Directors Unit	24
8.4.4	Cr Giorgia Johnson - WALGA East Metro Zone Meeting - 28 November 2019	25
9.	<b>METHOD OF DEALING WITH MINUTES BUSINESS</b>	27
10.	<b>REPORTS</b>	28
10.1	<b>Chief Executive Officer Reports</b>	28
10.2	<b>Corporate and Strategy Directorate Reports</b>	29
10.2.1	Draft City of Bayswater Annual Report 2018/19	29
10.2.2	Annual Delegated Authority Review - Council to CEO Delegations (General Endorsement) ABSOLUTE MAJORITY REQUIRED	63
10.2.3	Budget Review and Expenditure Committee - Terms of Reference ABSOLUTE MAJORITY REQUIRED	128
10.2.4	Corporate Systems - Microsoft Licensing Agreement	134

<b>10.3</b>	<b>Works and Infrastructure Directorate Reports</b>	<b>137</b>
10.3.1	Proposed Location of Permanent Event Stage	137
10.3.2	Petition Battersea Reserve Play Space	153
10.3.3	EMRC Special Council Meeting Minutes - 4 November 2019	162
10.3.4	Proposed Interim Lease for 271 Collier Road, Bayswater ABSOLUTE MAJORITY REQUIRED	164
<b>10.4</b>	<b>Community and Development Directorate Reports</b>	<b>168</b>
10.4.1	Proposed Three-Storey Single House - Amended Application - State Administrative Tribunal (SAT) Section 31 Reconsideration - Lot 503, 2 The Look, Maylands <i>Confidential Attachment(s)</i> CR GIORGIA JOHNSON DECLARED AN IMPARTIAL INTEREST	168
10.4.2	Proposed Light Industry, Warehouse and Ancillary Office - Lot 9003, 12 Wicks Street, Bayswater	204
10.4.3	Proposed Change of Use to Educational Establishment and Associated Alterations and Additions - Lot 663, 13 Beechboro Road South and Lot 3, 15 Beechboro Road South, Bayswater <i>Confidential Attachment(s)</i>	217
10.4.4	Revocation of Local Planning Policy - Telecommunications Towers and Other Associated Activities	234
10.4.5	Proposed Reforms to the Building Approval Process for Single Residential Buildings in Western Australia	237
10.4.6	Parking Permits Relating to Morley Market	247
10.4.7	Dog Pound Review <i>Confidential Attachment(s)</i>	253
10.4.8	Australia Day Awards - Citizen of the Year and Outstanding Women in Leadership <i>Confidential Attachment(s)</i> CR GIORGIA JOHNSON DECLARED AN IMPARTIAL INTEREST CR MICHELLE SUTHERLAND DECLARED AN IMPARTIAL INTEREST CR LORNA CLARKE DECLARED AN IMPARTIAL INTEREST CR STEPHANIE GRAY DECLARED AN IMPARTIAL INTEREST CR SALLY PALMER DECLARED AN IMPARTIAL INTEREST CR DAN BULL, MAYOR DECLARED AN IMPARTIAL INTEREST CR BARRY MCKENNA DECLARED AN IMPARTIAL INTEREST CR FILOMENA PIFFARETTI, DEPUTY MAYOR DECLARED AN IMPARTIAL INTEREST	268
<b>10.5</b>	<b>Sub Committee Reports</b>	<b>275</b>
<b>10.5.1</b>	<b>Audit and Risk Management Committee Meeting 12 November 2019</b>	<b>275</b>
10.5.1.1	Information Report - Expressions of Interest for External Member of Audit and Risk Management Committee	275
10.5.1.2	Corporate Business Plan Quarterly Status Update - Quarter ended 30 September 2019	285
10.5.1.3	Risk Management Assurance Reporting	296
10.5.1.4	Debtors Write-Off	326

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	<i>Confidential Attachment(s)</i>	
10.5.2.1	City of Bayswater General Purpose Financial Statements ABSOLUTE MAJORITY REQUIRED	328
10.5.2.2	Internal Audit Program - Future Direction and Funding Part 4 - ABSOLUTE MAJORITY REQUIRED	408
10.5.2.3	Strategic Budget Policy	419
<b>11.</b>	<b>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	<b>426</b>
<b>12.</b>	<b>QUESTIONS FROM MEMBERS WITHOUT NOTICE</b>	<b>426</b>
<b>13.</b>	<b>NEW BUSINESS OF AN URGENT NATURE</b>	<b>426</b>
<b>14.</b>	<b>MEETING CLOSED TO THE PUBLIC</b>	<b>426</b>
14.1	<b>Matters for Which the Meeting May be Closed</b>	<b>427</b>
14.1.1	Potential Land Acquisition in Morley <i>Confidential Attachment(s)</i>	427
14.2	<b>Public Reading of Resolutions That May be Made Public</b>	<b>428</b>
<b>15.</b>	<b>CLOSURE</b>	<b>428</b>

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## MINUTES

**Minutes** of the Ordinary Meeting of the Bayswater City Council which took place in the Council Chambers, City of Bayswater Civic Centre, 61 Broun Avenue, Morley on Tuesday, **3 December 2019**.

### 1. OFFICIAL OPENING

The Chairperson, Cr Dan Bull, Mayor, declared the meeting open at 6:32pm.

### 2. ACKNOWLEDGEMENT OF COUNTRY

The Chairperson, Cr Dan Bull, Mayor, acknowledged the Traditional Custodians of the land, the Whadjuk people of the Noongar nation, and paid respects to Elders past, present and emerging.

### 3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Cr Dan Bull, Mayor, made the following three announcements in relation to awards which the City of Bayswater had recently been the recipient of:

#### 1. LG Professionals Connecting Communities Award for Participatory Budgeting

The City undertook the Participatory Budgeting project in 2018/19 to inform the 2019/20 Operating Budget. This involved seeking the community's input on where we should increase, maintain or decrease spending across 19 budget categories. Following this, the City convened a community panel of 31 randomly selected people, representing the broader City of Bayswater population. The community panel considered a lot of information and deliberated over where the City should prioritise spending, resulting in a recommendations report presented to Council to consider when deciding the budget. The project, while not perfect, was a success in that it allowed the community to participate in the budgeting process for the first time. The award recognises local governments that are taking a proactive approach in the area of community engagement, demonstrating that they are empowering their communities to help drive the local government's strategic vision. This was possible due to the considerable contribution of many staff across the organisation.

Cr Dan Bull, Mayor acknowledged the commitment and contribution of community members, particularly those who participated in the community panel and recognized that this award was as much theirs as it was the City's.

#### 2. WA Aged Friendly Local Government 2019 Award

We are proud to have been announced as the WA Age Friendly Local Government 2019 at the WA Seniors Awards on Saturday, 16 November 2019. These awards, run by the Council on the Ageing (WA) Inc. in partnership with the Department of Communities and Lotterywest, celebrate the valuable contributions of seniors, businesses and local governments within our community. The Age Friendly Local Government award also sends an important message to other organisations about the great programs and services that can be put in place to make life better for older adults in our community. One in six people in the City of Bayswater are aged 65 years and over and we have a higher than average population of older people with culturally and linguistically diverse backgrounds. In 2017, the City launched its first Age Friendly

Strategy, which was developed in consultation with older members of our community. It is precisely the implementation of this Strategy over the past two years that has led to the City receiving the 2019 WA Age Friendly Local Government award. Some of the key highlights include having a dedicated and vibrant program for older adults at the Bayswater and Morley Community Centres; the launch of a Service Directory for Older Adults; The Fit for Life Program; and importantly, the Age Friendly Ambassador Program.

Cr Dan Bull, Mayor extended his congratulations to all who were involved.

### **3. AHRI National Wayne Cascio Organisational Development Award**

The City was selected as one of 6 finalists for the AHRI National "Wayne Cascio" Organisational Development Award. The City was recognised for the work it has undertaken to create and embed new organisational values. Of note is the finalists and winners are actually chosen by Wayne Cascio himself, a globally recognised expert in the field.

Cr Dan Bull, Mayor extended his congratulations to all who were involved.

Cr Dan Bull, Mayor asked everyone present to put their hands together to congratulate all the staff and people in the community who helped to win these awards.

## **4. ATTENDANCE**

### **Members**

#### West Ward

Cr Dan Bull, Mayor (Chairperson)  
Cr Lorna Clarke  
Cr Giorgia Johnson

#### Central Ward

Cr Barry McKenna  
Cr Sally Palmer

#### North Ward

Cr Stephanie Gray  
Cr Filomena Piffaretti, Deputy Mayor (from 7:07pm)  
Cr Michelle Sutherland

#### South Ward

Cr Catherine Ehrhardt (from 7:49pm)  
Cr Elli Petersen-Pik

### **Officers**

Mr Doug Pearson	Director Works and Infrastructure
Mr Des Abel	Director Community and Development
Mr David Nicholson	Director Corporate and Strategy
Ms Helen Smith	Manager Development Approvals (until 9:37pm)
Ms Cassandra Flanigan	Executive Support/Research Officer
Ms Jelena Misic-Hughes	Mayor and Council Support Officer
Ms Ling Geh	Strategic Property Advisor
Ms Grace Ursich	Coordinator Revenue (until 9:37pm)

**Observers**

Press - Nil  
Public - 24

**Leave of Absence**

Nil.

**4.1 Apologies**

Cr Steven Ostaszewskyj  
Mr Andrew Brien Chief Executive Officer

**4.2 Approved Leave of Absence**

<b>Councillor</b>	<b>Date of Leave</b>	<b>Approved by Council</b>
Cr Giorgia Johnson	16 December to 24 December 2019	Special Council Meeting 21.10.2019
Cr Elli Petersen-Pik	21 December 2019 to 26 January 2020	Ordinary Council Meeting 5.11.2019
Cr Barry McKenna	11 January 2020 to 23 January 2020	Ordinary Council Meeting 19.11.2019
Cr Sally Palmer	6 January 2020 to 23 January 2020	Ordinary Council Meeting 19.11.2019

**4.3 Applications for Leave of Absence****COUNCIL RESOLUTION**

That Leave of Absence be granted as follows:

Cr Dan Bull, Mayor from 14 January 2020 to 25 January 2020 inclusive.

CR ELLI PETERSEN-PIK MOVED, CR SALLY PALMER SECONDED

CARRIED UNANIMOUSLY: 8/0

## 5. DISCLOSURE OF INTEREST SUMMARY

In accordance with section 5.65 of the *Local Government Act 1995*:

A member who has an interest in any matter to be discussed at a Council or Committee meeting that will be attended by the member must disclose the nature of the interest -

- (a) in a written notice given to the CEO before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

The following disclosures of interest were made at the meeting:

<b>Name</b>	<b>Item No.</b>	<b>Type of Interest</b>	<b>Nature of Interest</b>
Cr Giorgia Johnson	10.4.1	<i>Impartial</i>	<i>I know one of the deputies.</i>
	10.4.8	<i>Impartial</i>	<i>I know some of the nominees.</i>
Cr Michelle Sutherland	10.4.8	<i>Impartial</i>	<i>I know some of the nominees.</i>
Cr Lorna Clarke	10.4.8	<i>Impartial</i>	<i>I know a number of nominees for awards.</i>
Cr Stephanie Gray	10.4.8	<i>Impartial</i>	Some nominees are known to me and I nominated one person.
Cr Sally Palmer	10.4.8	<i>Impartial</i>	<i>I know some of the candidates and applicants.</i>
Cr Dan Bull, Mayor	10.4.8	<i>Impartial</i>	<i>Some of the nominees are known to me.</i>
Cr Barry McKenna	10.4.8	<i>Impartial</i>	<i>I know several of the nominated persons.</i>
Cr Filomena Piffaretti *	10.4.8	<i>Impartial</i>	<i>I know some of the nominees.</i>

\* Cr Piffaretti declared her interest in this item behind closed doors, prior to voting on the item.

## 6. PUBLIC QUESTION TIME

In accordance with the *Local Government Act 1995*, the *Local Government (Administration) Regulations 1996* and the *City of Bayswater Standing Orders Local Law 2018* the following procedures relate to public question time:

1. A member of the public who raises a question during question time, is to state his or her name and address.
2. Each member of the public with a question is entitled to ask up to 3 questions.
3. The minimum time to be allocated for public question time is 15 minutes.
4. Questions from the public must relate to a matter affecting the local government. Questions relating to matters of business listed on the minutes will be considered in the first instance, followed by questions relating to Council business not listed on the minutes.
5. A summary of each question raised by members of the public at the meeting and a summary of the response to the question will be included in the minutes of the meeting.
6. Where a question is taken on notice at the meeting, a summary of the response to the question will be provided in writing to the member of public and included in the minutes for the following meeting.

### 6.1 Responses to Public Questions Taken on Notice at the Ordinary Council Meeting of 19 November 2019.

**Ms Penny Nind - 7 Brooks Drive Bayswater**

#### Question 1

**I've lived near the Meltham Train Station for the last 25 years and I've been getting a lot of documentation lately about the rezoning of the area of which I'm part of. So what I am just trying to work out is, is the proposed name change for Meltham connected to the rezoning and if it is, and it becomes a high density area, which it wasn't when we bought into the area, how can we be guaranteed that our property price is not affected?**

#### Answer 1

The City commenced the Meltham Surrounds project in February this year, where feedback was sought from local residents on the densities they would like to see in the area. The engagement involved a community panel of randomly selected local landowners and residents who were tasked with developing the recommended density plan for the area. One of the recommendations of the panel was for Meltham to be formally recognised as a suburb. The City has progressed the proposed renaming in accordance with the community panel recommendation.

The City cannot guarantee that property prices in the area will not be impacted (in either a positive or negative way) by the proposed zoning changes.

**Ms Helen Andrews – 28 Neville St Bayswater**

#### Question 1(a)

**The item number is 10.3.3 and the subject is the Hinds Reserve Bike Trail.**

I am involved in the Engage Bayswater Group as well as being linked in on social media groups with every Bayswater Council group, yet we had no idea of this proposal until we saw the sign. We were not invited to provide feedback, yet we received a letter dated 13 November 2019 thanking me for my feedback. Was there a public session, when was it, and who was invited?

**Question 1 (b)**

We never received any information, it wasn't until the last letter where it actually thanked us for our feedback although we hadn't given any, so I don't know how we could receive a letter to thank us for our feedback that we haven't actually provided.

**Answer 1**

In terms of the response letter a generic letter assuming most if not all residents had attended the drop in session or provided feedback was sent out to residents who received the original letter.

**Mr Chris Elgin – Intrastruct**  
[chris@intrastruct.com.au](mailto:chris@intrastruct.com.au)

**Preamble**

I would like to raise the issue of parking in Murray Street Bayswater. Specifically opposite the Bayswater primary school affecting only 5 properties, 2 of which have front driveways. The bays are recessed off the road for resident parking. Approximately 8-10 years ago (CoB to clarify) the crosswalk located directly out the front of 20 Murray Street was relocated to the corner of Whatley crescent and Leake Street. The signage along the front of the 5 properties was designated a no standing zone for an hour in the morning and an hour in the afternoon so the crossing guard was able to have a clear line of sight. When the changes were made to crosswalk location the signage was never updated to reflect the new parking conditions when the zebra crossing was covered over. For at least the last 5 years it was interpreted by the residents, the school and by their actions the city of Bayswater rangers services department to be resident parking and the signage was in place to stop parents dropping off and picking up their children from the resident bays, also to stop worshippers from the temple parking in resident bays during Sunday worship as the signage clearly states "permit holders excepted" We have been fined in 2014 for "not displaying a parking permit" , now 5 years on we have been issued multiple parking fines without warning or satisfactory explanation as to why you are now ferociously enforcing the obsolete signs. This is the only parking of its kind affected by these times surrounding both Bayswater Primary and St Columbus primary. The only solution given to us was to park on the opposite side of the road taking away valuable bays from the parents dropping off and picking up their children. As a result it is forcing the parents to park in the resident bays during the restricted times which is not only illegal but is extremely unsafe as they are forcing their children to run across the road and contradicts the statement by CoB which is "residents are prohibited from parking in no standing zones during school hours to ensure the safety of children".

**Question 1**

What is the actual purpose of the signage and what is the point of the parking permit in relation to the signs and why now are we being targeted with no warning and why is CoB not working with us to actively find a solution that is not as ludicrous as moving our car 4 times a day. After 5 years of this never being an issue we are now baffled as to your reasons and inconsistent enforcement.

Answer 1

The Director Community and Development advised that school parking restrictions are primarily in place for the protection of students who place themselves at risk around traffic, due to lack of concentration and caution. Restricted parking signage is placed on the opposite side of schools to minimise the risk of injury to children crossing roads unsafely, as the result of a lack of awareness.

Since November 2017, The City has engaged a dedicated parking officer whose role includes proactively focusing on safety in areas utilised by vulnerable pedestrians such as schools and this may account for an increased presence being observed.

The City is currently reviewing the effectiveness of the parking restrictions at the subject location, and a report regarding this matter is scheduled to be presented to Council for consideration at the Ordinary Council Meeting on 28 January 2020.

**Mr Tony Green on behalf of the Bayswater City Residents Association – PO Box 1639 Morley WA 6943**

Question 2

**What is the current turnover rate of City of Bayswater staff?**

Answer 2

The current turnover rate is 10.25%.

**Mr Ian Walters - 124 Lawrence Street Bedford**

Question 2

**How many employees does the City of Bayswater have, both permanent and casual?**

Answer 2

The City currently has 658 staff, broken down as follows:

Full time – 264

Part time – 102

Casual – 292

**Mr Dominic Cuscana – Maylands Park Shopping Centre, Shop 6, 238 Guildford Road Maylands**

Question 1

**Thank you to the City for responding to my questions at the 20 August 2019 meeting, in respect to the Maylands Town Centre Car Parking Strategy and the lack of action thereon. The City responded that the City is intending to undertake a survey of businesses and visitors later this year following the Council election caretaker period. I think that is now over. What is the status of this survey please?**

Answer 1

The survey will be released in late November/early December 2019.

**Question 2**

The City also stated that other actions are scheduled to commence shortly around Seventh and Ninth Avenues and around The RISE. However I don't believe anything has happened yet. I think the normal meaning of shortly is usually in a few weeks. It is now two and half months, it is nearly Christmas, is there any chance there might be some action soon?

**Answer 2**

The City is currently finalising these parking time restriction actions, which should be completed by the end of 2019.

**Question 3**

The city also stated that it had actioned 11 out of the multiple recommendations. I'd like a list of which ones the City actually has actioned, because I don't believe there is many at all.

**Answer 3**

A copy of the Maylands Town Centre Car Parking Strategy – Action Status November 2019 will be forwarded to Mr Cuscana.

**6.2 Public Question Time**

Public Question Time commenced at 6:40pm.

The following questions were submitted verbally:

Mr Dominic Cuscuna – Maylands Park Shopping Centre – Shop 6, 238 Guildford Road, Maylands

Item 10.2.1 – Draft City of Bayswater Annual Report 2018/19

**Question 1**

I quote from the report the Officer's comments: "*the Draft City of Bayswater Annual Report 2018/19 meets the reporting requirements of the Act*", et cetera. And the conclusion of the Officer or the City: "*the draft Annual Report 2018/19 has been prepared to ensure legislative compliance and concurrently highlight the achievements of Council*", which is all wonderful, if it was true. My questions relate to the details that are required by the *Local Government Act 1995* as quoted in the 10.2.1, which includes several items. So my questions are: can the CEO please advise why Councillors have been asked to approve an incomplete annual report that does not comply with all the requirements of the *Local Government Act 1995* as detailed in the City's agenda item on page 20? The details of which items are required in the annual report, and there's three which are not.

It talks about including a report from the Mayor, which is not in the report. It also requires the Independent Auditor's report which is not what you would be seeing here. It says it may have included as an attachment today, but the Councillors may have it, but no one else has and that's a key item in respect to the financial statements. The other curious part is that the financial statements are listed separately for approval. So it's quite a disjointed approval process that Councillors have been asked to endorse tonight. So I just find it rather disconcerting that it's administratively very cumbersome.

Answer 1

David Nicholson, Director Corporate and Strategy thanked Mr Cuscuna for pointing that out and advised that he would address his questions in reverse order. The Office of the Auditor General (OAG) Audit report has been received and it is on tonight's agenda, and it was under separate cover because it was received late. The audit process, he was sure that Mr Cuscuna would appreciate, was lengthy and very involved and because of that, the City missed the cut-off to actually include it as part of those papers. Nevertheless, it was part of the agenda tonight and he pointed out that in fact it was a clear report the OAG has found the financial statements to present a true and correct record of the City's performance for the financial year ending 30 June 2019.

In terms of the financial statements, they were a part of the agenda tonight as well. He wanted to acknowledge they were a separate item, but again, similar to the OAG Audit report, it was because of timeliness and timing that the two went as separate items.

With respect to the CEO's report, one would notice that the annual report was actually titled "draft" and he acknowledged that that had not been drafted at this stage, certainly it would be included in the document that would be presented to the electors at the Annual General Meeting next week. He acknowledged that that section was still being worked on and it was obviously the Mayor's view on how the City has performed.

Question 2

**As I did point out, the Officer's notes here are misleading to Councillors and to the public. And in respect to the Auditor General Grant Thornton's Audit findings report which is attached to the financial statements down below, it would be nice to come to that conclusion that there were no real issues with it, except that it's in a very very small font that I think only Superman would be able to read. So I doubt Councillors have been able to even read it. Why is that report in such a small font that no one can read it? Because we're missing the key document.**

Answer 2

David Nicholson, Director Corporate and Strategy apologised for the font size and admitted that it was not done on purpose, but it had come out as a small font. It was a printing issue, but certainly the document was a normal legible size, probably 12.5, so he was not sure why it was so small in the copy that was distributed.

***Mr Cuscuna stated that it was fairly obvious that the City had combined two pages into one, which made it very very small. So that was why it was very hard to tell if there was a clear audit findings report or not – you just couldn't read it.***

**Mr Ian Walters – 124 Lawrence Street, Bedford**

**Item 10.5.2.1 – City of Bayswater General Purpose Financial Statements**Question 1

**Has the City's Audit and Risk Management Committee approved the general purpose financial statements for the twelve month period ending 30 June 2019, as the website does not reveal the Minutes?**

Answer

Cr Lorna Clarke, Chair of the Audit and Risk Management Committee, advised that she could explain why the Minutes were probably currently not on the website. Her understanding was that the Minutes needed some amendment. They were amended and then provided to her, and she intended to sign them tonight.

**Question 1A**

**That's great, but really poor for the rate payers. Every other institution in the country has got to have them some days in advance. It's unbelievable.**

**Answer 1A**

Cr Dan Bull, Mayor advised that the City was trying as hard as it could here, and there was no conspiracy going on. This organisation works very hard to try to meet the expectations of the ratepayers and they're high expectations and so they should be. He knew that their new Chair of the Audit and Risk Management Committee was doing the best job she could as well as the team under the Director. He reiterated that there was no conspiracy going on here and everyone was working as hard as they could.

***Mr Walters stated that that was the Mayor's suggestion. He was just telling the Mayor that the standards have got to be increased for integrity and accountability for the ratepayers. That was all he was saying, he was not talking about personalities at all, he was talking about procedure.***

**Question 2**

**A question's been raised by the previous speaker about the Audit Report not being received. Now I refer to the section regarding lending and investment in the EMRC. The share of the profit and loss account of the share for the City of Bayswater has got a large variance from \$2.4 million down to \$1.523 million. What is the reason for this variance and why is the figure estimated and is not an actual figure? According to the accounts and I trust that the Audit and Risk Management Committee will be able to help you with providing an answer.**

**Answer 2**

David Nicholson, Director Corporate and Strategy, advised that the word "estimated" was purposely put in because the ratio there, the 18.60% you'll see at the top of the page, is a rounded number. It actually is multiple, multiple, multiple digits and because of that, we knew that if we simply said 18.6% and anybody who actually went and did the numbers would have come up with a different dollar value. So that's why we thought, if we put the word "estimated", well that was the intention behind that. So there are actual numbers, but the 18.6% is a truncated number, so that was the idea there.

**Question 2A**

**May I suggest you put "rounding" up the top?**

**Answer**

David Nicholson, Director Corporate and Strategy, advised that maybe that was a better way of doing it and thanked Mr Walters for the suggestion. In terms of the \$1.5 million versus \$2.4 million it was obviously a share of the profit and it was the underlying profit based on what the EMRC has done. So if that was the number, it was reflective of their performance.

**Question 3**

**When the accounts are issued by the EMRC, how are they accounted for within the City of Bayswater? So, the EMRC produce the accounts, the Audit Committee signs them off, is that correct or not? They go to the Audit Committee and they assess it when the financial accounts are prepared. Because the previous year, you will be well aware, there was a major error.**

**Answer 3**

David Nicholson, Director Corporate and Strategy advised that when the EMRC produced their numbers, obviously we were given a copy of those once they were validated by Audit at their end, and we brought to our account our portion in terms of equity accounting relating to that investment we have with the EMRC. So the Audit and Risk Committee of the City of Bayswater

simply considered our portion, they certainly don't consider the EMRC accounts in total. They take it that, because the EMRC accounts have been produced and validated through the audit process, that they're an appropriate record of document and we bring in our portion to the City of Bayswater and that's what you're reading here. Obviously what goes into our accounts is then subsequently audited and this year it was by the Office of the Auditor General.

**Question 3A****And the Audit Committee confirm that, do they?**Answer 3A

David Nicholson, Director Corporate and Strategy advised that the Audit Committee review our accounts absolutely in detail.

**Question 3B****May I ask you when you got the EMRC accounts?**Answer 3B

David Nicholson, Director Corporate and Strategy advised that he could not tell Mr Walters the exact date, it was about two weeks or maybe a week and a half ago. He was aware that there were some delays at their end as well.

**Question 3C****So you received them before the EMRC passed them?**Answer 3C

David Nicholson, Director Corporate and Strategy advised that he was not sure about that.

***Mr Walters stated that he was sure as he had spoken to them.***

**Mr Greg Smith – 16 Rose Avenue, Bayswater**

**Item 10.3.3 – EMRC Special Council Meeting Minutes – 4 November 2019**

**Question 1****Has the Cleanaway fire had any impact on the EMRC?**Answer 1

Doug Pearson, Director Works and Infrastructure advised that there was none that the City was aware of at the present.

**Question 2****Has the Cleanaway fire had any health impact upon City of Bayswater residents?**Answer 2

Des Abel, Director Community and Development advised that the City was not aware of anything.

**Question 3****Has the City's Environmental Officer/Department been given a copy of a Cleanaway fire pollution plume map illustrating where that pollution has fallen?**Answer 3

Doug Pearson, Director Works and Infrastructure advised that he was not aware that one had been provided.

**Mr Harry Bouzidis – 21 Parkinson Street, Noranda**

**Question 1**

**My questions relate to the fenced off dog exercise area. I received a survey from the City of Bayswater and I've tried to find some answers by making phone calls to the phone numbers that were supplied and I couldn't get any answers. Could I ask, are we only talking about one fenced dog exercise area in this particular survey?**

**Answer 1**

Des Abel, Director Community and Development advised that there has been no formal decision regarding how many. The original dog exercise area review some time ago talked about one fenced dog exercise area. So the survey will be looking at one fenced dog exercise area but it depends on the feedback that the City gets from the survey.

***Mr Bouzidis stated that the reason he asked that question was that it's very difficult to do a survey if you can't put that survey in any context.***

**Question 2**

**I do have another question, do you mind if I put it in context? I can mostly speak about North Ward, there are 20 on the shortlist according to this. In Noranda and North Ward we're very fortunate that we have many parks. Robert Thompson Reserve seems to be a focal point and a magnet for absolutely everything. We're very fortunate as residents to have those facilities there. According to this, the criteria that were used to shortlist down from 180 parks down to 19 here, but 20 on the map, has been shade, land size, available parking. But I notice that an important criteria is missing and that's the impact. I have done the survey, I don't think that I was given an opportunity to actually explain why I chose what I chose. At the moment Robert Thompson has floodlights, barbecues, major playground, pathways, community building, toilets, gazebos. We have film nights, we have Christmas festivals, all fantastic, but we're at saturation. There are already three fenced areas at Robert Thompson. I'm asking to distribute the load.**

**My question is, can Council consider removing Robert Thompson from the list of fenced dog areas? We are absolutely saturated and if we go any further, I think that there will be a negative impact on the people who actually live in the area.**

**Answer 2**

Cr Dan Bull, Mayor advised that he thought it would be tricky to take it out of the list now because Council had already resolved to go out. But equally Council had heard the sentiments from Mr Bouzidis' question.

**Question 2A**

**I'm asking for your consideration. Noranda has many parks and most of them are dormant. They're just being so underused and it was a planning decision of the time, rather than have big parks, they'd splinter it into many small parks and Robert Thompson Reserve seems to just be the default thought. Something in Noranda? – Robert Thompson. I'm just asking for your consideration on that, if that's possible? Thank you.**

**Answer 2A**

Cr Dan Bull, Mayor thanked Mr Bouzidis.

**Mr Greg Smith – 16 Rose Avenue, Bayswater**

**Question 1**

**I bought my place in 16 Rose Avenue, Bayswater in November 1983. I spend a hell of a lot of time on my front verandah in my hammock, read the paper virtually every morning**

there, have coffee, know what goes on in the street. My subject for this question is the capricious implementation of the parking facilities by-law. I note at the last meeting there was questions about the inconsistent enforcement of parking by-law – inconsistent equates to capricious. Today I get home from the beach. I had read my paper, had my coffee on the front verandah, get home from the beach; my son's car has this infringement notice on it. Infringement notice for failure to park in the direction of the moving traffic. Now as I say, I've lived in Rose Avenue since I moved in in 1983. I've seen hundreds of cars parked there basically the wrong way. Today my son gets an \$80 infringement notice. Now, I want him to park in that particular way because twice cars have gone into my neighbour's driveway and backed out into my car. The back of his ute is solid, so if it's backed into, it's not going to damage it. If he parks it further towards the park, still the wrong way, then the likelihood it will get damaged by a drunk coming from the Halliday Park going to the pub at the train station, I believe has increased. My son has been parking there for a year. Today, without any warning, without anything, he gets an \$80 infringement fine and told that he can write a letter and do this to try and get it considered.

**Now the questions I have, does the CEO or a Committee of the Council have delegated power to rescind an infringement notice issued under the *Parking and Parking Facilities Local Law 2017*?**

Answer 1

Cr Dan Bull, Mayor advised that he knew that there was no Committee of Council that did. He was not sure how the fine rescission procedure, if there was one, worked in relation to the CEO.

Des Abel, Director Community and Development advised it was his understanding that the local law allows the right of appeal and then if there's still no satisfaction from the person who got the infringement, there was a right to go to the Magistrates Courts to appeal against that decision.

In terms of the extent of the authority of the CEO, the question would be taken on notice and a written response provided.

Question 2

**Is it normal practice to issue an infringement notice for failure to park in the direction of the moving traffic without prior warning? Remember, I've seen cars parked. I've even had a Ranger down there when someone parked across someone's driveway and the Ranger couldn't move the car. This person had to get out of their house in order to go and pick their son up from school, I drove them to do that. The Ranger couldn't do anything about it when someone parked across someone's driveway and stopped them from being able to get out of the car and my son gets an \$80 infringement for parking against the wrong way of the traffic without warning?**

Answer 2

Des Abel, Director Community and Development advised that it was at the discretion of the Ranger to determine the circumstances, but they could issue infringements without warning.

Question 3

**Is the issuing of an infringement notice to the value of \$80 capricious action on behalf of the City because the vehicle was parked outside my home at 16 Rose Avenue, Bayswater?**

Answer 3

Cr Dan Bull, Mayor advised that he would be surprised if that was the case.

Des Abel, Director Community and Development advised that the City needed to investigate the circumstances around the infringement. The question would be taken on notice and a written response provided.

*Mr Smith stated that he did not normally come to do with things to do with himself through this Council. This was appalling behaviour, he viewed it as capricious, stupid and unbelievable, given his knowledge of the issuing of parking infringements in the street that he lived for 30 years. He had never seen it before and he had seen some appalling parking.*

Public Question Time was closed at 7:06pm.

*At 7:07pm, Cr Filomena Piffaretti, Deputy Mayor arrived to the meeting.*

**7. CONFIRMATION OF MINUTES**

**7.1 Ordinary Meeting: 19 November 2019**

**COUNCIL RESOLUTION**

The Minutes of the Ordinary Meeting of Council held on Tuesday, 19 November 2019 which have been distributed, be confirmed as a true and correct record.\*

**CR STEPHANIE GRAY MOVED, CR GIORGIA JOHNSON SECONDED**

**CARRIED UNANIMOUSLY: 9/0**

\*Subject to the following correction to page 25:

1. Annual General Meeting on 28 October 2019 to be changed to Special Election Meeting.

**8. PRESENTATIONS**

**8.1 Petitions**

Nil.

**8.2 Presentations**

Nil.

### 8.3 Deputations

#### **COUNCIL RESOLUTION**

That in accordance with the *City of Bayswater Standing Orders Local Law 2018*, Council agrees to receive deputations submitted for items 10.3.2, 10.4.1 and 10.4.3.

**CR FILOMENA PIFFARETTI, DEPUTY MAYOR MOVED, CR STEPHANIE GRAY SECONDED  
CARRIED UNANIMOUSLY: 9/0**

1. **Petition Battersea Reserve Play Space**

In relation to Item 10.3.2, Ms Freya Han (Resident of 12 Harrows Hill, Morley) was in attendance, speaking on the item (*refer page 138*).

2. **Proposed Three-Storey Single House - Amended Application - State Administrative Tribunal (SAT) Section 31 Reconsideration - Lot 503, 2 The Look, Maylands**

In relation to Item 10.4.1, Ms Marcia Barclay (Resident of 4 The Look, Maylands) was in attendance, speaking in support of the officer's recommendation (*refer page 149*).

3. **Proposed Three-Storey Single House - Amended Application - State Administrative Tribunal (SAT) Section 31 Reconsideration - Lot 503, 2 The Look, Maylands**

In relation to Item 10.4.1, Mr Christopher Bishop (Resident of 4 The Look, Maylands) was in attendance, speaking in support of the officer's recommendation (*refer page 149*).

4. **Proposed Three-Storey Single House - Amended Application - State Administrative Tribunal (SAT) Section 31 Reconsideration - Lot 503, 2 The Look, Maylands**

In relation to Item 10.4.1, Mr Damien Pougault (on behalf of resident - Ms Larissa Shepherd of 12 Fourth Avenue East, Maylands) was in attendance, speaking in support of the officer's recommendation (*refer page 149*).

5. **Proposed Three-Storey Single House - Amended Application - State Administrative Tribunal (SAT) Section 31 Reconsideration - Lot 503, 2 The Look, Maylands**

In relation to Item 10.4.1, Mr Wayne Sissing (Resident of 12 Fourth Avenue East, Maylands) was in attendance, speaking in support of the officer's recommendation (*refer page 149*).

6. **Proposed Three-Storey Single House - Amended Application - State Administrative Tribunal (SAT) Section 31 Reconsideration - Lot 503, 2 The Look, Maylands**

In relation to Item 10.4.1, Dr Andrew Marsh (Owner of 14 Fourth Avenue East, Maylands) was in attendance, speaking in support of the officer's recommendation (*refer page 149*).

***At 7:49pm, Cr Catherine Ehrhardt arrived to the meeting.***

7. **Proposed Three-Storey Single House - Amended Application - State Administrative Tribunal (SAT) Section 31 Reconsideration - Lot 503, 2 The Look, Maylands**

In relation to Item 10.4.1, Ms Caroline Raines (Resident of 14 Fourth Avenue East, Maylands) was in attendance, speaking in support of the officer's recommendation (*refer page 149*).

8. **Proposed Three-Storey Single House - Amended Application - State Administrative Tribunal (SAT) Section 31 Reconsideration - Lot 503, 2 The Look, Maylands**

In relation to Item 10.4.1, Mr Trent Will (Associate Planning Solutions, Level 1, 251 Georges Terrace, Perth on behalf of the applicant) was in attendance, speaking against the officer's recommendation (*refer page 149*).

9. **Proposed Three-Storey Single House - Amended Application - State Administrative Tribunal (SAT) Section 31 Reconsideration - Lot 503, 2 The Look, Maylands**

In relation to Item 10.4.1, Mr James Schloffer (Owner, 2 The Look, Maylands) was in attendance, speaking against the officer's recommendation (*refer page 149*).

10. **Proposed Change of Use to Educational Establishment and Associated Alterations and Additions – Lot 663, 13 Beechboro Road South and Lot 3, 15 Beechboro Road South, Bayswater**

In relation to Item 10.4.3, Steve Robertson (Activate Projects, 3/338 Barker Road, Subiaco on behalf of the applicant – Bayswater Central Unit Trust) was in attendance, speaking on the item (*refer page 197*).

***At 8:38pm, Cr Elli Petersen-Pik left the meeting and returned at 8:41pm.***

**8.4 Delegates Reports****8.4.1 Cr Catherine Ehrhardt – North Metropolitan TAFE Certificate III in Conservation and Land Management**

<b>Meeting/Conference:</b>	North Metropolitan TAFE Certificate III in Conservation and Land Management.	
<b>Date:</b>	4 February 2019 to June 2019.	
<b>Other City of Bayswater Elected Members present:</b>	Nil.	
<b>Report prepared by:</b>	Cr Catherine Ehrhardt.	
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Information Purposes
<b>Voting requirement:</b>	Simple Majority Required.	

**KEY TOPICS**

This course gave foundation skills and knowledge needed within the conservation industry, and had a good focus on not-for-profit, Local Government and State Government sectors.

I have already found the course valuable in my role as a Councillor for in depth understanding of the importance of management plans, land care management, land rehabilitation and land revegetation, in order to better support our districts many environmental groups.

There are a lot of legislative frameworks that must be operated under in this area (please see below). These are numerous, and complex with changes to existing laws and introduction of new laws which can occur from time to time.

**Legislation pertaining to Biodiversity Protection in Western Australia**

- Wildlife Conservation Act 1950
- Aboriginal Heritage Act 1972
- Environmental Protection Act 1986
- Land Administration Act 1997
- Fish Resources Management Act
- Environment Protection and Biodiversity Protection Act 1999 (Commonwealth)
- Soil and Land Conservation Act 1945
- Conservation and Land management Act 1984
- Agriculture and Related Resources Protection Act 1976
- Sandalwood Act 1929
- Animal Welfare Act 2002

The cost of this course was \$3,326.20.

**CONCLUSION**

I'm happy to discuss any portion of this course further with any Councillor if they wish to learn more.

**COUNCIL RESOLUTION**

**That Council notes the Delegates Report by Cr Catherine Ehrhardt on Certificate III in Conservation and Land Management completed in June 2019.**

**CR CATHERINE EHRHARDT MOVED, CR ELLI PETERSEN-PIK SECONDED**

**CARRIED UNANIMOUSLY: 10/0**

#### 8.4.2 Cr Catherine Ehrhardt – Australian Institute of Company Directors Foundations of Directorship: Governance for Directors Unit

<b>Meeting/Conference:</b>	Australian Institute of Company Directors Foundations of Directorship: Governance for Directors unit (part of the Foundations of Directorship Certificate).	
<b>Date:</b>	Thursday, 3 October 2019.	
<b>Other City of Bayswater Elected Members present:</b>	Nil.	
<b>Report prepared by:</b>	Cr Catherine Ehrhardt.	
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Information Purposes
<b>Voting requirement:</b>	Simple Majority Required	

#### KEY TOPICS

This one day unit was an exploration of establishing and exercising effective governance practices, developing a solid foundation from which to make more effective decisions that will minimise risk and maximise contribution. It outlines the key functions of a board, the role of a director, and the internal and external relationships of the board. Participants develop a deeper understanding of director performance best practice as well as compliance requirements.

The unit provided an overview of how boards and directors undertake their roles. We learned details of sound governance processes and practices, and develop reputable practices for conducting effective board meetings. There are a further two units which I will be undertaking in order to finish this Foundations of Directorship Certificate course, and they are 1) Finance for Directors, and 2) Strategy and Risk for Directors.

The cost of the Foundations of Directorship Certificate course is \$3,542 (for all three units).

#### CONCLUSION

I'm happy to discuss any portion of this course further with any Councillor if they wish to learn more.

#### COUNCIL RESOLUTION

**That Council notes the Delegates Report by Cr Catherine Ehrhardt on the Australian Institute of Company Directors Foundations of Directorship: Governance for Directors unit completed on 3 October 2019.**

**CR CATHERINE EHRHARDT MOVED, CR GIORGIA JOHNSON SECONDED**

**CARRIED UNANIMOUSLY: 10/0**

### 8.4.3 Cr Catherine Ehrhardt – Australian Institute of Company Directors Foundations of Directorship: Finance for Directors Unit

<b>Meeting/Conference/ Training:</b>	Australian Institute of Company Directors Foundations of Directorship: Finance for Directors Unit.	
<b>Date:</b>	Thursday, 31 October 2019.	
<b>Other City of Bayswater Elected Members present:</b>	Nil.	
<b>Report prepared by:</b>	Cr Catherine Ehrhardt.	
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Information Purposes
<b>Voting requirement:</b>	Simple Majority Required.	

#### KEY TOPICS

- Interpret the financial statements of an organisation.
- Illustrate how an organisation is meeting its statutory obligations in relation to reporting its financial performance.
- Demonstrate the importance of good cash management.
- Outline directors' duties with regard to financial statements and systems.
- Interpret financial performance using trends and ratios.
- Demonstrate when an organisation is facing solvency issues.
- Outline the board's role in setting budgets and monitoring performance against them.
- Outline the use of KPIs in monitoring business performance.

#### CONCLUSION

One day Course for building knowledge, understanding of responsibilities, and understanding of an organisation's financial performance.

#### COUNCIL RESOLUTION

That Council notes the Delegates Report by Cr Catherine Ehrhardt on the Australian Institute of Company Directors Foundations of Directorship: Finance for Directors unit completed on 31 October 2019.

**CR CATHERINE EHRHARDT MOVED, CR MICHELLE SUTHERLAND SECONDED**

**CARRIED UNANIMOUSLY: 10/0**

**8.4.4 Cr Georgia Johnson - WALGA East Metro Zone Meeting - 28 November 2019**

<b>Meeting/Conference:</b>	WALGA East Metro Zone Meeting	
<b>Date:</b>	28 November 2019	
<b>Other City of Bayswater Elected Members present:</b>	Cr Catherine Ehrhardt Cr Stephanie Gray	
<b>Report prepared by:</b>	Cr Georgia Johnson	
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Information Purposes
<b>Voting requirement:</b>	Simple Majority Required	

**KEY TOPICS**

The WALGA East Metropolitan Zone meeting was held last Thursday 28 Nov 2019 and attended by CEO Andrew Brien, Cr Stephanie Gray, Cr Catherine Ehrhardt and myself.

Cr Catherine Ehrhardt and Cr Cate McCullough (Swan) were elected to WALGA State Council with former State Councillors Cr Kate Driver (Mundaring) and Cr Brooke O'Donnell (Kalamunda) elected as deputies. The chair is Cr Brooke O'Donnell with former chair Cr Jason Russell (Mundaring) elected deputy chair.

Motion - Domestic Violence Against Women

The Zone meeting supported Bayswater's motion, with amendments

*That WALGA:*

- 1. Investigate the support currently being provided by the Municipal Association of Victoria in relation to the prevention of violence against woman; and*
- 2. Present a report to the WALGA East Metropolitan Zone on the outcome of the investigations and how WALGA can provide support and advice to the sector on how it can collectively work towards reducing family violence in the Western Australian community.*

This item will now be circulated to all 12 zones before being taken to State Council next year.

Amendments to the State Council Agenda Item 5.7 – Review of State Council and Zone Structure and Processes – Working Group Report and Recommendations

The Zone meeting supported Bayswater's proposed amendments.

Amendments to the State State Council Agenda Item - 5.15 Submission on the Climate Change in Western Australia Issues Paper

The Zone meeting supported Bayswater's proposed amendments.

Cr Ehrhardt will be attending WALGA State Council on Wednesday 4 December to argue for the East Metro Zone's amendments and consider the broad range of items on the State Council Agenda.

**CONCLUSION**

The City of Bayswater's amendments were supported by WALGA East Metro Zone.

**COUNCIL RESOLUTION**

That Council receives and notes the Delegates Report by Cr Giorgia Johnson dated 3 December 2019 on the WALGA East Metro Zone Meeting held on 28 November 2019.

**CR GIORGIA JOHNSON MOVED, CR LORNA CLARKE SECONDED**

**CARRIED UNANIMOUSLY: 10/0**

**9. METHOD OF DEALING WITH MINUTES BUSINESS**

With the exception of items identified to be withdrawn for discussion, the remaining reports will be adopted by exception (enbloc).

An adoption by exception resolution may not be used for a matter:

- (a) that requires a 75% majority or a special majority;
- (b) in which an interest has been disclosed;
- (c) that has been the subject of a petition or deputation;
- (d) that is a matter on which a Member wishes to make a statement; or
- (e) that is a matter on which a Member wishes to move a motion that is different to the recommendation.

Withdrawn items:

- 10.2.2 Requires a 75% majority or a special majority and is a matter on which a Member wishes to make a statement.
- 10.2.3 Requires a 75% majority or a special majority and is a matter on which a Member wishes to make a statement.
- 10.3.1 Is a matter on which a Member wishes to move a motion that is different to the recommendation.
- 10.3.2 Has been the subject of a petition or deputation and is a matter on which a Member wishes to make a statement.
- 10.4.1 An interest has been disclosed, has been the subject of a petition or deputation and is a matter on which a Member wishes to make a statement.
- 10.4.3 Has been the subject of a petition or deputation.
- 10.4.7 Is a matter on which a Member wishes to move a motion that is different to the recommendation.
- 10.4.8 An interest has been disclosed and is a matter on which a Member wishes to make a statement.

**10. REPORTS**

**10.1 Chief Executive Officer Reports**

Nil.

**10.2 Corporate and Strategy Directorate Reports****10.2.1 Draft City of Bayswater Annual Report 2018/19**

<b>Responsible Branch:</b>	Finance	
<b>Responsible Directorate:</b>	Corporate and Strategy	
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
<b>Voting Requirement:</b>	Simple Majority Required. (Absolute majority required to adopt the completed Annual Report 2018/19).	
<b>Attachments:</b>	1. Draft Annual Report 2018/19	
<b>Refer:</b>		

**SUMMARY**

The Annual Report provides the community with a summary of achievements for the financial year and a reference document for future years. It is also used to inform key stakeholders and is the cover document to the Annual Statutory Accounts.

**COUNCIL RESOLUTION****(OFFICER'S RECOMMENDATION)**

**That Council endorses the draft Annual Report which will be presented in its final form with graphics and photographs at the Annual General Meeting of Electors, Tuesday 10 December 2019.**

**CR BARRY MCKENNA MOVED, CR STEPHANIE GRAY SECONDED  
CARRIED UNANIMOUSLY BY EXCEPTION (EN BLOC): 10/0**

**BACKGROUND**

For Council to consider and accept the draft layout for the first part of the City of Bayswater Annual Report 2018/19.

**Key Issues:**

Section 5.53 of the *Local Government Act 1995* (the Act) requires that the City prepare an annual report to include:

- a report from the Mayor;
- a report from the Chief Executive Officer;
- an overview of the plan for the future of the district including major initiatives;
- the financial report for the financial year;
- such information as may be prescribed in relation to payments made to employees;
- the auditor's report for the financial year;
- a matter on which a report must be made under section 29(2) of the *Disability Services Act 1993*;
- details of entries made under section 5.121 during the financial year in the register of complaints and how the recorded complaints were dealt with; and
- such other information as may be prescribed.

Under section 5.54 of the Act, Council is required to accept the annual report (by absolute majority) by 31 December each year, subject to completion of an independent audit.

Following acceptance by Council of the annual report, it is to be presented to an Annual General Meeting of Electors.

The initial layout for the first part of the draft City of Bayswater Annual Report 2018/19 has been prepared and is attached for consideration (Attachment 1). The report will ultimately include the Mayor's Message.

The annual report will be hosted on the website and will include the auditors' report, abridged financial statements and full financial statements.

In accordance with section 5.54 of the Act, Council is required to accept the annual report (by absolute majority) by 31 December each year, subject to completion of an independent audit. Following acceptance by Council of the City of Bayswater Annual Report 2018/19, it is to be presented to an Annual General Meeting of Electors. This meeting must be held within 56 days of acceptance of the annual report by Council (s5.27) and for the purpose of discussing the contents of the annual report and any other general business.

The Chief Executive Officer is to give local public notice of:

- availability of the annual report (s5.55) as soon as practicable following acceptance by Council; and
- details of the date, time and place and purpose of the Annual General Meeting (s5.29) with at least 14 days' notice.

## EXTERNAL CONSULTATION

No consultation has yet occurred with the public or other agencies on this matter.

## OFFICER'S COMMENTS

The Draft City of Bayswater Annual Report 2018/19 meets the reporting requirements of the Act and provides the community with an overview of the City's programs, services and initiatives delivered by Council during the course of the financial year.

The Annual General Meeting of Electors has been scheduled for Tuesday 10 December 2019.

## LEGISLATIVE COMPLIANCE

The Annual Report is prepared under section 5.53 of the *Local Government Act 1995*.

## OPTIONS

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

<b>Option 1</b>	<b>Council endorses the draft Annual Report which will be presented in its final form with graphics and photographs at the Annual General Meeting, Tuesday 10 December 2019.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Moderate
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Low
Environmental Responsibility	Low	N/A
Service Delivery	Low	Low
Organisational Health and Safety	Low	N/A
<b>Conclusion</b>	The Annual Report must be presented at the Annual General Meeting of Electors which is scheduled for Tuesday 10 December 2019.	

<b>Option 2</b>	<b>Council does not endorse the draft Annual Report and requests rework, recognising that it must be endorsed prior to 31 December 2019 and the Annual General meeting must be held within 56 days of endorsement.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Moderate
Reputation	Low	High
Governance	Low	High
Community and Stakeholder	Moderate	High
Financial Management	Low	Low
Environmental Responsibility	Low	N/A
Service Delivery	Low	Low
Organisational Health and Safety	Low	N/A
<b>Conclusion</b>	The final Council meeting for 2019 is scheduled for 3 December 2019.	

### FINANCIAL IMPLICATIONS

There will be no additional costs in producing the Annual Report as the task is managed in-house with existing resources.

### STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Leadership and Governance  
 Aspiration: Open, accountable and responsive service  
 Outcome L1: Accountable and good corporate governance

### CONCLUSION

The draft Annual Report 2018/19 has been prepared to ensure legislative compliance and concurrently highlight the achievements of Council.

Attachment 1

City of  
**Bayswater**

# Annual Report

2018/19



Ngalla City of Bayswater kaatanginy baalapa Noongar Boodja baaranginy, Wadjuk moort Noongar moort, boordiar's koora koora, boordiar's ye yay ba boordiar's boordawyn wah.

The City of Bayswater acknowledges the Traditional Custodians of the land, the Whadjuk people of the Noongar Nation, and pays its respects to elders past, present and emerging.

**Where to get a copy**

A copy of the 2018/19 Annual Report can be downloaded from the City of Bayswater website.

If you would like to get a copy of our Annual Report in an alternative format, we have a number of hard copies available at the City's Civic Centre; as well as the Bayswater, Maylands and Morley libraries.

To have a plain text document emailed to you, please contact us at [mail@bayswater.wa.gov.au](mailto:mail@bayswater.wa.gov.au) or call us on 9272 0622.

**Contents**

Our City

Message from the Mayor

Message from the CEO

Elected representatives

Executive Leadership team

Organisational structure

Year in review

    Corporate and Strategy

    Works and Infrastructure

    Community and Development

    Statutory Reporting

Financial statements

**Our City**

In the bustling heart of the inner east, the City of Bayswater is home to a culturally diverse and vibrant community set against the backdrop of four thriving town centres, over 380 hectares of green open space and a 10 kilometre stretch of the Swan River.

The City of Bayswater has built a reputation on the delivery of services that our community value. We operate three libraries, three recreation centres and support over 120 local sporting clubs through the provision of club rooms and facilities. We maintain 189 parks, ovals and open spaces, and manage a local road network that spans 360 kilometres.

We manage parking, promote responsible pet ownership and ensure the City is bushfire ready. We understand our residents want to feel safe and have invested heavily in a network of CCTV cameras to complement our regular security patrol service.

We are particularly passionate about the environment, dedicating time and resources to addressing water quality, protecting our wetlands and planting over 1,500 trees to address our declining tree canopy. An early adopter of the three-bin system, we are serious about reducing waste and educating our residents about how they can contribute.

The fabric of our community lies with the respect we show our residents - helping them create connections with others, celebrating our diversity, and providing support and care for those who need it the most.

The foundation for this is our commitment to community engagement. We ask and listen to what our community wants, then work closely with them to provide the services they need.

We respect and value the important role older members of our community play, and we work with the City's youth to keep them engaged and encourage their participation in decision making processes.

We prioritise the health of young children and their parents, and will continue to operate five child health centres, immunisation clinics and conduct health inspections at local eateries.

Our multiculturalism is something we are proud to celebrate and promote through art, festivals and community events. The City's first Reconciliation Action Plan has been completed, and we will work with community groups to foster an inclusive City for all.

We will continue to host community events that bring people together. We will deliver a streamlined community grants program that supports environmental and community initiatives brought forward by the hardworking volunteers who give up their time to make our City a better place to live, work and visit.

We are committed to strengthening our strategic planning framework to better manage growth and ensure the delivery of well-designed buildings. This will complement the success we continue to achieve through the activation of our major town centres of Bayswater, Morley, Maylands and Noranda.

**Message from the Mayor**

To be added in final copy

*Include photo and signature of Mayor*

**Message from the CEO**

The 2018/19 Financial Year has seen the City focus squarely on building an industry leading local government by capitalising on the strengths of the organisation, working closely with our community and further streamlining operations.

This is evidenced by the significant number of accolades the City has received, both from the local government sector and industry associations. With recognition for community consultation, the internal SEED review, our geospatial portal, and numerous awards for our Bayswater Brook Catchment Management project; the City has firmly established itself as a local government to watch, with innovative projects, expert staff and industry leading initiatives.

A significant milestone for the City over this period was the aged care divestment of Mertome Retirement Village to Hall & Prior in April 2019. Given the changing regulatory environment in the aged care sector, it was considered Hall & Prior is best placed to meet the needs of the residents both now and in the future. The City will continue to monitor the progress of the refurbishment of the facility and is committed to the welfare of the residents.

I would like to acknowledge Carissa Bywater, who was with the City for six years as Director Corporate and Strategy. Carissa was instrumental in establishing the Participatory Budgeting project, and the development of the City's new website. Carissa also had the significant task of managing the transition of the City owned Mertome Retirement Village to Hall & Prior. Her time with the City was full of achievements and her contribution was substantial.

The year ahead will provide many new challenges, with changes to legislation and an ongoing review of services to reduce red tape; along with improved governance, discretionary disclosures and reporting.

The cost of service provision will be high on the agenda, and the City will step up and do all we can to deliver the services our community values, while ensuring financial stability for the future.

We will see a shift in focus for the strategic advocacy of major projects - this will enable us to provide more for our community and ensure the City keeps moving from strength to strength.

I extend my appreciation and recognition to all City staff for their invaluable contribution. Without the support and dedication of a professional, passionate and community focused workforce, we would not have been able to achieve all we have over the past year.

I recognise the efforts of the Executive Leadership and Management teams, who unwaveringly provide a professional and compassionate service to the community and support for staff.

*Include signature here*

**Andrew Brien**  
Chief Executive Officer  
City of Bayswater  
*Include photo of CEO*

**Elected representatives**

Cr Dan Bull

Mayor

West Ward

Cr Chris Cornish

Deputy Mayor

Central Ward

Cr Barry Mckenna

Freeman of the City

Central Ward

Cr Sally Palmer

Central Ward

Cr Stephanie Gray

North Ward

Cr Filomena Piffaretti

North Ward

Cr Michelle Sutherland

North Ward

Cr Catherine Ehrhardt

South Ward

Cr Elli Petersen-Pik

South Ward

Cr Lorna Clarke

West Ward

Cr Giorgia Johnson

West Ward

*Images of all Cr's along with electoral ward map image.*

**Cr's attendance at meetings will be included in designed copy**

**Executive Leadership team**

Chief Executive Officer *(include photo)*

Andrew Brien

- Elected Member support
- Organisational oversight
- Advocacy
- Policy review and development

High Commendation – IPAA Achievement Awards – Leader of the Year in Local Government.

Winner – LG Honour Awards – Excellence in Service Delivery – SEED.

Winner – Australian Business Awards – Change management - SEED.

Finalist – IPAA Achievement Awards – Best Practice in Public Sector Evaluation – SEED.

Director Corporate and Strategy *(include photo)*

Carissa Bywater (resigned in June 2019)

- Governance
- People, Culture and Safety
- Financial Services
- Information Services
- Organisational Strategy
- Marketing and Communications
- Community Engagement.

Director Community and Development *(include photo)*

Des Abel

- Community Development
- Environmental Health
- Strategic Planning and Place
- Development Approvals
- Library and Customer Services
- Rangers and Security

- Recreation.

Director Works and Infrastructure *(include photo)*

Doug Pearson

- Infrastructure Assets and Mapping Services
- Engineering Services
- Engineering Works
- Sustainability and Environment
- Building Works
- Parks and Gardens
- Project Services.

**Organisational structure**

*Org chart graphic*

**Year in review***Infographic*

- 66,060 residents
- 10 kilometres of river
- 364 kilometres of roads
- 350 kilometres of footpaths
- 380 hectares of green space
- 189 parks and reserves
- 120 sport clubs
- 16,775 tonnes of waste collected
- 4,951 tonnes of waste recycled
- 4,700 tonnes of green waste converted to soil improver
- 9,216 Facebook fans
- 12 awards won
- 611 employees
- 1,500 trees planted
- 68,000 native seedlings and shrubs planted
- 150 hectares of environmental sites managed
- 87 community bus trips
- 650 members at our community centres
- 17 community events attended by 20,000 people
- 6 citizenship ceremonies
- 360 new citizens
- 5 playgrounds redeveloped
- 70 volunteers
- 304,700 visitors to three libraries
- 6,437 dogs registered
- 2,592 cats registered
- 74,489 swimming lessons taught
- 2,379 vaccinations given

**Corporate and Strategy****Governance**

## Areas of responsibility

The City's Governance team manage annual and primary returns and related party disclosures, maintenance of registers, compliance and audits, local law and policy reviews, election support, oversight of minutes and agendas, Freedom of Information requests, procurement, tendering and contract management, insurance matters, risk management, and the City's Business Continuity Plan.

## Major projects

During 2018/19, the team continued developing the City's risk management framework. This included a review of the risk appetite statement and risk assurance reporting. They also started work on the City's Business Continuity Plan, which will ensure the City is prepared to continue core operations in the event of a crisis.

The team also market tested the City's insurance portfolio. This resulted in a recommendation that Council stay with Local Government Insurance Services (LGIS).

**People, Culture and Safety**

## Areas of responsibility

The City's People, Culture and Safety team are responsible for all human resources. This includes recruitment, performance management, training, workplace culture, payroll, employee relations, and safety management.

## Major projects

The team completed negotiations for replacement Enterprise Bargaining Agreements for both the inside and outside staff. This process included consultation with staff and resulted in a three year agreement being put in place for both workforces.

As part of an organisational commitment to learning and development, the City's management team completed a Graduate Diploma in Management and Leadership. This was carried out over 16 months and has enhanced the quality of leadership at the City.

The performance review process was moved online for staff with computer access. This will give our employees and leaders the ability to review progress against goals and development activity throughout the year.

**Financial Services**

## Areas of responsibility

The City's Financial Services team is responsible for managing the accounting requirements, rating services, aged person's homes, and financial audits for the City.

#### Major projects

During 2018/19, the team implemented a new chart of accounts. This upgraded model is designed to improve record keeping and reporting; and allows for efficient tracking of investments, trust and reserve funds.

A series of management reports and a new statutory monthly financial reporting format was introduced. This will make it easier for managers at the City to monitor their budgets through the year.

The processing of synergy invoices was automated this year. This upgrade resulted in a significant reduction in manual data entry; saving staff time, improving efficiency and ensuring compliance is maintained.

#### **Information Services**

##### Areas of responsibility

The City's Information Services team are responsible for information and communications technology governance, emerging trends and technologies, business systems and applications, infrastructure, information technology (IT) business continuity, IT security, and asset management of the City's IT equipment.

##### Major projects

This year, the team completed the IT cybersecurity program to ensure all City of Bayswater IT assets are protected from intrusion. This involved working with Deloitte on a cybersecurity assessment, regular penetration testing, internal security asset assessments, vulnerability assessments and payment card assessments.

The team also completed large infrastructure upgrades to keep hardware and networks up-to-date and fit for purpose, ensuring these are reliable and able to support the City in the event of a crisis. This involved replacement of IT equipment across the City, the implementation of disaster recovery off site, an audit of the City's CCTV systems, a directorate alignment program, and replacement of analogue with NBN.

Software systems and enterprise resourcing and planning (ERP) were upgraded. This included the introduction of eproperty services, digitised development applications, redevelopment of planning and development systems, claims insurance processes, and redevelopment of our swimming pool inspection process.

#### **Organisational Strategy**

##### Areas of responsibility

The City's Organisational Strategy team is responsible for the oversight and support of planning and reporting, including the Integrated Planning and Reporting Framework, branch planning and corporate reporting, process mapping, business intelligence and insights, and promoting and supporting efficiency and innovation in the organisation.

#### Major projects

This year, the team developed an internal corporate reporting system. Designed to improve accountability and communication, this system tracks live updates on projects and reports status information to our leadership team.

The team also introduced process mapping to the organisation. This allows us to record the steps involved with a business process in an easy to view and accessible format. This will improve internal communication, reduce red tape and improve overall efficiency.

Pollinate, the City's first innovation program, was developed this year. This provides structure, education and resources to encourage staff to develop innovative ideas. The program was officially launched in July 2019.

#### **Marketing and Communications**

##### Areas of responsibility

The Marketing and Communications team has grown into a centralised unit responsible for offering media services, communications and publications, design, marketing, and advocacy support to the entire organisation; as well as management of the City's website.

##### Major Projects

This year, the team developed an Advocacy Strategy to ensure the City is best placed to attract funding for infrastructure projects from different levels of government and private industry, and to influence policy change. The strategy identified the priority areas of environmental sustainability, managing the urban environment, transport, community well-being, and aged care. The Advocacy Strategy, and a process for preparing individual funding requests, was subsequently adopted by Council.

In 2018, the Communications and Marketing unit developed a community newsletter — the Bayswater Beat. This publication ensures information on City events, programs and services is readily available to the public. The newsletter is produced quarterly and delivered to all households.

#### **Community Engagement**

##### Areas of responsibility

The City's Community Engagement team is responsible for designing and managing community engagement activities at the City of Bayswater. This includes management of the City's online engagement portal - Engage Bayswater, as well as training and providing advice to staff and assisting them with community engagement activities. The City's Community Engagement team ensures the community has the opportunity to be involved with projects, initiatives, and Council decisions.

##### Major Projects

During 2018/19, the team completed the Participatory Budgeting (PB) project - a first for the City and the most comprehensive project of its kind for any metropolitan council in Western Australia.

PB involved laying out the City's entire operating budget for feedback from the community. This included a budget allocator tool, which allowed community members to adjust the budget spend, and a representative community panel who deliberated on the budget and provided recommendations to Council.

The Engage Bayswater panel was also established. This is an online panel of volunteer community members who are asked to provide feedback on a series of projects throughout the year. This allows us to check in with our community regularly, broadening our community engagement reach and helping Council make decisions with confidence.

Community engagement support was provided to the Play Space Strategy, Pat O'Hara Master Plan, Strategic Community Plan minor review, Bedford regeneration project, Meltham surrounds engagement project, and The Platform.

To further educate staff across the organisation, the team established a group of Community Engagement Champions who met six times during 2018/19; and also delivered a short course on community engagement and outrage to 11 staff members from across the organisation.

#### Awards

- Winner – Planning Institute of Australia – Public Engagement and Community Planning – Building Bayswater.
- Finalist - IPAA Achievement Awards - Best practice in collaboration with non-government agency – Building Bayswater in collaboration with Shape Urban.
- Finalist - IAP2 Core Values – Planning Award – Building Bayswater in collaboration with Shape Urban.

#### **Aged care services**

In April 2019, the City finalised the sale of Mertome Retirement Village to aged care operator Hall and Prior, who have committed to refurbishing the facilities. This decision was made with the best interests of the residents in mind; and Hall and Prior have a reputation for providing quality aged care services. Given the changing regulatory environment in the aged care sector, it was considered that Hall and Prior is best placed to meet the needs of the residents both now and in the future. The City will continue to monitor the progress of the refurbishment of the facility and the welfare of the residents.

#### **Works and Infrastructure**

##### **Infrastructure Assets and Mapping Services**

##### Areas of responsibility

The City's Infrastructure, Assets and Mapping Services team are responsible for providing spatial services internally and to the community. This includes in-house designed spatial apps, legislative and corporate mapping products, infrastructure asset planning framework, register management, core land and property tenure management, and real time digital in-vehicle and static site GPS emergency management systems.

#### Major projects

The team upgraded the existing triangular self-supporting communications tower at the Paddy Walker Works Depot, to a 50 metre structure. This upgrade has resolved ongoing network line of sight issues that have arisen due to building development and tree canopy growth since the installation of the original tower in 1988.

The team started updates on the City's asset management documentation, including reviewing existing policy, strategy, plans and services plans for all infrastructure assets.

Development of the City's 3D mapping environment began, commencing with City buildings. This building information has been added to a new 3D app that is available to the community on the City's website.

#### Awards

- Finalist – WA Incite Awards, Best Government Agency for the City's Geospatial Portal.
- Finalist - National iAwards, Best Government Agency for the City's Geospatial Portal.

### **Engineering Services**

#### Areas of responsibility

The City's Engineering Services team manages all engineering design projects, traffic management, engineering development control, and waste collection services for the City.

#### Major projects

The City worked with the State Government on the Tonkin Highway upgrade project (Northlink stage two), and the Forrestfield Airport Link project. The team oversaw a number of private subdivisional developments including residential, industrial and mixed use of retail and commercial. The largest of these was the completion of the Tonkin Highway Industrial Estate (stage two), including \$2.1 million of new roads and infrastructure.

Major traffic improvement works for the year included the construction of median islands, turning pockets and a roundabout in Maylands; a pedestrian crossing, children's crossing, zebra crossings on slip lanes, a U-turn and street light upgrades in Morley; and new footpaths and on-street parking outside the Amana Living Aged Care Facility.

A trial of 100% biodegradable dog waste bags started in the City's parks. These bags are made from corn starch and are 100% compostable.

### **Engineering Works**

#### Areas of responsibility

The Engineering Works team is responsible for the maintenance of City owned infrastructure including 364 kilometres of roads; 217 kilometres of storm water drains; 9,500 drainage pits; 2,291 street signs; 350 kilometres of footpaths; 85 car parks, right of ways, street sweeping; and graffiti removal.

The team manages the installation and administration of crossovers, preservation of City assets, provide traffic management approvals for works within the road reserve, manage and coordinate the City's fleet and plant programs, installation of civic infrastructure, and bus shelter upgrades.

#### Major projects

This year, \$500,000 of new pathways were installed across the City including Hillside Crescent in Maylands, Barker Street in Bedford, Beechboro Road, and Tara Street in Morley.

\$4.4 million renewals were completed, including the resurfacing of Russel Street, Coralgunm Court, Casuarina Way, Charnwood Street, Wattle Drive, and Yate Court in Morley. A children's crossing and U-turn were installed on Beechboro Rd.

#### Building Works

##### Areas of responsibility

The City's Building Works team manages the City's building and infrastructure assets. This includes all maintenance, building related capital works projects, cleaning of public facilities, management of service contracts, termite control, and Christmas decorations.

##### Major projects

Significant capital works projects completed this year include \$50,000 in building upgrades to improve water efficiency across City sites; \$107,000 upgrade to Bayswater Bowling Club; \$20,000 upgrade to the interior of the Bayswater Senior Citizens Centre; \$75,000 upgrade to the Paddy Walker works depot; \$35,000 for the installation of drinking fountains with dog bowl attachments in City parks; and \$90,000 worth of upgrades to the EB Brown Pavilion.

#### Parks and Gardens

##### Areas of responsibility

The Parks and Gardens team provide specialised maintenance to all green assets and associated infrastructure throughout the City. This includes turf management, protecting and increasing the City's urban tree canopy, planning and delivering parks maintenance and capital works programs, maintaining irrigation infrastructure (including bores, pumps and central controls); and managing and monitoring groundwater resources.

##### Major projects

The team planted and cared for 1,500 trees and continued the \$2 million Urban Street Tree management program. Irrigation upgrades and renewals worth \$530,721 were completed to improve water efficiency in the City's parks; \$242,482 in upgrades to park infrastructure including furniture, shelters, fencing and gates; and a \$79,573 golf course development.

#### Project Services

##### Areas of responsibility

The Project Services team manages recreation infrastructure and assets within the City's public open spaces. This includes asset management and replacement of sporting infrastructure and community spaces, working closely with local clubs, overseeing golf course management, and the development of strategic leisure plans.

#### Major projects

In October 2018, the team completed the replacement of the Bayswater Tennis clubrooms at Frank Drago Reserve. The \$1.45 million project was jointly funded with a \$750,000 federal grant from the Department of Infrastructure and Regional Development, \$650,000 from the City of Bayswater, and a \$50,000 contribution from Bayswater Tennis Club. The Bayswater Tennis Club received an additional \$300,000 State government grant to convert two existing grass courts to hard courts with floodlighting, spectator shade and accessible pathways.

Five play spaces were redeveloped – Bohemia Reserve, Luderman Reserve, Bramwell Reserve, Chesney Reserve and Shadwell Reserve in Morley. Flood lighting was replaced at the main soccer pitch at Frank Drago Reserve in Bayswater, and Bedford and Morley Bowling Clubs.

#### Awards

- Winner - Public Health Advocacy Institute of WA - Environments Promoting Physical Activity – Russell Street Park.
- High Commendation - Parks and Leisure Awards of Excellence - Play space award – Russell Street Park.
- Finalist - Sport & Recreation Awards - Places and Spaces: Planning and design Award – Russell Street Park.
- Finalist - Public Health Advocacy Institute of WA - Planning Healthy Communities for Children – Russell Street Park.
- Finalist - PHAIWA LG Policy Awards - Children's Consultation - Play Space Strategy.

#### Sustainability and Environment

##### Areas of responsibility

The City's Sustainability and Environment team are responsible for the management of natural areas, water catchments, energy and water initiatives, water sensitive urban design projects, the development and implementation of the Environment and Liveability Strategy, urban environmental parks, riverbank restoration, supporting local environmental community groups, education and sustainability programs, climate change mitigation, and urban forest and urban heat island strategies.

##### Major projects

The team converted a drain at Jakobsen's Way in Morley into a living stream. This will improve water quality, biodiversity and the liveability of the area. The team also completed weed removal and planting of native species at the Maylands Brickworks Lake, providing habitats to native animals and improving biodiversity.

Over two days this year, more than 130 local primary school students attended workshops led by botanists, scientists and local environmental experts as part of the City's Green Lab project. This gave students exposure to real world projects including microclimate mapping, carrying out bird surveys, and using robots and drones to gather data. This project was a partnership between the City of Bayswater, the Department of Biodiversity, Conservation and Attractions, and Millennium Kids.

#### Awards

- Winner - Public Health Advocacy Institute of WA - Environments Promoting Physical Activity – Russell Street Park.
- Winner - National Federation Awards - Local Government Professionals Australia - Environmental Leadership & Sustainability - Eric Singleton Bird Sanctuary and Russell Street Park.
- Winner - ALGA Awards (Australasian Land and Groundwater Association) - Best Scoping/Operation of a Site Investigation – Eric Singleton Bird Sanctuary.
- Winner - LG Honour Awards - Environmental Leadership and Sustainability – Bayswater Brook project.
- Winner - IPEWA WA Division Excellence Awards - Excellence in Water Projects - Bayswater Brook Management Plan.
- Winner - IPEWA WA Division Excellence Awards - Environmental Sustainability - Bayswater Brook Management Plan.
- Winner - PHAIWA LG Policy Awards - Climate Change – Green Lab.
- Winner – Aspire – Aspire program – Sustainability conference funding.
- Finalist - Public Health Advocacy Institute of WA - Planning Healthy Communities for Children – Russell Street Park.
- Finalist - ALGA Awards (Australasian Land and Groundwater Association) - Best Remedial Project under \$1 million – Russell Street Park.
- Finalist – WA Water Awards - Sensitive Urban Design – Eric Singleton Bird Sanctuary and Living Streams.
- Finalist - IPAA Achievement Awards - Collaboration across government agencies – Living Streams in collaboration with Water Corporation.

#### **Community and Development**

##### **Community Development**

###### Areas of responsibility

The Community Development team manages services for older people, youth, community and civic events, club development, disability, access and inclusion, the City's Reconciliation Action Plan, and volunteering.

###### Major projects

This year, the City's two Senior Citizen's Centres were updated to become Community Centres, providing members with access to more than 30 activities across both centres, including hair dressing, podiatry and twice monthly bus outings. The Age Friendly Ambassador program was launched, with funding from the Department of Communities. This group of volunteers helps us to

connect older adults in our community with activities and events, and ensure they have a voice on community issues.

The team planned and held 17 events including the Avon Descent, Art Awards, Garden Awards, Christmas Food Appeal, School Banner Exhibition, City of Bayswater Dance Festival, North of Perth Music Festival, Carols By Candlelight, Australia Day BBQ, Perth Symphonic Orchestra Concert, Maylands Laneway Festival, Have a Go Day, Evening in the Park, Multicultural Community Concert, Baysie Waves Fest 20th birthday, Have a Go Day, and the Autumn River Festival. Cumulatively, over 20,000 people attended these events.

The team worked on the City's first Reconciliation Action Plan with the guidance of our Aboriginal Advisory Committee. As part of working towards reconciliation, the City also celebrated National Reconciliation Week and NAIDOC Week with our community.

Drafting of the first Youth Action Plan – The Platform, continued this year. This involved working closely with over 400 young people, schools, parents, caregivers and youth agencies to learn about the issues affecting people aged 12 – 25 in our community.

As part of an aim to increase participation in local sports, a three year trial started which offered up to an additional \$50 per child to the State Government's KidSport funding. This helped 76 local children become involved in sport during 2018/19.

#### **Environmental Health**

##### Areas of responsibility

The Environmental Health team manages statutory inspections, compliance, emergency management, immunisation clinics, contaminated sites, pest control, waste education, health promotion, and light industry inspections across the City of Bayswater.

##### Major projects

During this financial year, the City vaccinated 2,379 babies as part of our vaccination program; along with 718 year 8 students against Diphtheria, Tetanus, Whooping Cough and HPV; and 530 year 10 students against Meningococcal.

The team completed 1,175 inspections of food premises, issuing 18 improvement notices, 11 infringement notices, and one prosecution. As part of this program, 132 food samples were collected to ensure food prepared and sold in the City of Bayswater is safe.

The mosquito treatment, trapping and monitoring program continued and the City promoted the 'Fight the Bite' campaign. The intention of this is to help prevent mosquito borne disease in the City. Four Local Emergency Management Committee meetings were held throughout the year.

The City's Public Health and Wellbeing plan was finalised this year, and will guide the City towards a more proactive approach to public health in line with the Public Health Act 2016. As part of this plan, the City launched the Fit for Life program, which helped over 200 participants aged over 50 improve their physical fitness.

As part of the City's waste and recycling program, 16,775 tonnes of general waste was collected from 31,001 residential properties and 1,276 commercial properties. A waste audit was completed to help improve waste diversion within multi-unit developments.

Waste services expanded this year to include mattress and white goods collection, online bulk bin ordering, and green waste bulk bins. The City delivered 17,788 bulk bins, collecting 5,600 tonnes of waste and issued 8,504 tip passes to residents to dispose of larger waste. Five composting workshops were held, and education for the community about responsible and sustainable waste disposal continued.

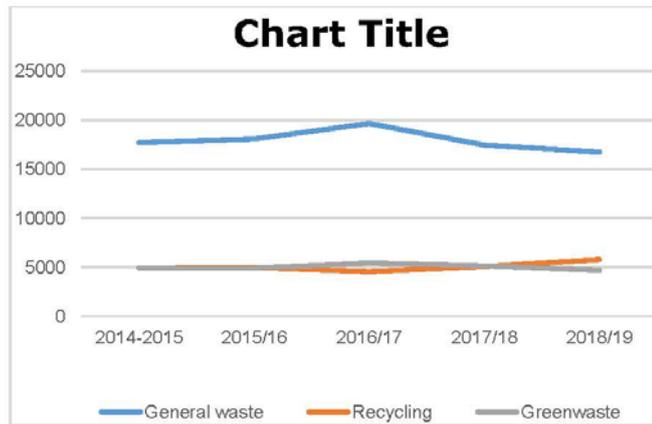
Recycling program *(presented as a pull out with figures highlighted)*

Recyclable materials	Tonnes recycled
Newspaper	649
Mixed paper	1282
Cardboard	895
Glass	1720
PET plastic	88
HDPE plastic	92
Other plastic	111
Steel cans	73
Aluminum cans	41

- e-waste 32 tonnes
- 2,739 whitegoods
- 2,190 mattresses
- 4,700 tonnes of green waste and processed this into soil improver
- Recycling bin contamination rate 14.5%.

Waste Trend data – present however works.

	2014-2015	2015/16	2016/17	2017/18	2018/19
General waste	17743	18120	19689	17486	16775
Recycling	4931	4978	4567	5080	5797
Greenwaste	4934	4940	5446	5170	4700



**Strategic Planning and Place**

**Areas of responsibility**

The City’s Strategic Planning and Place team are responsible for strategic town planning, place management, land management, City property disposals and acquisitions, and leasing and property management at the City.

**Major projects**

The team worked with consultants Shape Urban to understand the community’s thoughts, ideas and aspirations for the built environment surrounding Meltham Train Station. The team also worked with the community to find short-term parking options in preparation for the upgrade of Bayswater Train Station.

The City’s draft Local Planning Strategy (LPS) was endorsed in April 2019. The strategy aims to guide planning and development throughout the City for the next ten years. This draft is with the Western Australian Planning Commission for consent to advertise in 2020. In an effort to streamline planning policies, 12 of the 48 policies have been revoked and the intention is to reduce this by a further 21 in the coming year.

The City’s Community Facility Lease Policy was updated to ensure all new leases are fair and equitable. The City also endorsed a Lease KPI and Criteria Management Practice in 2019, providing a framework for measuring the performance of existing lessees and to guide the City when choosing new lessees for vacant properties.

*Place Making – displayed by area?*

**Bayswater**

Through a series of partnerships with the City, the Bayswater Town Centre gained a new sculpture in a project led by the Bayswater Historical Society and artist Denise Pepper, a parklet led by Tbsp.

café, and the successful Baysie Arts and Street Fest led by Baysie Rollers. The speed limit in the area was reduced to 40kph; and planter boxes promoting local initiatives were installed.

#### Maylands

Upgrades to the Maylands Eighth Avenue retail strip were completed, including road resurfacing and installing street furniture and planter boxes decorated with local art as part of the Art on Eighth initiative.

#### Morley

The City supported a series of community-led art projects in the Morley Activity Centre. This included murals celebrating multiculturalism outside Galleria Shopping Centre and Coventry Village, an environmental mural at Jacobsen's Way, a community artwork at Russell Street Park, and the opening of the Progress Street Art Walk. The City supported The Morley Momentum in the project management of the Progress Street Pocket Park, and the vertical gardens project.

#### Noranda

This year, the Noranda Nook was established by working with the community and the Noranda Vibes community group to create an inviting space with picnic furniture, a POPP ping pong table decorated with local art, a little library and a community notice board. To celebrate these spaces, the City supported the Noranda Vibes Noranda Christmas Concert in December 2018 and the Morley Noranda Community Fair in May 2019.

#### Awards

- Winner - Public Health Advocacy Institute of WA - Environments Promoting Physical Activity – Russell Street Park.
- Winner – Planning Institute of Australia – Public Engagement and Community Planning – Building Bayswater.
- Finalist - Public Health Advocacy Institute of WA - Planning Healthy Communities for Children – Russell Street Park.
- Finalist - IPAA Achievement Awards - Best practice in collaboration with non-government agency – Building Bayswater in collaboration with Shape Urban.
- Finalist - IAP2 Core Values – Planning Award – Building Bayswater in collaboration with Shape Urban.

#### Development Approvals

##### Areas of responsibility

The City's Development Approvals team is responsible for processing development applications. The City of Bayswater is emerging as an inner-middle urban City, which resulted in an increase in the complexity of building and development applications during 2018/19.

##### Major projects

Building Applications must be processed within 10 days (certified) and 25 days (uncertified). The City determined all applications within this time frame during 2018/19.

One of the Development Assessment Panel Applications (DAP) received related to amendments to the Morley Galleria Shopping Centre redevelopment. This project is ongoing and will continue to be amended and refined as it moves through stages of development.

The State Administrative Tribunal (SAT) receives appeals against decisions made by the City. This year, one appeal that was ongoing from the 2017/18 financial year went to a full hearing and is yet to be determined. The City is also involved in SAT appeals made against the Development Assessment Panel when the development is within the City of Bayswater; however no appeals of this kind were made this year.

In 2017/18, a Design Review Panel (DRP) was established to provide professional and technical advice on development applications in the early stages, with a view to improve built form design outcomes. The panel reviewed four development applications during this financial year.

#### *Figures*

599 Planning Applications (-6%)

1,004 Building Applications

526 Certified

255 Uncertified

96 Demolition Permits

34 Building Approval Certificates

39 Building Approval Certificates Strata

40 Occupancy Permits

14 Occupancy Permits Strata

78 verge licence applications (-6%)

14 DAP Application (+75%)

137 Subdivision Applications (-17%)

#### **Library and Customer Services**

Areas of responsibility

The Library and Customer Services team manage the operations of the City's three libraries – Bayswater, Maylands and Morley - and customer services across the City. This includes customer enquiries, receipt of payments, animal registration and renewal, administrative support, waste and recycling passes, ordering of bulk bins, and switchboard services.

#### Major projects

The City merged its library service and customer service branches to create more efficient customer service for our community. To further improve customer service, a Radio Frequency Identification (RFID) stock circulation, control and security system was introduced. This system allows users to loan and return items automatically and in multiple languages, ensuring an efficient and accessible experience.

Time saved through the introduction of RFID system has allowed the libraries to offer increased customer services, including rates payments, infringement payments, animal registrations and renewals. This has ensured the City's customer services are more accessible for community members.

The team worked with a consultant to review the City's library services. This resulted in a Library Services Strategy that will guide the next ten years. The intention of the plan is to ensure the libraries are keeping up with national and state industry best practice and community needs.

The City's Libraries recorded 304,700 visits; issued 364,000 items to members; had 23,000 people attend activity sessions; and recorded 49,900 uses of the public computers.

#### Rangers and Security

##### Areas of responsibility

The City's Rangers and Services team are responsible for the City's patrol and security services, operation of a 24/7 call centre, management of the City's CCTV system, emergency management, parking management and enforcement.

##### Major projects

The team finished a review of the City's dog exercise areas and began placing information stickers across the City's parks and reserves outlining the locations of these areas. This was designed to provide clarity about the rights and responsibilities of park users and included 75 park visits to speak with local park users, and the surveying of 324 people online.

#### Recreation

##### Areas of Responsibility

The City's Recreation team manage the operation of Bayswater Waves, The RISE, and Maylands Waterland; bookings of reserves and facilities across the City; and the contract between the City and YMCA for the management of Morley Sport and Recreation Centre.

##### Major projects

This year, the hydrotherapy area at Bayswater Waves was refurbished and included the retiling of the pool and spa, splitting of the reticulation systems, a refit of the sauna and steam room, and updates to the health club change rooms.

The City established a working group to investigate options for Maylands Waterland. This resulted in a Council resolution to close the facility for the 2019/20 season and allocating any resulting budget savings to the future redevelopment of this facility.

### **Statutory Reporting**

#### **Freedom of Information**

In accordance with Section 96 and 97 of the *Freedom of Information Act 1992*, the City is required to publish an annual Information Statement which details the process for applying for information under the Act, as well as information that the City provides outside the Act. This document is available from City of Bayswater offices or its web site.

During 2018/19, the City received 16 access applications, a decrease of eight from the previous financial year. The Act requires that all applications are responded to within the permitted period of 45 calendar days. The City's average processing time for 2018-19 was 20 days. A total of \$480 was levied by the City in processing applications received during the financial year.

#### **Recordkeeping**

The City's Information Management team manages the records of the City in accordance with the legal requirements of the *State Records Act 2000* and the City of Bayswater Recordkeeping Plan.

As part of our staff induction, all new employees learn how to use the City's document management system. This outlines legal responsibilities of staff regarding compliance with the City of Bayswater Recordkeeping Plan and the State Records Act. We also periodically refresh staff and offer ongoing assistance to ensure they are up to date on all record keeping requirements.

During this financial year, 98,581 documents were registered in the City's document management system - ECM Ci Anywhere. This was an increase of 12.7% on the previous year.

#### **Integrated Planning Framework**

In early 2019, we completed a minor review of the City's Strategic Community Plan and Corporate Business Plan. The review aimed to check and refine the existing plans based on feedback received in our Community Perception Survey in 2018.

#### **Disability Access and Inclusion Plan.**

The City's Community Access and Inclusion Committee met quarterly and provided recommendations on the implementation of the DAIP. Achievements this year included:

- Accessible matting providing pathways across grassed areas at Have a Go Day
- Refurbishment of Bayswater Waves to include an accessible change room
- Installation of self-service check outs at the City's libraries, including the ability to use these in multiple languages
- Little libraries installed in Noranda and Bayswater, allowing people to access free books in a wider range of locations
- Improved workplace flexibility aiming to make it easier for people with a disability to work at the City.

**National Competition Policy**

The Competition Principles Agreement (CPA) is a contractual agreement between the Federal Government and all State and Territory Governments. The CPA aims to ensure all public enterprises operate in a transparent manner in the best interests of the public. Under the CPA, public enterprises are required to review their operations to ensure they have no competitive advantage or disadvantage as a result of their public status.

**Competitive Neutrality (under the CPA)**

Competitive neutrality addresses potential advantages or disadvantages that public enterprises may have compared with businesses operating in the private sector.

The following services are provided by the City of Bayswater through the open tendering process and which fall within the definition of the CPA:

1. Domestic waste collection including recycling, green waste and park litter bins has been contracted to Cleanaway.
2. Management of the Morley Sport and Recreation Centre, which is contracted to the YMCA.
3. Management of the Embleton Public Golf Course and the Maylands Peninsula Public Golf Course, which is contracted to Golf Oracle Pty Ltd.
4. The operational management of the residential aged care facilities including the City of Bayswater Hostel, Carramar Hostel, the independent living units, Salisbury Retreat and Noranda Retreat facilities, which is contracted to Juniper Aged Care.

**Disclosure of annual salaries**

Regulation 19B into the Local Government (Administration) Regulations 1986, requires the Annual Report of a local government for a financial year to contain information on the number of employees of the local government entitled to an annual salary of \$100,000 or more, and the number of employees with an annual salary entitlement that falls within each band of \$10,000 over \$100,000.

<i>Salary range</i>	<i>Number of employees</i>
100,000-110,000	6
110,000-120,000	7
120,000-130,000	8
130,000-140,000	5
170,000-180,000	1
180,000-190,000	2
190,000 – 200,000	1
270,000-280,000	1

**Register of Complaints of Minor Breaches**

In accordance with Section 5.121 of the *Local Government Act 1995* (as amended) and Section 5.53(2), the Annual Report is required to disclose the number of complaints received each year.

No. of complaints 2018-19	Action taken during 2018-19
Nil	Nil

**Statutory registers**

As part of the City's ongoing commitment to transparency and accountability, improvements were made to the statutory registers which are required to be completed by staff and council members; and internal training was provided to raise awareness of the reporting obligations. In response to a Notice of Motion adopted by Council, a Political Interest Register and an Associations and Memberships Register were also implemented.

**Local law reviews**

In August 2018, the new Standing Orders Local Law was adopted by Council following a comprehensive review process which brought the local law into line with model local laws developed by the Department of Local Government, Sport and Cultural Industries. This is a comprehensive document that sets out the procedural requirements for Council meetings.

Work also commenced on a review of the Fencing and Floodlighting Local Law, as well as the Thoroughfares and Trading in Public Places Local law.

**Financial Statements**

*To be attached as a completed PDF.*

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*Include City logo*

**10.2.2 Annual Delegated Authority Review - Council to CEO Delegations (General Endorsement)**

<b>Responsible Branch:</b>	Governance	
<b>Responsible Directorate:</b>	Corporate and Strategy	
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
<b>Voting Requirement:</b>	<b><i>ABSOLUTE MAJORITY REQUIRED</i></b>	
<b>Attachments:</b>	1. Council to CEO - Current Instrument of Delegations	
<b>Refer:</b>	Item 10.2.6: OCM 19.11.2019 Item 10.3.1: OCM 11.12.2018	

**SUMMARY**

The purpose of this report is to enable Council to endorse the review and amended delegations of authority to the CEO.

The attached Instrument of Delegation (**Attachment 1**) will replace the document endorsed by Council on 11 December 2018.

It is noted that delegations of authority under the *Planning and Development Act 2005*, the *Planning and Development (Local Planning Schemes) Regulations 2015* and the City of Bayswater's Town Planning Schemes are not contained in this document and will be considered at a later time.

**OFFICER'S RECOMMENDATION**

That Council:

1. Adopts the amendments to the Delegated Authority Register as outlined in the Instrument of Delegation as contained in **Attachment 1**.
2. Authorises the Chief Executive Officer to make administrative amendments which do not alter the powers delegated in the Delegated Authority Register.

**CR SALLY PALMER MOVED, CR MICHELLE SUTHERLAND SECONDED**

**LOST: 4/6**

**For:** *Cr Sally Palmer, Cr Michelle Sutherland, Cr Catherine Ehrhardt, and Cr Giorgia Johnson.*

**Against:** *Cr Dan Bull, Mayor, Cr Filomena Piffaretti, Deputy Mayor, Cr Barry McKenna Cr Stephanie Gray, Cr Elli Petersen-Pik, and Cr Lorna Clarke.*

**COUNCIL RESOLUTION**

That Council:

1. Adopts the amendments to the Delegated Authority Register as outlined in the Instrument of Delegation as contained in **Attachment 1**, other than the proposed amendments to: FM – D02 – Acceptance of Tenders and the proposed amendments to TP – D01 – Local Planning Schemes.
2. Authorises the Chief Executive Officer to make administrative amendments which do not alter the powers delegated in the Delegated Authority Register.

**CR DAN BULL, MAYOR MOVED, CR FILOMENA PIFFARETTI, DEPUTY MAYOR SECONDED**

**CARRIED: 6/4**

**For:** Cr Dan Bull, Mayor, Cr Filomena Piffaretti, Deputy Mayor, Cr Barry McKenna, Cr Sally Palmer, Cr Stephanie Gray, and Cr Georgia Johnson.  
**Against:** Cr Michelle Sutherland, Cr Elli Petersen-Pik, Cr Lorna Clarke, and Cr Catherine Ehrhardt.

### REASON FOR CHANGE

**Council felt that existing delegations for FM – D02 – Acceptance of Tenders and TP – D01 – Local Planning Schemes met their needs and therefore did not require amendment.**

### BACKGROUND

The most recent Instrument of Delegation, delegating powers from Council to the CEO, was endorsed by Council on 11 December 2018. A small number of amendments have been made throughout the year relating to the amendment of existing or new staff positions to a delegated role. Further details are contained in the attached Instrument of Delegation.

During 2017 a specialised software system "Attain" was purchased by the City to specifically ensure that key statutory governance requirements are captured, including delegations.

At the Ordinary Council Meeting on 19 November 2019 Council resolved as follows:

*"That this item be deferred to the Ordinary Council Meeting to be held 3 December 2019."*

The Instrument of Delegations has been amended to incorporate a number of changes as outlined below in this report with (**Attachment 1**) showing the proposed Instrument of Delegations marked with the changes.

### EXTERNAL CONSULTATION

No consultation has yet occurred with the public or other agencies on this matter.

### OFFICER'S COMMENTS

#### Amendments to Proposed Delegated Authority

The following amendments have been proposed to powers under the *Local Government Act 1995* delegated to the CEO:

- FM - D02 - Acceptance of Tenders  
It is proposed that the CEO's current limit of \$250,000 under delegation FM-D02 for accepting tenders and determining contracts resulting from tenders be raised to \$500,000 on the basis that most tenders up to that value are 'business as usual' requirements and the revised limit reflects the size of the City's operations. The CEO's limit in other local governments varies from \$150,000 - \$1m and is a matter for Council to determine.

As a guide, other local government limits are show below:

\$150,000	\$250,000	\$500,000	\$1,000,000
Armadale	Belmont Claremont Bunbury* Vincent	Busselton Fremantle Joondalup	Kwinana Swan** Wanneroo***

\* Up to \$750,000 subject to sourcing methodology and contract duration

\*\*subject to tender criteria

\*\*\*Up to \$5m depending on nature i.e. recurring requirement

- FM - D09 - Temporary and Partial Road Closures  
It is proposed that the CEO can now sub-delegate EF- D09 - Temporary and Partial Closure of Roads to Manager Engineering Services.

Previously this delegation was only sub-delegated to the Director Works and Infrastructure and Manager Engineering Works and is seen as an important function for this role to undertake the required duties of this position.

- FM-D04A - Authority to incur expenses and apply money from the Municipal Fund Account  
The position of Coordinator Customer Services has been proposed as a new delegated position with the delegation of FM-D04A - Authority to Incur Expenses and Apply Money from the Municipal Fund Account - \$2,000, which is seen as a benefit to improving business processes.
- TP - D01 - Local Planning Schemes  
The below amendments have been proposed. This includes amending the two million dollar limit so there is no limit proposed within the Bayswater industrial estate where this is not part of a Development Assessment Panel application in a development industrial zone. This is due to the industrial nature of these areas, the types of development within these areas and the minimal impact on residential areas.
  - The proposed change to the heritage criteria will allow officers to determine applications for new development at heritage places with a category 3 or 4 listing. This would include applications for works such as additions and alterations at the rear of buildings which do not affect the heritage aspects of buildings which are currently require to be referred to Council. For example, Council at its April 2018 PDSC was required to determine an application for a mural to be painted on a heritage management category 2 building at 178 Whatley Crescent, Maylands. The need to refer these applications to Council often results in increased processing time which may discourage owners of heritage places from making improvements.
  - The proposed change to the car parking related delegation to include a shortfall where whichever is less than five car bays or 10% of the total car parking required. This is due to instances where a one car bay shortfall constitutes a variation exceeding 10%. This would include car parking shortfalls proposed as part of residential and non-residential developments. For example, if two car bays are required and only one bay is proposed the variation is 50%. At its December 2018 Planning and Development Services Committee (PDSC) Meeting Council considered an application for a grouped dwelling development at 28A Kelvin Street, Maylands. Council also approved car parking shortfalls of up to five bays for non-residential uses, including a health studio at 1062-1066 Beaufort Street, Bedford at the March 2018 PDSC Meeting.
  - The proposed change to the objection related delegation will simplify the existing delegation, requiring greater than three objections from advertised properties before referral to Council is necessary. This will ensure only applications achieving a sufficient threshold are referred to Council and clarify some of the uncertainty around the wording of the existing delegation.
- TP - D02 - Planning and Development Act 2005  
Some additional wording has been added to reflect the correct statutory framework in applying this delegation.
- FM - D07 - Community Funding Grants  
An additional delegation is required to reflect the adoption of a Council Policy - Community Grants and specifically in relation to a Council resolution on 22 May 2018 as follows:  
*"Notes that Directors and Managers may make community funding contribution decisions under existing delegations, capped at \$5000 in line with the new Community Grants Policy".*

- EF - D11 - Leasing Agreements  
This review incorporates an additional delegation to delegate authority to the Chief Executive Officer to enter into leasing renewals in certain circumstances that do not exceed the amount of \$25,000. This amendment is included as part of the Council resolution from the Ordinary Council Meeting of 20 August 2019 as outlined below.  
*"Delegates authority to the Chief Executive Officer to enter into new leases/licences/user agreements, lease/licence/user agreement renewals and variations to existing leases/licences/user agreements for the City's buildings and facilities subject to the following conditions:*
  - (a) *The delegation to enter into a new lease/licence/user agreement applies only to the continuation of the existing lessee/occupant of the premises. Where an Expression of Interest or new lessee/occupant is recommended, these matters must be determined by Council;*
  - (b) *Compliance with the Community Facility Lease and Licence/User Agreement Policy;*
  - (c) *The total rental income to be received during the lease/licence/user agreement term (including all options) does not exceed \$25,000; and*
  - (d) *Minor negotiation of standard template terms by the Chief Executive Officer is acceptable to the extent not inconsistent with the Community Facility Lease and Licence/User Agreement Policy."*
- Minor amendments  
Minor administrative amendments have also been made to this document including the deletion of delegated authority to the Community, Technical, Finance and Corporate Services and Planning and Development Services Committee to better reflect the Council meeting structure.

Other administrative amendments have also been undertaken in relation to the deletion of Council Policies that reference delegations as follows:

BA - D04 *Building Act 2011* Commence a prosecution  
COP-D01 Withdraw an Infringement Notice

- Legal Opinions Policy - has been revoked and is referenced in both these delegations.
- EF - D05 Disposing of Property  
Disposal of Surplus Goods and Equipment (Minor Assets) - has been revoked and is referenced as part of this delegation.
- FA - D01 *Food Act 2008* Appointment of Authorised Officers and Appointment of Designated Officers and;  
FA - D02 *Food Act 2008* General Administration.
- Food Samples - Offences Policy - has been revoked and is referenced in as part of these two delegations:
- FM - D05 Granting Concessions and Write-Offs
  - No Reserve Hire Fees For Junior Clubs Policy;
  - Community Bus Hire Policy; and
  - School use of Council Facilities Policy

These three policies have been revoked and referenced in the above delegation.

**LEGISLATIVE COMPLIANCE**

*Local Government Act 1995:*

- *Building Act 2011;*
- *Bush Fires Act 1954;*
- *Caravan Parks and Camping Grounds Act 1995;*
- *Cat Act 2011;*
- *Control of Vehicles (Off-Road Areas) Act 1978;*
- *Dog Act 1976;*
- *Food Act 2008;*
- *Health (Miscellaneous Provisions) Act 1911;*and
- *Local Government (Miscellaneous Provisions Act 1960.*

**OPTIONS**

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

<b>Option 1</b>	<p><b>1. Adopts the amendments to the Delegated Authority Register as outlined in the Instrument of Delegation as contained in <u>Attachment 1</u>.</b></p> <p><b>2. Authorises the Chief Executive Officer to make administrative amendments which do not alter the powers delegated in the Delegated Authority Register.</b></p>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Moderate
Reputation	Low	Low
Governance	Low	Moderate
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	This option meets the legislative requirements for Council to review and adopt the Annual Delegated Authority Register.	

<b>Option 2</b>	<p><b>Not adopt the amendments to the Delegated Authority Register as outlined in the Instrument of Delegation as contained in <u>Attachment 1</u>.</b></p>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Moderate
Reputation	Low	Moderate
Governance	Low	Moderate
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	High
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	This option does not meet the legislative requirements to review the annual Delegated Authority Register and if Council does not adopt the Instrument of Delegation it will be non-compliant.	

**FINANCIAL IMPLICATIONS**

Nil.

**STRATEGIC IMPLICATIONS**

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Leadership and Governance  
Aspiration: Open, accountable and responsive service  
Outcome L1: Accountable and good governance

**CONCLUSION**

In light of the above, it is recommended that Council adopts the Instrument of Delegations in **Attachment 1** as part of the annual review of the Delegated Authority Register, which is a legislative requirement to assist in maintaining good corporate governance and compliance.

Attachment 1



City of Bayswater  
City of Bayswater Delegated Authority  
Register

2020-2021



## REVIEW

There are no reviews to display City of Bayswater

## TABLE OF CONTENTS

INTRODUCTION.....	5
Background.....	5
Amendments to previous Delegated Authority.....	5
Standard Conditions of all delegations.....	5
DELEGATIONS.....	6
BA-D01 - <i>Building Act 2011</i> Authorised Persons.....	6
BA-D02 - <i>Building Act 2011</i> Applications for Building Or Demolition Permits And Applications For Occupancy Permits And Other Certificates.....	7
BA-D03 - <i>Building Act 2011</i> Making, Revoking and Enforcing Building Orders.....	8
BA-D04 - <i>Building Act 2011</i> Commence A Prosecution.....	9
BA-D05 - <i>Building Act 2011</i> -Extension of time for permit.....	10
BFA-D01 - <i>Bush Fires Act 1954</i> General Powers and Duties.....	11
CA-D01 - <i>Cat Act 2011</i> General Powers and Duties.....	12
COP-D01 - Withdraw an infringement notice.....	13
COP-D02 - Power to certify that a document is a true copy.....	14
COP-D03 - Proving ownership, occupancy, and other things by certificate.....	15
COVA-D01 - Control of Vehicles (Off-road Areas) Act 1978 General powers and duties.....	16
CPCGA-D01 - Caravan Parks and Camping Grounds Act 1995 Temporary Accommodation.....	17
DA-D01 - Dog Act 1976 General Powers and Duties.....	18
EF-D01 - Authorised People- Local Government Act 1995.....	19
EF-D02 - Execution of Documents.....	20
EF-D03 - Powers of Entry.....	22
EF-D04 - Notices requiring certain things to be done.....	23
EF-D05 - Disposing of Property.....	24
EF-D06 - Recovery of Impounding Expenses.....	25
EF-D07 - Disposal of Sick or Injured Animals.....	26
EF-D08 - Reserves under the Control of Local Government.....	27
EF-D09 - Temporary and Partial Closure of Roads.....	28
EF-D10 - Activities Private Land.....	29
EF-D11 - <i>Leasing Agreements</i> .....	30
EO-D15 - Public Health Act 2016 Authorised Officers.....	31
FA-D01 - Food Act 2008 Appointment of Authorised Officers and Appointment of Designated Officers.....	32
FA-D02 - Food Act 2008 General Administration.....	33

---

FM-D01 - Power to Invest.....	34
FM-D02 - Acceptance of Tenders.....	35
FM-D03 - Calling of Tenders.....	36
FM-D04 - Payments from the Municipal and Trust Funds.....	37
FM-D04A - Authority to incur expenses and apply money from the Municipal Fund Account.....	38
FM-D05 - Granting Concessions and Write-Offs.....	42
FM-D06 - Recovery of Unpaid Rates or Service Charge.....	44
<b>FM-D07 - Community Funding Grants.....</b>	<b>45</b>
FS-D13 - Rateable Land.....	46
HA-D01 - Health (Miscellaneous Provisions) Act 1911 Powers and Duties of Deputy.....	47
LGMPA-D01 - Local Government (Miscellaneous Provisions) Act 1960 - Appointment of Pound Keepers and Rangers.....	48
LGR-D01 - Local Government Act 1995 Obstruction Of Public Thoroughfare.....	49
LL-D01 - Local Laws -General Administration.....	50
LL-D02 - Local Laws Appointment of an Authorised Officer.....	53
LL-D03 - Local Laws Appointment of an Authorised Officer Dog Act.....	54
LL-D04 - <i>Bee Keeping Health Local Laws 2001</i> .....	55
TP-D01 - Local Planning Schemes.....	56
TP-D02 - <i>Planning and Development Act 2005</i> .....	58

City of Bayswater

All delegations contained in this instrument are subject to the following standard conditions:

- All delegated authority shall be exercised -
  - In line with all laws and regulations in force in Western Australia.
  - In accordance with any budget authority where applicable.
  - In accordance with the City of Bayswater's relevant policies and local laws.
- Delegated authority cannot be exercised where a financial interest or interest affecting impartiality is evident.
- It is a statutory requirement to maintain a record of each decision made under delegated authority.

## DELEGATIONS

<b>Delegation</b>	<b><i>BA-D01 Building Act 2011 Authorised Persons</i></b>
<b>Category</b>	Building
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority, under section 96(3) of the <i>Building Act 2011</i> , to designate a person employed by the local government as an authorised person for the purposes of the <i>Building Act 2011</i> in relation to buildings and incidental structures located, or proposed to be located, in the district of the City of Bayswater.
<b>Delegates</b>	CEO
<b>Conditions</b>	Only a person employed by the local government under the <i>Local Government Act 1995</i> section 5.36 can be designated an authorised person for the <i>Building Act 2011</i> .  The designation of an authorised person must be in writing
<b>Statutory framework</b>	<i>Building Act 2011</i> s.96(3) Authorised persons s.127 Delegation: special permit authorities and local governments  <i>Local Government Act 1995</i> s.5.36
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 OCM 11 December 2018 Review
<b>Last reviewed</b>	11 December 2018

City of Bayswater

<b>Delegation</b>	<b>BA-D02 Building Act 2011 Applications for Building Or Demolition Permits And Applications For Occupancy Permits And Other Certificates</b>
<b>Category</b>	Building
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to approve or refuse to grant or modify building and demolition permit applications under Part 2- Division 2 of the <i>Building Act 2011</i> .  Authority to approve or refuse to grant or modify occupancy permits, building approval certificates, certificates of building compliance, certificates of construction compliance and certificates of design compliance under Part 4 of the <i>Building Act 2011</i> .
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Subdelegates</b>	Coordinator Statutory Building Director Community and Development Manager Building Works
<b>Statutory framework</b>	<i>Building Act 2011</i> Part 2- Division 2 — Applications for building or demolition permits Part 4- Occupancy permits and building approval certificates  Section 127 -Delegation special permit authorities and local governments
<b>Policy</b>	<a href="#">Legal Opinions Policy</a>
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 Amended OCM 14 Nov 2018 ECM Reference 3053376
<b>Last reviewed</b>	11 December 2018

City of Bayswater

<b>Delegation</b>	<b>BA-D03 Building Act 2011 Making, Revoking and Enforcing Building Orders</b>
<b>Category</b>	Building
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority, under Part 8 Division 5 of the <i>Building Act 2011</i> , to make or revoke a building order and to give effect to a building order if non compliance occurs.
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Subdelegates</b>	Director Community and Development
<b>Statutory framework</b>	<i>Building Act 2011</i> Part 8- Division 5- Enforcement — Building orders Section 127 Delegation: special permit authorities and local governments
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 Amended OCM 14 Nov 2017 ECM Reference 3053376 OCM 11 December 2018 review
<b>Last reviewed</b>	11 December 2018

<b>Delegation</b>	<b><i>BA-D04 Building Act 2011 Commence a Prosecution</i></b>
<b>Category</b>	Building
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority, under Part 12, Division 1, of the <i>Building Act 2011</i> , to commence a prosecution for an offence against this Act
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Subdelegates</b>	Coordinator Statutory Building Director Community and Development Manager Building Works
<b>Statutory framework</b>	<i>Building Act 2011</i>  Part 12 - , Division 1- General provisions about legal proceedings  Section 127 Delegation- special permit authorities and local governments
<b>Policy</b>	<del>Legal Opinions Policy</del>
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 Amended OCM 14 Nov 2017 ECM Reference 3053376 OCM 11 December 2018 review
<b>Last reviewed</b>	11 December 2018

City of Bayswater

<b>Delegation</b>	<b>BA-D05 Building Act 2011 -Extension Of Time For Permit</b>
<b>Category</b>	Building
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority, under regulation 24 of the <i>Building Regulations 2012</i> to extend the time during which a building permit or a demolition permit has effect. Authority, if an extension of time is granted, to impose any condition on the building permit or a demolition permit that could have been imposed under section 27 of the Act.
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Subdelegates</b>	Coordinator Statutory Building Director Community and Development Manager Building Works
<b>Statutory framework</b>	<i>Building Act 2011</i> s32(3) Duration of building or demolition permit s.27 Conditions imposed by permit authority s.127 Delegation: special permit authorities and local governments  <i>Building Regulations 2012</i> Regulation 24 - Extension of time during which permit has effect (s. 32(3))
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 Amended OCM 14 Nov 2017 ECM Reference 3053376 OCM 11 December 2018
<b>Last reviewed</b>	11 December 2018

City of Bayswater

<b>Delegation</b>	<b><i>BFA-D01 Bush Fires Act 1954 General Powers and Duties</i></b>
<b>Category</b>	Miscellaneous
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to perform the functions of the local government under the <i>Bush Fires Act 1954</i> . These powers include, but are not necessarily limited to the prosecution of offences and the appointment of bush fire control officers.
<b>Delegates</b>	CEO
<b>Conditions</b>	There is no power under this Act for the CEO to further sub-delegate their powers.
<b>Statutory framework</b>	<i>Bush Fires Act 1954</i> Section 48(1) Delegation by Local Government
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 OCM 11 December 2018 review
<b>Last reviewed</b>	11 December 2018

<b>Delegation</b>	<b>CA-D01 Cat Act 2011 General Powers and Duties</b>
<b>Category</b>	Cats
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	The CEO is delegated authority to exercise the powers or discharge the duties of the local government under the <i>Cat Act 2011</i> , including the power to delegate to any employee the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under another provision of this Act
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>The powers sub-delegated to the Director Community and Development and Manager Rangers and Security are limited to</p> <ul style="list-style-type: none"> <li>• Power to give a cat control notice to a person who is the owner of a cat.</li> <li>• Power to cancel the registration of a cat</li> <li>• Power to refuse an application for the grant or renewal of an approval to breed cats</li> <li>• Power to cancel an approval to breed cats</li> <li>• Power to issue a new certificate to an approved cat breeder if satisfied that a certificate has been stolen, lost, damaged or destroyed.</li> <li>• Power to withdraw an infringement notice</li> <li>- Power to grant extension of Time of infringement notice.</li> </ul>
<b>Subdelegates</b>	Director Community and Development Manager Rangers and Security
<b>Statutory framework</b>	<i>Cat Act 2011</i> section 44, Section 45, section 64
<b>Policy</b>	Disposal of Unclaimed Animals Policy
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 September agenda item 11.3 ECM Ref: 3034906 OCM 11 December 2018 review
<b>Last reviewed</b>	11 December 2018

City of Bayswater

<b>Delegation</b>	<b>COP-D01 Withdraw An Infringement Notice</b>
<b>Category</b>	<i>Local Government Act 1995 -CEO Original Powers</i>
<b>Delegator</b>	CEO
<b>Express power or duty delegated</b>	Within one year after the notice was given the CEO of the local government may, whether or not the modified penalty has been paid, withdraw an infringement notice by sending to the alleged offender a notice in the prescribed form stating that the infringement notice has been withdrawn.
<b>Delegates</b>	Director Community and Development Manager Rangers and Security
<b>Conditions</b>	Nil
<b>Statutory framework</b>	<i>Local Government Act 1995</i> section 9.20 section 5.44
<b>Policy</b>	<a href="#">Legal Opinions Policy</a>
<b>Date adopted</b>	6 November 2017
<b>Adoption references</b>	ECM Document Set ID 3042153 OCM 11 December 2018 review
<b>Last reviewed</b>	11 December 2018

City of Bayswater

<b>Delegation</b>	<b>COP-D02 Power To Certify That A Document Is A True Copy</b>
<b>Category</b>	<i>Local Government Act 1995</i> -CEO Original Powers
<b>Delegator</b>	CEO
<b>Express power or duty delegated</b>	Authority to certify a copy of a local law of any other document of or adopted by the local government is a true copy, for the purposes of Part 9 -Division 2-Subdivision 4 (Evidence in legal proceedings) of the <i>Local Government Act 1995</i> .
<b>Delegates</b>	Director Community and Development Director Corporate and Strategy Director Works and Infrastructure
<b>Conditions</b>	Authorised employee, in the context of certifying a copy of a local law of a local government; or any other document of or adopted by it, to be a true copy, means an employee of the local government who is authorised to so certify either by the CEO, or a person acting with CEO's authority; certified copy means a copy that is certified by an authorised employee to be a true copy.
<b>Statutory framework</b>	<i>Local Government Act 1995</i> Section 9.31 Section 5.44
<b>Policy</b>	Nil
<b>Date adopted</b>	6 November 2017
<b>Adoption references</b>	ECM Document Set ID 3042153 OCM 11 December 2018 review
<b>Last reviewed</b>	11 December 2018

City of Bayswater

<b>Delegation</b>	<b>COP-D03 Proving Ownership, Occupancy, And Other Things By Certificate</b>
<b>Category</b>	<i>Local Government Act 1995</i> -CEO Original Powers
<b>Delegator</b>	CEO
<b>Express power or duty delegated</b>	Evidence as to whether anything — (a) is within a local government's district; or (b) belongs to a local government; or (c) is vested in, or is under the care, control, or management of, a local government, may be given by tendering a certificate signed by the CEO of the local government, or an employee of the local government who purports to be authorised by the CEO to so sign, and containing a statement as to the matter about which evidence is sought to be given.
<b>Delegates</b>	Director Community and Development Director Corporate and Strategy Director Works and Infrastructure
<b>Conditions</b>	Nil
<b>Statutory framework</b>	<i>Local Government Act 1995</i> Section 9.41 Section 5.44
<b>Policy</b>	Nil
<b>Date adopted</b>	6 November 2017
<b>Adoption references</b>	ECM Document Set ID 3042153 OCM 11 December 2018 review
<b>Last reviewed</b>	11 December 2018

City of Bayswater

<b>Delegation</b>	<b>COVA-D01 <i>Control of Vehicles (Off-road Areas) Act 1978</i> General Powers And Duties</b>
<b>Category</b>	Miscellaneous
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	The CEO is authorised, as a fit and proper person, to exercise the powers or discharge the duties of the local government under the <i>Control of Vehicles (Off- Road Areas) Act 1978</i> .
<b>Delegates</b>	CEO
<b>Conditions</b>	There is no capacity to sub-delegate under this Act.
<b>Statutory framework</b>	<i>Control of Vehicles (Off-road Areas) Act 1978</i> Section 5 - Local government's functions
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 OCM 11 December 2018
<b>Last reviewed</b>	11 December 2018

City of Bayswater

<b>Delegation</b>	<b>CPCGA-D01 <i>Caravan Parks and Camping Grounds Act 1995</i> Temporary Accommodation</b>
<b>Category</b>	Miscellaneous
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority, under regulation 11, to grant approval to a person to camp on land other than at a caravan park or camping ground.
<b>Delegates</b>	CEO
<b>Conditions</b>	There is no capacity to sub delegate under the <i>Caravan Parks and Camping Grounds Act 1995</i> . Approval to be for a maximum of 3 months in total.
<b>Statutory framework</b>	<i>Caravan Parks and Camping Grounds Act 1995</i> s.28  <i>Caravan Parks and Camping Grounds Regulations 1997</i> Regulation 6 and Regulation 11
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 OCM 11 December 2018
<b>Last reviewed</b>	11 December 2018

<b>Delegation</b>	<b>DA-D01 Dog Act 1976 General Powers and Duties</b>
<b>Category</b>	Dogs
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	The CEO is delegated authority to exercise all powers and discharge all duties of the local government under the <i>Dog Act 1976</i> including the appointment of authorised persons. The CEO is authorised to further delegate these powers and duties in line with the Act.
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>The powers sub-delegated to the Director Community and Development and Manager Rangers and Security are limited to the following -</p> <ul style="list-style-type: none"> <li>• The power to grant an exemption to the local law limit on the number of dogs per premise.</li> <li>• Power under regulations 35(5) to withdraw an infringement notice</li> <li>• Power to direct the registration officer to refuse or cancel a registration if certain conditions listed in the act apply.</li> <li>• Power to give written notice to the owner that the dog cannot be registered, if no application for a registration is made, and if certain conditions listed in the act apply,</li> <li>• Power to cause a dog to be destroyed at the request of the owner of that dog, whether or not the dog has been seized or detained.</li> <li>• Power to grant a licence for an approved kennel establishment</li> <li>• Power to declare an individual dog to be a dangerous dog</li> <li>• Power to revoke a declaration that a dog is a dangerous dog</li> </ul>
<b>Subdelegates</b>	Director Community and Development Manager Rangers and Security
<b>Statutory framework</b>	<i>Dog Act 1976</i> Section 10AA- Delegation of local government powers and duties Section 29-Power to seize dogs
<b>Policy</b>	Disposal of Unclaimed Animals Policy
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sept 2017 Agenda Item 11.3 ECM Ref: 3034906 OCM 11 December 2018
<b>Last reviewed</b>	11 December 2018

<b>Delegation</b>	<b>EF-D01 Authorised People- Local Government Act 1995</b>
<b>Category</b>	Local Government Act 1995- Executive Functions
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	<p>Authority, under section 9.10, to appoint persons or classes of persons as authorised persons for the purpose of exercising the powers and duties of an authorised person as set out in the <i>Local Government Act 1995</i>. The powers of an authorised person include, but are not necessarily limited to:</p> <ul style="list-style-type: none"> <li>• Entering property, as per section 3.31;</li> <li>Removing, impounding and disposing of goods as per sections 3.39 to 3.48;</li> <li>• Requiring the name, address and date of birth of a person breaching the Act as per section 9.11; and</li> <li>• Issuing infringement notices as per section 9.16.</li> </ul> <p>Authority, under section 3.24, to expressly authorise a person to exercise the powers of local government for certain provisions about land. The powers of a person so authorised include, but are not necessarily limited to:</p> <ul style="list-style-type: none"> <li>• Entering land to perform any function of the local government under the Act as per section 3.28;</li> <li>• Giving notice of entry as per section 3.32;</li> <li>• Seeking and executing an entry under warrant as per section 3.33;</li> <li>• Executing entry in an emergency as per section 3.34;</li> <li>• Giving notice and effecting entry by opening a fence as per section 3.36.</li> </ul>
<b>Delegates</b>	CEO
<b>Conditions</b>	In line with the requirements of the Act, a certificate of authorisation is to be issued to each authorised person stating the authority that has been granted.
<b>Statutory framework</b>	<p><i>Local Government Act 1995</i></p> <p>s3.24 Authorising persons Part 3, Division 3, Subdivision 2 - (certain provisions about land)</p> <p>s9.10 Appointment of authorised officers</p> <p>s.5.42. Delegation of some powers and duties to CEO</p>
<b>Policy</b>	Nil.
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 OCM 11 December 2018 review
<b>Last reviewed</b>	11 December 2018

<b>Delegation</b>	<b>EF-D02 Execution of Documents</b>
<b>Category</b>	<i>Local Government Act 1995- Executive Functions</i>
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	<p>Authority, under section 9.49A (2), to authorised the affixing of the common seal to any document.</p> <p>Authority, under section 9.49A(4) for the Chief Executive Officer, to sign any documents, on behalf of the local government, that are necessary or appropriate to be signed in carrying out the Chief Executive Officer's functions under the Local Government Act 1995.</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>The common seal of the local government must be affixed to a document in the presence of —</p> <ul style="list-style-type: none"> <li>• the mayor; and</li> <li>• the Chief Executive Officer or a senior employee authorised by the Chief Executive Officer.</li> </ul> <p>A document signed by the Chief Executive Officer, under section 9.49A (4) is not to be regarded as a deed.</p> <p>It is noted that a local government cannot delegate to a Chief Executive Officer the power, under section 9.49A(4), to authorise a person to sign documents. This instrument of authorisation only provides the CEO with authority to sign documents on behalf of the local government.</p> <p>As per the Execution of Documents and Application of Common Seal Policy the following conditions apply:</p> <ol style="list-style-type: none"> <li>1. Chief Executive Officer       <ol style="list-style-type: none"> <li>a) Unlimited \$value; and/or</li> <li>b) Commitment period is specifically resolved by Council or in any other case, no greater than a 5 year period; and/or</li> <li>c) Moderate or lesser financial risk, legal complexity or political sensitivity, unless specifically resolved by Council.</li> </ol> </li> <li>2. Director       <ol style="list-style-type: none"> <li>a) less than \$250,000p/a; and/or</li> <li>b) Commitment is no greater than 3 year period; and/or</li> <li>c) Moderate or lesser level of financial risk, legal complexity or political sensitivity.</li> </ol> </li> <li>3. Manager       <ol style="list-style-type: none"> <li>a) less than \$100,000p/a; and/or</li> <li>b) Commitment is no greater than a 3 year period; and/or</li> <li>c) Minor or lesser level of financial risk, legal complexity or political sensitivity.</li> </ol> </li> </ol>

<b>Subdelegates</b>	Director Community and Development Director Corporate and Strategy Director Works and Infrastructure Manager Building Works Manager Communications and Marketing Manager Community Development Manager Development Approvals Manager Engineering Services Manager Engineering Works Manager Environmental Health Services Manager Financial Services Manager Governance Manager Information Services Manager Infrastructure Assets And Mapping Services Manager Library and Customer Services Manager Organisational Strategy Manager Parks and Gardens Manager People, Culture and Safety Manager Project Services Manager Rangers and Security Manager Recreation Manager Strategic Planning and Place Manager Sustainability and Environment
<b>Statutory framework</b>	<i>Local Government Act 1995</i>  s.9.49A Execution of Documents.  s.5.42. Delegation of some powers and duties to CEO
<b>Policy</b>	Execution of Documents and Application of Common Seal Policy
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 OCM 12 December 2018 Review
<b>Last reviewed</b>	11 December 2018

<b>Delegation</b>	<b>EF-D03 Powers of Entry</b>
<b>Category</b>	<i>Local Government Act 1995</i> - Executive Functions
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	<p>Authority, in line with section 3.28, to perform any function of local government under the <i>Local Government Act 1995</i> if entry on to land is required for the performance of the functions of local government or in any other case in which entry is authorised by the Act.</p> <p>This authority includes, but is not limited to, authority to seek and execute a warrant of entry, to enter land in an emergency and to give notice and effect of entry by opening a fence.</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>In accordance with the conditions set out in the <i>Local Government Act 1995</i>:</p> <ul style="list-style-type: none"> <li>• s3.31(1)(a) Consent obtained from the owner or occupier;</li> <li>• s3.31(1)(b) Notice has been given under 3.32</li> <li>• s3.34(2) Entry in emergency</li> <li>• s3.36 Opening fences</li> </ul>
<b>Subdelegates</b>	<p>Director Community and Development  Manager Building Works  Manager Environmental Health Services  Manager Rangers and Security</p>
<b>Statutory framework</b>	<p><i>Local Government Act 1995</i></p> <p>Part 3, Division 3, Subdivision 3 - Powers of Entry</p> <p>s.5.42. Delegation of some powers and duties to CEO.</p>
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	<p>OCM 12 Sep 2017 Agenda Item 11.3  ECM Ref 3040404  OCM 11 December 2018 review</p>
<b>Last reviewed</b>	11 December 2018

City of Bayswater

<b>Delegation</b>	<b>EF-D04 Notices Requiring Certain Things To Be Done</b>
<b>Category</b>	<i>Local Government Act 1995</i> - Executive Functions
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to inspect private land and issue notices to owners of land. Authority to do anything to achieve the purpose for which a notice has been given. Authority to recover costs associated with achieving the purpose for which a notice has been given.
<b>Delegates</b>	CEO
<b>Conditions</b>	These powers must be exercised in accordance with <i>Local Government Act 1995</i> Schedule 3.1- powers under notices to owners or occupiers of land
<b>Subdelegates</b>	Director Works and Infrastructure Manager Environmental Health Services
<b>Statutory framework</b>	<i>Local Government Act 1995</i> s3.25 Notice requiring certain things to be done by owner or occupier of land s3.26 Additional powers when notices given. s.5.42. Delegation of some powers and duties to CEO.
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 OCM 11 December 2018 review
<b>Last reviewed</b>	11 December 2018

<b>Delegation</b>	<b>EF-D05 Disposing of Property</b>
<b>Category</b>	<i>Local Government Act 1995</i> - Executive Functions
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	<p>Authority, under section 3.47 of the Act, to sell or otherwise dispose of any goods that have been confiscated under the Act.</p> <p>Authority, under section 3.58, to dispose of property by public auction, public tender or in accordance with other methods deemed acceptable under the <i>Local Government Act 1995</i>.</p> <p>Authority to dispose of property for which an exemption applies under section 3.58(5) of the <i>Local Government Act 1995</i>, subject to regulation 30 of the <i>Local Government (Functions and General) Regulations 1996</i>.</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>The disposal must be in accordance with:</p> <ul style="list-style-type: none"> <li>-the City's Annual Budget or by Council resolution;</li> <li>-s3.58 of the <i>Local Government Act 1995</i>; and</li> <li>-regulation 30 of the <i>Local Government (Functions and General) Regulations 1996</i>.</li> </ul> <p>In the case of land, the intended sale price must be greater than or equal to the valuation.</p> <p>The CEO may authorise the disposal of plant and equipment that has not been identified in the annual budget, provided it has a written down value of less than \$10,000 and is no longer used or serves no purpose.</p>
<b>Subdelegates</b>	<p>Director Community and Development          Director Works and Infrastructure          Manager Engineering Works          Manager Governance          Manager Rangers and Security</p>
<b>Statutory framework</b>	<p><i>Local Government Act 1995</i></p> <ul style="list-style-type: none"> <li>-s3.47 Disposing of confiscated or uncollected goods</li> <li>-s3.58 Disposing of Property</li> <li>-s.5.42. Delegation of some powers and duties to CEO.</li> </ul> <p><i>Local Government (Functions and General) Regulations 1996</i></p> <ul style="list-style-type: none"> <li>-Regulation 30(3) Disposing of property to which section 3.58 does not apply</li> </ul>
<b>Policy</b>	<del>Disposal of Surplus Goods and Equipment (Minor Asset)</del>
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	<p>OCM 12 Sep 2017 Agenda Item 11.3          ECM Ref Number: 3040404          OCM 11 December 2018 review</p>
<b>Last reviewed</b>	11 December 2018

City of Bayswater

<b>Delegation</b>	<b>EF-D06 Recovery of Impounding Expenses</b>
<b>Category</b>	<i>Local Government Act 1995</i> - Executive Functions
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority, under section 3.48, to recover impounding, expenses, by action in a court of competent jurisdiction.
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>In accordance with section 3.48 the goods must be impounded under section 3.39 of the Act and the offender must be convicted.</p> <p>If the impounded goods are not sold the amount recovered can only be for expenses incurred by the local government in removing and impounding the goods and in disposing of them.</p> <p>If the impounded goods are sold the amount recovered can only be the amount, if any, by which the money received from the sale, is insufficient to meet costs and expenses.</p>
<b>Subdelegates</b>	Director Community and Development Manager Rangers and Security
<b>Statutory framework</b>	<i>Local Government Act 1995</i>  s3.48 Recovery of Impounding Expenses
<b>Policy</b>	Sundry Debt Collection And Recovery Policy
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sept 2017 ECM Ref Number: 3040404 OCM 11 December 2018 review
<b>Last reviewed</b>	11 December 2018

City of Bayswater

<b>Delegation</b>	<b>EF-D07 Disposal of Sick or Injured Animals</b>
<b>Category</b>	<i>Local Government Act 1995</i> - Executive Functions
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to humanely destroy and dispose of an impounded animal that is determined to be too sick or injured to treat.
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>The animal must be destroyed in a humane manner.</p> <p>A local government must not destroy an animal under this subsection unless —</p> <ul style="list-style-type: none"> <li>○ because of the state of the animal, destroying it is urgent; or</li> <li>○ the local government has — <ul style="list-style-type: none"> <li>• taken reasonable steps to notify the owner; and</li> <li>• allowed the owner a reasonable opportunity to collect the animal</li> </ul> </li> </ul>
<b>Subdelegates</b>	Director Community and Development Manager Rangers and Security
<b>Statutory framework</b>	<i>Local Government Act 1995</i> s3.47A(1) Disposing of sick or injured animals
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 ECM Ref 3040404 OCM 11 December 2018
<b>Last reviewed</b>	11 December 2018

City of Bayswater

<b>Delegation</b>	<b>EF-D08 Reserves Under the Control of Local Government</b>
<b>Category</b>	<i>Local Government Act 1995</i> - Executive Functions
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority, under section 3.54 of the <i>Local Government Act 1995</i> , to do anything for the purposes of controlling the management of land that is vested in or under the management of the City.
<b>Delegates</b>	CEO
<b>Conditions</b>	Subject to any express provision to the contrary made by an order under the <i>Land Administration Act 1997</i> in respect of the land.
<b>Subdelegates</b>	Director Works and Infrastructure Manager Parks and Gardens
<b>Statutory framework</b>	<i>Local Government Act 1995</i> -s3.54 Reserves under the control of a local government
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 ECM Ref 3040404 OCM 11 December 2018
<b>Last reviewed</b>	11 December 2018

City of Bayswater

<b>Delegation</b>	<b>EF-D09 Temporary and Partial Closure of Roads</b>
<b>Category</b>	<i>Local Government Act 1995</i> - Executive Functions
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to undertake a temporary closure of roads and to do anything for the purposes of administering Part 3, Division 3 Subdivision 5 of the Act, which relates to certain provisions about thoroughfares.
<b>Delegates</b>	CEO
<b>Conditions</b>	Must be carried out in accordance with Part 3, Division 3, Subdivision 5 of the <i>Local Government Act 1995</i> .
<b>Subdelegates</b>	Director Works and Infrastructure Manager Engineering Services Manager Engineering Works
<b>Statutory framework</b>	<i>Local Government Act 1995</i> -s3.50 Closing certain thoroughfares to vehicles -s3.50A Partial closure of thoroughfares for repairs or maintenance -s3.51 Affected owners to be notified of certain proposals
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 ECM Ref 3040404 OCM 11 December 2018 review
<b>Last reviewed</b>	11 December 2018

City of Bayswater

<b>Delegation</b>	<b>EF-D10 Activities Private Land</b>
<b>Category</b>	<i>Local Government Act 1995</i> - Executive Functions
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to do any of the things prescribed in Schedule 3.2 of the <i>Local Government Act 1995</i> ; even though the land on which it is done is not local government property and the local government does not have the consent to do it.
<b>Delegates</b>	CEO
<b>Conditions</b>	Limited to those activities as listed in Schedule 3.2 of the <i>Local Government Act 1995</i> .
<b>Subdelegates</b>	Director Works and Infrastructure
<b>Statutory framework</b>	<i>Local Government Act 1995</i> -s3.27(1) Particular things local governments can do on land that is not local government property -Schedule 3.2
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 ECM Ref Number: 3040404 OCM 11 December 2018
<b>Last reviewed</b>	11 December 2018

City of Bayswater

<b>Delegation</b>	EF-D11 Leasing Agreements
<b>Category</b>	Local Government Act 1995 Executive Functions
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	<p>Authority to the CEO to enter into leasing renewals in certain circumstances that do not exceed the amount of \$25,000</p> <p>(a) The delegation to enter into a new lease/licence/user agreement applies only to the continuation of the existing lessee/occupant of the premises. Where an Expression of Interest or new lessee/occupant is recommended, these matters must be determined by Council;</p> <p>(b) Compliance with the Community Facility Lease and Licence/User Agreement Policy;</p> <p>(c) The total rental income to be received during the lease/licence/user agreement term (including all options) does not exceed \$25,000; and</p> <p>(d) Minor negotiation of standard template terms by the Chief Executive Officer is acceptable to the extent not inconsistent with the Community Facility Lease and Licence/User Agreement Policy.</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Subdelegates</b>	Nil
<b>Statutory framework</b>	Local Government Act 1995
<b>Policy</b>	Community Facility Lease and Licence User Agreement Policy
<b>Date adopted</b>	03 December 2019
<b>Adoption references</b>	OCM 03 December 2019
<b>Last reviewed</b>	03 December 2019

City of Bayswater

<b>Delegation</b>	<b>EO-D15 <i>Public Health Act 2016</i> Authorised Officers</b>
<b>Category</b>	Health
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to appoint persons or classes of persons as authorised officers for the purpose of fulfilling prescribed functions within the relevant legislation.
<b>Delegates</b>	CEO
<b>Conditions</b>	Must appoint authorised officers in writing and issue certificates of authorisation in accordance with the <i>Public Health Act 2016</i> and require appointed officers to produce such certificate on being asked to do so by a person in respect of whom they exercise, have exercised, or are about to exercise any such power
<b>Statutory framework</b>	<i>Public Health Act 2016</i> s21. Enforcement agency may delegate
<b>Policy</b>	<del>Food Samples – Offences Policy</del>
<b>Date adopted</b>	13 September 2016
<b>Adoption references</b>	OCM 13 Sept 2016 Agenda Item 12.4 OCM 11 December 2018 review
<b>Last reviewed</b>	11 December 2018

City of Bayswater

<b>Delegation</b>	<b>FA-D01 <i>Food Act 2008</i> Appointment of Authorised Officers and Appointment of Designated Officers</b>
<b>Category</b>	Health
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to appoint a person to be an authorised officer for the purposes of the <i>Food Act 2008</i> . Authority to appoint officers to be Designated Officers for the purposes of the <i>Food Act 2008</i> for either issuing infringements or extending, withdrawing or accepting payment for infringements.
<b>Delegates</b>	CEO
<b>Conditions</b>	<b>Appointment of Authorised Officers:</b> A certificate of authority must be issued in accordance with section 123 of the <i>Food Act 2008</i> . <b>Appointment of Designated Officers:</b> Infringement Notices must be issued in accordance with section 126 of the <i>Food Act 2008</i> . Each enforcement agency must prepare and maintain a list of authorised officers appointed by the agency in accordance with section 122 of the <i>Food Act 2008</i> . Note: this delegation cannot be sub delegated
<b>Statutory framework</b>	<i>Food Act 2008</i> s122(1)(a)&(b) Appointment of Authorised Officers S126(13) Infringements - Appointment of Designated Officers
<b>Policy</b>	<del>Food Samples – Offences Policy</del>
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sept 2017 Agenda Item 11.3 OCM 11 December 2018
<b>Last reviewed</b>	11 December 2018

City of Bayswater

<b>Delegation</b>	<b>FA-D02 <i>Food Act 2008</i> General Administration</b>
<b>Category</b>	Health
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to exercise the powers or discharge the duties of the local government, as an enforcement agency, under the <i>Food Act 2008</i> .
<b>Delegates</b>	CEO
<b>Conditions</b>	Note this delegation cannot be sub delegated
<b>Statutory framework</b>	<i>Food Act 2008</i> Section 118(2)(b)
<b>Policy</b>	<del>Food Samples—Offences Policy</del>
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sept 2017 Agenda Item 11.3 OCM 11 December 2018 review
<b>Last reviewed</b>	11 December 2018

City of Bayswater

<b>Delegation</b>	<b>FM-D01 Power to Invest</b>
<b>Category</b>	<i>Local Government Act 1995</i> - Financial Management
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to invest money held in the municipal or trust fund that is not, for the time being, required for any other purpose.
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>Must establish, document and adhere to internal control procedures and relevant Council policies to ensure control of investments.</p> <p>Authority must be exercised in accordance with Regulation 19 of the <i>Local Government (Financial Management) Regulations 1996</i>.</p> <p>Authority must be exercised in accordance with Part III of the <i>Trustees Act 1962</i>.</p>
<b>Subdelegates</b>	Director Corporate and Strategy Manager Financial Services
<b>Statutory framework</b>	<i>Local Government Act 1995</i> -s6.14(1) Power to invest
<b>Policy</b>	Authorised Signatories for Bank Accounts Ref Agenda Item 7.3 SCM 28 June 2017 Agenda Item 7.3  Investment Policy
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 ECM Ref 3023120 OCM 11 December 2018 review
<b>Last reviewed</b>	11 December 2018

City of Bayswater

<b>Delegation</b>	<b>FM-D02 Acceptance of Tenders</b>
<b>Category</b>	<i>Local Government Act 1995</i> - Financial Management
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to accept tenders and approve payment claims in line with section 3.57 of the Act
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>Delegated authority is subject to a provision in the Annual Budget and limited to:</p> <ul style="list-style-type: none"> <li>-Annual tenders (operation and supplies) - <b>\$500,000</b></li> <li>-All other tenders and contracts resulting from tenders - <b>\$500,000</b></li> <li>-Payment claims for contracts within the limits approved by Council (including variations and extensions) Contracts awarded by a prescribed organisation under the <i>Local Government (Functions and General) Regulations 1996</i>.</li> </ul> <p>It is a condition of this delegation that the City maintains a Tender Register and records in it the details of any decisions under this delegation.</p>
<b>Statutory framework</b>	<p><i>Local Government Act 1995</i> s3.57 Tenders for providing goods and services</p> <p><i>Local Government (Functions and General) Regulations 1996</i> Part 4 Regulations 11 to 24</p>
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 OCM 11 December 2018 review
<b>Last reviewed</b>	11 December 2018

City of Bayswater

<b>Delegation</b>	<b>FM-D03 Calling of Tenders</b>
<b>Category</b>	<i>Local Government Act 1995</i> - Financial Management
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to publicly invite tenders for purchase of goods and services or seek expressions of interest over \$150,000
<b>Delegates</b>	CEO
<b>Conditions</b>	A note of the details of the decision must be included in the Tender Register, in the same way that Council decisions in relation to Tenders are captured.
<b>Subdelegates</b>	Director Community and Development Director Corporate and Strategy Director Works and Infrastructure
<b>Statutory framework</b>	<i>Local Government Act 1995</i> -s3.57 Tenders for providing goods and services  <i>Local Government (Functions and General) Regulations 1996</i> -regulation 11 to regulation 24
<b>Policy</b>	Nil.
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 OCM 11 December 2018 review
<b>Last reviewed</b>	11 December 2018

<b>Delegation</b>	<b>FM-D04 Payments from the Municipal and Trust Funds</b>
<b>Category</b>	<i>Local Government Act 1995</i> - Financial Management
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to make payment from the Municipal Fund and from the Trust Fund, in line with section 6.7 and section 6.9 of the <i>Local Government Act 1995</i> .
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>This delegation is subject to the requirements of regulation 13 of the <i>Local Government (Financial Management) Regulations 1996</i>.</p> <p>In line with regulation 11 of the <i>Local Government (Financial Management) Regulations 1996</i> Council has authorised (SCM 28 June 2017 Item 7.1) as signatories for payments and transfers from:</p> <ol style="list-style-type: none"> <li><b>Municipal Fund Account:</b> Any two of the Chief Executive Officer, the Director Corporate and Strategy, the Director Works and Infrastructure, the Director Community and Development, and the Manager Financial Services; and the Manager Governance <del>in the absence of the Director Corporate and Strategy.</del></li> <li><b>Trust Fund Account:</b> Any two of the Chief Executive Officer, the Director Corporate and Strategy, the Director Works and Infrastructure, the Director Community and Development and the Manager Financial Services; and the Manager Governance <del>in the absence of the Director Corporate and Strategy.</del></li> </ol> <p>It is also a requirement that the City:</p> <ul style="list-style-type: none"> <li>- Retain Cheque Vouchers, including electronic transfer records as evidence of decisions to make payments.</li> <li>- Retain computer encryption devices and other controls for effective scrutiny of account payments.</li> </ul> <p>Director Community and Development Director Corporate and Strategy Director Works and Infrastructure Manager Financial Services Manager Governance</p>
<b>Statutory framework</b>	<p><i>Local Government Act 1995</i>:- s6.7 Municipal Fund s6.9 Trust Fund</p> <p><i>Local Government (Financial Management) Regulations 1996</i>:- Regulation 11 -Payments, procedures for making etc. Regulation 12 - Payments from municipal fund or trust fund, restrictions on making Regulation 13- Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.</p>
<b>Policy</b>	<p>Authorised Signatories for Bank Accounts-Ref Agenda Item 7.3 SCM 28 June 2017 The City of Bayswater's Procurement Policy</p>
<b>Date adopted</b>	1 October 2019

City of Bayswater

<b>Adoption references</b>	Reviewed internally and error amended
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<b>Delegation</b>	<b>FM-D04A Authority to Incur Expenses And Apply Money From The Municipal Fund Account</b>
<b>Category</b>	Local Government Act 1995- Financial Management
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to incur expenses and apply money from the Municipal Fund Account
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>Such expenditure can only be incurred where an expenditure estimate is included in the City of Bayswater's' annual budget. It is noted that this delegation only relates to the power to incur expenses and apply money. This power is limited by Resolution 7.3 at OCM 28 June 2017 under which only certain approved senior executive officers may be signatories for payments and transfers from the Municipal Fund Account.</p> <p>Sub-delegated authority is limited to the maximum individual amounts as set out in the following categories.</p> <p><b>Category A \$150,000</b>                  Director Corporate and Strategy                  Director Community and Development                  Director Works and Infrastructure</p> <p><b>Category B \$50,000</b>                  Manager Building Works                  Manager Engineering Works                  Manager Parks and Gardens</p> <p><b>Category C \$20,000</b>                  Coordinator Engineering Works                  Coordinator Fleet and Depot                  Coordinator Parks and Gardens                  Coordinator Turf and Irrigation                  Manager Communications and Marketing                  Manager Community Development                  Manager Development Approvals                  Manager Environmental Health                  Manager Infrastructure Assets and Mapping Services                  Manager Library and Customer Services                  Manager Organisational Strategy                  Manager Project Services                  Manager Rangers and Security                  Manager Recreation                  Manager Strategic Planning and Place</p> <p><b>Category D \$15,000</b>                  Manager Financial Services                  Manager Governance                  Manager Information Services                  Manager People, Culture and Safety</p> <p><b>Category E \$10,000</b>                  Assistant Manager Recreation Facilities                  Consulting Arborist</p>

	<p>Coordinator Environmental Health  Coordinator Statutory Building  Manager Engineering Services  Manager Sustainability and Environment</p> <p><b>Category F \$5000</b>  Business Development Officer  Catchment Management Officer  Coordinator Active Ageing and Volunteers  Coordinator Building Projects Maintenance  Coordinator Information Management  Coordinator Project Services  Coordinator Information Technology  Coordinator Community Development  Coordinator Security and Crime Prevention  Community Engagement Advisor  Depot Supervisor  Events Coordinator  Executive Support / Research Officer  Natural Area Officer  Projects and Construction Supervisor  Project Management Coordinator  Senior Accountant  Senior Projects Officer (Building)  Supervisor Parks and Gardens  Supervisor Street Trees  Sustainable Environment Strategy Officer  Works Coordinator</p> <p><b>Category G \$2000</b>  Branch Librarian  Rating Services Coordinator  Coordinator Customer Services  Coordinator Revenue</p> <p><b>Category H \$1,500</b>  Children and Youth Services Librarian</p> <p><b>Category I \$1000</b>  Coordinator Organisational Development  Coordinator Business Services (Rangers and Security Division)  HR Coordinator  Personal Assistant  Project Support Officer</p>
<p><b>Subdelegates</b></p>	<p>Assistant Manager  Branch Librarian  Catchment Management Officer  Children and Youth Services Librarian  Community Engagement Advisor  Consulting Arborist  Coordinator Active Ageing and Volunteers  Coordinator Building Projects Maintenance  Coordinator Business Services  Coordinator Community Development  Coordinator Customer Services  Coordinator Engineering Works  Coordinator Environmental Health  Coordinator Events</p>

	<p>Coordinator Fleet and Depot  Coordinator Human Resources  Coordinator Information Management  Coordinator Information Technology  Coordinator Organisational Development  Coordinator Project Services  Coordinator Rating Services  Coordinator Revenue  Coordinator Security and Crime Prevention  Coordinator Statutory Building  Coordinator Trees and Gardens  Depot Supervisor  Director Community and Development  Director Corporate and Strategy  Director Works and Infrastructure  Executive Support / Research Officer  Manager Building Works  Manager Communications and Marketing  Manager Community Development  Manager Development Approvals  Manager Engineering Services  Manager Engineering Works  Manager Environmental Health Services  Manager Financial Services  Manager Governance  Manager Information Services  Manager Infrastructure Assets And Mapping Services  Manager Library and Customer Services  Manager Organisational Strategy  Manager Parks and Gardens  Manager People, Culture and Safety  Manager Project Services  Manager Rangers and Security  Manager Recreation  Manager Strategic Planning and Place  Manager Sustainability and Environment  Natural Area Officer  Parks Supervisor  Personal Assistant  Project Management Coordinator  Project Support Officer  Senior Accountant  Senior Project Officer (Building)  Supervisor Parks and Gardens  Supervisor Projects and Construction  Supervisor Street Trees  Supervisor Works and Infrastructure  Sustainable Environment Strategy Officer</p>
<p><b>Statutory framework</b></p>	<p><i>Local Government Act 1995:-</i>  s6.7 Municipal Fund  s6.8 Expenditure from municipal fund not included in annual budget</p> <p><i>Local Government (Financial Management) Regulations 1996:-</i>  Regulation 12 - Payments from municipal fund or trust fund, restrictions on making</p>

City of Bayswater

<b>Policy</b>	<p>In line with SCM 28 June 2017 Resolution 7.3 authorised signatories for payments and transfers from the Municipal fund are any two of the following: Chief Executive Officer, the Director Corporate and Strategy, the Director Works and Infrastructure, the Director Community and Development and the Manager Financial Services: and the Manager Governance in the absence of the Director Corporate and Strategy.</p> <p>Decision undertaken using this delegated authority must comply with the City's Procurement Policy.</p>
<b>Date adopted</b>	4 September 2019
<b>Adoption references</b>	<p>OCM 12 Sept 2017                  Sub delegation ECM Ref 3034709                  Amendment ECM Ref 3042540                  Amendment ECM Ref 3055008                  Amendment ECM Ref 3090819                  Amendment ECM Ref 3112070                  Amendment ECM Ref 3145372                  OCM 11 December 2018</p>

<b>Delegation</b>	<b>FM-D05 Granting Concessions and Write-Offs</b>
<b>Category</b>	<i>Local Government Act 1995</i> - Financial Management
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	<p>Authority, in line with section 6.12(b), to waive or grant concessions in relation to any amount of money which is owed to the local government.</p> <p>Authority, in line with section 6.12(c), to write off of any debts (not including rates or other charges) considered irrecoverable.</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>The CEO may:</p> <ul style="list-style-type: none"> <li>• Authorise a waiver or grant a concession to a maximum value of \$500.</li> <li>• Authorise a write off of any debts (not including rates or other charges) considered irrecoverable to a maximum value of \$1,000.</li> </ul> <p>The Director Corporate and Strategy may:</p> <ul style="list-style-type: none"> <li>• Authorise a waiver or grant a concession to a maximum value of \$500</li> <li>• Authorise a write off of any debts (not including rates or other charges) considered irrecoverable to a maximum value of \$100.</li> </ul> <p>The Manager Community Development, Manager Library and Customer Services, Manager Recreation and the Manager Project Services are only authorised to waive a fee or grant a concession to a maximum value of \$500, in line with section 6.12(1) (b) of the <i>Local Government Act 1995</i>.</p> <p>All write offs, concessions or waivers are to be recorded appropriately and a report is to be presented to elected members regularly for noting.</p>
<b>Subdelegates</b>	<p>Director Corporate and Strategy  Manager Community Development  Manager Library and Customer Services  Manager Project Services  Manager Recreation</p>
<b>Statutory framework</b>	<p><i>Local Government Act 1995</i>:</p> <p>s6.12(1)(b) -Waive a fee or grant a concession in relation to any amount of money owed to the local government</p> <p>s6.12(1)(c) -Write off a debt which is owed to the local government</p> <p>s6.12(3) -The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government</p>
<b>Policy</b>	<p>Sundry Debt Collection and Recovery Policy  <del>No Reserve Hire Fees for Junior Clubs Policy</del>  <del>Bus Hire Policy</del>  <del>School Use of Council Facilities Policy</del></p>

City of Bayswater

<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 Sub-delegation amended 19 March 2018 ECM ID 3124222 Sub-delegation amended 20 April 2018 ECM ID 3144438 OCM 11 December 2018 review
<b>Last reviewed</b>	11 December 2018

<b>Delegation</b>	<b>FM-D06 Recovery of Unpaid Rates or Service Charge</b>
<b>Category</b>	<i>Local Government Act 1995</i> - Financial Management
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	<p>Authority to determine that notice be given to the lessee requiring payment of the rates or service charges.</p> <p>Authority to recover the amount of the rate or service charge as a debt from the lessee if rent is not paid.</p> <p>Authority to recover rates or service charges, as well as the costs of proceedings, in a court of competent jurisdiction.</p> <p>Authority to enter into negotiations and reach agreement to accept payment of outstanding rates or service charge and stay prosecution.</p> <p>Authority to apply in the form and manner prescribed, to the Minister to have vacant land re-vested in the Crown.</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>Authority must be exercised in accordance with:</p> <ul style="list-style-type: none"> <li>-Schedule 6.2(1)[1] Provisions relating to lease of land where rates or service charges unpaid [Section 6.65]</li> <li>-Schedule 6.3(1)[4] and (4)[1] Provisions relating to sale or transfer of land where rates or service charges unpaid [Section 6.68(3)]</li> </ul>
<b>Subdelegates</b>	Director Corporate and Strategy
<b>Statutory framework</b>	<p><i>Local Government Act 1995</i>:-</p> <ul style="list-style-type: none"> <li>-s6.56 Rates or service charges recoverable in court</li> <li>-s6.60(2)(3)(4) Local government may require lessee to pay rent</li> <li>-s6.69(2)(3) Right to pay rates, service charges and costs, and stay proceedings</li> <li>-s6.74(1) Power to have vacant land re-vested in the Crown if rates in arrears 3 years</li> </ul>
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 OCM 11 December 2018 review
<b>Last reviewed</b>	11 December 2018

<b>Delegation</b>	<b>FM-D07 Community Funding Grants</b>
<b>Category</b>	<i>Local Government Act 1995 -CEO Original Powers</i>
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to Directors and Managers to Make Community Funding Contribution Decisions
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Subdelegate conditions</b>	<p>Director Community and Development  Director Corporate and Strategy  Director Works and Infrastructure  Manager Building Works  Manager Communications and Marketing  Manager Community Development  Manager Development Approvals  Manager Engineering Services  Manager Engineering Works  Manager Environmental Health Services  Manager Financial Services  Manager Governance  Manager Information Services  Manager Infrastructure Assets And Mapping Services  Manager Library and Customer Services  Manager Organisational Strategy  Manager Parks and Gardens  Manager People, Culture and Safety  Manager Project Services  Manager Rangers and Security  Manager Recreation  Manager Strategic Planning and Place  Manager Sustainability and Environment</p>
<b>Statutory framework</b>	<i>Local Government Act 1995</i>
<b>Policy</b>	Community Grants Policy
<b>Date adopted</b>	3 December 2019
<b>Adoption references</b>	OCM 03 December 2019

City of Bayswater

<b>Delegation</b>	<b>FS-D13 Rateable Land</b>
<b>Category</b>	Local Government Act 1995- Financial Management
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to approve rate exemptions.
<b>Delegates</b>	CEO
<b>Conditions</b>	Any applications requesting exemption under s6.26(2)(g) are still to be referred to Council for consideration.
<b>Statutory framework</b>	s6.26 Rateable Land
<b>Policy</b>	Rates Exemptions Policy
<b>Date adopted</b>	28 February 2017
<b>Adoption references</b>	OCM 28 Feb 2017 Agenda Item 13.4 OCM 11 December 2018 review
<b>Last reviewed</b>	11 December 2018

City of Bayswater

<b>Delegation</b>	<b>HA-D01 <i>Health (Miscellaneous Provisions) Act 1911 Powers and Duties of Deputy</i></b>
<b>Category</b>	Health
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Appointment as the local government's deputy. In this capacity the CEO is authorised to exercise all powers exercisable by the local government under the <i>Health (Miscellaneous Provisions) Act 1911</i> and Regulations made there under.
<b>Delegates</b>	CEO
<b>Conditions</b>	This power cannot be sub-delegated.
<b>Statutory framework</b>	<i>Health (Miscellaneous Provisions) Act 1911</i> Section 26
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sept 2017 Agenda Item 11.3 OCM 11 December 2018 review
<b>Last reviewed</b>	11 December 2018

City of Bayswater

<b>Delegation</b>	<b>LGMPA-D01 Local Government (Miscellaneous Provisions) Act 1960 - Appointment of Pound Keepers and Rangers</b>
<b>Category</b>	Miscellaneous
<b>Delegator</b>	Councillor
<b>Express power or duty delegated</b>	Authority to establish pounds and appoint fit and proper persons to be pound keepers and Rangers of the City of Bayswater.
<b>Delegates</b>	CEO
<b>Conditions</b>	Local Public Notice of the appointment or removal of pound keepers and rangers and the establishment of pounds is required by the <i>Local Government (Miscellaneous Provisions) Act 1960</i> .
<b>Statutory framework</b>	<p><i>Local Government (Miscellaneous Provisions) Act 1960</i></p> <p>Section 449- Local government may establish pounds, appoint pound keepers and rangers.</p> <p>Section 2 -Act to be read as part of <i>Local Government Act 1995</i></p> <p><i>Local Government Act 1995</i></p> <p>Section 5.42. Delegation of some powers and duties to CEO.</p>
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 OCM 11 December 2018
<b>Last reviewed</b>	11 December 2018

<b>Delegation</b>	<b>LGR-D01 Local Government Act 1995 Obstruction of Public Thoroughfare</b>
<b>Category</b>	Local Government Act 1995 Regulations
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority, under Regulation 6 of the <i>Local Government (Uniform Local Provisions) Regulations</i> , to grant permission to place on a specified part of public thoroughfare one or more specified things that may obstruct the public thoroughfare.
<b>Delegates</b>	CEO
<b>Conditions</b>	Permission granted under this regulation — must be in writing; and must specify the period for which it is granted; and must specify any condition imposed
<b>Subdelegates</b>	Coordinator Statutory Building Director Community and Development Manager Building Works Manager Development Approvals Manager Strategic Planning and Place
<b>Statutory framework</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996</i> Regulation 6  <i>Local Government Act 1995</i> s.5.42. Delegation of some powers and duties to CEO s9.59. General regulations
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 ECM Ref 3042541 OCM 11 December 2018
<b>Last reviewed</b>	11 December 2018

City of Bayswater

<b>Delegation</b>	<b>LL-D01 Local Laws -General Administration</b>
<b>Category</b>	Local Laws
<b>Delegator</b>	Councillor
<b>Express power or duty delegated</b>	Authority to administer the City's local laws and to do all other things that are necessary or convenient to be done for, or in connection with, performing the functions of the City under the City's local laws.
<b>Delegates</b>	CEO

<p><b>Conditions</b></p>	<p>Controversial applications made under any local law are to be referred to Council for consideration.</p> <p>The sub delegated power to the position of <b>Manager Rangers and Security</b> is to do all things that are necessary or convenient to be done for, or in connection with, performing the functions of the local government under the City's local laws made under the <i>Local Government Act 1995</i>, the <i>Cat Act 2011</i> and the <i>Dog Act 1976</i>. Note this sub-delegation does not cover the <i>Health Local Law 2001</i>.</p> <p>The sub delegated powers to the <b>Director Works and Infrastructure</b> are limited to:</p> <ul style="list-style-type: none"> <li>-authority to approve the keeping of bees under the <i>Health Local Law 2001</i></li> <li>-authority under the <i>Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2008</i> to approve Infrastructure Deposits</li> </ul> <p>The sub delegated powers to the <b>Manager Environmental Health</b> are limited to:</p> <ul style="list-style-type: none"> <li>-authority to approve the keeping of bees under the <i>Health Local Law 2001</i></li> </ul> <p>The sub delegated powers to the <b>Director of Community and Development</b> are limited to:</p> <ul style="list-style-type: none"> <li>-authority under the <i>Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2008</i> to approve Infrastructure Deposits</li> <li>-authority under the <i>Thoroughfares and Trading in Thoroughfares and Public Places Local Law</i> to approve a stallholder permit and a trader permit.</li> <li>-the power under the <i>Keeping and Control of Cats Local Law</i> to grant a permit to keep a maximum of 6 cats at a premises and to impose conditions on that permit.</li> <li>-authority under the <i>Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2008</i> to approve a stallholder permit and a traders permit.</li> <li>-authority to approve residential private parking agreements under the <i>Parking and Parking Facilities Local Law 2015</i></li> <li>-authority under the <i>Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2008</i> to approve the display of temporary advertising signs</li> </ul> <p>The sub delegated powers to the <b>Manager Building Works</b> are limited to:</p> <ul style="list-style-type: none"> <li>-authority under the <i>Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2008</i> to approve Infrastructure Deposits</li> </ul> <p>The sub delegated powers to the <b>Manager Engineering Works</b> are limited to:</p> <ul style="list-style-type: none"> <li>-authority under the <i>Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2008</i> to approve Infrastructure Deposits</li> </ul> <p>The sub delegated powers to the <b>Manager Strategic Planning and Place</b> are limited to:</p> <ul style="list-style-type: none"> <li>-authority under the <i>Thoroughfares and Trading in Thoroughfares and Public Places Local Law</i> to approve a stallholder permit and a trader permit.</li> </ul> <p>The sub delegated powers to the <b>Manager Development Approvals</b> are limited to:</p> <ul style="list-style-type: none"> <li>-authority under the <i>Thoroughfares and Trading in Thoroughfares and Public Places Local Law</i> to approve a stallholder permit and a trader permit.</li> </ul>
<p><b>Subdelegates</b></p>	<p>Director Community and Development                  Director Works and Infrastructure                  Manager Building Works                  Manager Development Approvals                  Manager Engineering Works                  Manager Environmental Health Services                  Manager Rangers and Security                  Manager Strategic Planning and Place</p>

<p><b>Statutory framework</b></p>	<p><i>Health Local Law</i></p> <p><i>Fencing and Floodlighting Local Law</i></p> <p><i>Local Government Property Local Law</i></p> <p><i>Parking and Parking Facilities Local Law</i></p> <p><i>Keeping and Control of Cats Local Law</i></p> <p><i>Dogs Local Law</i></p> <p><i>Standing Orders Local Law</i></p> <p><i>Activities On Thoroughfares And Trading In Thoroughfares And Public Places Local Law</i></p>
<p><b>Policy</b></p>	<p>Mobile Food Vehicles Policy</p> <p>Street Verges Policy</p>
<p><b>Date adopted</b></p>	<p>12 September 2017</p>
<p><b>Adoption references</b></p>	<p>OCM 12 Sept 2017 Agenda Item 11.3</p> <p>ECM Ref 3040404</p> <p>Amendment ECM Ref 3042540</p> <p>Amendment ECM Ref 3182150</p> <p>OCM 11 December 2018</p>
<p><b>Last reviewed</b></p>	<p>11 December 2018</p>

City of Bayswater

<b>Delegation</b>	<b>LL-D02 Local Laws Appointment of an Authorised Officer</b>
<b>Category</b>	Local Laws
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	<p>Authority to appoint authorised officers and authorised persons for the following local laws -</p> <p><i>Local Government Property Local Law</i></p> <p><i>Parking and Parking Facilities Local Law</i></p> <p><i>Keeping and Control of Cats Local Law</i></p> <p><i>Activities On Thoroughfares And Trading In Thoroughfares and Public Places Local Law</i></p> <p>-for the purposes of 9.10 of the <i>Local Government Act 1995</i>.</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	Officers must be appointed as authorised officers or authorised persons for the purposes of the local laws and certified as per the requirements of the <i>Local Government Act 1995</i> .
<b>Statutory framework</b>	<p>Sections 9.10 of the <i>Local Government Act 1995</i>.</p> <p>Section 5.42. delegation of some powers and duties to CEO</p>
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	<p>OCM 12 Sep 2017 Agenda Item 11.3</p> <p>OCM 11 December 2018</p>
<b>Last reviewed</b>	11 December 2018

City of Bayswater

<b>Delegation</b>	<b>LL-D03 Local Laws Appointment of an Authorised Officer Dog Act</b>
<b>Category</b>	Local Laws
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to appoint authorised officers, for the Dogs Local Law, for the purposes of section 29 of the <i>Dog Act 1976</i> .
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Statutory framework</b>	Section 29 of <i>Dog Act 1976</i> .
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2018 OCM 11 December 2018
<b>Last reviewed</b>	11 December 2018

City of Bayswater

<b>Delegation</b>	<b>LL-D04 Bee Keeping <i>Health Local Laws 2001</i></b>
<b>Category</b>	Local Laws
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Delegates authority to the Chief Executive Officer to approve the keeping of bees in accordance with Part 6, Division 7 - Bee Keeping, of the City of Bayswater <i>Health Local Laws 2001</i> .
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil.
<b>Statutory framework</b>	City of Bayswater <i>Health Local Laws 2001</i>
<b>Policy</b>	Nil
<b>Date adopted</b>	15 November 2016
<b>Adoption references</b>	OCM 15 Nov 2016 Agenda Item 13.7 OCM 11 December 2018 review
<b>Last reviewed</b>	11 December 2018

<b>Delegation</b>	<b>TP-D01 Local Planning Schemes</b>
<b>Category</b>	Planning
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	<p>Authority to exercise all powers and duties under all Local Planning Schemes in operation within the City of Bayswater with exception of the following:</p> <ul style="list-style-type: none"> <li>• adopt, amend or refuse local planning policies; <del>excluding amendments relating to correction or errors, formatting, or aligning with updated legislation;</del></li> <li>• enter, modify or remove a place from the heritage list;</li> <li>• adopt, modify or revoke a heritage area;</li> <li>• recommend approval, modification or refusal of a structure plan to the Western Australian Planning Commission;</li> <li>• recommend approval, modification or refusal of an activity centre plan to the Western Australian Planning Commission;</li> <li>• approve, modify or refuse a local development plan;</li> <li>• <del>determine approve</del> development applications involving the following:             <ul style="list-style-type: none"> <li>o An estimated cost of \$2 million or more and is not a Development Assessment Panel application. <del>This does not apply to development in industrial zones;</del></li> <li>o Building height variation equal to or greater than 2.0m, or where building height requirements refer only to the number of storeys, one or more additional storeys;</li> <li>o Car bay <del>variation shortfall in excess</del> <del>excluding whichever is greater of five car bays or of</del> 10% of the total car bays required;</li> <li>o Development located in a place that is entered in the Register of Heritage Places under the <i>Heritage of Western Australia Act 1990</i>, or is included on a heritage list prepared in accordance with a local planning scheme; <del>or with a management category classification 1 or 2; or</del></li> <li>o Receipt of <del>greater than three planning based objections from properties advertised to with a maximum of one objection per property and</del></li> </ul> </li> <li>• <del>Three or more planning based written submissions of objection from properties adjoining the development site; or</del></li> <li>• <del>Five or more planning based written submissions of objection from properties adjacent to the development site. These submissions are any submissions from the adjoining properties, and properties directly diagonally opposite a road or right of way or pedestrian access way; and</del></li> </ul> <li>• enter into an agreement in respect of a matter relating to the scheme with any person having an interest in land affected by the scheme, and deal with or dispose of any land acquired in accordance with Part 11, Division 4 of the <i>Planning and Development Act 2005</i>.</li> <p>This delegation excludes any powers or duties limited under Section 5.43 of the <i>Local Government Act 1995</i>, including a power or duty that requires a decision of an absolute majority or a 75% majority of the local government.</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Subdelegates</b>	Director Community and Development Manager Development Approvals Manager Strategic Planning and Place

<p><b>Statutory framework</b></p>	<p>All powers and duties under all Local Planning Schemes in operation within the City of Bayswater, with exception of the following:</p> <ul style="list-style-type: none"> <li>• Schedule 2, Clause 4(3)(b) of the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> <del>excluding amendments relating to correction or errors, formatting or aligning with updated legislation</del>(Local Planning Policies);</li> <li>• Schedule 2, Clause 8(3)(d) of the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> (Heritage Lists);</li> <li>• Schedule 2, Clause 9(6)(b) and Clause 9(8) of the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> (Heritage Areas);</li> <li>• Schedule 2, Clause 20(2)(e) of the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> (Structure Plans);</li> <li>• Schedule 2, Clause 36(2)(e) of the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> (Activity Centre Plans);</li> <li>• Schedule 2, Clause 52(1) of the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> (Local Development Plans);</li> <li>• <del>Determination of approval of</del> development applications in accordance with Schedule 2, Clause 68(2) of the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> involving the following:             <ul style="list-style-type: none"> <li>o An estimated cost of \$2 million or more and is not a Development Assessment Panel application. <del>This does not apply to development in industrial zones;</del></li> <li>o Building height variation equal to or greater than 2.0m, or where building height requirements refer only to the number of storeys, one or more additional storeys;</li> <li>o Car bay <del>variation shortfall in excess of</del> exceeding whichever is greater of five car bays or 10% of the total car bays required;</li> <li>o Development located in a place that is entered in the Register of Heritage Places under the <i>Heritage of Western Australia Act 1990</i>, or is included on a heritage list prepared in accordance with a local planning scheme; <del>or with a management category classification 1 or 2;</del> or</li> <li>o Receipt of:                 <ul style="list-style-type: none"> <li>- <del>greater than three planning based objections from properties advertised to with a maximum one objection per property and; three or more planning based written submissions of objection from properties adjoining the development site;</del> or</li> <li>- <del>Five or more planning based written submissions of objection from properties adjacent to the development site. These submissions are any submissions from the adjoining properties, and properties directly diagonally opposite a road or right of way or pedestrian access way; and</del></li> <li>- Schedule 2, Clause 78 of the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> (Enter into Agreements).</li> </ul> </li> </ul> </li> </ul>
<p><b>Policy</b></p>	<p>Nil</p>
<p><b>Date adopted</b></p>	<p>19 September 2017</p>
<p><b>Adoption references</b></p>	<p>ECM ref number 3025245 See for signed delegation OCM 11/12/2018 Review</p>
<p><b>Last reviewed</b></p>	<p>11 December 2018</p>

<b>Delegation</b>	<b>TP-D02 <i>Planning and Development Act 2005</i></b>
<b>Category</b>	Planning
<b>Delegator</b>	Councillor
<b>Express power or duty delegated</b>	<p>Authority to give a written direction:</p> <ul style="list-style-type: none"> <li>• to the owner or any other person undertaking development to stop, and not recommence, the development or that part of the development that is undertaken in contravention of the planning scheme, interim development order or planning control area requirements;</li> <li>• to the owner or any other person who undertook the development <ul style="list-style-type: none"> <li>o to remove, pull down, take up, or alter the development; and</li> <li>o to restore the land as nearly as practicable to its condition immediately before the development started; and</li> </ul> </li> <li>• if it appears that delay in the execution of any work to be executed under a planning scheme or interim development order would prejudice the effective operation of the planning scheme or interim development order, a written direction may be given to the person whose duty it is to execute the work to execute that work.</li> </ul> <p>Authority is given to the Director Community and Development under section 231 and 230:</p> <ul style="list-style-type: none"> <li>- Withdrawal of infringement notice</li> <li>- extending time to pay modified penalty.</li> </ul> <p>Authority is given to the Manager Development Approvals under section 228:</p> <ul style="list-style-type: none"> <li>- power for giving of infringement notice.</li> </ul>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Subdelegates</b>	Director Community and Development Manager Development Approvals
<b>Statutory framework</b>	<p>All powers and duties under Section 214(2), (3) and (5) of the <i>Planning and Development Act 2005</i>. section 230, 231 and 228 of the <i>Planning and Development Act 2005</i>.</p> <p><i>Section 230, 231 and 228 of the Planning and Development Act 2005.</i></p> <p><i>Existing delegation of section 228, 230 and 231 are not valid, there is no power to delegate these under the Local Government Act 1995.</i></p>
<b>Policy</b>	Nil.
<b>Date adopted</b>	19 September 2017
<b>Adoption references</b>	ECM ref number 3025245 See for signed delegation OCM 11 December 2018 review
<b>Last reviewed</b>	11 December 2018

**10.2.3 Budget Review and Expenditure Committee - Terms of Reference**

<b>Responsible Branch:</b>	Financial Services	
<b>Responsible Directorate:</b>	Corporate and Strategy	
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
<b>Voting Requirement:</b>	<b><i>ABSOLUTE MAJORITY REQUIRED</i></b>	
<b>Attachments:</b>	1. Proposed Terms of Reference	
<b>Refer:</b>	Item 10.2.14: OCM 29.10.2019 Item 11.1: OCM 20.08.2019	

**SUMMARY**

At its meeting of 20 August 2019, Council resolved to accept a Notice of Motion from Cr Clarke to form a Budget and Expenditure Review Committee.

At its meeting of 29 October 2019, Council resolved to appoint Members to all of the internal Committees, however the detailed terms of reference for the Budget and Expenditure Review Committee have not yet been adopted by Council.

Accordingly, the proposed terms of reference document is now presented to Council for consideration, so that meetings for the Committee can be scheduled in early 2020 to align with the budget development process.

**COUNCIL RESOLUTION****(OFFICER'S RECOMMENDATION)**

That Council adopts the proposed terms of reference for the Budget and Expenditure Review Committee, as set out in Attachment 1.

**CR FILOMENA PIFFARETTI, DEPUTY MAYOR MOVED, CR LORNA CLARKE SECONDED  
CARRIED: 9/1**

**For:** *Cr Dan Bull, Mayor, Cr Filomena Piffaretti, Deputy Mayor, Cr Barry McKenna, Cr Sally Palmer, Cr Stephanie Gray, Cr Catherine Ehrhardt, Cr Elli Petersen-Pik, Cr Lorna Clarke, and Cr Giorgia Johnson.*

**Against:** *Cr Michelle Sutherland.*

**BACKGROUND**

An audit committee is required under s7.1A of the *Local Government Act 1995* however the Act enables the establishment of other committees of three (3) or more persons to assist Council with its business and to exercise the powers and discharge such duties as can be delegated to committees.

It is Council's prerogative to determine the most appropriate format by which to meet its obligations to make timely and informed decisions.

The Budget Review and Expenditure Committee comprises the following members:

- Cr Dan Bull, Mayor
- Cr Filomena Piffaretti
- Cr Lorna Clarke
- Cr Stephanie Gray

- Cr Barry McKenna
- Cr Steven Ostaszewskyj

At the 29 October 2019 meeting, Council noted that the purpose of the Committee is to:

- *provide guidance and oversight as part of the Budget process and workshops, as well as review and monitor monthly expenditure and delivery of significant or strategic financial commitments and financial and/or economic impacts on or by the City.*

## EXTERNAL CONSULTATION

No consultation has yet occurred with the public or other agencies on this matter.

## OFFICER'S COMMENTS

### Purpose/Role

The intention of the Budget Review and Expenditure Committee is to consider matters related to the budget process and consider the implications of long-term financial decisions. In that respect, its role is intended to be different from that of the Audit and Risk Management Committee.

In effect, the committee will support the budget workshops which are held to discuss development of the budget. Matters for consideration by the Committee could cover operational and capital expenditure, from an operational context, issues for consideration could include whether the annual budget adequately provides for the City's core operational requirements and whether funds are evenly distributed across programs and intergenerational equity is achieved. From a capital context, the committee could consider whether the annual budget facilitates and supports forward planning for major capital projects and whether there is alignment between the Annual Budget and the Long-Term Financial Plan and other informing strategic documents.

The committee may also provide support and direction for the development of policies relating to the City's financial sustainability, rating strategies, grant funding and investments.

A long-term risk management focus is proposed for the Committee in its delivery of advice to Council on funding issues, and considerations for revenue generation and expenditure may include:

- financial analysis, including lifecycle costs;
- intergenerational equity;
- level of community need, as identified in the Strategic Community Plan;
- implications for the City's long term financial sustainability; and
- opportunities for grant funding or other revenue generation.

### Terms of Reference

The Notice of Motion included that the Committee:

- *meet no less than six times a year;*
- *receive administrative support as required from the City;*
- *make recommendations as required to Council; and*
- *have no less than five Councillors as sitting members of the Committee at all times, with all Councillors entitled to observe all meetings and access all information provided to the Committee.*

These requirements are included in the terms of reference. The normal committee procedural requirements are also included. The roles and functions set out how the purpose and role would work in practice.

**LEGISLATIVE COMPLIANCE**

Section 5.8 of the *Local Government Act 1995* states:

*"A Local Government may establish\* Committees of 3 or more persons to assist the Council and to exercise the powers and discharge the duties of the Local Government that can be delegated to Committee.*

*\* By Absolute Majority"*

The Act and the subsidiary regulations are not specific on the requirements for committees to have terms of reference, however terms of reference reflect best practice by ensuring that there is clarity about the purpose and scope of the issues to be considered.

**OPTIONS**

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

<b>Option 1</b>	<b>That Council accepts the recommendation to adopt the proposed terms of reference for the Budget Review and Expenditure Committee, as set out in <u>Attachment 1</u>.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	N/A
<b>Conclusion</b>	This option is the preferred option. While the legislation is not specific on the requirements, best practice supports having clearly defined terms of reference which embody the scope and purpose of the committee. Timely acceptance of the terms of reference will assist in scheduling of the Committee meetings in 2020.	

<b>Option 2</b>	<b>That Council defers consideration of the terms of reference to a Councillor Workshop in early 2020.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Moderate
Reputation	Low	Low
Governance	Low	Moderate
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	N/A
<b>Conclusion</b>	The Committee does not have set meeting dates at this time, and a Councillor workshop could be scheduled for early 2020 prior to development of the 2020/21 Annual Budget. Delay will have implications for the timing of the production of the 2020/21 budget.	

**FINANCIAL IMPLICATIONS**

Nil.

**STRATEGIC IMPLICATIONS**

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Leadership and Governance  
Aspiration: Open, accountable and responsible service  
Outcome L1: Accountable and good governance

### **CONCLUSION**

Council has resolved to form a Budget and Expenditure Review Committee with a separate purpose to the Audit and Risk Management Committee. In accordance with best practice and existing protocols, the draft terms of reference are proposed at **Attachment 1**. This should provide the reference point for future topic areas for discussion by the Committee.

Attachment 1**PROPOSED TERMS OF REFERENCE****BUDGET REVIEW AND EXPENDITURE COMMITTEE**

1.	Objectives	The primary objective of the Committee is to provide guidance and oversight as part of the budget process and workshops, as well as review and monitor monthly expenditure and delivery of significant or strategic financial commitments and financial and/or economic impacts on or by the City, of major capital projects.
2.	Powers	The Committee does not have executive powers or authority to implement actions in areas over which the Chief Executive Officer has legislative responsibility and does not have any delegated responsibility. The Committee does not have any management functions and cannot involve itself in management processes or functions.
3.	Membership	<p>The Committee will consist of no less than five* Councillors (including the Chair) as sitting members of the Committee at all times, with all Councillors entitled to observe all meetings and access all information provided to the Committee.</p> <p>All members (other than observers) shall have full voting rights. Tenure of each member of the Committee is in accordance with s5.11 of the <i>Local Government Act 1995</i> (the Act), and other Councillors are appointed as Deputy Members in accordance with s5.11A of the Act. The Chief Executive Officer and other officers are not members of the Committee. The Chief Executive Officer or their nominee is to be available together with the Director Corporate and Strategy or their nominee to provide advice and guidance to the Committee. Other officers may attend as and when required. The City shall provide such administrative advice as may be required from time to time.</p> <p><i>*minimum three required under the legislation.</i></p>
4.	Meetings	The Committee will meet no less than six times a year.
5.	Order of business	<p>The order of business for Committee meetings shall be, or as near thereto as practicable:</p> <ul style="list-style-type: none"> <li>• Official Opening</li> <li>• Acknowledgement of Country</li> <li>• Attendance <ul style="list-style-type: none"> <li>- Apologies</li> <li>- Approved Leave of Absence</li> </ul> </li> <li>• Disclosure of Interest</li> <li>• Terms of Reference</li> <li>• Confirmation of Minutes</li> <li>• Presentations</li> <li>• Deputations</li> <li>• Officer Reports</li> <li>• Confidential Items</li> <li>• Next meeting date and closure</li> </ul>
6.	Roles and	The roles and functions of the Committee in relation to the Budget

	functions	<p>are to:</p> <p>(1.)(a) Guide and assist the City in determining the funding requirements for maintaining assets and meeting normal operational requirements;</p> <p>(1.)(b) Consider funding requirements for capital works projects, including major projects that are at risk of going over budget, and any adjustments required to the scope of major projects to meet budgetary limits;</p> <p>(1.)(c) Identify any cost offsets, or grant funding opportunities to reduce the financial impact of major projects on the budget and Long Term Financial Plan;</p> <p>(1.)(d) Review expenditure reprioritisation opportunities to maintain alignment between the Long-Term Financial Plan, Strategic Community Plan, Asset Management Plan, Workforce Plan, Information Communications and Technology Plan and other key planning documents;</p> <p>(1.)(e) Support the principles of long-term financial sustainability in the development of the annual budget and rate setting statement;</p> <p>(2.) Provide support and direction for the development of policies relating to the City's financial sustainability, rating strategies, grant funding and investments; and</p> <p>(3.) Review and monitor expenditure reports.</p>
7.	Location	City of Bayswater Civic Centre
8.	Liaison Officer	Director Corporate and Strategy

**10.2.4 Corporate Systems - Microsoft Licensing Agreement**

<b>Responsible Branch:</b>	Information Services	
<b>Responsible Directorate:</b>	Corporate and Strategy	
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
<b>Voting Requirement:</b>	Simple Majority Required	
<b>Attachments:</b>	Nil.	

**SUMMARY**

The City has a Microsoft licensing agreement for its core operating systems and related business requirements. The licensing agreement is renewed every three years and is sourced through the authorised Microsoft reseller under the State Government Common Use Agreement (CUA) for volume system licensing across all State Government agencies. Local governments are eligible to participate in the contract.

The value of the licensing agreement exceeds the CEO's delegated limit of \$250,000 and therefore requires Council approval.

**COUNCIL RESOLUTION****(OFFICER'S RECOMMENDATION)**

**That Council endorses the renewal of the Microsoft licensing agreement for the City's core operating systems and related business requirements for a three-year period from November 2019 to November 2022 at a total cost of \$655,500 excluding GST, sourced through the authorised reseller Data#3 under the State Government CUA 1591010.**

**CR BARRY MCKENNA MOVED, CR STEPHANIE GRAY SECONDED  
CARRIED UNANIMOUSLY BY EXCEPTION (EN BLOC): 10/0**

**BACKGROUND**

The Microsoft agreement covers licensing for the following essential business systems:

- Microsoft Windows - the core operating systems for all of the City of Bayswater's workstations.
- Microsoft Office across the entire organisation.
- City of Bayswater E-mail system and clients.
- Microsoft SQL server - these are the database licences that allow the City to run and support all of the City's business systems.
- Microsoft Server - these are the licences that are required to run all of the City's servers (200+).
- Remote Access - these licences allow employees to work more efficiently by working remotely and in the field.

The licensing agreement is for a three-year period from November 2019 to November 2022. There is provision for interim extension of the current agreement pending formal renewal.

Data#3 is the sole authorised reseller under the State Government CUA 159010 which operates until June 2022. The WA Local Government Association has a similar business systems software and associated services preferred supplier agreement, which also includes Data#3.

The State Government CUA offers slightly lower rates, which reflects the volume discounts that can be achieved for 'whole of government'.

**EXTERNAL CONSULTATION**

Not applicable. Operational requirement.

**OFFICER'S COMMENTS**

The City's Delegated Authority Register is reviewed annually by Council.

Delegation FM2-02 'Acceptance of Tenders' provides for the Chief Executive Officer to have a delegated limit of \$250,000 for operational and supply tenders for all other tenders and contracts resulting from tenders. This delegation also provides for the Chief Executive Officer to approve all payment claims for contracts awarded by Council.

The latter part of that delegation is applicable to the Microsoft agreement. Essentially, the annual licensing charges are within the Chief Executive Officer's delegated limit of \$250,000, however the total licensing agreement over the three-year period is \$655,500 and should therefore be approved by Council.

While the new agreement applies from November 2019 and runs to November 2022, the City can continue to operate under the current agreement on an interim basis pending formalisation of the new agreement.

**LEGISLATIVE COMPLIANCE**

Tenders are required under the (*Functions and General*) Regulations 1996 (WA) (r. 11A) for contracts with a value exceeding \$150,000. However there are exemptions to that, including when goods or services are sourced through 'prescribed agencies' which include the WA Local Government Association and the State Government CUA's.

**OPTIONS**

There are limited options for the City, as Data#3 is the sole authorised reseller under the State Government CUA.

The WA Local Government Association has a similar panel agreement in place for business systems software and associated services (contract reference C032-16), however most of the vendors on that panel are for propriety systems and solution development. Two of the vendors are authorised Microsoft resellers at the required enterprise level, and one of these is Data#3 anyway.

**FINANCIAL IMPLICATIONS**

The agreement is paid annually at a cost of \$218,500 excluding GST, and is accommodated in the operating budget.

**STRATEGIC IMPLICATIONS**

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Leadership and Governance.  
Aspiration: Open, accountable and responsive service.  
Outcome L1: Accountable and good governance.

**CONCLUSION**

Data#3 is the authorised Microsoft reseller that provides the best pricing solution for the City's enterprise requirements. Data#3 is on the State Government CUA and the WA Local Government preferred supplier agreement, both of which are prescribed agencies under the regulatory requirements for tender exemption.

As the Council delegation to the Chief Executive Officer for approving contracts is currently \$250,000, the annual charges can be accommodated within that, however the quantum of the licensing agreement over the three-year period exceeds the Chief Executive Officer's delegated limit and therefore requires Council endorsement.

**10.3 Works and Infrastructure Directorate Reports****10.3.1 Proposed Location of Permanent Event Stage**

<b>Responsible Branch:</b>	Project Services	
<b>Responsible Directorate:</b>	Works and Infrastructure	
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
<b>Voting Requirement:</b>	Simple Majority Required	
<b>Refer:</b>	OCM : 28/02/2017 : Item 14.5	

**SUMMARY**

Following a Notice of Motion at the Ordinary Council Meeting of 28 March 2017 this report considers:

1. Investigation of possible locations for permanent event stage structures within the City;
2. The current program and delivery method of community events across the City; and
3. Types of permanent event stage structures provided both in Perth and regionally.

**OFFICER'S RECOMMENDATION**

That Council:

1. Do not progress the development of a permanent event stage; and
2. Continue to procure stage and event infrastructure as required for community events delivered across the City.

**COUNCIL RESOLUTION**

**That Council request officers to:**

1. Further investigate the feasibility of one small permanent event stage to be located at either Robert Thompson Reserve, Noranda; Riverside Gardens, Bayswater; Houghton Park; or The Rise, Maylands.
2. Explore funding opportunities for a permanent stage through a grant (ie Lotterywest, Healthways) or corporate business sponsorship, with stage naming rights as an option as part of the funding package.
3. Bring a report to a Council Workshop in April 2020 for further discussion.

**CR CATHERINE EHRHARDT MOVED, CR FILOMENA PIFFARETTI, DEPUTY MAYOR SECONDED**

**CARRIED: 6/4**

**For:** Cr Filomena Piffaretti, Deputy Mayor, Cr Barry McKenna, Cr Sally Palmer, Cr Catherine Ehrhardt, Cr Lorna Clarke, and Cr Giorgia Johnson.

**Against:** Cr Dan Bull, Mayor, Cr Stephanie Gray, Cr Michelle Sutherland, and Cr Elli Petersen-Pik.

**REASON FOR CHANGE**

*Council changed the Officer's Recommendation as they felt that there was merit in further investigating the feasibility of a small stage at nominated reserves within the City.*

*At 9:37pm, the Chairperson, Cr Dan Bull, Mayor, adjourned the meeting for a ten minute break.*

*At 9:37pm, Helen Smith, Manager Development Approvals and Grace Ursich, Coordinator Revenue left the meeting and did not return.*

*At 9:47, the Chairperson, Cr Dan Bull, Mayor, reconvened the meeting.*

**BACKGROUND**

At the Ordinary Council Meeting, 28 March 2017 it was resolved that Council:

- "1. Investigate possible locations for permanent event stage structures within the City's Regional reserves.*
- 2. Notes that costs (inclusive of whole of life) associated with any future permanent event stage structures will be considered as part of the long term financial planning process for 2017-27."*

Following the progression of the Pat O'Hara Reserve Masterplan and the completion of the City's Play Space Strategy a preliminary investigation of reserves has now been completed. The investigation was undertaken to ascertain the suitability of key reserves in both hosting events on a regular basis and capacity to accommodate a permanent event stage structure. Reserves were considered according to the following characteristics:

- Current use of the reserve and past event history;
- Parking;
- Public Toilet Provision;
- Lighting of audience area;
- Power Supply and Accessibility;
- Potential noise spill over/effects on surrounding residents;
- Site / Location i.e. residential area; and
- Public Transport / Accessibility to site.

Sites are listed below and grouped subject to:

- Whether they are regularly hosting community events;
- Whether they have hosted events previously but are not currently, or have never hosted a community event; and
- Sites that were considered but are considered not suitable to accommodate a permanent event stage structure.

**A. Reserves Regularly Hosting Community Events**

The reserves listed below are used regularly for community events of various sizes. Though not all reserves are classified as Regional, they either currently accommodate or are considered to have the potential to accommodate events in some form:

**Riverside Gardens, Bayswater**

Events: Avon Descent (4,000+ attendees); Autumn River Festival; Community led events.  
Current infrastructure:

*Toilets*

*Adequate power*

*Vast expanse of open space*

*Partial lighting - passive*

*Parking – 50+ hardstand, reserve used for overflow*

**Advantages**

- Size, capacity of reserve
- Central location
- Distance from residents

**Disadvantages**

- Not easily accessible by public transport
- Very popular dog off lead area
- Poor drainage; events can damage turf, vehicles become bogged
- Additional lighting required for crowd safety

**Recommendation:** Could accommodate a stage for use in warmer / drier months.



*Aerial image Riverside Gardens, City of Bayswater 2019*

**Halliday Park, Bayswater**

Events: Carols by Candlelight

Current infrastructure:

*Toilets (within sports clubroom)*

*Limited access to power*

*Sports floodlighting*

*Parking – 50+ adjacent to train station – limited, reserve used for overflow*

**Advantages**

- Accessible by public transport
- Sports floodlighting
- Central location

**Disadvantages**

- Lack of parking onsite
- Residential area (noise control)
- Turf space taken up by sports pitches

**Recommendation:** Could accommodate a small stage in Grace Hardie Memorial Rose Gardens (south west side of reserve with natural slope).



*Carols by Candlelight 2016, City of Bayswater*

**(Upper) Bardon Park, Maylands**

Events: Jazz in the Park, Twilight Markets

*Toilets at Lower Bardon*

*Limited access to power*

*Partial lighting*

*Parking – 80+ hardstand, verge parking*

**Advantages**

- Popular location
- Flat area on northern side
- Potential to use existing bank for elevation

**Disadvantages**

- Existing toilets are not accessible from carpark
- Not easily accessible by public transport

**Recommendation:** Not recommended for a permanent stage; no accessible toilets or public transport access; residential area.



*Jazz in the Park, City of Bayswater 2018*

**Pat O'Hara Reserve, Morley**

Events: Perth Symphony Orchestra

*Toilets within sports clubroom*

*Limited access to power*

*Sports floodlighting*

*Parking – 400+ around the reserve and buildings; part of reserve used for overflow*

**Advantages**

- Central location
- Accessible by public transport
- Sports floodlighting

**Disadvantages**

- Anti-social behaviour occurrences – reported regularly
- Limited space due to sporting use of fields
- \*Note two additional basketball courts planned on the southern side of Morley Sport and Rec; loss of carpark spaces
- Close proximity to residential housing (noise control)

**Recommendation:** Not recommended for a permanent stage.



*Perth Symphony Orchestra at Pat O'Hara Reserve, City of Bayswater 2018*

**Bert Wright Park\***

Events: Growers Markets, Evening in the Park

*Toilets (library and Senior Centre)*

*Adequate power*

*Limited existing lighting*

*Parking – 50+ parking around the park, street*

**Advantages**

- Central location
- Accessible by public transport
- Co-located with library and community



<p>centre</p> <p><b>Disadvantages</b></p> <ul style="list-style-type: none"> <li>• Restricted space *note tree relocation planned</li> <li>• Residential area (noise)</li> <li>• Inadequate parking for large events</li> </ul> <p><i>*Bayswater Town Centre Activation Plan (including Bert Wright Park): Community identified priorities –green hub featuring a useable area for performances</i></p> <p><b>Recommendation:</b> May not be suitable for a permanent stage due to space constraints with recent addition of markets and tree relocation.</p>	<p><i>Evening in the Park, City of Bayswater 2016</i></p>
<p><b>Grand Promenade Reserve, Bedford</b></p> <p>Events: Markets, Movie in the Park, Filipino Festivals</p> <p><i>Toilet (single exeloo) plus sports clubrooms</i></p> <p><i>Limited access to power</i></p> <p><i>Sports floodlighting</i></p> <p><i>Parking – 50+ hard stand and reserve</i></p> <p><b>Advantages</b></p> <ul style="list-style-type: none"> <li>• Floodlighting for crowd safety</li> <li>• Accessible by public transport</li> </ul> <p><b>Disadvantages</b></p> <ul style="list-style-type: none"> <li>• Sport is booked regularly; lack of availability</li> <li>• Residential area/noise</li> </ul> <p><b>Recommendation:</b> Not recommended for a permanent stage due to main sporting use.</p>	 <p>An aerial photograph showing a large green field (Grand Promenade Reserve) and an adjacent area with tennis courts and buildings (Catherine Reserve). The surrounding area is residential with houses and streets.</p>
<p><b>Robert Thompson Reserve, Noranda</b></p> <p>Events: Twilight Markets, Movie in the Park</p> <p><i>Toilets</i></p> <p><i>Limited access to power</i></p> <p><i>Old lighting infrastructure – no longer used</i></p> <p><i>Parking – 40+ hardstand, verge parking, adjacent to shopping centre</i></p> <p><b>Advantages</b></p> <ul style="list-style-type: none"> <li>• Central, close to shopping centre</li> <li>• Accessible by public transport</li> <li>• Potential for passive lighting</li> <li>• Large areas of open space</li> </ul> <p><b>Disadvantages</b></p> <ul style="list-style-type: none"> <li>• Past complaints from residents – noise, parking issues</li> </ul> <p><b>Recommendation:</b> Could accommodate a small to medium sized permanent stage.</p>	 <p>A photograph showing a group of people sitting on blankets on a grassy area at twilight. A large screen is visible in the background, suggesting a movie screening event.</p>

<p><b>Houghton Park, Bayswater</b>                  Events: Jazz – approx. 2,500 people; Movie in the Park  <i>Toilets</i>  <i>Limited access to power</i>  <i>Sports floodlighting</i>  <i>Parking – 100+ hardstand, verge parking</i>  <b>Advantages</b> <ul style="list-style-type: none"> <li>• Size, capacity</li> <li>• Public toilets</li> <li>• Sports floodlighting</li> </ul> <b>Disadvantages</b> <ul style="list-style-type: none"> <li>• Residential area/noise</li> <li>• Not easily accessible by public transport</li> </ul> <b>Recommendation:</b> Not recommended for a permanent stage; residential area.</p>	
<p><b>The RISE Amphitheatre, Maylands*</b>                  Events: Various City and community events  <i>Public toilets (exeloo and in the Rise)</i>  <i>Access to power</i>  <i>Parking – approx. 100</i>  <i>Access to public transport</i>  <b>Advantages</b> <ul style="list-style-type: none"> <li>• Co-located with the Rise</li> <li>• Central location</li> <li>• Stone walls form natural seating/amphitheatre</li> <li>• Accessible by public transport</li> </ul> <b>Disadvantages</b> <ul style="list-style-type: none"> <li>• Limited parking in local area</li> <li>• Local residents (noise control)</li> </ul>                 *Maylands Town Centre Activation Plan: Community identified actions – showcasing Maylands’ talent through initiatives including performances in public spaces  <b>Recommendation:</b> Could accommodate a small permanent stage.</p>	

**B. Limited Previous Events or No Event History on site**

These reserves have accommodated some events in the past, or where no events have been promoted, may be deemed suitable to consider for future events due to their characteristics:

<p><b>Lightning Park Recreational Centre, Noranda</b>                  Events: Tribute Band Concerts  <i>Toilets in sports clubroom</i>  <i>Limited access to power</i>  <i>Sports floodlighting</i>  <i>Parking 100+ vehicles hardstand</i>  <b>Advantages</b> <ul style="list-style-type: none"> <li>• Size, capacity</li> </ul> </p>	 <p><i>Image: Feature at Lightning Park 2015, City of Bayswater</i></p>
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<ul style="list-style-type: none"> <li>• Parking</li> <li>• Distance from residents</li> </ul> <p><b>Disadvantages</b></p> <ul style="list-style-type: none"> <li>• Not accessible by public transport</li> <li>• Distance from southern suburbs</li> <li>• Sports pitches across the site</li> </ul> <p><b>Recommendation:</b> Not recommended for a permanent stage due to isolated location and main sporting use.</p>	
<p><b>Beaufort Park, Bayswater</b>  Events: Nil to date  <i>Public Toilets on Site</i>  <i>Limited access to power</i>  <i>Sports floodlighting</i>  <i>Parking 40+ vehicles hardstand</i></p> <p><b>Advantages</b></p> <ul style="list-style-type: none"> <li>• Grassed parkland</li> <li>• Accessible by public transport</li> <li>• Lighting for crowd safety</li> </ul> <p><b>Disadvantages</b></p> <ul style="list-style-type: none"> <li>• Surrounded by housing (noise)</li> <li>• Small Neighbourhood reserve</li> <li>• Sports pitches across the site</li> </ul> <p><b>Recommendation:</b> Not recommended due to sporting use and residential area.</p>	
<p><b>DeLacy Reserve, Maylands</b>  Events: Nil to date  <i>Public Toilets on Site</i>  <i>Limited access to power</i>  <i>Parking 16+ vehicles hardstand</i></p> <p><b>Advantages</b></p> <ul style="list-style-type: none"> <li>• Grassed parkland</li> <li>• Parking</li> <li>• Accessible by some limited public transport within walking distance</li> </ul> <p><b>Disadvantages</b></p> <ul style="list-style-type: none"> <li>• No lighting</li> <li>• Surrounded by housing</li> </ul> <p><b>Recommendation:</b> Not recommended due to sporting use and lack of available parking.</p>	

**Elstead Reserve, Morley**

Events: Nil to date  
*Public Toilets on Site*  
*Limited access to power*  
*Sports floodlighting*  
*Parking 16+ vehicles hardstand*

**Advantages**

- Grassed parkland
- Accessible by limited public transport
- Lighting for crowd safety

**Disadvantages**

- Small Neighbourhood reserve
- Surrounded by housing
- Limited parking

**Recommendation:** Not recommended due to sporting use and size.



**Hillcrest Reserve, Bayswater**

Events: Early Settlers  
*Public Toilets onsite*  
*Limited access to power*  
*Sports floodlighting*  
*Parking 40+ vehicles hardstand*

**Advantages**

- Grassed parkland
- Accessible by some limited public transport
- Elevations between Upper and Lower Hillcrest

**Disadvantages**

- Surrounded by housing
- Limited space due to sports

**Recommendation:** Not recommended due to regular, high level sporting use.



**Crimea Park, Morley**

Events: Skate events and food trucks  
*Toilets*  
*Limited access to power*  
*Partial sports floodlighting*  
*Parking – 100+ hardstand, verge parking*

**Advantages**

- Size, capacity
- Central
- Accessible by public transport

**Disadvantages**

- Space utilised by sports
- Residential area/noise

**Recommendation:** Not recommended for a permanent stage due to sporting use and configuration of the reserve for diamond sports.



<p><b>Shearn Memorial Park, Maylands</b>                  Events: N/A                  Toilets                  Limited access to power                  Limited sports floodlighting                  Parking – limited, verge parking  <b>Advantages</b></p> <ul style="list-style-type: none"> <li>• Reserve used for dog exercise and social cricket</li> <li>• Existing wall and sloping banks at north western end</li> </ul> <p><b>Disadvantages</b></p> <ul style="list-style-type: none"> <li>• Limited parking onsite</li> <li>• Limited accessibility by public transport</li> <li>• Residential area (noise)</li> </ul> <p><b>Recommendation:</b> Not recommended for permanent stage due to limited parking, current use and location next to housing.</p>	
<p><b>Tranby / Clarkson Reserve, Maylands</b>                  Events: N/A                  Public Toilets at Southern End (Clarkson)                  Limited access to power                  Parking – limited  <b>Advantages</b></p> <ul style="list-style-type: none"> <li>• Size, capacity</li> <li>• Amenity - river</li> <li>• Accessible by public transport</li> </ul> <p><b>Disadvantages</b></p> <ul style="list-style-type: none"> <li>• Limited parking</li> <li>• Residential area</li> <li>• No illumination on site</li> </ul> <p><b>Recommendation:</b> Not recommended for a permanent stage due to lack of parking and amenities.</p>	
<p><b>Cloughton Reserve, Bayswater</b>                  Events: N/A                  Public toilets                  Limited access to power                  Parking – limited  <b>Advantages</b></p> <ul style="list-style-type: none"> <li>• Size, capacity</li> <li>• Amenity – river</li> <li>• Distance from residents</li> </ul> <p><b>Disadvantages</b></p> <ul style="list-style-type: none"> <li>• Not accessible by public transport</li> <li>• Environmental significance may restrict some uses</li> <li>• No Lighting</li> </ul> <p><b>Recommendation:</b> Not recommended for a permanent stage due to lack of public transport and limited supporting amenity.</p>	

**C. Sites Considered Not Suitable**

The following listed sites were determined to have limited capacity for a permanent stage and are not considered suitable as per below:

SITE	COMMENT
Deschamp Reserve	Limited space on reserve due to sporting activities and infrastructure. Surrounded by housing.
Emberson Reserve	Limited space on reserve due to sporting activities and infrastructure. Surrounded by housing.
FJ Beales	No supporting infrastructure such as car parking, toilets lighting or available power supply.
Frank Drago Reserve	Limited space on reserve due to sporting activities and infrastructure.
Gibbney Reserve	Limited space on reserve due to sporting activities and infrastructure. Surrounded by housing.
Joan Rycroft Reserve	No car parking, power supply or lighting.
Moojebing Reserve	Limited space on reserve due to sporting activities and infrastructure.
Noranda Sporting Complex	Limited space on reserve due to sporting activities and infrastructure.
RA Cook Reserve	Limited space on reserve due to sporting activities and infrastructure. Surrounded by housing.
Waltham Reserve	Limited space on reserve due to sporting activities and infrastructure. Surrounded by housing.

**D. Examples of permanent event stages outside the City**

Officers investigated examples of similar stage and outdoor event infrastructure for the purposes of this report:

<p><b>Hyde Park stage, Vincent St, Perth (William St side)</b></p> <ul style="list-style-type: none"> <li>• Cost Approximately \$190,000</li> <li>• 12m x 12m with accessible ramp and wings</li> <li>• Construction year circa 1990 (refurbished 2009)</li> <li>• Natural sloping bank for spectators</li> <li>• Passive lighting</li> <li>• Access to Power</li> </ul>	
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<p><b>Sandra Donovan Sound Shell, Manjimup Timber and Heritage Park</b></p> <ul style="list-style-type: none"> <li>• Constructed in 2017-18</li> <li>• Lotterywest funded - approx. cost \$500,000</li> <li>• Multipurpose stage (80m<sup>2</sup>) 9.6m x 7.2m plus wings</li> <li>• Patched power, lighting and sound system to allow temporary installation of equipment</li> <li>• Fixed lighting</li> <li>• 2 x 20m<sup>2</sup> green rooms</li> <li>• 40m<sup>2</sup> general assembly area</li> <li>• 2 x ambulant toilets and one universally accessible toilet</li> </ul>	
<p><b>Civic Park, Cannington</b></p> <ul style="list-style-type: none"> <li>• Constructed in 2015</li> <li>• Approx. cost \$2,500,000 for the whole park redevelopment</li> <li>• Access to power</li> <li>• Weatherproofed elevated stage</li> <li>• Green field space</li> </ul>	
<p><b>Granville Park Sound Shell – Shire of Gingin</b></p> <ul style="list-style-type: none"> <li>• Constructed in 2011</li> <li>• Est cost \$116,000</li> <li>• Stone and metal clad sound shell on concrete slab</li> <li>• Lighting facilities</li> <li>• Elevated position</li> </ul>	

The structures vary in terms of size and installation cost from circa \$100,000 to in excess of \$500,000. All examples have a solid stage structure (generally cast concrete) which is elevated to optimise both sound acoustics and audience visibility. The larger sound shell constructions have the capacity to mount lighting rigs and sound amplification to the structure when events are being delivered.

### EXTERNAL CONSULTATION

No formal consultation has been undertaken in relation to the provision of a permanent event stage. However community feedback received at events and other broader engagement indicates a preference for regular smaller events rotated at varying venues across the City.

**OFFICER'S COMMENTS****Current events**

The current events program is programmed on an annual basis with varying event types such as concerts, movie nights, markets, awards and competitions spread across all wards. These are both community-led small local events and large City-led events. The September 2019 to March 2020 event calendar utilises both Recreation and Sporting reserves:

EVENT	RESERVE NAME	RESERVE TYPE AND CLASSIFICATION
Carols by Candlelight	Halliday Park, Bayswater	Sporting/District
Perth Symphony Orchestra Concert	Pat O'Hara Reserve, Morley	Sporting/District
Noranda Twilight Markets	Robert Thompson Reserve, Noranda	Recreation/Neighbourhood
Jazz in the Park	Houghton Park, Bayswater	Sporting/District
Movie in the Park	Grand Promenade Reserve, Bedford	Sporting/Neighbourhood
Maylands Twilight Markets	Bardon Park, Maylands	Recreation/District
Evening in the Park	Bert Wright Park, Bayswater	Recreation/Neighbourhood

The event program has been reviewed by Council over the course of two years with minimal change to the content and delivery methods.

**Community interest groups**

Recent community feedback received regarding the City's delivery of events indicated a clear preference for various smaller events held in different locations across the City. In addition, the City's approach to town centre activation facilitates community events in all town centres; therefore the installation of a permanent stage in a reserve is not aligned with this approach.

**Event requirements**

Due to the nature of the City's varied and localised event calendar, event infrastructure, including stage, sound and lighting is hired from external suppliers. Approximately half of the total cost of a large City-led event is generally attributed to such infrastructure including portable toilets, lighting, temporary stage and power. Programming events on reserves with a main Sporting function e.g. Pat O'Hara Reserve, Houghton Park - is determined by sporting seasons and fixtures, whereas those reserves purely used for Recreation purposes e.g. Robert Thompson Reserve, Bardon Park or Bert Wright Park are more readily available. Large reserves e.g. Pat O'Hara Reserve and Riverside Gardens can also accommodate overflow parking at events with large attendances.

The following provides an example of stage and infrastructure hire per event:

EVENTS	TYPES OF INFRAStructure HIRED	COST OF HIRE
Avon Descent Finish Line	5.4m x 3.6m stage	<b>Stage \$350</b>
	Power generators, sound, lighting	Total \$3,700
Carols by Candlelight	Megavision trailer stage (10m x	<b>Stage \$5,185</b>

	6.1m) Ada sound small side stage (5.4m x 3.6m)	
	Toilets, lighting	Total \$6,784
Perth Symphony Orchestra	Megavision trailer stage (10m x 6.1m)	<b>Stage \$4,340</b>
	Lighting, Sound, Engineer	Total \$12,734
Autumn River Festival Evening in the Park Jazz in the Park	5.4m x 3.6 m stage	<b>Stage \$350</b> (incl in stage and sound package)

The City delivers around 20 events per year and the average stage, light and sound infrastructure investment is around \$5,000 per event.

If a permanent event stage was realized for around \$250,000 the pay back to the City based on current events and expenditure would be:

- \$250,000 divided by \$5,000 per event currently = 50 events
- @ 20 events per year it would take 2.5 years (approximately) to pay back.

It is noted though that some events do not require a stage and other events still requiring a stage will need to be delivered at various other venues across the City. In addition the following annual associated costs would apply:

- Maintenance \$10,000
  - Depreciation @ 2% \$5,000
  - Loss of Investment @ 2% \$5,000
- Total \$20,000 per year**

Therefore the real payback period for the installation of a permanent event stage is not so simplistic and likely to be over several years.

A permanent stage and any associated infrastructure may be considered to be suitable for small to medium sized events and performances. A raised concrete platform with partial weather proofing and capacity for sound and lighting equipment is most commonly provided.

Should Council determine it a strategic priority to progress a permanent event stage, Robert Thompson Reserve, Noranda is considered the most suitable location due to its large expanse of open space, access to public transport and proximity to a town centre hub. Other sites deemed to have potential for a small to medium permanent event stage are:

- Riverside Gardens, Bayswater
- Halliday Park, Bayswater, and
- The Rise, Maylands.

These sites share the following important characteristics for small to medium sized events, namely:

- Central location
- Accessibility to public transport
- Recreation function (rather than Sporting)
- Existing or co-located activities and services, e.g. shopping centre, library/community centre, cafes etc.

Additional investigation at any identified sites may be required to explore power supply capability and potential power supply upgrade options.

Permanent stage and infrastructure for large scale events e.g. the Perth Symphony Orchestra does not appear warranted, based on the City's current event program, which is focused on delivering smaller neighbourhood focused events; nor could it be accommodated on a reserve with a Sporting function.

It should also be noted that some of the permanent event stage examples provided are in regional towns where the event area and stage provides a community focal point within the town. This may not be relevant to the City with events delivered in neighbourhood parks and public open spaces.

Given the varied nature of the current community event program it is recommended that Council does not progress a permanent event stage and continue to invest in temporary infrastructure, as required.

### LEGISLATIVE COMPLIANCE

- City of Bayswater Local Planning Policies
- Building Code of Australia

### OPTIONS

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

<b>Option 1</b>	<b>That Council:</b>	
	<ol style="list-style-type: none"> <li><b>Do not progress the development of a permanent event stage; and</b></li> <li><b>Continue to procure stage and event infrastructure as required for community events delivered across the City.</b></li> </ol>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Moderate
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	This option presents the lowest risk to Council and reflects the current community event delivery model.	

<b>Option 2</b>	<b>That Council request officers to further investigate the feasibility of a small permanent event stage to be located at Robert Thompson Reserve in Noranda.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Moderate
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Moderate
Environmental Responsibility	Low	Low
Service Delivery	Low	Moderate
Organisational Health and Safety	Low	Low

<b>Conclusion</b>	This option presents a higher than accepted risk as the outcome is not aligned to the current service model, the item is unbudgeted and the community need is yet to be established.
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<b>Option 3</b>	<b>That Council request officers to further investigate the feasibility of a small permanent event stage to be located at an alternate location (determined by Council).</b>
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<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Moderate
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Moderate
Environmental Responsibility	Low	Low
Service Delivery	Low	Moderate
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	This option presents a higher than accepted risk as the outcome is not aligned to the current service model and the community need is yet to be established.	

### FINANCIAL IMPLICATIONS

The following financial implications are applicable:

**Item 1:** Not Progress A Permanent Event Stage and Hire Event Infrastructure As Required.

**Asset Category:** Renewals **Source of Funds:** Municipal

**LTFP Impacts:** Not currently listed in LTFP

**Notes:**

\$300,000 in 2019/20 budget to deliver Citywide community events.

ITEM NO.	CAPITAL / UPFRONT COSTS (\$)	ONGOING COSTS (\$)		INCOME (\$)	ASSET LIFE (YEARS)	WHOLE OF LIFE COSTS (\$)	CURRENT BUDGET (\$)
		MATERIALS & CONTRACT	STAFFING				
1		Estimated \$5,000 Per Event For Infrastructure As Required					\$5,000

### STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Our Community

Aspiration: An active and engaged community

Outcome C1: A strong sense of community through the provision of quality services and facilities.

### CONCLUSION

A preliminary investigation of reserves has been undertaken to ascertain the suitability of key reserves in terms of both hosting events and accommodating a permanent event stage structure. A number of reserves are identified as suitable for accommodating a permanent event stage.

The community annual event program has been reviewed in recent times and continues to host localised and neighbourhood events at various venues across the City. Many events are repeated on a rotational basis.

Should Council determine it a strategic priority to progress a permanent event stage, Robert Thompson Reserve, Noranda is considered the most suitable location due to its large expanse of open space, access to public transport and proximity to a town centre hub.

Given the varied nature of the current community events program it is recommended that Council does not progress a permanent event stage and continue to invest in temporary infrastructure, as required. **COUNCIL RESOLUTION**

**10.3.2 Petition Battersea Reserve Play Space**

<b>Applicant/Proponent:</b>	Freya Han	
<b>Owner:</b>	City of Bayswater	
<b>Responsible Branch:</b>	Project Services	
<b>Responsible Directorate:</b>	Works and Infrastructure	
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
<b>Voting Requirement:</b>	Simple Majority Required	
<b>Refer:</b>	OCM : 09/07/2019 : Item 10.3.1 OCM : 05/11/2019 : Item 8.1.1	

**SUMMARY**

A petition regarding playground facilities at Battersea Reserve, Morley was tabled at the Ordinary Council Meeting on 5 November 2019. At the meeting Council noted and received the petition and requested a further report be prepared in order to consider the subject of the petition. This report is in relation to the petition.

**OFFICER'S RECOMMENDATION**

That Council liaise with the head petitioner and local community to modify the current play space within existing budgets.

**COUNCIL RESOLUTION**

**That Council liaise with the head petitioner and local community to modify the current play space within existing budgets. That shade and pathways are to be included in these discussions.**

**CR BARRY MCKENNA MOVED, CR STEPHANIE GRAY SECONDED  
CARRIED UNANIMOUSLY: 10/0**

**REASON FOR CHANGE**

***Councillors amended the Officer's Recommendation to reinforce the need for shade and pathways to be considered during the discussions with the local community.***

**BACKGROUND**

A petition dated 25 September 2019 has been received by Council requesting improvements to the playground facilities at Battersea Reserve, Morley.

The petition contains 22 signatures and states that the facilities provided are not suitable for young children, specifically pre-schoolers. The petition also makes reference to dirty play sand containing contaminants such as tree debris, cans and bottles full of unknown liquids, paper and broken glass which the community feel is unsafe. There is also concern around a lack of shade with summer approaching.

The petition specifically requests that Council improve and upgrade facilities with an expanded playground size at Battersea Reserve.

The play equipment comprising of climber with slide combination unit and double swing set was installed in December 2009 and has an expected asset life of 15+ years. The current equipment

is due for replacement from 2024. The equipment is typical of play equipment installed throughout the City and neighbouring metropolitan areas during the late nineties and early two thousands.

Sand is an industry accepted play surface for this type of play structure and the equipment generally caters for toddlers (under parental supervision) to young teens.

The play equipment was inspected in October 2019 by an independent accredited playground safety auditor with no structural issues reported. The inspection revealed four small rubber lugs were missing from the deck at the top of the slide which presented a minor finger entrapment hazard. The holes have since been filled. The equipment provided remains usable and fit for purpose.





Battersea Reserve is a Neighbourhood Park which measures 185m x 85m or 1.5 hectares. A neighbourhood park is typically between 1 - 5 hectares and located within an 800m walk from home. The intended purpose of a neighbourhood park is to accommodate a medium length visit for community and social activities such as picnics, dog walking, sport, recreation and play.

Typical infrastructure within a neighbourhood park is likely to be:

- A mix of broad age range play components;
- Some form of shade, either natural or shade sail;
- Accessible pathway(s) within the park;
- BBQ, Drink Fountain, Seating / Picnic Shelter, and
- Landscaping.

The City has a total of 47 neighbourhood parks, and 35 of these have play equipment.

Battersea Reserve comprises of open recreational grassed space with play equipment, picnic shelter, bench seat and bin. 25+ mature trees a located within and around the park providing some natural shade cover.

At the Ordinary Meeting held on 9 July 2019, Council resolved to adopt a Citywide Play Space Strategy. The Play Space Strategy aims to:

- Be responsive to change and community demand;
- Provide a strategic approach to decision making; and
- Provide a variety of play experiences in local areas for the whole community to enjoy.

The Play Space Strategy advises that playground replacement is refined to reflect the intended use of the whole park or reserve rather than focussing on the play equipment in isolation. Future

play space redevelopment is to be guided by a number of factors including age, function and condition of equipment together with community demand.

The Play Space Strategy identifies redevelopment at Battersea Reserve to be considered within the 2023/24 financial year, to potentially include more natural play elements and to incorporate young people into the facility design.

The broader recommendation within the Play Space Strategy for Battersea Reserve is to enhance the current play provision.

### **EXTERNAL CONSULTATION**

Following the presentation of the original petition at the Ordinary Council Meeting held on 5 November 2019 the City has written to the head petitioner to advise that a report in relation to the petition will be prepared for Council consideration. Officers have also spoken to the head petitioner to discuss the matters raised in the petition.

Further engagement will take place with the local community regarding any future redevelopment of the play space and infrastructure within Battersea Reserve.

In developing the Play Space Strategy during 2018/19 the City engaged the broader community regarding play provision with the following key points noted:

- A broader range of play types and activities outside of the standard plastic play equipment designed for 3 to 10 year olds;
- Additional supporting infrastructure around play spaces including shade over play equipment, seating, BBQs and picnic tables;
- Improved access to and around play spaces through path networks and connections;
- Integration of play into the natural environment; and
- Mix of play activities to cater for more than one age group in bigger play spaces.

### **OFFICER'S COMMENTS**

The play equipment provided within Battersea Reserve is consistent with the majority of play equipment provided across the City and beyond. The equipment is designed to cater for a broad range of play activity and skill such as climbing, sliding and swinging. The equipment encourages physical activity, social interaction and creative play for children primarily aged 4 - 13 years.

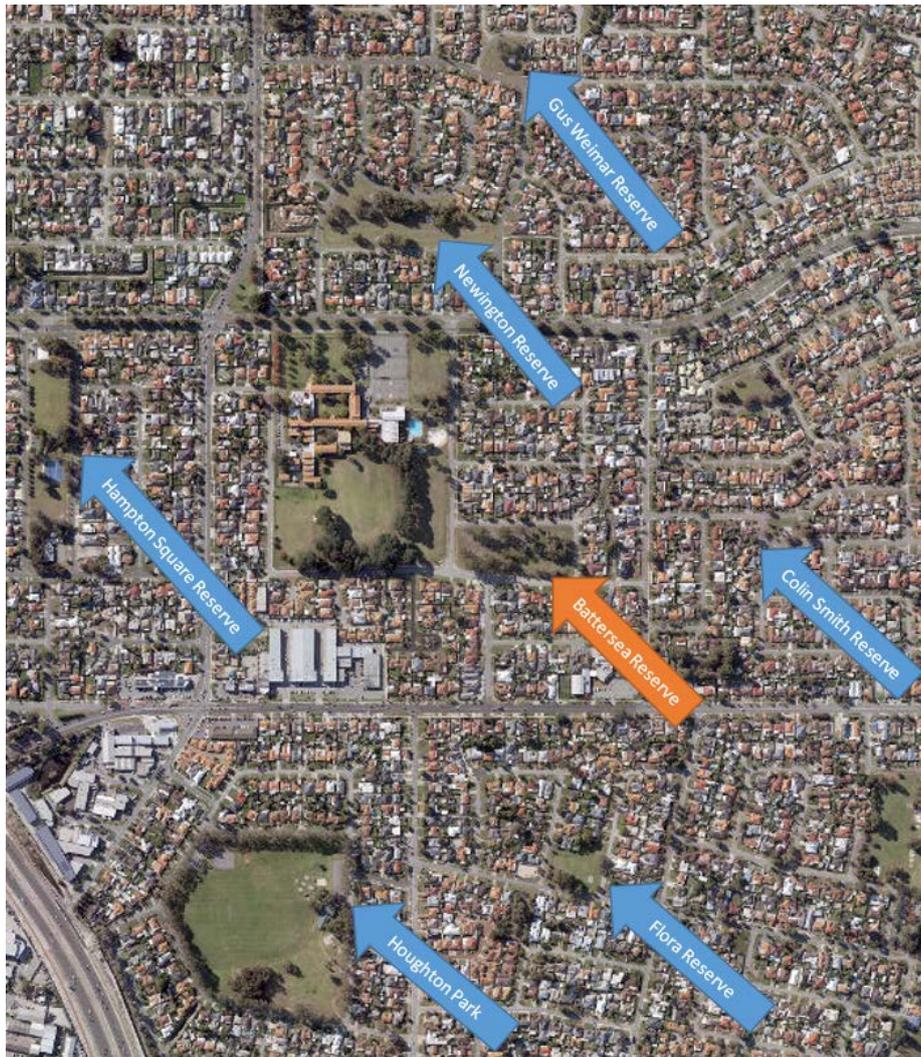
It is noted that the petition is requesting more equipment specifically catering for younger pre-school children. Whilst it is possible to provide equipment for younger pre-school children a balanced community facility should appropriately provide for a broad range of users. This can be achieved through appropriate resourcing of any future redevelopment and facilitating design input from facility users.

The Play Space Strategy advocates that \$60,000 - \$90,000 should be considered as an appropriate budget to redevelop a play space within a neighbourhood park such as Battersea Reserve. Additional funding could be considered subject to community demand and identified need to provide for key supporting infrastructure such as additional shade, accessible facilities and connecting pathways.

Accepting that the current equipment provided may not suit the needs of some facility users the current equipment is consistent with many other play spaces provided locally and remains safe and fit for purpose.

The following play spaces are also available to the local community within reasonable proximity to Battersea Reserve and provides a range of alternative play opportunities:

Park/Reserve	Address	Distance	Walk	Public Open Space Classification	Park Infrastructure
Colin Smith Reserve (City of Swan)	Littlemore Way, Eden Hill WA 6054	350m	550m	Local	Play Structure Park Bench Bin
Newington Reserve	14 Marconi Street MORLEY WA 6062	530m	850m	Neighbourhood	Play Structure Park Bench Bin
Flora Reserve	242 Anzac Terrace BAYSWATER WA 6053	520m	900m	Local	Play Structure Park Bench Bin Passive Lights
Houghton Park	1 Purley Street BAYSWATER WA 6053	680m	1.1km	District	Play Structure Tennis and Basketball Courts Sports Fields Picnic Shelter BBQ Drink Fountain Shade Sails Footpaths
Gus Weimar Park (Play Space Redevelopment 2020/21)	2 Aerial Place MORLEY WA 6062	780m	1.2km	Local	Play Structure Park Bench Bins
Hampton Square Reserve	127 Mickleham Road MORLEY WA 6062	750m	1.4km	Neighbourhood	Play Structure Picnic Shelter Tennis Court Drinking Fountain Footpaths Car Park Dog Exercise



A number of factors may be considered in relation to the petition:

Age of Users

The petition raises concern about the limited range of equipment for young children particularly pre-schoolers. The current equipment is appropriate for young children under parental supervision and provides a lower step ladder to the slide platform and an imaginative play shop counter style area below the slide. Battersea Reserve is located adjacent to Hampton Senior High School and is also utilised by older children.

A separate area providing play for younger children may be considered in any future play space design.

Sand Soft Fall

Sand is an effective softfall material and is commonly used across the City and beyond. The sand is rake cleansed on a regular basis as required and receives a mechanical cleanse a minimum of once per year, or more regularly as required. The comments in relation to cans, bottles and glass are noted and such debris, if present, is routinely removed and disposed of by both City staff and the local community as required.

The sand may be replaced with play mulch which provides an appropriate softfall surface and is more suited to areas where tree debris is common.

Rubber softfall is the communities preferred surface as it is an effective softfall surface and is perceived to be cleaner than other options. Rubber softfall however tends to become hot during the summer months and has an effective life length of 5 - 8 years. The rubber surface tends to be more expensive to install, often two to three times more expensive than sand or mulch. In the example of Battersea Reserve a rubber softfall surface would be around \$25,000 - \$30,000 to install. By comparison a mulch or sand alternative would be less than \$10,000.

Connecting Pathway(s)

There are no pathways within Battersea Reserve and the play equipment is difficult to access with either a pram, pusher or for people requiring assistance. A pathway from the reserve boundary to the play area may be considered in any future design.

Additional Shade

The reserve has a number of mature trees that provides an element of shade cover to the play space. A shade sail is not considered to be suitable for the site given the number of established trees. Additional tree planting around the play space will provide appropriate shade cover as any new trees mature.

Given that the existing play equipment is only ten years old, has not come to the end of its usable life and is not due for replacement until 2023/24 the following may be considered in relation to the issues highlighted within the petition:

- Modify the existing play equipment by replacing certain panels and elements to provide more interactive play for pre-school children. Approximate cost around \$5,000 and could be accommodated within existing budgets.
- Discuss with the local community the option to change the current play sand to play mulch. Both are complaint softfall materials. The mulch may be more in keeping with the surrounding trees that do provide some shade but also tend to drop debris into the play sand. Approximate cost to replace the sand with mulch is around \$10,000 and is currently unbudgeted.
- Consider the installation of a pathway from the edge of the reserve to the play space. Approximate cost around \$10,000 and is currently unbudgeted.
- Plant additional trees around the play space to provide more natural shade. Approximate cost around \$2,000 and could be accommodated within existing budgets.

**LEGISLATIVE COMPLIANCE**

Nil

**OPTIONS**

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

<b>Option 1</b>	<b>That Council liaise with the head petitioner and local community to modify the current play space within existing budgets.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low



**STRATEGIC IMPLICATIONS**

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Our Community  
Aspiration: An active and engaged community  
Outcome C1: A strong sense of community through the provision of quality services and facilities.

**CONCLUSION**

A petition regarding playground facilities at Battersea Reserve, Morley was tabled at the Ordinary Council Meeting held on 5 November 2019. The petition contains 22 signatures and states that the facilities provided are not suitable for young children, specifically pre-schoolers.

The current play equipment was installed in 2009, remains fit for purpose and has a life expectancy of 15+ years. The equipment is due for replacement from 2023/24.

The current play space provides a range of play elements to encourage climbing, swinging and imaginative play and caters for toddlers (under parental supervision) to young teens.

The current equipment could be modified in liaison with the local community in order to provide some elements for younger children.

It is therefore recommended that Council request officers to liaise with the head petitioner and local community to modify the current play space within existing budgets.

**10.3.3 EMRC Special Council Meeting Minutes - 4 November 2019**

<b>Responsible Directorate:</b>	Works and Infrastructure	
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Information Purposes
<b>Voting Requirement:</b>	Simple Majority Required	

**SUMMARY**

To allow Council consideration of the Council and Special Council Minutes from the Eastern Metropolitan Regional Council (EMRC).

**COUNCIL RESOLUTION****(OFFICER'S RECOMMENDATION)**

**That Council receives the Eastern Metropolitan Regional Council's (EMRC) Minutes of the Council Meeting of 4 November 2019**

**CR BARRY MCKENNA MOVED, CR STEPHANIE GRAY SECONDED  
CARRIED UNANIMOUSLY BY EXCEPTION (EN BLOC): 10/0**

**BACKGROUND**

The EMRC held a Special Council meeting with the following Councillors in attendance:

- EMRC Special Council Meeting - 4 November 2019:
  - Cr Giorgia Johnson and Cr Filomena Piffaretti

**EXTERNAL CONSULTATION**

Not applicable.

**OFFICER'S COMMENTS**

The purpose of this report is to provide the Council with information detailing the items with implications for the City of Bayswater from the 4 November 2019 EMRC Special Council Meeting.

In relation to the City of Bayswater, at the Special EMRC Council Meeting, Councillors and officers were nominated to EMRC Committees as follows:

Election of EMRC Councillors to various positions as follows:

- EMRC Chairman - Cr Jai Wilson Town of Bassendean.
- EMRC Deputy Chairman - Cr Doug Jeans Shire of Mundaring.
- Chief Executive Officer Advisory Committee:
  - Andrew Brien Chief Executive Officer.
- Chief Executive Officer Performance Review Committee:
  - Cr Lorna Clarke.
- Audit Committee:

- Cr Lorna Clarke.
- Waste Advisory Committee:
  - Cr Giorgia Johnson; and
  - Doug Pearson Director Works and Infrastructure.
- Investment Committee:
  - Cr Giorgia Johnson.
- Members Delegate to Municipal Waste Advisory Council
  - Cr Giorgia Johnson.

A full copy of the EMRC unconfirmed Special Council Meeting Minutes can be obtained from <https://www.emrc.org.au/council/council-and-committees/council-minutes.aspx>

### **LEGISLATIVE COMPLIANCE**

Not applicable.

### **OPTIONS**

Not applicable.

### **FINANCIAL IMPLICATIONS**

Not applicable.

### **STRATEGIC IMPLICATIONS**

In accordance with the City of Bayswater's Strategic Community Plan 2017-2027, the following applies:

Theme: Our Local Economy

Aspiration: A business and employment destination.

Outcome E3: Attractive to new services, businesses and investment.

### **CONCLUSION**

For Council to receive the report.

**10.3.4 Proposed Interim Lease for 271 Collier Road, Bayswater**

<b>Responsible Branch:</b>	Engineering Services	
<b>Responsible Directorate:</b>	Works and Infrastructure	
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
<b>Voting Requirement:</b>	<b>ABSOLUTE MAJORITY REQUIRED</b>	
<b>Refer:</b>	Item 16.3.1 OCM 25.08.15 Item 9.3.10 CTFCS 19.04.17 Item 10.6 OCM 27.06.17 Item 13.1.1 OCM 15.05.18 Item 13.1.1 OCM 16.10.18 Item 14.1.1 OCM 28.05.19 Item 14.1.1 OMC 05.11.19	

**SUMMARY**

For Council to consider an interim lease with Cleanaway Pty Ltd for the Bayswater Transfer Station at 271 Collier Road, Bayswater, on a month-by-month basis, up until 30 June 2020, following recent public notice.

**COUNCIL RESOLUTION****(OFFICER'S RECOMMENDATION)**

That Council:

1. **Notes the outcome from the City's advertisement of its intention to enter into an interim lease on a month-by-month basis with Cleanaway Pty Ltd, for 271 Collier Road, Bayswater, until 30 June 2020.**
2. **Approves the City entering into an interim lease on a month-by-month basis with Cleanaway Pty Ltd for 271 Collier Road, Bayswater, to 30 June 2020, in accordance with Section 3.58 of the *Local Government Act 1995*, until the new long-term lease of the property has been finalised.**

**CR BARRY MCKENNA MOVED, CR STEPHANIE GRAY SECONDED**

**CARRIED UNANIMOUSLY BY EXCEPTION (EN BLOC): 10/0**

**BACKGROUND**

The City owns the property at 271 Collier Road, Bayswater. The property has been leased to Cleanaway Pty Ltd for 271 Collier Road Bayswater, for an extended period and has principally operated as a waste transfer station and Materials Recovery Facility (MRF) which is due to expire on 31 December 2019.

At the Ordinary Council Meeting of 5 November 2019, Council considered an update in relation to the leasing of the property and resolved in part as follows:

*"That Council:*

1. *Approves the City extending the interim lease with amended terms (in relation to potential alternate uses on the site) with Cleanaway, to operate the Transfer Station at 271 Collier Road, Bayswater, on a month-by-month basis, up until 30 June 2020.*

2. Approves the City initiating a tender or Expression of Interest process for the long term lease of 271 Collier Road, Bayswater, if required.
3. Approves the City continuing discussions with the Eastern Metropolitan Regional Council (EMRC) in relation to the management of the site."

In accordance with the legislative requirements of the *Local Government Act 1995*, the City prepared and advertised a public notice for the disposition by lease of 271 Collier Road, Bayswater which was advertised on Saturday, 17 November 2019.

The City did not receive any formal submissions during the advertised period (17 November to 2 December 2019).

### EXTERNAL CONSULTATION

The public notice was advertised on 17 November 2019 as follows:

- The West Australian newspaper;
- Notice board at the City of Bayswater:
  - Civic Centre;
  - Libraries (Maylands, Morley and Bayswater);
  - The Rise; and
- City's website.

### OFFICER'S COMMENTS

In considering the proposed short-term lease with Cleanaway Pty Ltd for 271 Collier Road, Bayswater it should be noted that:

- The City of Bayswater owns the parcel of land at 271 Collier Road, Bayswater.
- The land is currently leased to Cleanaway Pty Ltd until 31 December 2019.
- The MRF on the site ceased operating in May 2017; therefore minimising potential impacts to surrounding properties, however, Cleanaway Pty Ltd are continuing to operate the Transfer Station at the site.
- It is preferable that the City continues to have a transfer station available either in the municipality or within close proximity, for residents to utilise. An interim lease will ensure that the Transfer Station remains operational on a month-by-month basis until the long-term lease of the site has been finalised.
- The City did not receive any formal submissions during the advertised period.
- As Cleanaway are proposing to only operate the transfer station and will not access other parts of the site there will be no lease payments applicable during this period and the City will need to meet the operating costs of the transfer station to ensure continuation of service to ratepayers. The cost will be \$15,000 per month and this can be accommodated in current waste management budgets.

### LEGISLATIVE COMPLIANCE

- *Local Government Act 1995*; and
- *Local Government (Functions & General) Regulations 1996*

**OPTIONS**

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

<b>Option 1</b>	<b>That Council:</b>	
	<ol style="list-style-type: none"> <li>Notes the outcome from the City's advertisement of its intention to enter into an interim lease on a month-by-month basis with Cleanaway Pty Ltd, for 271 Collier Road, Bayswater, until 30 June 2020.</li> <li>Approves the City entering into an interim lease on a month-by-month basis with Cleanaway Pty Ltd for 271 Collier Road, Bayswater, to 30 June 2020, in accordance with Section 3.58 of the <i>Local Government Act 1995</i>, until the new long-term lease of the property has been finalised.</li> </ol>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	This option provides lowest risk to Council and ensures continuity of services to residents utilising the transfer station.	

<b>Option 2</b>	<b>That Council declines the interim lease with Cleanaway Pty Ltd for 271 Collier Road, Bayswater</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Moderate
Reputation	Low	High
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	High
Environmental Responsibility	Low	Low
Service Delivery	Low	High
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	This option will not ensure continuity of service to residents and loss of rental income with potential increases in waste disposal costs.	

**FINANCIAL IMPLICATIONS**

The following financial implications are applicable:

As detailed in the report the revised lease arrangements will result in no income to the City and charges of \$15,000 per month to meet the operating deficit at the transfer station.

**Item 1:** Lease of Transfer Station

**Asset Category:** N/A

**Source of Funds:** Income

**LTFP Impacts:**

ITEM NO.	CAPITAL / UPFRONT COSTS (\$)	ONGOING COSTS (\$) ANNUAL		INCOME (\$)	ASSET LIFE (YEARS)	WHOLE OF LIFE COSTS (\$)	CURRENT BUDGET (\$)
		MATERIALS & CONTRACT	STAFFING				
1	N/A	-	-	-			\$394,496 <i>(Income)</i>

**STRATEGIC IMPLICATIONS**

Theme: Leadership and Governance  
Aspiration: Open, accountable and responsive services.  
Outcome L1: Accountable and good governance.

Theme: Our Natural Environment  
Aspiration: A green and sustainable environment.  
Outcome N2: A resilient community that responds to sustainability challenges.

**CONCLUSION**

The City did not receive any formal submissions in response to public notice of its intention to enter into an interim lease on a month-by-month basis with Cleanaway Pty Ltd for 271 Collier Road, Bayswater, until 30 June 2020.

**10.4 Community and Development Directorate Reports****10.4.1 Proposed Three-Storey Single House - Amended Application - State Administrative Tribunal (SAT) Section 31 Reconsideration - Lot 503, 2 The Look, Maylands**

<b>Applicant/Proponent:</b>	3dEDGE Built Environment Designers and Planners (Director: Bruce Brunton)	
<b>Owner:</b>	James Schloffer and Jamie Barrett	
<b>Responsible Branch:</b>	Development Approvals	
<b>Responsible Directorate:</b>	Community and Development	
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input checked="" type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
<b>Voting Requirement:</b>	Simple Majority Required	
<b>Attachments:</b>	1. Section 31 Amended Development Plans 2. Applicant's Supporting Report <b>Confidential Attachment</b> 3. Submission Location Plan (Refused Plans)	
<b>Refer:</b>	Item 10.4.1: OCM 20.08.2019 Item 9.1.3: PDSC 16.05.2017	

***Confidential Attachment(s) - in accordance with Section 5.23(2) (b) of the Local Government Act 1995 – personal affairs of any person***

**CR GIORGIA JOHNSON DECLARED AN IMPARTIAL INTEREST**

***In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Giorgia Johnson declared an impartial interest in this item as she knows one of the deputees. Cr Giorgia Johnson remained in the room during voting on this item.***

**SUMMARY**

A development application was submitted to amend the building height of an approved three-storey single house at Lot 503, 2 The Look, Maylands. The development is located within an estate guideline area adjacent to the Swan River which appears to have been designed with the intention to provide all lots with access to river views.

The application was refused by Council, and is now part of a State Administrative Tribunal Section 31 reconsideration request. The applicant has modified the plans to reduce the building height, however the height is still considered to unduly impact on the amenity of adjacent properties, particularly in respect of access to views of significance and impact associated with the roof deck component, and is recommended for refusal.

**COUNCIL RESOLUTION****(OFFICER'S RECOMMENDATION)**

**That Council refuses the amended development application dated 13 May 2019 and plans dated 21 October 2019 for the proposed three-storey single house at Lot 503, 2 The Look, Maylands, for the following reasons:**

- 1 The development does not comply with the building height requirements of the Residential Design Codes Volume 1 and Design Guidelines - Lot 1 and 12 No 6-8 Fourth Avenue East, Maylands WAPC Subdivision Reference Number 124855 Policy;**

resulting in undue impact on the amenity of adjacent properties, and access to views of significance.

- 2 The development does not satisfactorily address the following factors set out in clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:

“(m) compatibility of the development with its setting including 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”;

“(n) the amenity of the locality including the following —

...

(iii) social impacts of the development”; and

“(y) any submissions received on the application.”

3. The development is considered to be contrary to orderly and properly planning of the locality, undermining the intent of the Design Guidelines - Lot 1 and 12 No 6-8 Fourth Avenue East, Maylands WAPC Subdivision Reference Number 124855 Policy by exceeding building height requirements, and compromising access to views of significance and unduly impacting on the amenity of properties within the estate guideline area.

**CR DAN BULL, MAYOR MOVED, CR SALLY PALMER SECONDED**

**CARRIED: 6/4**

**For:** Cr Dan Bull, Mayor, Cr Barry McKenna, Cr Sally Palmer, Cr Stephanie Gray, Cr Elli Petersen-Pik, and Cr Lorna Clarke.

**Against:** Cr Filomena Piffaretti, Deputy Mayor, Cr Michelle Sutherland, Cr Catherine Ehrhardt, and Cr Giorgia Johnson.

## BACKGROUND

<b>Application Number:</b>	DA16-0671.02
<b>Address:</b>	Lot 503, 2 The Look, Maylands
<b>Town Planning Scheme Zoning:</b>	Medium and High Density Residential - R50
<b>Use Class:</b>	Single House - 'P'
<b>Existing Land Use:</b>	Vacant
<b>Surrounding Land Use:</b>	Single Houses, Bardon Park and Maylands Yacht Club
<b>Proposed Development:</b>	Three-Storey Single House

This report relates to an application to amend an existing approved three-storey single house approved by Council at its Planning and Development Services Committee Meeting held 16 May 2017, and the approval was on 6 March 2019 granted a two year extension of time extending the approval to 17 May 2021. The application for amendment was previously considered by Council at its meeting held on 20 August 2019 where the application was refused, and the amendment is now subject to an appeal to the State Administrative Tribunal (SAT), and is being reconsidered under Section 31 of the *State Administrative Tribunal Act 2004*.

The initial proposal to amend the approval primarily involved an increase to floor levels and an associated building height increase which the applicant advised is primarily to eliminate concerns about flooding. The amendment also included modification to the basement floor area, upper floor pool area, and roof deck area, with some other minor changes. Council at its Ordinary Meeting held 20 August 2019 refused the amended proposal as follows:

*"That Council refuses the amended development application dated 13 May 2019 and plans dated 12 May 2019 for the proposed three-storey single house at Lot 503, 2 The Look, Maylands, for the following reasons:*

- 1 *The development is of excessive scale and bulk, not complying with the building height requirements of the Residential Design Codes Volume 1 and Design Guidelines - Lot 1 and 12 No 6-8 Fourth Avenue East, Maylands WAPC Subdivision Reference Number 124855 Policy; resulting in undue impact on the amenity of adjacent properties, and access to views of significance.*
- 2 *The development does not satisfactorily address the following factors set out in clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015:*
  - "(m) compatibility of the development with its setting including 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";*
  - "(n) the amenity of the locality including the following —*
    - ...*
    - (ii) the character of the locality;*
    - (iii) social impacts of the development"; and*
    - "(y) any submissions received on the application."*
- 3 *The development is contrary to orderly and properly planning, undermining the intent of the Design Guidelines - Lot 1 and 12 No 6-8 Fourth Avenue East, Maylands WAPC Subdivision Reference Number 124855 Policy by exceeding building height requirements and compromising access to views of significance within the estate guidelines area."*

Following the appeal to SAT against the decision of Council, SAT issued orders for the matter to proceed directly to mediation, where two orders were made by SAT as follows:

- 1 *Pursuant to s 31(1) of the State Administrative Tribunal Act 2004 (WA) the respondent is invited to reconsider its decision at its meeting on 3 December 2019.*
- 2 *The matter is listed for a directions hearing at 9.30 am on 13 December 2019 at 565 Hay Street, Perth, Western Australia in order to await the outcome of the reconsideration.*

Accordingly, the proposal initially considered by Council has been further amended and is referred to Council for reconsideration. A summary of the amendments from the plans previously considered by Council on 20 August 2019 is as follows:

- 1 Reduction in building height from 7.43m to 7.17m and various associated floor level reductions.
- 2 Modification of roof deck balustrading to be visually permeable above 7.0m.
- 3 Minor amendments to the ground floor plan including removal of ground floor entry from south-east elevation and replacement with ensuite, and increased window size adjacent staircase on south-east elevation.
- 4 Minor amendment to street fence design (primarily adjacent to the south-east lot boundary).
- 5 Removal of balcony 2 balustrade rail indicated on original upper floor plan 0.9m from north-west lot boundary.

It is considered that the first two listed amendments were made in an effort to address the reasons for refusal and mitigate the impact of the development, and are the primary aspects affecting building height which is the primary consideration of this report. Reducing the overall

building height and incorporating a lightweight design for the balustrading both assist in mitigating the impact of the development to address concerns identified in the reasons for refusal.





### EXTERNAL CONSULTATION

The City sought comment on the originally proposed amendments from adjacent property owners and received seven submissions, all in objection to the amendments. The key issues raised in submissions were adherence to the Bardon Waterside Maylands Design Guidelines, increased building height, impact of the roof deck, stormwater management, and visual privacy from the upper floor balcony. Full details are included in the officer report (item 10.4.1) to the 20 August 2019 Ordinary Council Meeting.

The City has not advertised the amended plans as no further variations have been sought.

### OFFICER'S COMMENTS

Additional Scheme Variations	Required	Refused Amendment	Current Proposed Amendment	Assessment
Boundary Wall:				
Maximum Wall Height (north-west)	6.0m	6.43m	6.26m	Variation
Maximum Building Height:				
Concealed Roof Height	7.0m	7.43m	7.17m	Variation
Minimum Visual Privacy Setback:				
Roof Deck (north-west)	7.5m	7.35m	7.35m	Variation

### Site Context

The site is located within the 'Bardon Waterside' estate, and subject to the City's Design Guidelines - Lot 1 and 12, No 6-8 Fourth Avenue East, Maylands Policy which provide supplementary requirements to the Residential Design Codes (R-Codes). The Bardon Waterside Design Guidelines state that the lot development has been carefully planned to harmonise with site conditions, and feature opportunities for views of the Swan River, Bardon Park and Perth.

Currently seven of the 13 lots within the estate have been developed, all containing two or three-storey single houses. Bardon Park and the Maylands Yacht Club are nearby and land zoned Medium and High Density Residential R30 to the north-east.

### Boundary Wall Height

The development proposes a boundary wall height of 6.26m to the north-west lot boundary (from 6.0m in the existing approval, and reduced 0.17m from the refused amendment), in lieu of the deemed-to-comply boundary wall height requirement of 6.0m. Accordingly the matter is required to be considered against the associated design principles as follows:

*"P3.1 Buildings set back from lot boundaries or adjacent buildings on the same lot so as to:*

- *reduce impacts of building bulk on adjoining properties;*
- *provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and*
- *minimise the extent of overlooking and resultant loss of privacy on adjoining properties.*

*P3.2 Buildings built up to boundaries (other than the street boundary) where this:*

- *makes more effective use of space for enhanced privacy for the occupant/s or outdoor living areas;*
- *does not compromise the design principle contained in clause 5.1.3 P3.1;*
- *does not have any adverse impact on the amenity of the adjoining property;*
- *ensures direct sun to major openings to habitable rooms and outdoor living areas for adjoining properties is not restricted; and*
- *positively contributes to the prevailing or future development context and streetscape as outlined in the local planning framework."*

The length of boundary wall subject to the height increase is 14.9m long, and includes sections of wall associated with the upper floor balcony at the front of the site and the kitchen and pantry area in the middle of the site. It is noted that the section associated with the balcony will also have a privacy screen located above.

The impacts associated with the boundary wall relate to the adjoining property at 4 The Look, and for the most part the wall adjoins a similar wall on this property. The areas of the adjoining property which are considered to be impacted are the top floor balcony at the front of the property, and the ground floor bedroom at the rear which has a window facing the proposed boundary wall.

The increased boundary wall height will be visibly apparent from the affected balcony, and will result in a greater sense of enclosure to one side. The balcony is currently unenclosed on three sides and contains a relatively large unroofed portion, and as a result the impact of the increased boundary wall height on the overall amenity of the balcony is considered to be minor, and will not compromise the effective use of this adjacent outdoor living area. Notwithstanding, in the event of approval it is considered appropriate to ensure the glass privacy screen be set at a height of 1.6m above the finished floor level of the adjacent kitchen/living area floor level to address privacy whilst ensuring the screening does not exacerbate the wall height impact more than necessary.

The increased wall height would typically reduce morning light to this space, however in this instance the impact on access to light will primarily result from the roof above the boundary wall and therefore this factor is considered more appropriately addressed under the building height section below. The boundary wall is also likely to impact on access to views of significance from the balcony which currently has unobstructed south-east views, however the impact is not

considered to be increased by the amendment to height, and therefore this is not considered relevant to the boundary wall height amendment proposed.

The affected bedroom is considered to already be significantly compromised by the design of the floor above it, which overhangs the affected window and extends to the boundary. This will result in an almost full enclosure of the area outside of the window once the boundary wall is constructed. Notwithstanding, the increased boundary wall height will not result in any further impact to this opening, and the estate guidelines permit boundary walls in this location. Accordingly the impact is considered to be a result of the adjoining dwelling design not accounting for future development rather than the variation proposed on the adjoining site.

In light of the above, the amended boundary wall height is not considered to result in any undue impact, and is supported.

### Building Height

The development proposes a concealed roof building height of 7.17m (from 7.0m in the existing approval, and reduced 0.26m from the refused amendment), in lieu of the deemed-to-comply concealed roof building height requirement of 7.0m. Accordingly the matter is required to be considered against the associated design principles as follows:

*"P6 Building height that creates no adverse impact on the amenity of adjoining properties or the streetscape, including road reserves and public open space reserves; and where appropriate maintains:*

- *adequate access to direct sun into buildings and appurtenant open spaces;*
- *adequate daylight to major openings into habitable rooms; and*
- *access to views of significance."*

The key considerations for the building height variation in this proposal are considered to be potential adverse impact to amenity of adjoining properties, and impact on access to views of significance. Access to direct sun/daylight is not considered to be unduly impacted as the development is located such that there are no directly adjacent dwellings to the south, south-east or south-west of the site, which are the primary areas where overshadowing impacts would occur. There will be some minor morning overshadowing to the western adjoining balcony at 4 The Look, however majority of the overshadowing to this balcony will be from the associated dwelling rather than the subject proposed development.

Amenity relates to the character and enjoyment of an area, and in this instance there are two key aspects of the development considered relevant in assessing impacts on amenity as a result of the increase to building height. These include the built form of the development itself, and potential impacts associated with use of the roof deck, which can be directly influenced by the height of the building. Access to views of significance is considered a relevant aspect of amenity for adjoining properties in this estate, and therefore it will also be included under the general considerations of impact on amenity.

In the currently proposed amendment, the variation of 0.17m to building height is approximately 40% of that proposed in the initial amendment refused by Council. The balustrading has also been amended to a lightweight and visually permeable metal railing for sections above 7.0m in height to further reduce the visual impact of the roof deck. The proposed variation to building height is generally not considered a substantial variation from the deemed-to-comply requirements and would typically not result in any undue impact on the character and built form of an area, however in instances where access to views of significance are already constrained, even relatively small exceedances in building height can result in proportionately large impact on access to views.

The southern views down The Look towards the river are considered to represent the most valuable views of the development; however it is acknowledged that there are also other views of significance from the estate including the City, stadium, and general parkland surrounding the site.

The property considered to be primarily impacted by the building height variation is 12 Fourth Avenue East, Maylands, with impact on access to river views being the main concern. The applicant has provided three perspective images to demonstrate the apparent impact the development will have, however there are concerns in respect of the accuracy of these images. In the event the render location in the image is even slightly incorrect, it could result in considerable change to the impact. Therefore it is considered appropriate that additional analysis be undertaken to more accurately ascertain the potential impact.

The distance at which the river would become visible can be calculated, and then used to determine the true impact which the development will have from any given viewing angle. Knowing the Australian Height Datum (AHD) of the viewing point (1.6m above the rear balcony of 12 Fourth Avenue East; 18.69AHD), obstruction (roof deck; 18.11AHD wall height, 18.28AHD balustrade height), and distance between the two viewing points (south-west edge of balcony to south-west edge of roof deck; 17.25m), it can be established that the river (0.0AHD) would become visible from 556m away (assessment against wall height) or 786m (assessment against balustrade height).

The far side of the river as viewed from the angle shown perspective is approximately 560m away, therefore meaning that views of the river would be almost entirely blocked by the roof deck component where the obstruction occurs. The extent of the obstruction will be dependent on the viewing angle. The original photograph (provided by the applicant) and an aerial indicating the extent of obstruction from either side of the rear balcony using the vacant block for reference (prepared by the City) are shown below.





Above: Yellow lines depict sight lines from either side of the rear balcony across the vacant lot, whilst red indicates the location of the roof deck and associated walls.



Based on the above sight lines, it would be expected that the roof deck should be obstructing a significantly greater extent of the vacant lot however this is not the case in the perspective provided.

Notwithstanding the impact of the roof deck structure itself, the nature of roof decks is such that there is additional potential impact on amenity of adjoining properties (not just limited to views) associated with their use, which would not require consideration when assessing the impact associated with a roof. The Bardon Waterside estate was developed in a podium like manner, reducing levels towards the river to enable all lots access to views of significance. The guidelines do not appear to account for or make any mention of roof decks, and the existing roof deck was unable to form part of the City's considerations when the application was originally approved given the development met the relevant deemed-to-comply requirements.

As roof decks provide habitable space above the maximum building height, they introduce unobstructed 360° views towards private spaces in adjoining properties, and obstructions exceeding the building height limit, which are considered to undermine a key feature of the estate for adjoining properties; access to views of significance, and an assumption that these views can be enjoyed from an area of high amenity within each lot.

The wall height around the roof deck is 0.77m, which will result in anything with a height greater than 0.77m will be visible, particularly when viewed from the rear adjoining property balcony, further obstructing views already impacted views. This impact is highlighted by the fact that the roof deck floor level is above the upper floor balcony floor level of the rear adjoining property (17.28AHD compared to 17.09AHD). Whilst these are not permanent obstructions, it is reasonable to factor the function and use of the building to the extent in which its height 'impacts on the amenity of adjoining properties' when considering the design principles. A roof deck above a single-storey dwelling within the context of this estate would be of considerably less impact than the proposed being considered, demonstrating that the roof deck and building height are not independent and unrelated matters.

A review was undertaken outlining building heights of other developments approved within the estate and outlined in the City's report to Council on 20 August 2019. Due to the location and proposed built form (in particular the roof deck feature), the approvals are not considered to set any relevant precedent for the amendment currently being considered.

In light of the above assessment the building height variation is still considered to present a significant impact on the amenity of adjacent properties, and accordingly the proposed building height increase is not supported.

#### Visual Privacy

The development proposes a roof deck visual privacy setback of 7.35m to the north-west lot boundary (from 7.75m in the existing approval, and no change from the refused amendment), in lieu of the deemed-to-comply visual privacy setback of 7.5m. Accordingly the matter is required to be considered against the associated design principles as follows:

*"P1.1 Minimal direct overlooking of active habitable spaces and outdoor living areas of adjacent dwellings achieved through:*

- *building layout and location;*
- *design of major openings;*
- *landscape screening of outdoor active habitable spaces; and/or*
- *location of screening devices.*

*P1.2 Maximum visual privacy to side and rear boundaries through measures such as:*

- *offsetting the location of ground and first floor windows so that viewing is oblique rather than direct;*
- *building to the boundary where appropriate;*
- *setting back the first floor from the side boundary;*
- *providing higher or opaque and fixed windows; and/or*
- *screen devices (including landscaping, fencing, obscure glazing, timber screens, external blinds, window hoods and shutters)."*

The active habitable spaces and outdoor living areas on the affected property (4 The Look) which are considered to have direct line of site with the roof deck area are the front upper floor balcony and rear upper floor study. The sight lines between the roof deck and study are limited through

the roofline of the subject dwelling and the nook which the study window is located in. In addition the window to the study is a highlight window, and the total distance from the roof deck area to the window is approximately 10m. Given the above factors, the impact to the study is considered limited and of no undue impact.

The roof deck is located closer to the adjoining balcony, with the southern-most section of the roof deck 7.35m from the northern-most section of the adjoining balcony of 4 The Look. The level difference between the roof deck and adjoining balcony results in the roofline providing a significant obstruction to views between the two areas. Accordingly, despite the reduced setback, it is not considered that there will be any direct views between users of these areas, and therefore minimal risk of impact to visual privacy. On this basis the design principles are considered to have been satisfactorily achieved, and the visual privacy variation supported.

#### Stormwater Management

The applicant has advised the primary purpose of the amended levels on site is to mitigate potential risk of flooding, and a report (three page memorandum) prepared by RAA Hydraulic & Fire Services Design submitted to the City in respect of the matter. The City has reviewed report and it is considered that the site was not subject to any undue flood risk, with measures already in place within the estate to accommodate 1 in 100 year rainfall events. The standard engineering practice is to only consider rainfall events of up to 1 in 100 year events and therefore this is not considered relevant justification for the proposed amended levels and subsequent increased building heights.

#### **LEGISLATIVE COMPLIANCE**

- *Planning and Development Act 2005;*
- *Planning and Development (Local Planning Schemes) Regulations 2015;*
- *State Administrative Tribunal 2004;*
- State Planning Policy 7.3 - Residential Design Codes Volume 1;
- City of Bayswater Town Planning Scheme No. 24; and
- City of Bayswater local planning policies including Design Guidelines - Lot 1 and 12 No 6-8 Fourth Avenue East, Maylands WAPC Subdivision Reference Number 124855 Policy.

#### **OPTIONS**

The following options are available to Council:

1. Council refuses the development application in accordance with the Officer's Recommendation. The risks associated with this option are considered to be reduced due to the reasons given for the Officer's Recommendation.
2. Council approves the development application subject to no or alternate condition(s). The risks associated with this option are considered dependent on the reasons given for the approval and any condition(s) and the nature of the condition(s).

#### **FINANCIAL IMPLICATIONS**

Not applicable.

#### **STRATEGIC IMPLICATIONS**

In accordance with the City of Bayswater Strategic Community Plan 2017-2027 (as amended), the following applies:

Theme: Our Built Environment  
Aspiration: A quality and connected built environment.

Outcome B1: Appealing streetscapes.  
Outcome B3: Quality built environment.

The proposed development will unduly impact on the built form of development within the estate area, and have potential implications for future development proposed within the area which may impact on streetscape consistency and dwelling design.

**CONCLUSION**

In light of the above, the application is recommended for refusal.

Attachment 1 - Section 31 Amended Development Plans

Schloffer v20 ALT WD SAT.pln

**Amended DA Issue REV 1**  
October 21, 2019

**AMENDED DA DRAWING LIST**

Dwg No:	Name
A-100	COVER SHEET
A-101	LOCALITY PLAN
A-101SL	LOCALITY SIGHT LINES
A-102	SITE PLAN - GEN ARRANGEMENT
A-201	BASEMENT FLOOR PLAN
A-202	GROUND FLOOR PLAN
A-203	UPPER FLOOR PLAN
A-204	ROOF & ROOF DECK PLAN
A-301	ELEVATIONS P1 - FRONT & REAR
A-302	ELEVATION P2 - SIDE (SE)
A-303	ELEVATION P3 - SIDE (NW)
A-401	CROSS SECTION X1
A-402	CROSS SECTION X2
A-405	CROSS SECTIONS X5 & X6
A-406	CROSS SECTIONS X7 & X8
A-407	CROSS SECTIONS X9 & X10
A-411	LONGITUDINAL SECTION Y1
A-412	LONGITUDINAL SECTION Y2
A-415	LONGITUDINAL SECTION Y5
A-416	LONGITUDINAL SECTION Y6
A-455	1:20 WALL SECTION W55



1 3D VIEW 1 (S)

**Amended DA Rev 1**  
Roof deck balustrade & main roof lowered by 257mm compared to refused Amended DA, which makes them 172mm above existing DA

**SCHLOFFER RESIDENCE**  
Lot 503 The Look  
Bardon Waterside  
Maylands



45 Letchworth Centre Avenue, Salter Point WA 6152  
www.3dEDGE.com.au Tel: 04077 04177

**Schloffer Residence**  
Lot 503 (HN 2) The Look,  
Bardon Waterside, Maylands

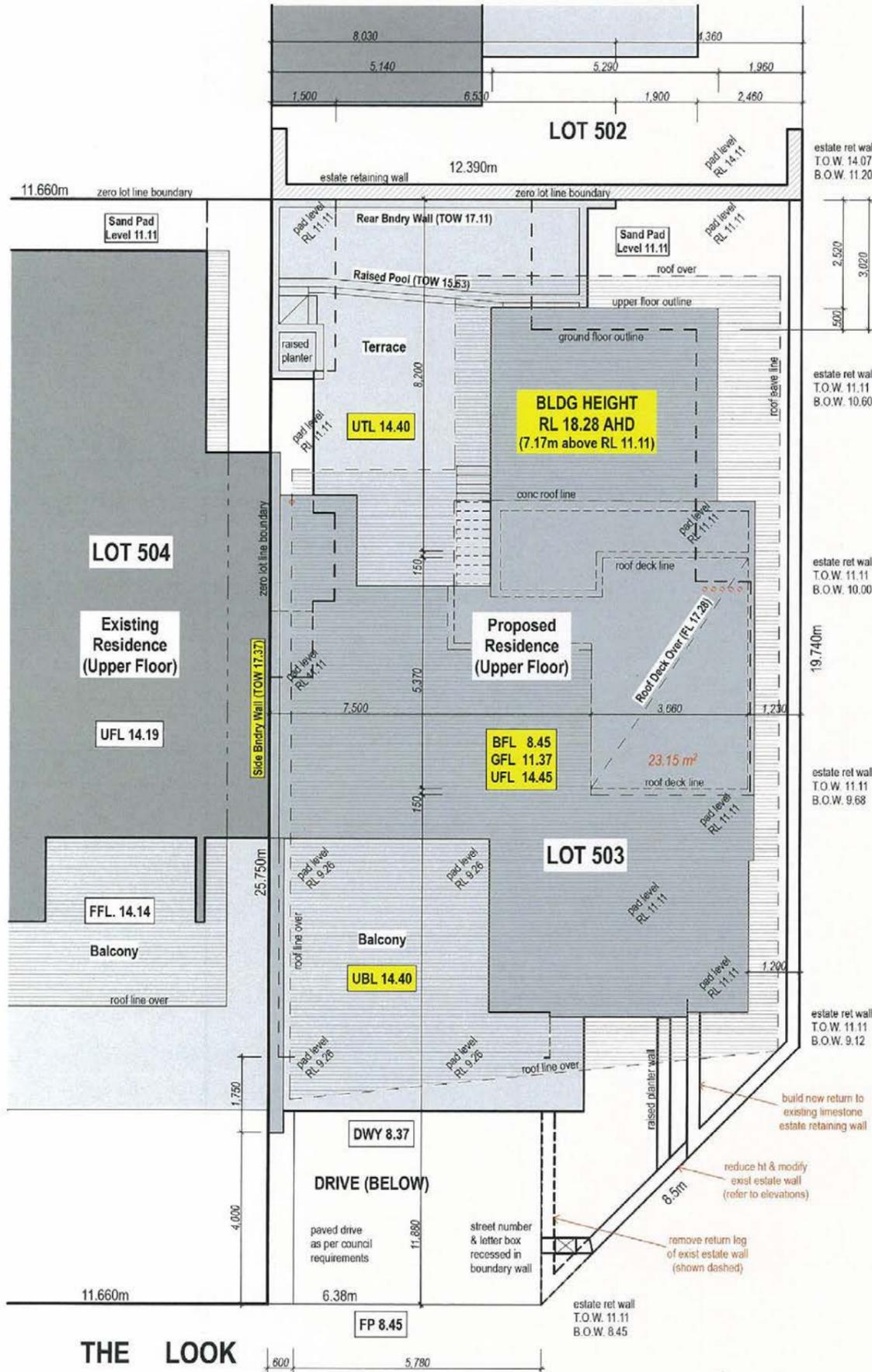
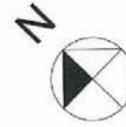
**COVER SHEET**

Date:	2016	Drawn:	BB	Chkd:	BB
Job No:	160910	Dwg No:	A-100	Rev No:	1

The builder must verify all dimensions on site before commencing any work or shop dwgs.

Schloffer v20 ALT WD SAT.pln

**Amended DA Issue REV 1**  
October 21, 2019



THE LOOK

- EARTH WORKS**  
The Builder shall carry out all earth works required to complete the building works, in accordance with the specification and all statutory, safety requirements.
- ESTATE WALLS**  
The Builder shall protect and/or modify the existing limestone, lot boundary retaining walls, that form part of the Bardon Waterside Estate
- SITE STABILISATION**  
The Builder shall maintain the Work Site in a manner to prevent sand and dust nuisances to the neighbouring properties for the duration of the Building Contract
- TERMITE TREATMENT**  
The Builder shall carry out termite treatment, at the appropriate time, in accordance with the Australian Standard AS3660.1-2104 and the provisions of the BCA.

**Amended DA Rev 1**  
Roof deck balustrade & main roof lowered by 257mm, compared to refused Amended DA, which makes them 172mm above existing DA

**LEVEL DATUM = AHD**  
Levels taken from As Constructed Estate Eng's Dwg's

SITE PLAN - GA  
1:100

**BLDG AREA ANALYSIS**

<b>Main Floor Areas</b>	
BFLA =	143 sqm
GFLA =	171 sqm
UFLA =	132 sqm
<b>Total =</b>	<b>446 sqm</b>
<b>Ext Spaces = 135 sqm</b>	
Site Area =	301 sqm
Covered =	177 sqm
<b>Open Space = 41.2%</b>	



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**SITE PLAN - GEN ARRANGEMENT**

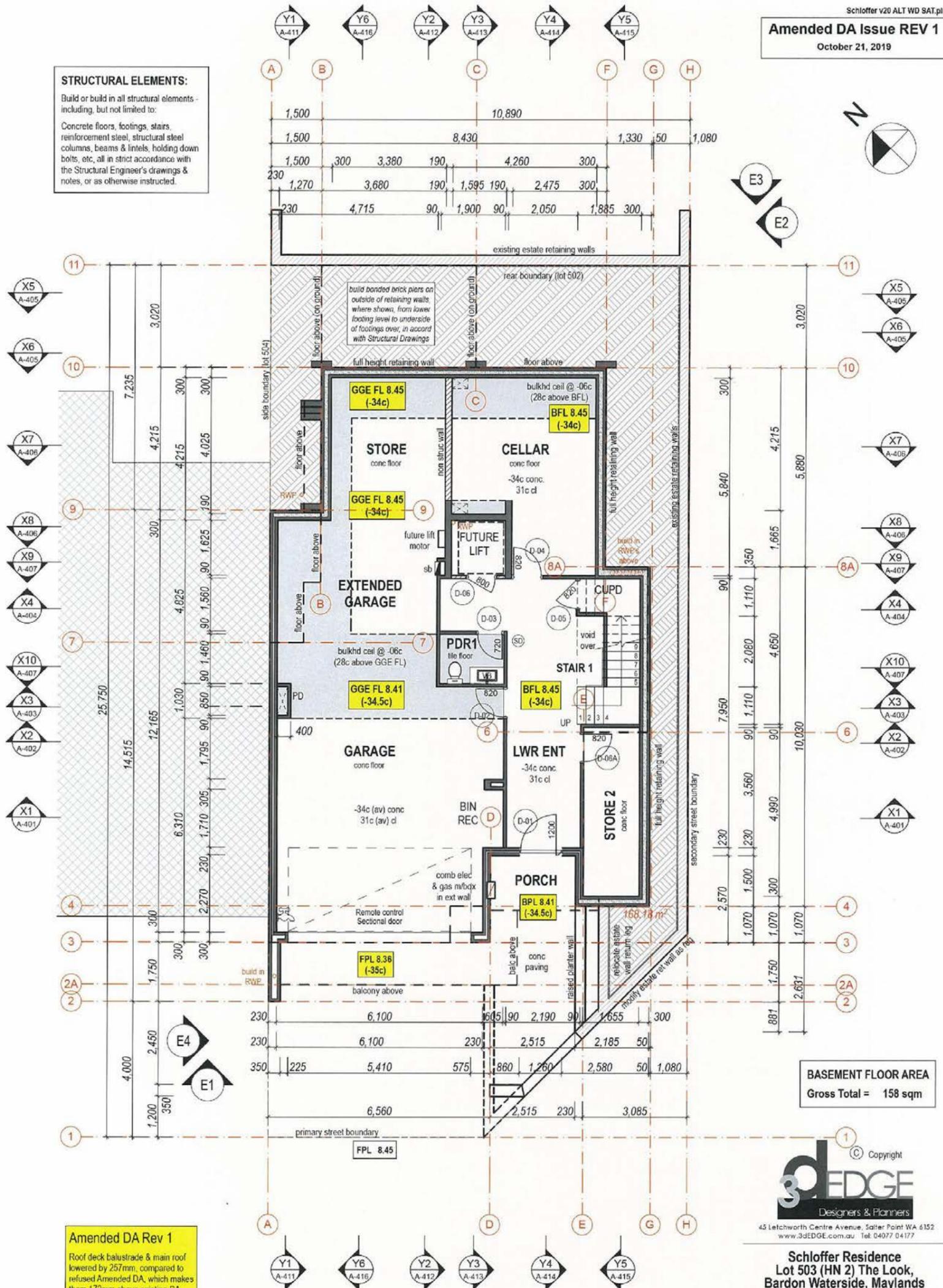
Date:	2016	Drawn:	BB	Chkd:	BB
Job No:	160910	Drawn No:	A-102	Rev No:	1

The builder must verify all dimensions on site before commencing any work or shop dwgs.

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**Amended DA Issue REV 1**  
October 21, 2019

**STRUCTURAL ELEMENTS:**  
Build or build in all structural elements including, but not limited to:  
Concrete floors, footings, stairs, reinforcement steel, structural steel columns, beams & lintels, holding down bolts, etc, all in strict accordance with the Structural Engineer's drawings & notes, or as otherwise instructed.



**BASEMENT FLOOR AREA**  
Gross Total = 158 sqm

**Amended DA Rev 1**  
Roof deck balustrade & main roof lowered by 257mm, compared to refused Amended DA, which makes them 172mm above existing DA

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Bardon Waterside, Maylands

**BASEMENT FLOOR PLAN**

Date:	2016	Drawn:	BB	Checked:	BB
Job No:	160910	Drawn No:	A-201	Rev No:	1

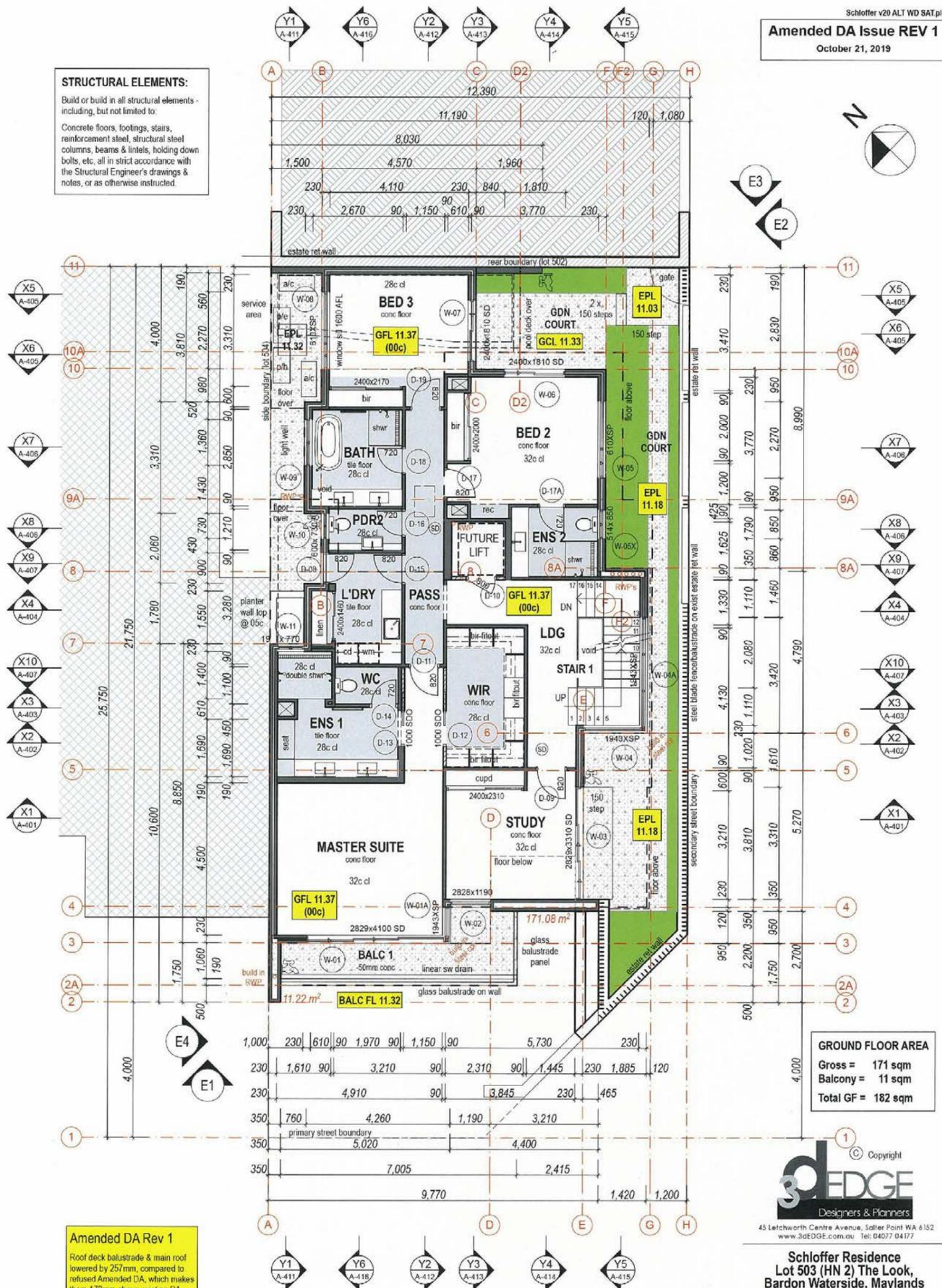
The builder must verify all dimensions on site before commencing any work or shop dwgs.

**BASEMENT FLOOR PLAN**  
1:100

Schloffer v20 ALT WD SAT.pln

**Amended DA Issue REV 1**  
October 21, 2019

**STRUCTURAL ELEMENTS:**  
Build or build in all structural elements including, but not limited to:  
Concrete floors, footings, stairs, reinforcement steel, structural steel columns, beams & lintels, holding down bolts, etc. all in strict accordance with the Structural Engineer's drawings & notes, or as otherwise instructed.



**GROUND FLOOR AREA**  
Gross = 171 sqm  
Balcony = 11 sqm  
Total GF = 182 sqm

**Amended DA Rev 1**  
Roof deck balustrade & main roof lowered by 257mm, compared to refused Amended DA, which makes them 172mm above existing DA

**GROUND FLOOR PLAN**  
1:100

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Bardon Waterside, Maylands

GROUND FLOOR PLAN		
Date:	2016	Drawn: BB
Job No:	160910	Chk'd: BB
		Ung No: A-202
		Rm No: 1

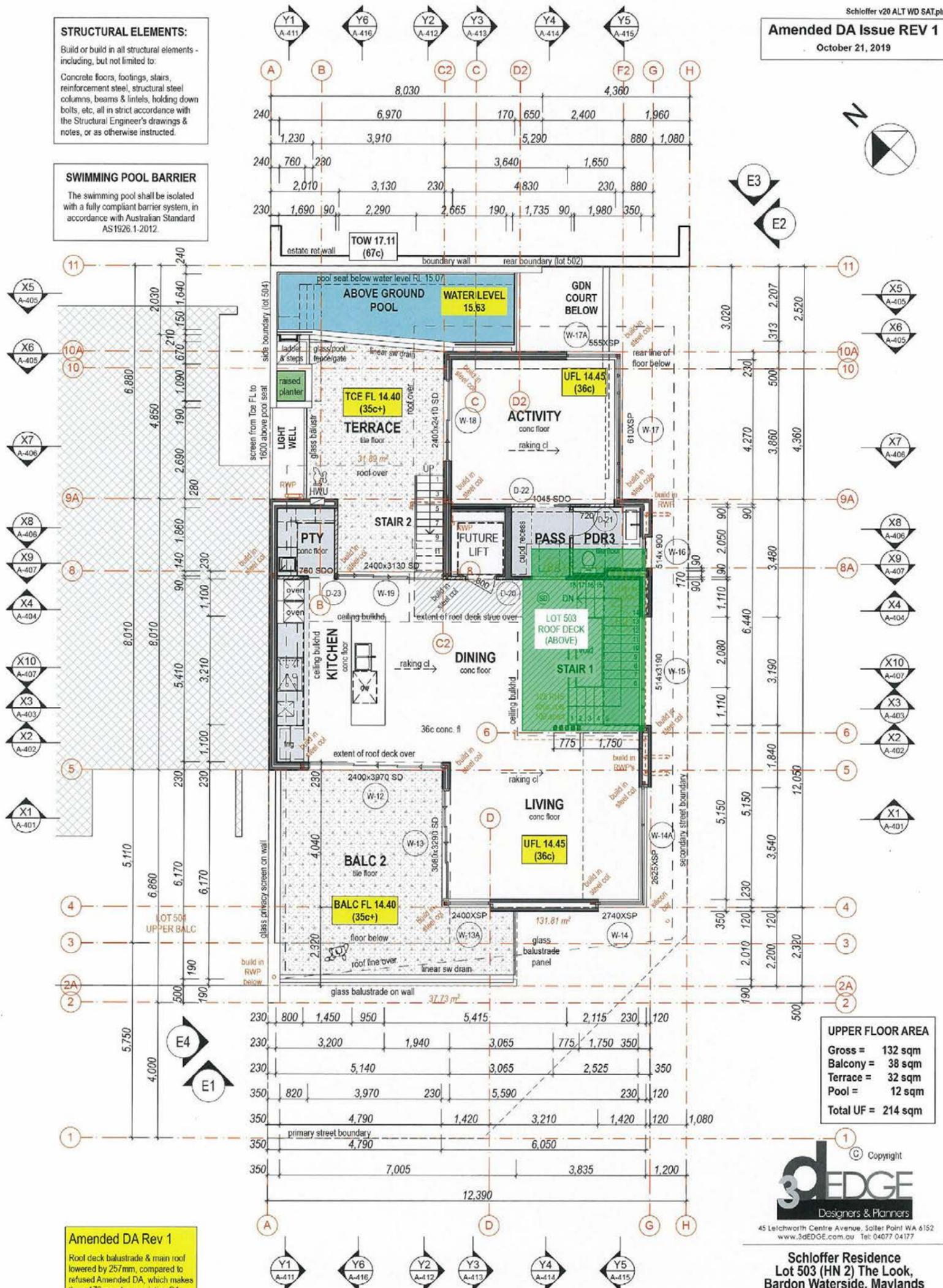
The builder must verify all dimensions on site before commencing any work or shop dwgs.

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**Amended DA Issue REV 1**  
October 21, 2019

**STRUCTURAL ELEMENTS:**  
Build or build in all structural elements - including, but not limited to:  
Concrete floors, footings, slabs, reinforcement steel, structural steel columns, beams & lintels, holding down bolts, etc, all in strict accordance with the Structural Engineer's drawings & notes, or as otherwise instructed.

**SWIMMING POOL BARRIER**  
The swimming pool shall be isolated with a fully compliant barrier system, in accordance with Australian Standard AS1926.1:2012.



**UPPER FLOOR AREA**

Gross	=	132 sqm
Balcony	=	38 sqm
Terrace	=	32 sqm
Pool	=	12 sqm
<b>Total UF</b>	=	<b>214 sqm</b>

**Amended DA Rev 1**  
Roof deck balustrade & main roof lowered by 257mm, compared to refused Amended DA, which makes them 172mm above existing DA

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**Schloffer Residence**  
Lot 503 (HN 2) The Look,  
Bardon Waterside, Maylands

**UPPER FLOOR PLAN**

Date:	2016	Drawn:	BB	Checked:	BB
Job No:	160910	Drawn No:	A-203	Rev No:	1

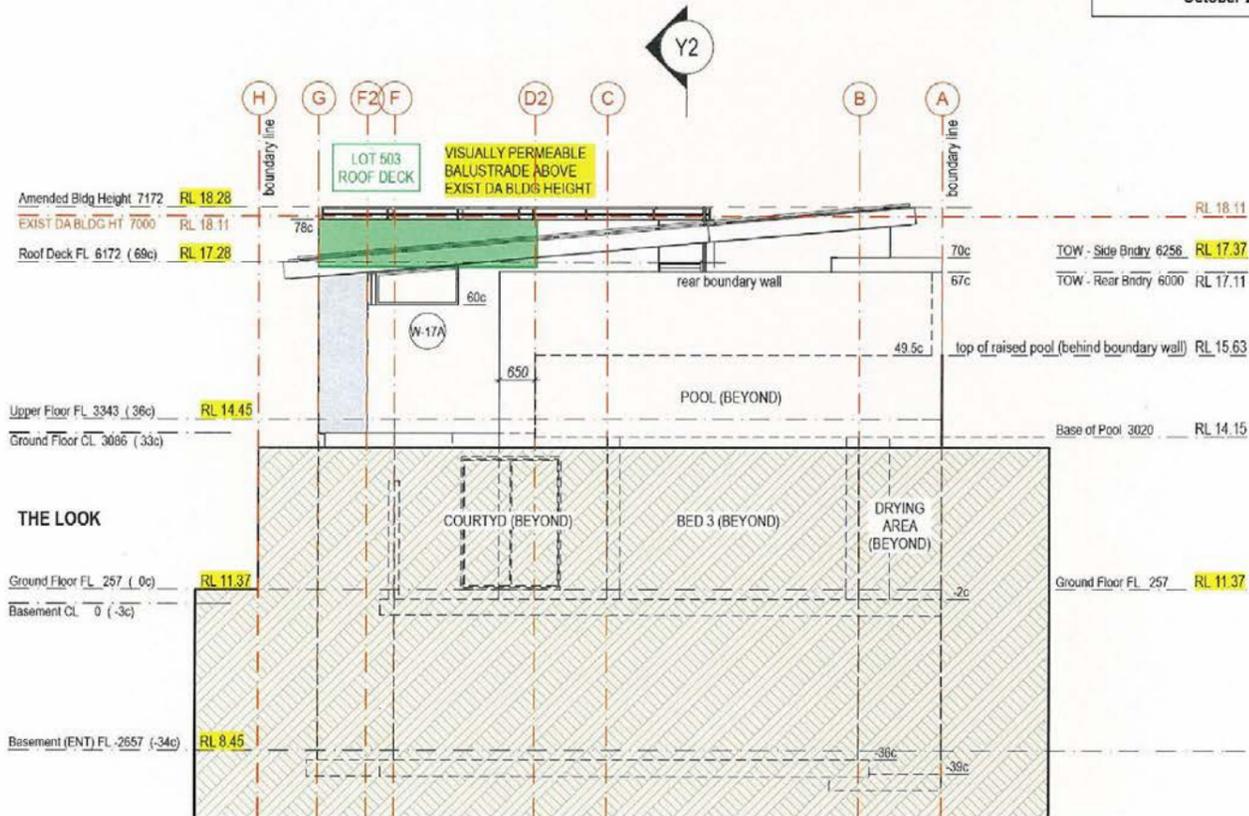
The builder must verify all dimensions on site before commencing any work or shop draws.

UPPER FLOOR PLAN  
1:100

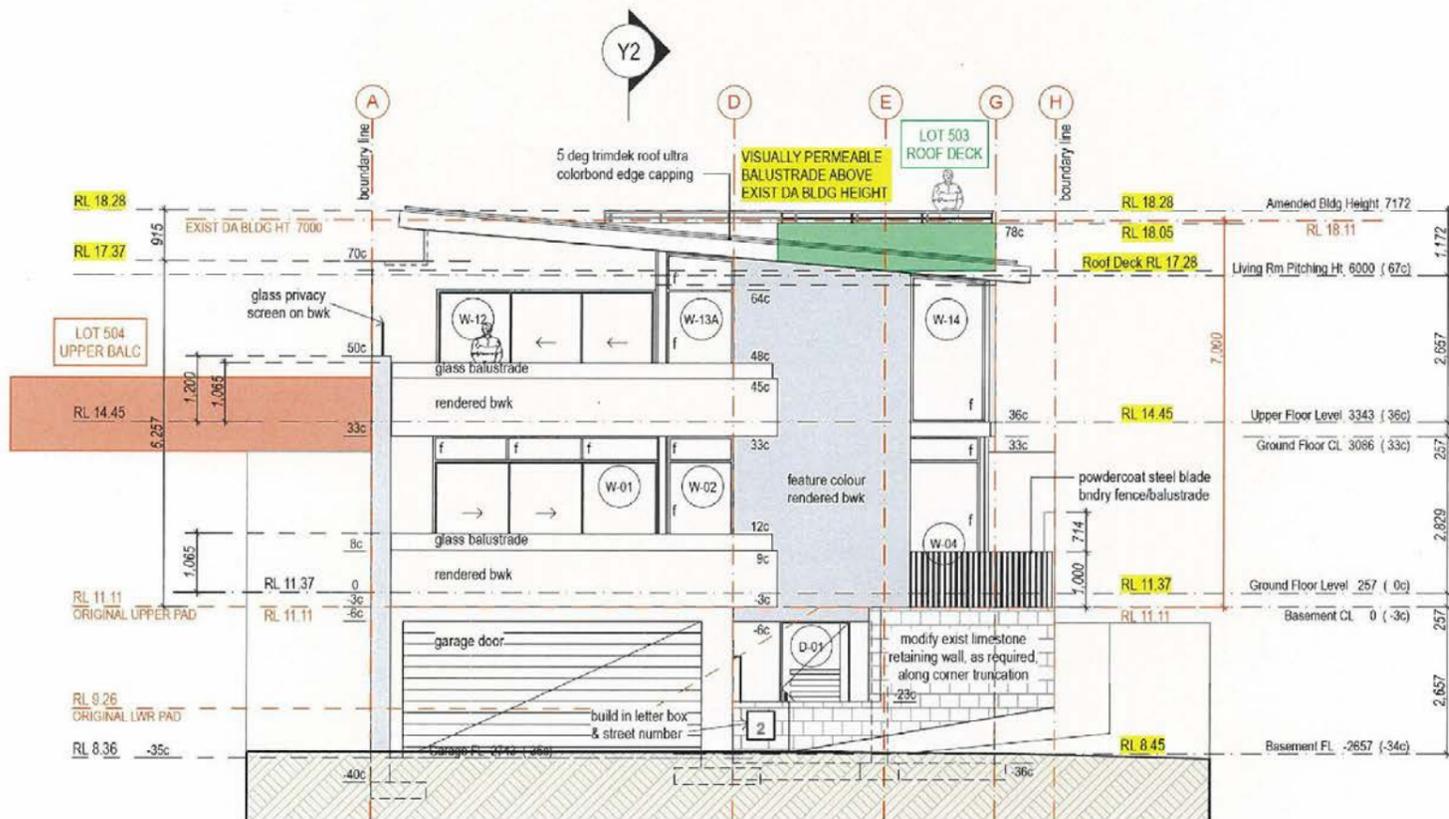


Schloffer v20 ALTWD SAT.pln

**Amended DA Issue REV 1**  
October 21, 2019



2 Rear (NE) Elevation  
1:100



1 Front (SW) Elevation  
1:100

**EXTERNAL FINISH NOTES**  
Refer to External Finish Notes on Side Elevation drawings (A-302 & A-303)

**Amended DA Rev 1**  
Roof deck balustrade & main roof lowered by 257mm, compared to refused Amended DA, which makes them 172mm above existing DA



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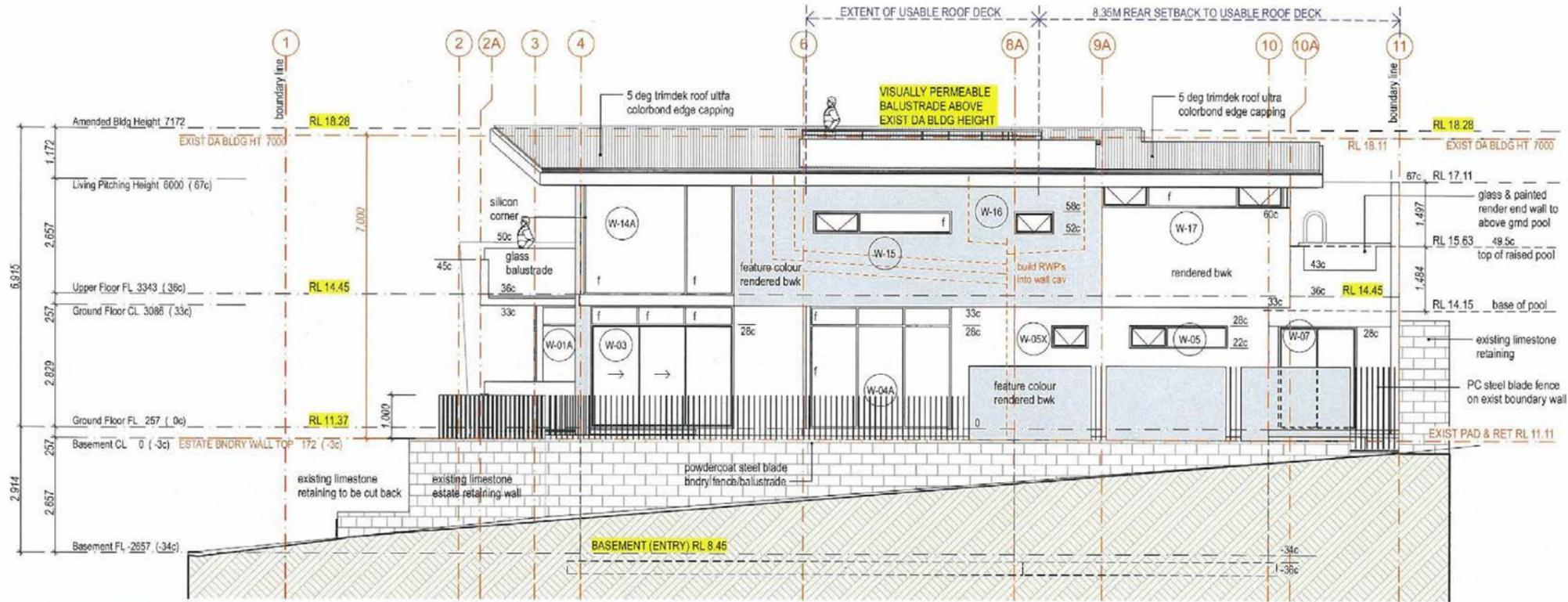
**Schloffer Residence**  
**Lot 503 (HN 2) The Look,**  
**Bardon Waterside, Maylands**

**ELEVATIONS P1 - FRONT & REAR**

Date:	2016	Drawn:	BB	Chkd:	BB
Job No:	160910	Draw No:	A-301	Rev No:	1

The builder must verify all dimensions on site before commencing any work or shop dwgs.

Attachment 1 - Section 31 Amended Development Plans



2 Side (SE) Elevation  
1:100

**Amended DA Rev 1**  
Rear deck balustrade & rear roof lowered by 237mm, compared to reduced Amended DA, which makes them 172mm above existing DA

Schlöffer v20 ALT WD SAT.ppt  
**Amended DA Issue REV 1**  
October 21, 2019

**EXTERNAL FINISH NOTES**

**WALLS**

All external walls shall be finished in texture coat paint or stone cladding, as specified and/or noted on the elevations drawings.  
Allow for contrasting texture coat colours as indicated on the drawings.

**BOUNDARY WALLS**

Boundary walls shall be finished as reasonably dictated through a process of neighbour consultation.

**FOOTING LEVELS**

Footings shall be set so as to accommodate the lowest adjacent finished floor, paving or ground level. Step the level of footings where necessary.

**WINDOW JOINERY**

All external window joinery shall be fabricated from powder coat finished aluminum sections as specified.

**GARAGE DOORS**

Supply and install approved, remote control, Colorbond finish sectional overhead garage doors as indicated on the drawings.

**BALUSTRADES**

Glazing shall generally be clear type throughout, use firm minimum thickness or as otherwise determined by wind loading or energy calculation requirements. Glazing shall be selected and installed in accordance with AS 1288.

**ROOF COVER**

Allow for Colorbond roof cover, as per the specification and pitches nominated on the drawings.

**GUTTERS & FASCIAS**

Allow for Colorbond steel concealed gutters & fascias as shown, detailed and specified.

**CONCEALED DOWNPIPES**

Build 100 dia PVC RWP's into wall cavities where indicated and as required to service the following:

- All roof gutters.
- Roof deck drainage.
- LFL Terrace drainage.
- LFL Balcony drainage.
- GFL Balcony drainage.

**Special Note:**

Leak test & insulate all RWPs built into the external walls, especially those on the SE side, in full accordance with the Hydraulic Engineer's advice.

**FLASHING & WATERPROOFING**

Build in external flashings and create waterproof barriers as required to achieve a waterproof exterior. Refer to Construction Notes on section drawings for full description.



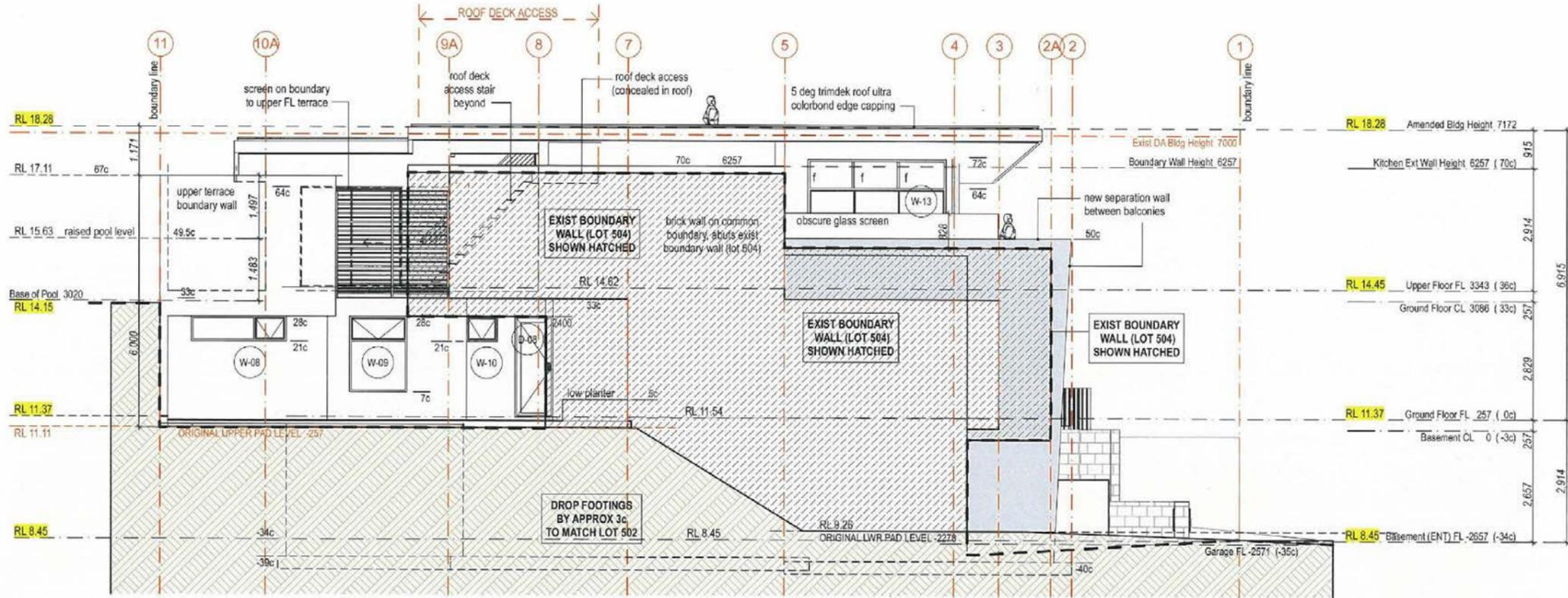
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**Schlöffer Residence**  
Lot 503 (HN 2) The Lock,  
Bardon Waterside, Maylands

**ELEVATION P2 - SIDE (SE)**

Date:	2016	Drawn:	BB	Check:	BB
Job No:	160910	Design:	A-302	Rev No:	1

The builder must verify all dimensions on site before commencing any work or shop draws.



4 Side (NW) Elevation  
1:100

**Amended DA Rev 1**  
Roof deck balustrade & main roof lowered by 257mm, compared to reduced Amended DA, which makes them 172mm above existing DA

Schloffer v20 ALT W0 S&F.pn  
**Amended DA Issue REV 1**  
October 21, 2019

**EXTERNAL FINISH NOTES**

**WALLS**

All external walls shall be finished in texture coat paint or stone cladding, as specified and/or noted on the elevations drawings.  
Allow for contrasting texture coat colours as indicated on the drawings.

**BOUNDARY WALLS**

Boundary walls shall be finished as reasonably decided through a process of neighbour consultation.

**FOOTING LEVELS**

Footing levels shall be set so as to accommodate the lowest adjacent finished floor, paving or ground level. Step the level of footings where necessary.

**WINDOW JOINERY**

All external window joinery shall be fabricated from powder coat finished aluminum sections as specified.

Refer to Window Schedule and specification for more information.

**GARAGE DOORS**

Supply and install approved, remote control, Colorbond finish sectional overhead garage doors as indicated on the drawings.

**BALUSTRADES**

Glazing shall generally be clear type throughout, use firm minimum thickness or as otherwise determined by wind loading or energy calculation requirements. Glazing shall be selected and installed in accordance with AS 1288.

**ROOF COVER**

Allow for Colorbond roof cover, as per the specification and pitches nominated on the drawings.

**GUTTERS & FASCIAS**

Allow for Colorbond steel concealed gutters & fascias as shown, detailed and specified.

**CONCEALED DOWNPIPES**

Build 100 dia PVC RWP's into wall cavities where indicated and as required to service the following:

- All roof gutters.
  - Roof deck drainage.
  - UFL Terrace drainage.
  - UFL Balcony drainage.
  - GFL Balcony drainage.
- Allow for r/w heads to box gutters, overflow ports to all gutters.

**Special Note:**

Leak test & insulate all RWP's built into the external walls, especially those on the SE side, in full accordance with the Hydraulic Engineer's advice.

**FLASHING & WATERPROOFING**

Build in external flashings and create waterproof barriers as required to achieve a waterproof exterior. Refer to Construction Notes on section drawings for full description.



43 Leichhardt Centre Avenue, Suite 201/10A, 8152  
www.sedge.com.au Tel: 0407 041177

**Schloffer Residence**  
Lot 503 (HN 2) The Look,  
Bardon Waterside, Maylands

**ELEVATION P3 - SIDE (NW)**

Date:	2016	Drawn:	BB	Check:	BB
Job No:	160910	Drawn No:	A-303	Rev No:	1

The builder must verify all dimensions on site before commencing any work or deep dig.

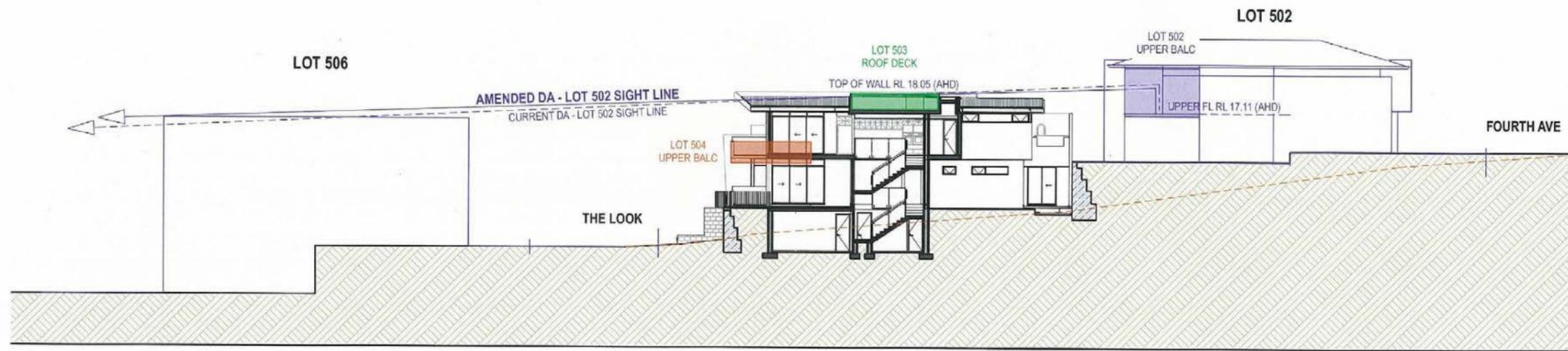
Attachment 1 - Section 31 Amended Development Plans

Schloffer v20 ALT WD SAT.pln

**Amended DA Issue REV 1**  
October 21, 2019



Attachment 1 - Section 31 Amended Development Plans



Y5 LOT 502 SIGHT LINES  
1:250

**Amended DA Rev 1**  
Roof deck balustrade & main roof lowered by 257mm compared to revised Amended DA, which makes them 172mm above existing DA

Schloffer v28 ALT MD SAT.pn  
**Amended DA Issue REV 1**  
October 21, 2019

45 Leichhardt Centre Avenue, Salford Park WA 6152  
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**Schloffer Residence**  
Lot 503 (HN 2) The Look,  
Bardon Waterside, Maylands

**LOCALITY SIGHT LINES**

Date	2016	Drawn	BB	Checked	BB
Job No.	160910	Draw No.	A-101SL	Rev No.	1

The builder must verify all dimensions on site before commencing any work or stop steps.

**Attachment 2 - Applicant's Supporting Report**

PS ref: 6322  
City ref: DA16-0671.02

23 October 2019

City of Bayswater  
PO Box 467  
MORLEY WA 6943

Attention: Steven De Piazzi, Senior Planning Officer

Dear Sir,

**SECTION 31 RECONSIDERATION (DR 178 OF 2019)  
AMENDMENT TO APPROVED THREE STOREY SINGLE HOUSE  
LOT 503 (2) THE LOOK, MAYLANDS**

***Executive Summary***

*The revised plans the subject of this proposal seek to address the reasons for refusal by:*

- *Reducing the height of the roof deck from 7.43m to 7.17m, resulting in an exceedance of the building height by just 0.17m.*
- *Modifying the balustrades around the roof deck such that they are visually permeable above 7.0m.*

*The revised plans are considered to meet the objectives of the 'Bardon Waterside' Design Guidelines and the design principles of the Residential Design Codes. The building, as proposed, does not materially impact the views from adjoining properties and does not adversely impact the amenity of any of the neighbouring properties. The extent of additional height is consistent with those previously granted in the Bardon Waterside Design Guidelines area.*

**1. INTRODUCTION & BACKGROUND**

Planning Solutions acts on behalf of James Schloffer and Jamie Barrett, the registered proprietors of Lot 503 (2) The Look, Maylands (**subject site**).

The subject site has an existing approval for a three storey single house with a roof deck. On 12 May 2019, the proponents had applied to amend this approval by raising the building 0.43m.

At its Council Meeting on 20 August 2019, the City of Bayswater (**City**) resolved to refuse this application for the following reasons:

1. *The development is of excessive scale and bulk, not complying with the building height requirements of the Residential Design Codes Volume 1 and Design Guidelines - Lot 1 and 12 No 6-8 Fourth Avenue East, Maylands WAPC Subdivision Reference Number 124855 Policy; resulting in undue impact on the amenity of adjacent properties, and access to views of significance.*
2. *The development does not satisfactorily address the following factors set out in clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015:*



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(08) 92277970  
GPO Box 2709  
Cloisters Square PO 6850

admin@planningsolutions.com.au  
www.planningsolutions.com.au  
ACN 143 573 184 ABN 23 143 573 184  
Planning Solutions (Aust) Pty Ltd

*“(m) compatibility of the development with its setting including 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”;*

*“(n) the amenity of the locality including the following —*

*...*

- (ii) the character of the locality;*
- (iii) social impacts of the development”;* and

*“(y) any submissions received on the application.”*

3. *The development is contrary to orderly and properly planning, undermining the intent of the Design Guidelines - Lot 1 and 12 No 6-8 Fourth Avenue East, Maylands WAPC Subdivision Reference Number 124855 Policy by exceeding building height requirements and compromising access to views of significance within the estate guidelines area.*

The applicant subsequently appealed this refusal. A mediation session was held on 3 October 2019 through the State Administrative Tribunal (SAT). Following the mediation, the proponent has made amendments to the application to address the reasons for refusal.

This letter provides a summary of the modifications and describes why the revised plans warrant approval. Please find **attached** the following for consideration of the City:

- a) A set of amended plans.
- b) A 3d representation of the proposed development demonstrating the impacts on views from the balcony of Lot 502 (12) Fourth Avenue East, Maylands.

## 2. AMENDMENTS TO PLANS

Following the mediation and in response to the abovementioned reasons for refusal, the proponent has prepared a revised set of plans which are submitted for a 'Section 31 reconsideration' (refer **Appendix 1**).

The building height has been reduced as follows:

- Roof deck reduced from 7.43m to 7.17m (measured to the highest point of the balustrade);
- Top of roof reduced from 7.36m to 7.17m (measured to the highest point of the roof, not including the roof capping).

The height reduction has been achieved by making the following modifications to the plans:

- Reducing the finished floor levels of the building by 0.17m; and
- Reducing the height of the balustrade on the roof deck by 0.09m.

In addition to the above, the balustrade for the roof deck has been modified to replace solid balustrading with visually permeable balustrading for the portion of balustrade which exceeds the 7m height line. Refer to **Figure 1** below.

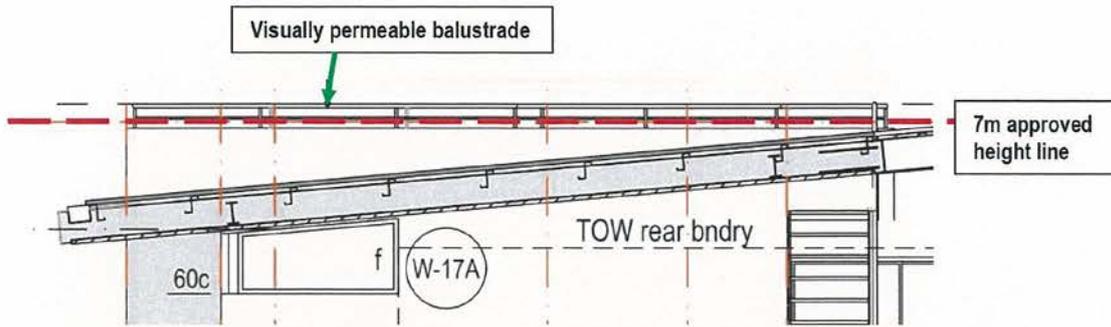


Figure 1: Excerpt of elevation showing portion of roof deck exceeding 7.0m height

**3. RESPONSE TO REASONS FOR REFUSAL & PLANNING JUSTIFICATION**

All three reasons for refusal fundamentally relate to the height of the building. Whilst the heights have been reduced, the revised plans maintain a minor variance to the deemed-to-comply requirements of the R-Codes and a design principle assessment is required. The relevant design principle of the R-Codes state:

*"P6 Building height that creates no adverse impact on the amenity of adjoining properties or the streetscape, including road reserves and public open space reserves; and where appropriate maintains:*

- *adequate access to direct sun into buildings and appurtenant open spaces;*
- *adequate daylight to major openings into habitable rooms; and*
- *access to views of significance."*

In relation to the above, the officer's report to Council dated 20 August 2019 identified the key concerns as:

- a) the amenity impact on adjoining properties; and
- b) the potential impact on views of significance.

The officer's report acknowledges that there is no adverse impact on sunlight/daylight to adjoining properties.

The revised plans are considered to address the concerns pertaining to amenity impacts and views of significance. The plans are considered to meet the design principles for the following key reasons:

**Impacts on views of significance**

Reason no. 1 and reason no.3 of the refusal notice refer to the impact on views. The proposed amendments to the plans resolve this matter to the extent that there is no distinguishable difference between the views that are obtainable with the approved plans compared to the views that are obtainable from the revised plans.

Impacts on 12 Fourth Avenue East

The below 3d perspectives (**Figure 2**) illustrate the views from the balcony of No. 12 Fourth Avenue East, Maylands, which is located directly behind the roof deck.

Importantly, in the revised plans, the only portion of the roof deck which protrudes above the 7.0m height line (the approved height) is the visually permeable portion of the balustrade (comprising two rows of metal handrailing), as demonstrated in Figure 1 above. Noting this is an application to amend the existing approval (not a new application), it is considered the views that are impacted by the increase in height are negligible. Any impacts have been offset by increasing permeability of the balcony.

From the perspectives, it is also evident that:

- a) The proposed plans reduce the impact on the adjoining property compared with the refused plans by allowing an improved view of the Swan river and the vegetation.
- b) There is no discernible difference between the views that are available with the approved plans compared to the views that are available from the proposed plans (for comparison purposes, note the roof of the building at No. 8 The Look, Maylands is visible in both images).



Figure 2: Views from 12 Fourth Avenue East, Maylands comparing the approved, refused and proposed designs

Simply hindering a view is not sufficient grounds to refuse the application; we submit that only views of significance should be taken into consideration. On this front, the occupants of 12 Fourth Avenue East will:

- maintain views toward the CBD,
- maintain expansive views of the Swan River; and
- maintain views toward Optus Stadium.

Owing to the above and in light of the images in figure 2, it is evident the revised plans do not result in the reduction of any views of significance to the owners of No. 12 Fourth Avenue East.

#### Views from other sites within the estate

The officer's report to Council dated 20 August 2019 identifies the potential for loss of views from other parts of the estate.

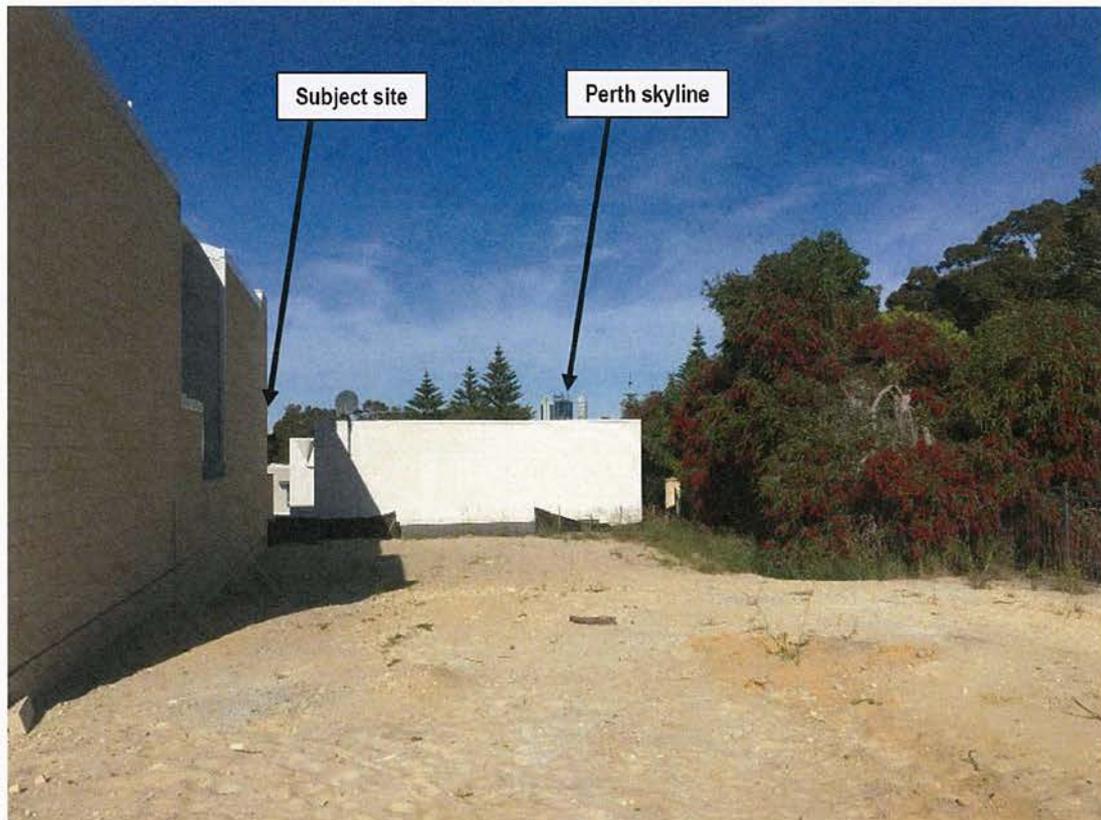
Fundamentally, the only potential impacts can be from the properties fronting Fourth Avenue East (to the north of the subject site) given the views of significance are to the south.

No. 8 and No. 10 Fourth Avenue East (the latter is currently vacant land) do not have any views of significance directly across the subject site, as demonstrated in **Photograph 1**. The view to the Perth skyline and the Swan River are outside the line of where the subject site is located. As such, there is no adverse impact on the view from these properties.



**Photograph 1: View from 10 Fourth Avenue East at the street frontage (at footpath level)**

Similarly, the property at No. 14 Fourth Avenue East (currently vacant) would not lose any view toward the City (refer to **photograph 2**). With boundary walls constructed to both the side and rear boundaries of 14 Fourth Avenue East, the proposed development will barely be visible, let alone impacting views. Lastly and importantly, 14 Fourth Avenue has received approval for an additional 1.8m wall height (one additional storey), more than compensating for the 0.17m additional height that is sought by the proposed development.



Photograph 2: View from the front of 14 Fourth Avenue East, Maylands facing the Perth CBD (taken at footpath level)

#### Potential obstruction to views from other items/fixtures

The officer's report dated 20 August 2019 identifies concerns around the potential for additional items to be placed on the roof deck which further obstruct views from adjoining/surrounding properties.

In our view, it is not reasonable to raise assumptions around items that may (or may not) be placed on the roof deck. Permanent structures would typically require planning approval and as such, should not be considered in this application. Furthermore, items such as chairs and tables are not likely to exceed the height of the balustrade and would therefore have no impact on views.

#### **Amenity impacts on surrounding properties**

Firstly, we emphasise **the roof deck forms part of the existing approval**. Neither the design guidelines nor the R-Codes prohibit a roof deck from being approved. Therefore, the existence of the roof deck should not be in question. Rather, a judgement is to be made about the height of the roof deck as opposed to the general premise of the roof deck itself.

The officer's report to Council dated 20 August 2019 identified issues around the amenity impacts on No. 12 Fourth Avenue East, particularly the use of the roof deck and the potential for amenity impacts pertaining to privacy. In this respect, we note the R-Codes deal separately with issues of privacy impacts and it is not reasonable to consider this issue in relation to a design principle assessment on building height. Furthermore, the roof deck is setback 8.35m from the boundary between the subject site and No. 12 Fourth Avenue East (11.73m from the balcony), exceeding the requisite distance for privacy setbacks under the R-Codes.

The officer's report also raises concerns around light and noise impacts on the adjoining properties. Again, these are not issues associated with the height of the building – rather, they are more general perceived amenity issues.

There is also no evidence or reason why this proposed roof deck would result in an undue level of noise or light compared to a typical balcony in the estate.

It should also be noted that the roof deck is not likely to be utilised so heavily that it would impact on the day-to-day amenity of the adjoining properties. The dwelling is equipped with a large balcony and terrace on the upper floor which are more likely to be utilised on a day-to-day basis. The roof deck (at 20m<sup>2</sup>) is smaller than the balcony and terrace and is more likely to be used for short periods of time for a person to take in a view of the City or perhaps for an occupant to read a book in the sunlight. Whilst it could be used for entertaining, it is likely the impost of carrying food and drinks up the stairs would result in the other outdoor living spaces being used more heavily for such purposes.

Lastly, one of the key amenity considerations under the R-Codes is access to sunlight. As established above, the proposed development does not affect any other sites within the estate by way of overshadowing or access to sunlight. The shadow at midday on June 21 falls primarily over the road reserve and does not impact surrounding properties.

In summary, the proposed development is not considered to cause any undue amenity impacts on surrounding properties.

#### **Height variations in the Bardon Waterside estate**

Refusal reason no. 4 outlines the proposed development would 'undermine' the intent of the Bardon Waterside design guidelines. In response, the plans have been revised so as to reduce the building height, to the extent that the variation is less than other comparable buildings approved in this estate.

Firstly, we wish to draw attention to the additional height which has been approved at No. 8 The Look, Maylands as this has been one of the motivations for increasing the finished floor levels. Secondly, given there have been other variations granted within the estate, the proposed development should be assessed on its merits rather than being refused for concern around creating a precedent. These matters are discussed as follows:

#### No. 8 The Look, Maylands

One of the impetuses for the amendments to the plans to increase the approved finished floor levels is to offset the additional height of the dwelling in front of the subject site, being No. 8 The Look, Maylands. In this respect, it is noted **No. 8 The Look has been granted approval for a portion of roof which exceeds the building height limit by 0.6m** (refer to **Photograph 3** below). Whilst the officer's report dated 20 August 2019 identified this roofline had been assessed as 'compliant', we note this is almost identical to the roof form of the proposed development, except for the fact the protrusion above the deemed-to-comply building height is much lower in the proposed development (0.17m as opposed to 0.6m). If the two matters are being considered equitably, the protrusion caused by the roofline of the proposed development should either not be assessed or should be deemed to meet the design principles of the R-Codes.

The additional 0.17m for the roof deck (which is permeable balustrading) is considered negligible in comparison to the more substantial building height of No. 8 The Look.



Photograph 3: 0.6m roof protrusion at 8 The Look, Maylands

Other height variations within the estate

The officer's report to Council dated 20 August 2019 includes an analysis of other building heights which have been approved in the Bardon Waterside estate. Excluding the subject site, it is important to note that **four of the eight approved dwellings** in the estate have included a variation to the permissible building height. For clarity, and to understand the spatial distribution of the height variations which have been granted, we have prepared a map showing the location and the extent of each variation (refer to **Figure 3**).

It is noted that the properties Fourth Avenue East may be more suitable for additional height given they are less likely to impact on views from surrounding properties within the estate. However, the approved development at No. 14 The Look, Maylands is considered comparable to the subject site. This dwelling was approved with a 0.30m - 0.35m height variation. Whilst the application for the subject site initially sought to increase the height of the proposed development by 0.43m, the revised plans have reduced this to 0.17m. This is less than the height granted for 14 The Look.

Clearly, there has been consideration of additional building height in different parts of the estate and the height has been considered on its merit each time. This application should be no different and should be assessed on its merit having regard to the design principles of the R-Codes. As has been discussed above, a design principle assessment based on merit should conclude that the proposed development would not adversely impact views of significance, would not adversely impact amenity and would meet the design principles of the R-Codes.



#### 4. SUMMARY

In relation to the reasons for refusal, the proponent has made a meaningful endeavour to reduce the building height to address the reasons for refusal. The building height now exceeds the previous approval by just 0.17m. It is considered the height is acceptable for the following key reasons:

- The proposed development has been demonstrated not to impact views of significance, with only a visually permeable balustrade within the view line from the balcony directly behind the site;
- The proposed development does not impact the amenity of surrounding properties and the differences between the approved and proposed plans are near indistinguishable;
- Building height variations have previously been granted in the Bardon Waterside estate with the variations similar or greater than what is proposed in the revised plans.

It is considered the amendments to the plans have resulted in an outcome where all three reasons for refusal have been addressed and the building height now meets the design principles of the R-Codes. As such, we submit the revised plans warrant approval.

Should you have any queries or require further clarification in regard to the above matter please do not hesitate to contact the writer.

Yours faithfully,



---

**TRENT WILL**  
**ASSOCIATE**

Copy to: State Administrative Tribunal

191023 6322 s31 submission







#### 10.4.2 Proposed Light Industry, Warehouse and Ancillary Office - Lot 9003, 12 Wicks Street, Bayswater

<b>Applicant/Proponent:</b>	Total Project Management	
<b>Owner:</b>	Bayswater Industrial Estate Pty Ltd (Directors: Adriano Fini, Benjamin Lisle and Filippo Cardaci,)	
<b>Responsible Branch:</b>	Development Approvals	
<b>Responsible Directorate:</b>	Community and Development	
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input checked="" type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
<b>Voting Requirement:</b>	Simple Majority Required	
<b>Attachments:</b>	1. Development Plans	
<b>Refer:</b>	N/A	

#### SUMMARY

A planning application has been submitted for a proposed light industry, warehouse and ancillary office at Lot 9003, 12 Wicks Street, Bayswater. The application is compliant with the provisions of Special Control Area No.10 within the City of Bayswater Town Planning Scheme 24 (TPS24). The cost of the proposed development is \$3.65 million which is beyond the delegated authority limit of less than \$2 million (where the proposal is not a Development Assessment Panel (DAP) application).

#### **COUNCIL RESOLUTION (OFFICER'S RECOMMENDATION)**

That Council grants planning approval for the proposed light industry, warehouse and ancillary office at Lot 9003, 12 Wicks Street, Bayswater in accordance with the planning application dated 31 October 2019 and the plans dated 19 November 2019, subject to the following:

1. The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan.
2. The owner, or the applicant on behalf of the owner, shall comply with the City of Bayswater policy relating to Percent for Public Art, and provide public art with a minimum value of 1% (\$36,500) of the estimated total construction cost of the development (\$3.65 million). Details of the public art, including plans of the artwork, its cost and construction, and other matters relating to the artwork's on-going maintenance and acknowledgements in accordance with the City's Percent for Public Art Policy shall be submitted to and approved by the City prior to the lodgement of a building permit application.

Alternatively, the owner, or the applicant on behalf of the landowner, may opt to pay a cash-in-lieu contribution for the public art to the City of Bayswater in accordance with the provisions of the City's Percent for Public Art Policy, prior to the submission of a building permit application.

3. Landscaping and reticulation shall be completed in accordance with the approved detailed landscape plan prior to occupation of the development and thereafter maintained to the satisfaction of the City of Bayswater.
4. Bicycle bays and end of trip facilities shall be provided to the satisfaction of the City of Bayswater, including the following:
  - (a) A minimum of five bicycle bays for employee use, and these bays shall be provided within a secure area on site, protected from weather, and containing

- bicycle parking devices that allow users to lock the bicycle frame and both wheels.
- (b) End of trip facilities including a minimum of one unisex shower contained within a separate change room, and separate from other required facilities such as toilets for persons with a disability.
5. A construction management plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, shall be submitted to and approved by the City of Bayswater, prior to the submission of a building permit application.
  6. A refuse and recycling management plan shall be submitted to and approved by the City of Bayswater, prior to commencement of any works. The plan shall include details of refuse bin location, number of rubbish and recycling receptacles, vehicle access and manoeuvring.
  7. A suitably screened refuse bulk bin area with a minimum area of 10m<sup>2</sup> shall be provided within the building to the satisfaction of the City of Bayswater. The bin area is to be provided with a permanent water supply and drainage facility for wash-down and the bin area shall be accessible via a suitably constructed service road that will allow heavy vehicle movement.
  8. All vehicle crossovers being designed and constructed to the satisfaction of the City of Bayswater.
  9. The vehicle parking area shall be constructed in asphalt, concrete or brick paving, drained, kerbed and line-marked, together with suitable directional signs, and thereafter maintained to the satisfaction of the City of Bayswater.
  10. Any required relocation of infrastructure within the road reserve shall be at the approval of the City of Bayswater, at the full cost of the landowner, and undertaken to the satisfaction of the City.
  11. The approved parapet/boundary wall(s) and footings abutting the lot boundaries must be constructed wholly within the subject allotment. The external surface of the parapet/boundary wall(s) shall be finished to a professional standard, to the satisfaction of the City of Bayswater.
  12. No storage or display of goods is to occur outside the building, to the satisfaction of the City of Bayswater.
  13. Any proposed vehicular entry gates shall be a minimum 50% visually permeable, and shall be open at all times during operation.
  14. The use of reflective or obscure glazing is not permitted on ground floor windows and/or openings.
  15. All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street, or designed integrally with the building and be located so as not to be visually obtrusive from the street.
  16. All stormwater shall be managed on-site to the satisfaction of the City of Bayswater.
  17. All street tree(s) within the verge adjoining the subject property are to be retained, unless written approval has been granted by the City of Bayswater for their removal, and shall have measures consistent with AS 4970-2009 undertaken to ensure its/their protection during construction of the subject development to the satisfaction of the City, including but not limited to the following:
    - (a) A minimum 2.0m radius tree protection zone (TPZ) shall be provided through 1.8m high fencing around the verge trees (chain mesh panels or other suitable material) during construction of the subject development.

- (b) The above fencing is not to be moved or removed at any period during construction, and this zone is not to be entered for any reason; signage notifying people of the TPZ and the associated requirements is to be placed on each side of the fencing.
  - (c) All activities related to construction of the subject development, including parking of vehicles, storage of materials, and washing of concreting tools and equipment is prohibited within the designated TPZ.
  - (d) Any roots identified to be pruned shall be pruned with a final cut to undamaged wood outside of the TPZ. Pruning cuts shall be made with sharp tools such as secateurs, pruners, handsaws or chainsaws. Pruning wounds shall not be treated with dressings or paints. It is not acceptable for roots to be 'pruned' with machinery such as backhoes or excavators.
  - (e) The tree(s) shall be provided with supplemental water during any construction period falling over summer, with a minimum of 150 litres being provided per week.
  - (f) Should any works be required to be undertaken within the TPZ, approval must be given by the City prior to entering this zone. You may be required to seek advice from an Arborist in regard to the type of works being undertaken, this information is to be assessed by the City as part of the approvals to enter.
  - (g) Any new crossover shall maintain a minimum clearance of 1.4m from the base of a street tree(s).
18. On completion of construction, all excess articles, equipment, rubbish and materials being removed from the site and the site left in an orderly and tidy condition, to the satisfaction of the City of Bayswater.

**Advice Notes:**

1. To activate the planning approval, the development/use subject of this approval must be substantially commenced within a period of two years of the date of this approval notice. If the development is not substantially commenced within this period, this approval shall lapse and be of no further effect. Where an approval has lapsed, no development/use shall be carried out without the further approval of the City having first been sought and obtained.
2. This approval is not a building permit or an approval under any law other than the *Planning and Development Act 2005*. It is the responsibility of the applicant/owner to obtain any other necessary approvals, consents and/or licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
3. Kerbs, roadways, footpaths, open drains, stormwater pits, service authority pits and verge areas including any verge trees must be adequately protected, maintained and reinstated if required, during and as a result of carting and all works associated with this development.
4. This approval is not an authority to ignore any constraint to development on the land, which may exist through contract or on title, such as but not limited to an easement or restrictive covenant. It is the responsibility of the applicant/owner to investigate any such constraints before commencing development.
5. This approval does not authorise any interference with dividing fences, nor entry onto neighbouring land. Accordingly, should you wish to remove or replace any portion of a dividing fence, or enter onto neighbouring land, you must first come to a satisfactory arrangement with the adjoining property owner. Please refer to the *Dividing Fences Act 1961*.

6. Development of the site is required to be managed in accordance with the provisions outlined in the relevant contaminated sites auditor-approved site management plan.
7. The developer of the Tonkin Highway Industrial Estate may establish a trust account with the City for the purposes of providing public art within the Estate on behalf of individual landowners. Any funds available from this trust account may be utilised to offset payment of cash-in-lieu for public art required as a condition of this approval.

**CR BARRY MCKENNA MOVED, CR STEPHANIE GRAY SECONDED  
CARRIED UNANIMOUSLY BY EXCEPTION (EN BLOC): 10/0**

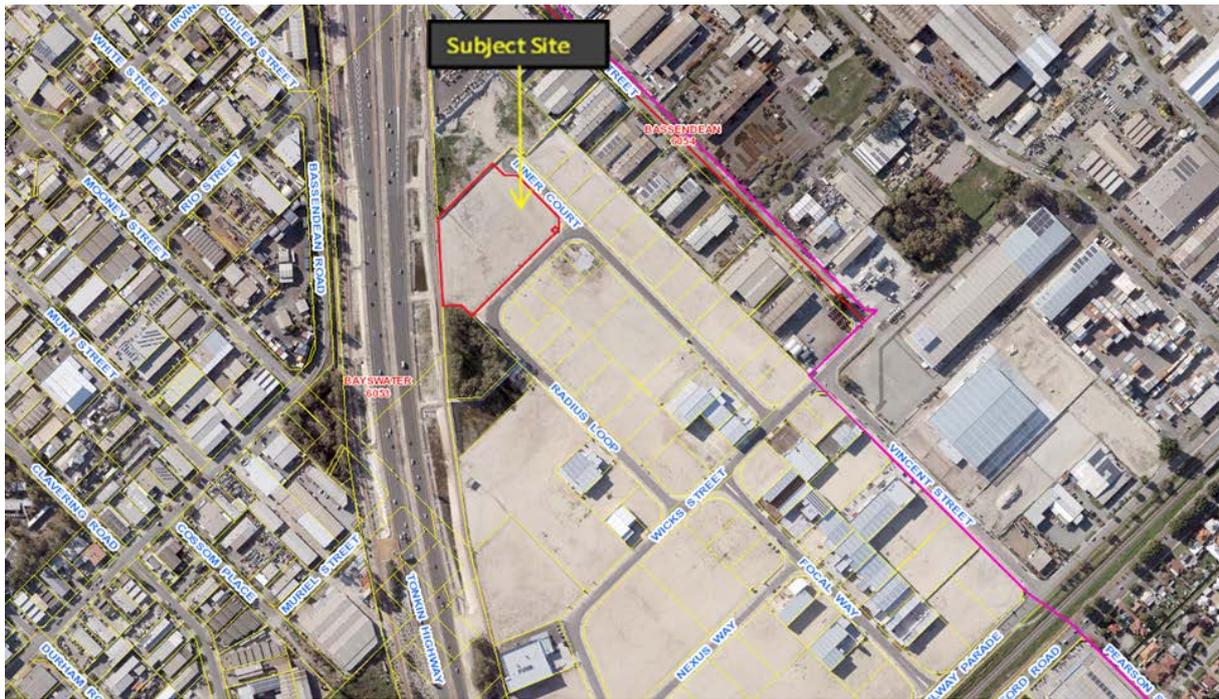
#### BACKGROUND

<b>Application Number:</b>	DA19-0523
<b>Address:</b>	Lot 9003, 12 Wicks Street, Bayswater
<b>Town Planning Scheme Zoning:</b>	General Industry
<b>Use Class:</b>	Light Industry - 'P', Warehouse - 'P' and Office - 'D'
<b>Existing Land Use:</b>	Vacant
<b>Surrounding Land Use:</b>	General Industry
<b>Proposed Development:</b>	Light Industry, Warehouse and Ancillary Office

The applicant is proposing to construct a light industry/warehouse for an international company that specialises in servicing mining equipment at Lot 9003, 12 Wicks Street, Bayswater. The light industry and warehouse uses are interrelated and will occur simultaneously within the main building. The uses will be supported by an ancillary office building to accommodate administrative staff associated with the business.

The application is being referred to Council for determination as the cost of the development is \$3.65 million which is beyond the delegated authority limit of less than \$2 million (where the proposal is not a DAP application).





**EXTERNAL CONSULTATION**

The City sought comment from the Department of Water and Environmental Regulation (DWER) in relation to the development being located within the Tonkin Highway Industrial Estate which is subject to the *Contaminated Sites Act 2003* due to the former use of the site by Cresco for fertilizer manufacturing. Comments and advice received from DWER have been incorporated onto the recommended conditions of approval.

**OFFICER'S COMMENTS**

Key Scheme Provisions	Required	Provided	Assessment
Minimum Setbacks:			
Primary Street (Inner Court)	3m	3m	Compliant
Secondary Street (Radius Loop)	3m	6m	Compliant
Side (north-west)	Nil	Nil	Compliant
Rear (south-west)	Nil	Nil	Compliant
Maximum Building Height	3 storeys	1 storey	Compliant
Landscaping	Minimum 5% of the total lot area including a 2m wide landscaping strip along the street frontages.	8.3% of the lot is landscaped including a 2m wide landscaping strip along the street frontage.	Compliant
	Minimum of one tree every 15m of lot frontage within the landscaping strip.	A minimum of one tree for every 15m of lot frontage within the landscaping strip.	Compliant

Trees	Minimum of 17 standard trees	32 trees	Compliant
Fencing	Fencing located on the front lot boundary is to be black powder coated Garrison or Palisade fencing to a maximum height of 1.8m	1.8m black steel garrison style fence to Radius Loop and Inner Court frontages.	Compliant
Built Form	Buildings designed to address the street, providing a well-articulated office at the front of the main building.	The office has been articulated by the rooflines, parapet, colour scheme and large windows.	Compliant
	Main entrance to be on the front elevation or close to the front of the building, being clearly visible from the street.	The main entry to the office is located in front of the warehouse and is defined by the dark blue awning.	Compliant
	Primary street facade shall avoid large unbroken expanses of wall.	The bulk of the main building has been broken up by a 45 degree pattern using three colours, dark grey, grey & dark blue.	Compliant
	Building frontages to be designed to promote surveillance of the street and/or public open space.	The office contains large windows that overlook the street.	Compliant
Minimum Parking:			
Car Parking Bays	40 car bays	47 car bays	Compliant
Bicycle Parking Bays	5 bicycle bays	5 bicycle bays	

Appropriateness of Use

The proposal is considered to activate the currently vacant land and contribute to the emerging industrial and commercial character of the Tonkin Highway Industrial Estate which is intended to be a quality estate providing a high level of amenity whilst achieving well designed, functional and efficient buildings.

The office is a 'D' (Discretionary) use within Precinct B of the Tonkin Highway Industrial Estate under the provisions of the City's TPS 24. The office is considered to be an ancillary use as it will

operate in conjunction with the predominant light industry and warehouse uses. Further, the main uses (light industry and warehouse) are 'P' (Permitted uses) within Precinct B and therefore, the proposed uses are considered appropriate for the area.

### **LEGISLATIVE COMPLIANCE**

- City of Bayswater Town Planning Scheme 24; and
- City of Bayswater local planning policies, including Percent for Public Art Policy, Landscaping Policy and Trees on Private Land and Street Verges Policy.

### **OPTIONS**

The following options are available to Council:

1. Council approves the development application in accordance with the Officer's Recommendation. The risks associated with this option is considered to be reduced due to the reasons given for the Officer's Recommendation.
2. Council approves the development application subject to deleted or alternate condition(s). The risks associated with this option is considered dependent on the reasons given for the deleted/alternate condition(s) and the nature of the deleted/alternate condition(s).
3. Council refuses the development application. The risks associated with this option is considered dependent on the reasons given for the application to be refused.

### **FINANCIAL IMPLICATIONS**

Nil.

### **STRATEGIC IMPLICATIONS**

In accordance with the City of Bayswater Strategic Community Plan 2017-2027 (as amended), the following applies:

Theme: Our Built Environment  
Aspiration: A quality and connected built environment.  
Outcome B1: Appealing streetscapes.  
Outcome B3: Quality built environment.

The proposed development will assist in providing a quality built environment by activating a currently vacant lot and facilitating the further development of the Tonkin Highway Industrial Estate.

### **CONCLUSION**

In light of the above assessment of the proposed development, the application is recommended for approval subject to appropriate conditions.

Attachment 1

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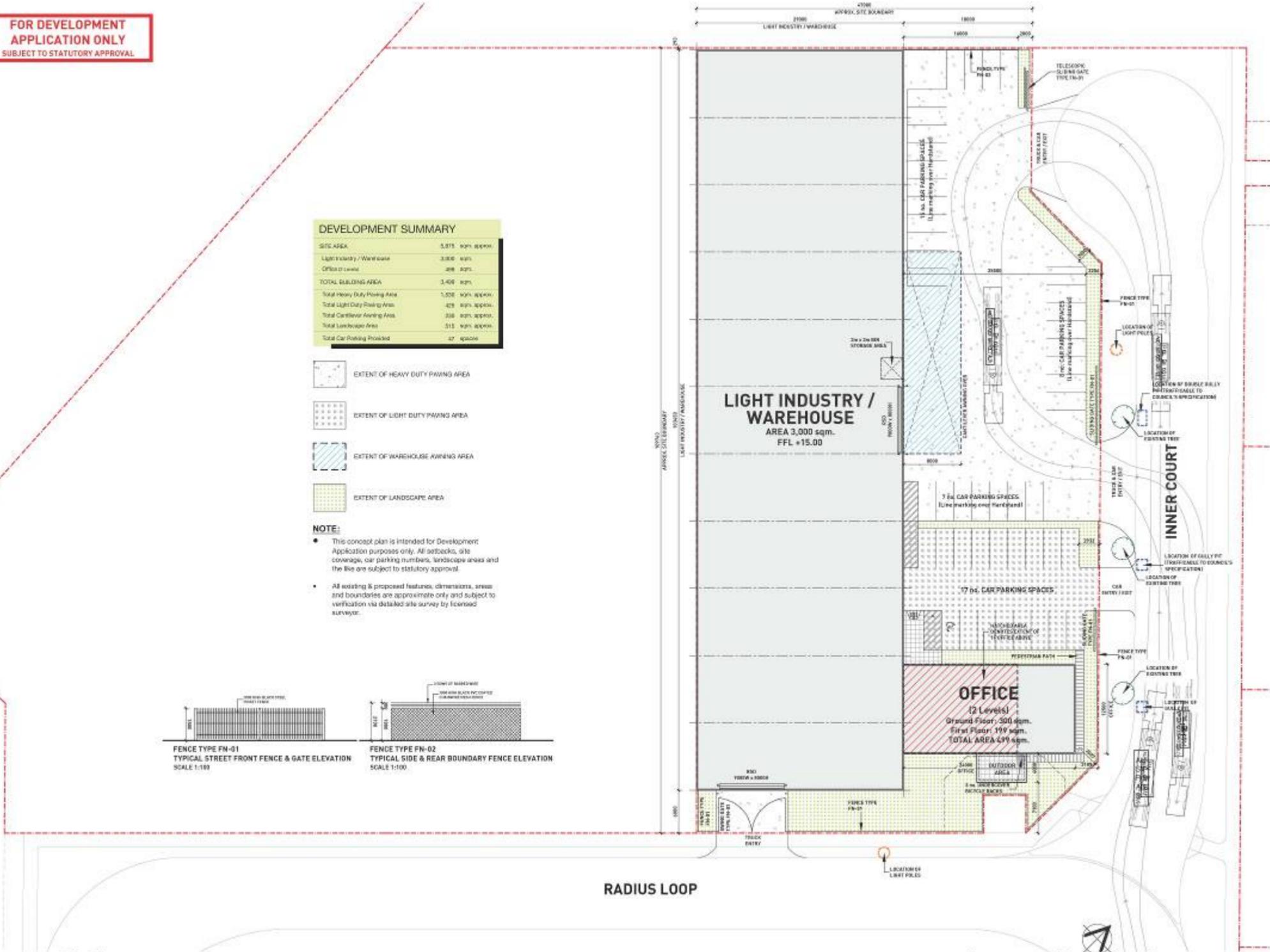
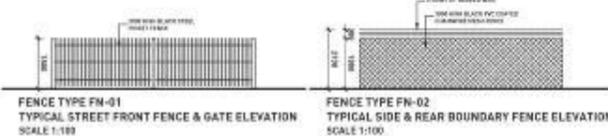
**FOR DEVELOPMENT APPLICATION ONLY**  
 SUBJECT TO STATUTORY APPROVAL

DEVELOPMENT SUMMARY	
SITE AREA	5,875 sqm approx.
Light Industry / Warehouse	3,000 sqm
Office of Level	429 sqm approx.
TOTAL BUILDING AREA	3,429 sqm
Total Heavy Duty Paving Area	1,520 sqm approx.
Total Light Duty Paving Area	429 sqm approx.
Total Carrievay Paving Area	350 sqm approx.
Total Landscape Area	515 sqm approx.
Total Car Parking Provided	27 spaces

- EXTENT OF HEAVY DUTY PAVING AREA
- EXTENT OF LIGHT DUTY PAVING AREA
- EXTENT OF WAREHOUSE PAVING AREA
- EXTENT OF LANDSCAPE AREA

**NOTE:**

- This concept plan is intended for Development Application purposes only. All setbacks, site coverage, car parking numbers, landscape areas and the like are subject to statutory approval.
- All existing & proposed features, dimensions, areas and boundaries are approximate only and subject to verification via detailed site survey by licensed surveyor.



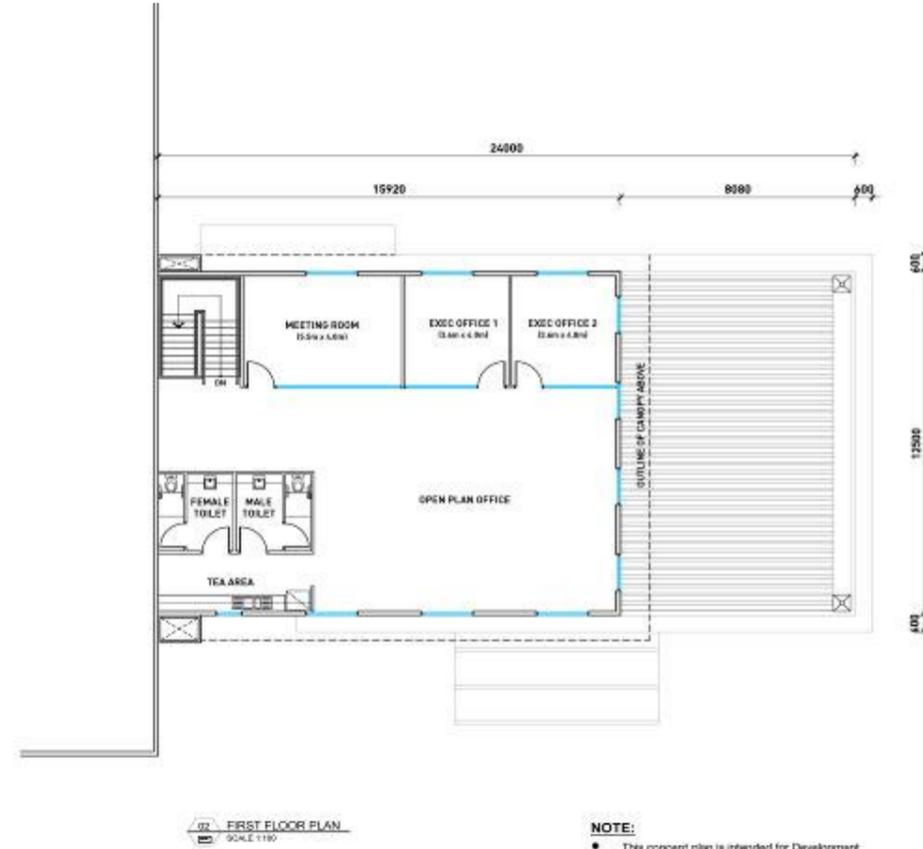
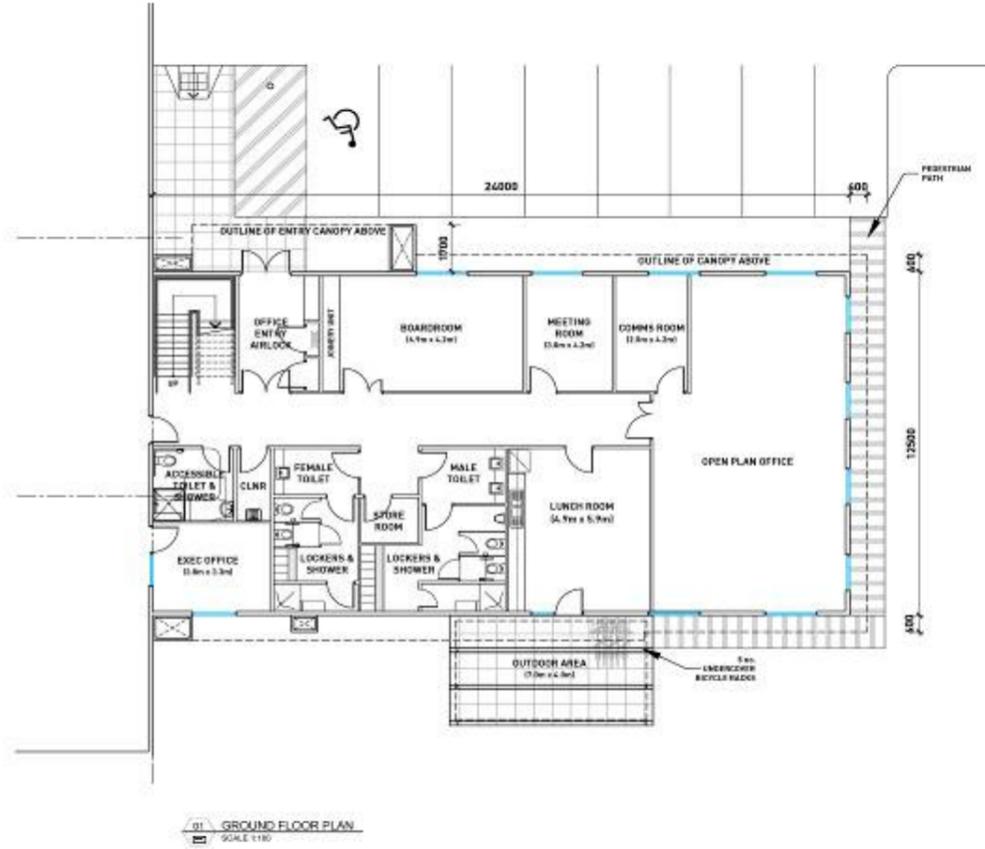
Site Plan Drawing Type: Development Application Drawing No: DA-022(2) Project No: 1905-278 Date: 19th November 2019 Scale: 1:250 @ A1

**PROPOSED DEVELOPMENT**  
 Lot 9003 (Proposed Lot 191) Cnr Radius Loop & Inner Court, Bayswater WA



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**FOR DEVELOPMENT APPLICATION ONLY**  
 SUBJECT TO STATUTORY APPROVAL



**NOTE:**

- This concept plan is intended for Development Application purposes only. All setbacks, site coverage, car parking numbers, landscape areas and the like are subject to statutory approval.
- No assurance is given as to the features, attributes, feasibility or accuracy of anything shown on or disclosed in this plan.
- All existing & proposed features, dimensions, areas and boundaries are approximate only and subject to verification via detailed site survey by licensed surveyor.

Office Plan

Drawing Type: Development Application Drawing No: DA-100F

Project No: 1905-278

Date: 19th November 2019

Scale: 1:100 @ A1



**PROPOSED DEVELOPMENT**

Lot 9003 (Proposed Lot 191) Cnr Radius Loop & Inner Court, Bayswater WA



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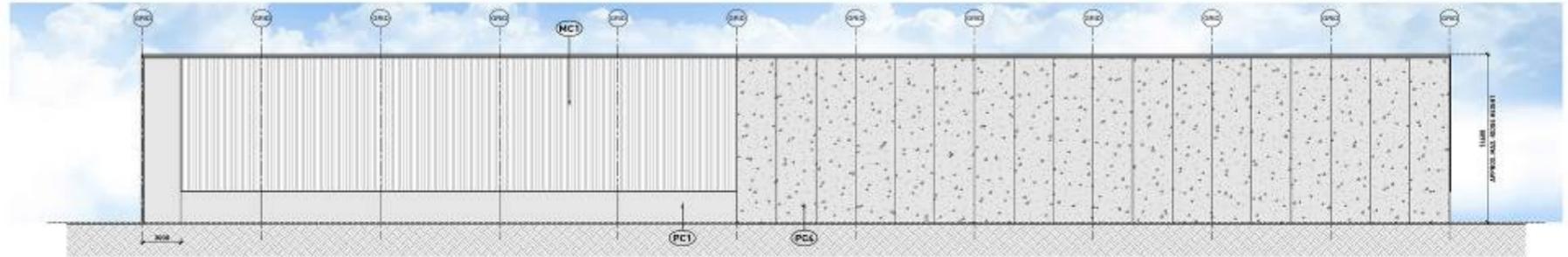
**FOR DEVELOPMENT APPLICATION ONLY**  
 SUBJECT TO STATUTORY APPROVAL

**EXTERNAL FINISHES LEGEND**

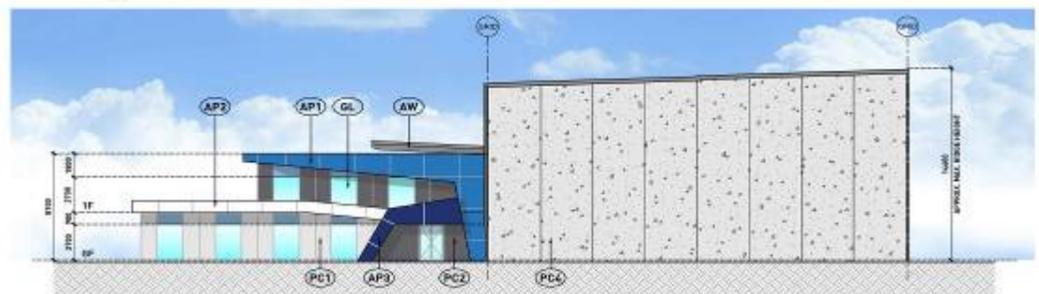
PC1	PRECAST CONCRETE PANELS IN LIGHT GREY PAINT FINISH
PC2	PRECAST CONCRETE PANELS IN DARK GREY PAINT FINISH
PC3	PRECAST CONCRETE PANELS IN PAINT FINISH TO MATCH COLORBOND 'DEEP OCEAN' COLOUR
PC4	PRECAST CONCRETE PANELS IN OFF-FORM GREY UNPAINTED FINISH AS SHOWN HATCHED
MC1	WAREHOUSE METAL WALL CLADDING IN COLORBOND 'SURFMAT' FINISH
MC2	WAREHOUSE METAL WALL CLADDING IN COLORBOND 'MONUMENT' FINISH
MC3	WAREHOUSE METAL WALL CLADDING IN COLORBOND 'DEEP OCEAN' FINISH
AP1	STEEL FRAMED OFFICE FEATURE BOX-OUT IN NON-COMBUSTIBLE LIGHT WEIGHT METALLIC CLADDING TO MATCH MANUFACTURER'S BLUE COLOUR
AP2	STEEL FRAMED OFFICE FEATURE BOX-OUT IN NON-COMBUSTIBLE LIGHT WEIGHT METALLIC CLADDING TO MATCH MANUFACTURER'S WHITE COLOUR
AP3	STEEL FRAMED OFFICE FEATURE BOX-OUT IN NON-COMBUSTIBLE LIGHT WEIGHT METALLIC CLADDING TO MATCH MANUFACTURER'S DARK BLUE COLOUR
RSD	METAL ROLLER SHUTTER DOORS IN SELECTED POWDERCOAT FINISH TO MATCH CLIENT'S CORPORATE COLOUR
AW	STEEL FRAMED WAREHOUSE AWNING IN SELECTED PAINT FINISH
RF	METAL ROOF SHEETING IN SELECTED ZINCALUME FINISH WITH TRANSLUCENT ROOF SHEETING TO APPROX. 10% OF ROOF AREA
GL	ALUMINIUM FRAMED OFFICE GLAZING SYSTEM IN SELECTED POWDERCOAT FINISH
OUT	FRAMER FRAME PATIO IN WHITE PAINT FINISH OVER OUTDOOR AREA



81 EAST ELEVATION  
 SCALE 1:200



82 WEST ELEVATION  
 SCALE 1:200



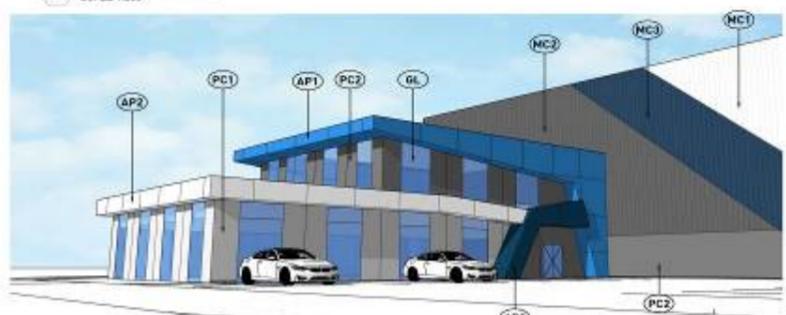
83 NORTH ELEVATION  
 SCALE 1:200



84 SOUTH ELEVATION  
 SCALE 1:200

**NOTE:**

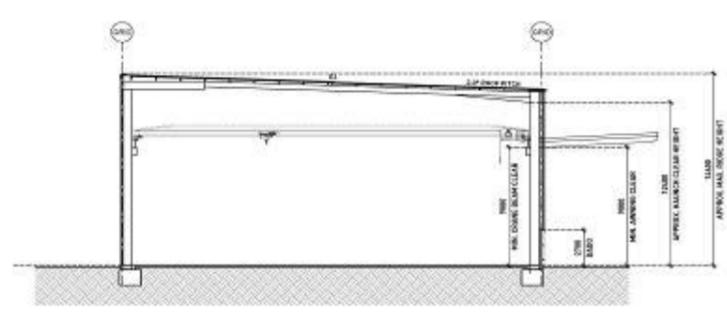
- This concept plan is intended for Development Application purposes only. All setbacks, site coverage, car parking numbers, landscape areas and the like are subject to statutory approval.
- All existing & proposed features, dimensions, areas and boundaries are approximate only and subject to verification via detailed site survey by licensed surveyor.



85 INDICATIVE PERSPECTIVE VIEW - ENTRY



86 INDICATIVE PERSPECTIVE VIEW - OUTDOOR AREA



87 INDICATIVE WAREHOUSE SECTION  
 SCALE 1:200

Elevations Drawing Type: Development Application Drawing No: DA-200(F) Project No: 1506-278 Date: 19th November 2019 Scale: 1:200 @ A1

**PROPOSED DEVELOPMENT**  
 Lot 9003 (Proposed Lot 191) Cnr Radius Loop and Innter Court, Bayswater WA





**General Notes**

- Total Landscape Area within lot: **512 sqm.**
- PM01: Strappy Edge Planting: **272 sqm.**
- PM02: Native Feature Planting: **105 sqm.**
- Internal Lawn: **140 sqm.**
- Concrete footpath: **27 sqm.**
- Gravel around services: **25 sqm.**
- Verge area adjacent lot: **356 sqm**
- All landscape areas to be fully irrigated. Irrigation may be switched off or reduced beyond the two year maintenance period.
- All garden beds to have pine bark mulch.
- Screen Trees to be at 5m centres.
- All existing street trees to be retained.
- Existing Street Trees to have 1.2 acm mulch bed surrounds
- Internal Turf to be Sapphire Soft Leaf Buffalo.
- Verge turf to be Kikuyu Village Green
- Carparks to have one 10CL tree every second bay
- Tree Location pending service locations and sight-line analysis
- Suggested species list included on MF02.

**Planting Legend**

- Internal Turf - Sapphire Soft Leaf Buffalo
- Verge Turf - Kikuyu Village Green
- Plant Mix 01 (PM01) - Strappy Leaf Species
- Plant Mix 02 (PM02) - Native Feature Planting
- Feature Tree - *Jacaranda mimosifolia*
- Carpark Tree - *Ficus caleyana* 'Capital'
- Screen Tree - *Melaleuca leucadendra*
- Existing Street Tree Location
- Existing Street Light Pole Location

**LOT 9003 (PROPOSED LOT 910) CNR RADIUS LOOP AND INNER COURT, BAYSWATER - TENANCY 1 LANDSCAPE MASTERPLAN**

udla Pty Ltd www.udla.com.au  
461 8 8233 7527 Level 1A, 3-8 Josephson St, Fremantle, 6160

N	PROJECT NAME:	CLIENT:	DRAWN:	SCALE:	DRAWING:	ISSUE DATE:	REVISION:
	Lot 9003 (Proposed Lot 191)	LINC Property	KT	1:500@A3	VP01	NOV-19	D



GARDEN BED SPECIES

PLANT MIX ONE (PM01): STRAPPY LEAF SPECIES  
6/SQ M



*Lepidosperma gladiatum* Coastal Sword Sedge  
*Baumea juncea* Twig Rush  
*Ficinia nodosa* Knobby Club Rush  
*Anigozanthos flavidus* Green Form Kangaroo Paw

PLANT MIX TWO (PM02): NATIVE FEATURE PLANTING  
4/SQ M



*Eremophila nivea* Emu Bush  
*Westringia fruticosa* 'Grey Box'  
*Eremophila glabra* 'Kalbarri Carpet'  
*Dianella revoluta* 'Cassa Blue'  
*Alyogyne heuglii* 'Blue Heeler'  
*Anigozanthos flavidus* Green Flowering Form  
*Carpobrotus virescens* 'Aussie Rambler'  
*Conostylis candidans* Grey Cottonheads

PROPOSED TREES



Species: *Jacaranda mimosifolia*  
 Common Name: Jacaranda  
 Size: 9-12m (h) x 6-8m (w)  
 An attractive feature tree often used in parks and streetscapes. Profusion of purple flowers in spring and deciduous habit allowing winter sunlight through its canopy.  
 Use: Feature Tree



Species: *Pyrus calleryana* 'Capital'  
 Common Name: Ornamental Pear  
 Size: 6-8m (h) x 3m (w)  
 An excellent upright, symmetrical specimen that looks best planted in rows as a framing plant. Deciduous habit and white flowers in spring.  
 Use: Carpark Tree



Species: *Melaleuca leucadendra*  
 Common Name: Weeping Paperbark  
 Size: 10-12m (h) x 5m (w)  
 Evergreen tree with a papery white trunk and pale green foliage that cascades from its branches. An ideal street tree with bird attracting flowers.  
 Use: Screen Tree

Table 1. Plant Schedule

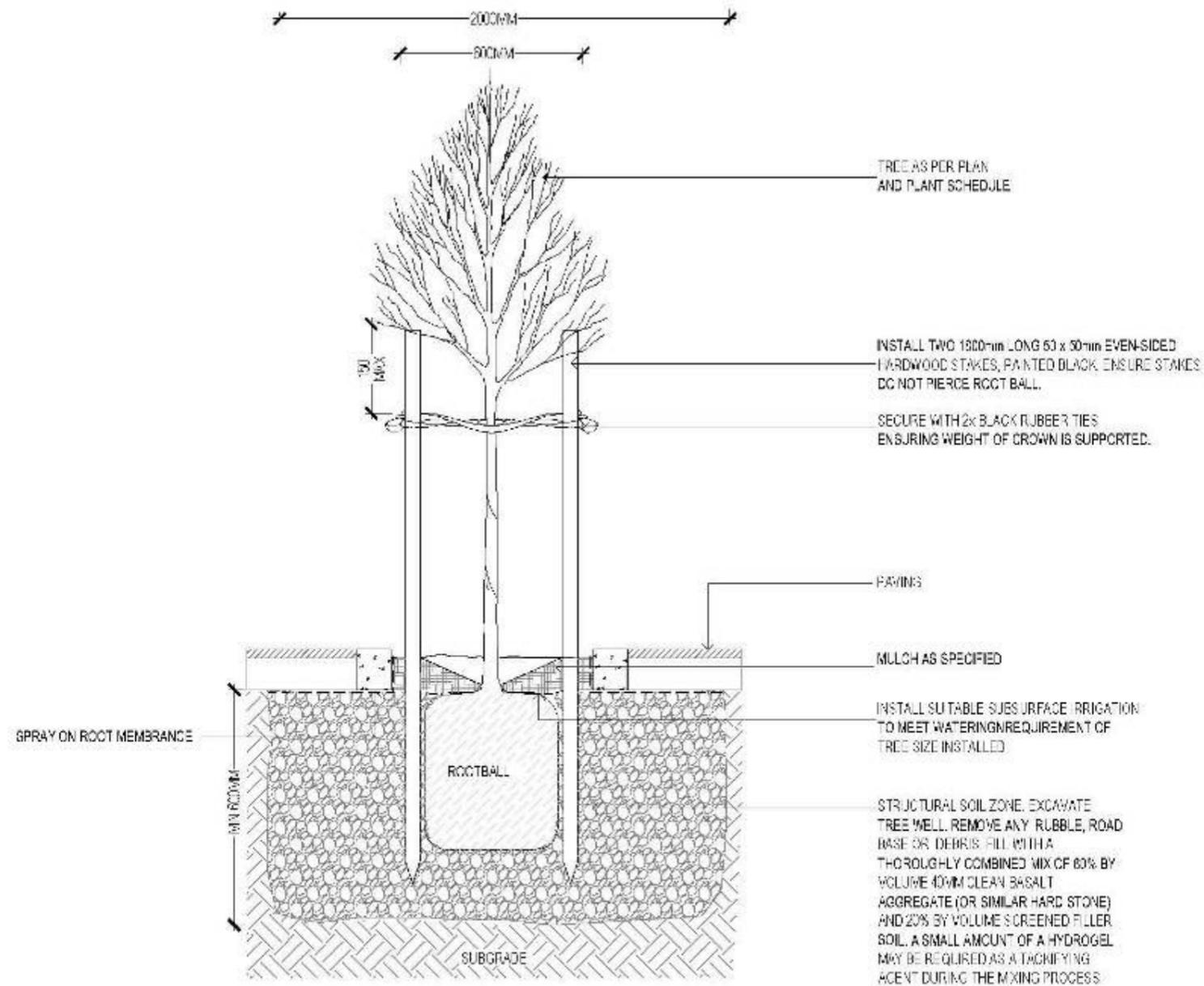
	Rate	Quantity	Pot Size
PM01	6/m <sup>2</sup>	1,632 (272/species)	140mm
PM02	4/m <sup>2</sup>	420 (105/species)	140mm
Feature Tree	n/a	4	200L
Carpark Tree	n/a	8	100L
Screen Tree	n/a	19	50L

LOT 9003 (PROPOSED LOT 910) CNR RADIUS LOOP AND INNER COURT, BAYSWATER - TENANCY 1  
PLANT SPECIES

udla pty. ltd. www.udla.com.au  
 +61 8 9338 7577 Level 1A, 3-5 Josephson St, Fremantle, 6160.

PROJECT NAME: Lot 9003 (Proposed Lot 191) | CLIENT: LINC Property | DRAWN: KT | SCALE: N/A | DRAWING: MP02 | ISSUE DATE: NOV-19 | REVISION: 0





01 INDICATIVE TREE PLANTING IN PAVED AREA  
Section Scale 1:20 A1/A3



**GENERAL NOTES**  
 ALL LEVELS AND DIMENSIONS INDICATED ON PLANS ARE INDICATIVE AND NEED TO BE CONFIRMED ON SITE BY THE CONTRACTOR PRIOR TO COMMENCING WORKS. THE CONTRACTOR SHALL liaise DIRECTLY WITH RELEVANT SERVICE AUTHORITIES TO DETERMINE THE LOCATION OF ANY SERVICES. ALL SERVICES SHALL BE PHYSICALLY LOGGED BY HAND PRIOR TO THE USE OF ANY EXCAVATION EQUIPMENT. SERVICES IN CLOSE PROXIMITY TO PROPOSED WORKS SHALL BE ALL WORK SHALL BE IN ACCORDANCE TO THE APPROPRIATE AUSTRALIAN STANDARDS AND AS OUTLINED IN THE LANDSCAPE SPECIFICATION.

**udla**  
 Urban Design Landscape Architecture  
 LEVEL 1A, 3-5 JOSEPHSON STREET, FREMANTLE WA 6160  
 t +61 (08) 9336 7577  
 www.udla.com.au

### 10.4.3 Proposed Change of Use to Educational Establishment and Associated Alterations and Additions - Lot 663, 13 Beechboro Road South and Lot 3, 15 Beechboro Road South, Bayswater

<b>Applicant/Proponent:</b>	Judd Dyer ATF the Bayswater Central Unit Trust	
<b>Owner:</b>	Chaofeng Pty Ltd (Directors: Zhiming Cai and Yanming Jiang) and Marianna Partigliani	
<b>Responsible Branch:</b>	Development Approvals	
<b>Responsible Directorate:</b>	Community and Development	
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input checked="" type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
<b>Voting Requirement:</b>	Simple Majority Required	
<b>Attachments:</b>	1. Development Plans <b>Confidential Attachment</b> 2. Submission Location Plan	
<b>Refer:</b>	N/A	

**Confidential Attachment(s) - in accordance with Section 5.23(2) (b) of the Local Government Act 1995 – personal affairs of any person.**

#### SUMMARY

A planning application has been submitted for proposed alterations and additions and change of use to educational establishment (iCollege) at Lot 663, 13 Beechboro Road South Bayswater and the rear portion of Lot 3, 15 Beechboro Road South, Bayswater.

The application is being referred to Council for determination as the application proposes a car parking shortfall outside of the officers delegation. One submission was received during public consultation objecting to the car parking shortfall. Given that the nature of the use is targeted at international students and the proposed provision of bicycle parking and proximity of the site to high frequency public transport, the proposal is supported subject to conditions including a car parking management plan being approved by the City and adhered to by the applicant.

#### OFFICER'S RECOMMENDATION

That Council grants planning approval for the proposed change of use to educational establishment and associated alterations and additions at Lot 663, 13 Beechboro Road South, Bayswater and Lot 3, 15 Beechboro Road South, Bayswater in accordance with the planning application dated 11 September 2019 and the plans dated 12 November 2019, subject to the following:

1. The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan.
2. The educational establishment are permitted to have a maximum of 400 people comprising a maximum of 390 enrolled students and 10 staff, however only a maximum of 120 students and 10 staff are permitted on the site at any one time.
3. The owners of Lot 663 and Lot 3 shall enter into a legal agreement(s) with the City of Bayswater or register an easement on the subject site to provide for reciprocal right-of-access for eight car parking bays on Lot 3 and vehicular and pedestrian movement between the lots where applicable for the period of the educational establishment use, to the satisfaction of the City. The agreement or easement must be executed and registered on the relevant Certificate of Title by the owner(s) prior to the submission of a building

permit application or prior to occupation of the development where a building permit is not required.

The legal documentation shall be prepared by the City's solicitors to the satisfaction of the City. All costs associated with the preparation, review and registration of the documentation, including the City's solicitor's costs, shall be met by the applicant/owner of the land.

4. The owner and occupier shall enter into a legal agreement with the City of Bayswater, to ensure the operation of the educational establishment use will be managed such that it will not create excessive demand for additional car-parking on the site or the immediate and surrounding area. The agreement shall address the following matters to the satisfaction of the City:
  - (a) The educational establishment are permitted to have a maximum of 400 people comprising a maximum of 390 enrolled students and 10 staff, however only a maximum of 120 students and 10 staff are permitted on the site at any one time.
  - (b) The car parking management plan as amended from time to time and as approved by the City.
  - (c) Monitoring of the maximum number of people on site at any one time.
  - (d) Mitigation and enforcement mechanisms should a car parking issue arise in relation to the educational establishment in the opinion of the City.

The agreement must be executed and registered on the relevant Certificate of Title by the owner prior to occupation of the development. All costs associated with the preparation, review and registration of the documentation, including the City's solicitor's costs, shall be met by the applicant/owner of the land.

5. A car parking management plan, detailing how car parking associated with the educational establishment will be managed to minimise the impact on the surrounding area, shall be submitted to and approved by the City of Bayswater prior to the submission of a building permit application, and implemented thereafter to the satisfaction of the City.
6. A separate application including plans or description of all signs for the proposed development (including signs painted on a building) shall be submitted to and approved by the City of Bayswater, prior to the erection of any signage.
7. Windows, doors and adjacent areas fronting Beechboro Road South shall maintain an active and interactive relationship with the street, to the satisfaction of the City of Bayswater.
8. A detailed landscape plan for the car parking areas shall be submitted to and approved by the City of Bayswater, prior to the submission of a building permit application. For the purpose of this condition, the plan shall be drawn with a view to reduce large areas of hard stand in passive areas and show the following:
  - (a) The location and species of all trees and shrubs to be retained or removed.
  - (b) The size and number of new plants to be planted.
  - (c) The location of any lawn areas to be established.
  - (d) Those areas to be reticulated or irrigated.
  - (e) Planter boxes are to be provided where possible along the front verandah of the building.
  - (f) Two shade trees to be provided to the rear car parking bays.

Landscaping and reticulation shall be completed in accordance with the approved detailed landscape plan prior to occupation of the development and thereafter maintained to the satisfaction of the City of Bayswater.

- 
9. All street tree(s) within the verge adjoining the subject property are to be retained, unless written approval has been granted by the City of Bayswater for their removal, and shall have measures consistent with AS 4970-2009 undertaken to ensure its/their protection during construction of the subject development to the satisfaction of the City, including but not limited to the following:
- (a) A minimum 2.0m radius tree protection zone (TPZ) shall be provided through 1.8m high fencing around the verge trees (chain mesh panels or other suitable material) during construction of the subject development.
  - (b) The above fencing is not to be moved or removed at any period during construction, and this zone is not to be entered for any reason; signage notifying people of the TPZ and the associated requirements is to be placed on each side of the fencing.
  - (c) All activities related to construction of the subject development, including parking of vehicles, storage of materials, and washing of concreting tools and equipment is prohibited within the designated TPZ.
  - (d) Any roots identified to be pruned shall be pruned with a final cut to undamaged wood outside of the TPZ. Pruning cuts shall be made with sharp tools such as secateurs, pruners, handsaws or chainsaws. Pruning wounds shall not be treated with dressings or paints. It is not acceptable for roots to be 'pruned' with machinery such as backhoes or excavators.
  - (e) The tree(s) shall be provided with supplemental water during any construction period falling over summer, with a minimum of 150 litres being provided per week.
  - (f) Should any works be required to be undertaken within the TPZ, approval must be given by the City prior to entering this zone. You may be required to seek advice from an Arborist in regard to the type of works being undertaken, this information is to be assessed by the City as part of the approvals to enter.
  - (g) Any new crossover shall maintain a minimum clearance of 2.0m from the base of a street tree(s).
10. Prior to occupation of the development, a total of one street tree is to be planted on the Beechboro Road South verge, at the full cost of the applicant/owner and to the specifications and satisfaction of the City of Bayswater.
11. A detailed 'Schedule of Colours and Materials' for the recladding and improvement of the front façade of the building on subject Lot 663 shall be submitted to and approved by the City of Bayswater, prior to the submission of a building permit application.
12. A refuse and recycling management plan shall be submitted to and approved by the City of Bayswater, prior to occupation of the development. The plan shall include details of refuse bin location, number of rubbish and recycling receptacles, vehicle access and manoeuvring.
13. All stormwater and drainage runoff produced onsite is to be disposed of onsite to the satisfaction of the City of Bayswater.
14. All vehicle parking areas on Lot 663 and Lot 3 shall be upgraded in asphalt, concrete or brick paving, drained, kerbed and line-marked, together with suitable directional signs, and thereafter maintained to the satisfaction of the City of Bayswater. The access way to the rear of Lot 3 shall be designed and signposted as one way access towards the rear only.
15. All vehicle parking to be line marked, and staff car parking spaces shall be clearly signposted as dedicated for staff use only prior to occupation of the development, to the satisfaction of the City of Bayswater.
-

16. A minimum of 24 bicycle parking bays shall be provided prior to occupation of the development. Details of the design and layout of the bicycle parking facility shall be submitted to and approved by the City of Bayswater prior to the installation of such facility.

Advice Notes:

To activate the planning approval, the development/use subject of this approval must be substantially commenced within a period of two years of the date of this approval notice. If the development is not substantially commenced within this period, this approval shall lapse and be of no further effect. Where an approval has lapsed, no development/use shall be carried out without the further approval of the City having first been sought and obtained.

1. This approval is not a building permit or an approval under any other law than the *Planning and Development Act 2005*. It is the responsibility of the applicant/owner to obtain any other necessary approvals, consents and/or licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
2. This approval is not an authority to ignore any constraint to development on the land, which may exist through contract or on title, such as but not limited to an easement or restrictive covenant. It is the responsibility of the applicant/owner to investigate any such constraints before commencing development.
3. The proposed development must comply in all respects with the Building Code of Australia and/or *Health (Public Building) Regulations 1992*. Plans and specifications that reflect these requirements are required to be submitted to the City with the building permit application.
4. This approval does not authorise any interference with dividing fences, nor entry onto neighbouring land. Accordingly, should the applicant/landowner wish to remove or replace any portion of a dividing fence, or enter onto neighbouring land, the applicant/landowner must first come to a satisfactory arrangement with the adjoining property owner. Please refer to the *Dividing Fences Act 1961*.
5. In relation to condition 9, a list of suitable tree species is provided on the City's website @ <http://www.bayswater.wa.gov.au/cproot/617/2/StreetTrees2010.pdf> or as determined by the City's Parks and Gardens Services. The recommended bag size is 45 litres (35 litres minimum).
6. Any redundant septic tanks, soakwells and leach drains are to be pumped out by a licensed liquid waste contractor, completely removed from the site and filled with clean sand and compacted. A Statutory Declaration must also be provided by the landowner declaring that these works have been undertaken. However, if it is not possible to remove septic tanks, the bottoms are to be broken and the tanks backfilled with clean fill and compacted. The applicant is to contact the City at least 72 hours prior to the removal of any system to arrange an inspection.

**COUNCIL RESOLUTION**

That Council grants planning approval for the proposed change of use to educational establishment and associated alterations and additions at Lot 663, 13 Beechboro Road South, Bayswater and Lot 3, 15 Beechboro Road South, Bayswater in accordance with the planning application dated 11 September 2019 and the plans dated 12 November 2019, subject to the following:

1. The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan.
2. The educational establishment are permitted to have a maximum of 400 people comprising a maximum of 390 enrolled students and 10 staff, however only a maximum of 120 students and 10 staff are permitted on the site at any one time.
3. The owners of Lot 663 and Lot 3 shall enter into a legal agreement(s) with the City of Bayswater or register an easement on the subject site to provide for reciprocal right-of-access for eight car parking bays on Lot 3 and vehicular and pedestrian movement between the lots where applicable for the period of the educational establishment use, to the satisfaction of the City. The agreement or easement must be executed and registered on the relevant Certificate of Title by the owner(s) prior to occupation of the development.

The legal documentation shall be prepared by the City's solicitors to the satisfaction of the City. All costs associated with the preparation, review and registration of the documentation, including the City's solicitor's costs, shall be met by the applicant/owner of the land.

4. The owner and occupier shall enter into a legal agreement with the City of Bayswater, to ensure the operation of the educational establishment use will be managed such that it will not create excessive demand for additional car-parking on the site or the immediate and surrounding area. The agreement shall address the following matters to the satisfaction of the City:
  - (a) The educational establishment are permitted to have a maximum of 400 people comprising a maximum of 390 enrolled students and 10 staff, however only a maximum of 120 students and 10 staff are permitted on the site at any one time.
  - (b) The car parking management plan as amended from time to time and as approved by the City.
  - (c) Monitoring of the maximum number of people on site at any one time.
  - (d) Mitigation and enforcement mechanisms should a car parking issue arise in relation to the educational establishment in the opinion of the City.

The agreement must be executed and registered on the relevant Certificate of Title by the owner prior to occupation of the development. All costs associated with the preparation, review and registration of the documentation, including the City's solicitor's costs, shall be met by the applicant/owner of the land.

5. A car parking management plan, detailing how car parking associated with the educational establishment will be managed to minimise the impact on the surrounding area, shall be submitted to and approved by the City of Bayswater prior to the submission of a building permit application, and implemented thereafter to the satisfaction of the City.
6. A separate application including plans or description of all signs for the proposed development (including signs painted on a building) shall be submitted to and approved by the City of Bayswater, prior to the erection of any signage.

- 
7. **Windows, doors and adjacent areas fronting Beechboro Road South shall maintain an active and interactive relationship with the street, to the satisfaction of the City of Bayswater.**
  8. **A detailed landscape plan for the car parking areas shall be submitted to and approved by the City of Bayswater, prior to the submission of a building permit application. For the purpose of this condition, the plan shall be drawn with a view to reduce large areas of hard stand in passive areas and show the following:**
    - (a) **The location and species of all trees and shrubs to be retained or removed.**
    - (b) **The size and number of new plants to be planted.**
    - (c) **The location of any lawn areas to be established.**
    - (d) **Those areas to be reticulated or irrigated.**
    - (e) **Planter boxes are to be provided where possible along the front verandah of the building.**
    - (f) **Two shade trees to be provided to the rear car parking bays.**

**Landscaping and reticulation shall be completed in accordance with the approved detailed landscape plan prior to occupation of the development and thereafter maintained to the satisfaction of the City of Bayswater.**

9. **All street tree(s) within the verge adjoining the subject property are to be retained, unless written approval has been granted by the City of Bayswater for their removal, and shall have measures consistent with AS 4970-2009 undertaken to ensure its/their protection during construction of the subject development to the satisfaction of the City, including but not limited to the following:**
  - (a) **A minimum 2.0m radius tree protection zone (TPZ) shall be provided through 1.8m high fencing around the verge trees (chain mesh panels or other suitable material) during construction of the subject development.**
  - (b) **The above fencing is not to be moved or removed at any period during construction, and this zone is not to be entered for any reason; signage notifying people of the TPZ and the associated requirements is to be placed on each side of the fencing.**
  - (c) **All activities related to construction of the subject development, including parking of vehicles, storage of materials, and washing of concreting tools and equipment is prohibited within the designated TPZ.**
  - (d) **Any roots identified to be pruned shall be pruned with a final cut to undamaged wood outside of the TPZ. Pruning cuts shall be made with sharp tools such as secateurs, pruners, handsaws or chainsaws. Pruning wounds shall not be treated with dressings or paints. It is not acceptable for roots to be 'pruned' with machinery such as backhoes or excavators.**
  - (e) **The tree(s) shall be provided with supplemental water during any construction period falling over summer, with a minimum of 150 litres being provided per week.**
  - (f) **Should any works be required to be undertaken within the TPZ, approval must be given by the City prior to entering this zone. You may be required to seek advice from an Arborist in regard to the type of works being undertaken, this information is to be assessed by the City as part of the approvals to enter.**
  - (g) **Any new crossover shall maintain a minimum clearance of 2.0m from the base of a street tree(s).**

10. Prior to occupation of the development, a total of one street tree is to be planted on the Beechboro Road South verge, at the full cost of the applicant/owner and to the specifications and satisfaction of the City of Bayswater.
11. A detailed 'Schedule of Colours and Materials' for the recladding and improvement of the front façade of the building on subject Lot 663 shall be submitted to and approved by the City of Bayswater, prior to the submission of a building permit application.
12. A refuse and recycling management plan shall be submitted to and approved by the City of Bayswater, prior to occupation of the development. The plan shall include details of refuse bin location, number of rubbish and recycling receptacles, vehicle access and manoeuvring.
13. All stormwater and drainage runoff produced onsite is to be disposed of onsite to the satisfaction of the City of Bayswater.
14. All vehicle parking areas on Lot 663 and Lot 3 shall be upgraded in asphalt, concrete or brick paving, drained, kerbed and line-marked, together with suitable directional signs, and thereafter maintained to the satisfaction of the City of Bayswater. The access way to the rear of Lot 3 shall be designed and signposted to reflect the access arrangements as detailed in the car parking management plan approved by the City.
15. All vehicle parking to be line marked, and staff car parking spaces shall be clearly signposted as dedicated for staff use only prior to occupation of the development, to the satisfaction of the City of Bayswater.
16. A minimum of 24 bicycle parking bays shall be provided prior to occupation of the development. Details of the design and layout of the bicycle parking facility shall be submitted to and approved by the City of Bayswater prior to the installation of such facility.

**Advice Notes:**

To activate the planning approval, the development/use subject of this approval must be substantially commenced within a period of two years of the date of this approval notice. If the development is not substantially commenced within this period, this approval shall lapse and be of no further effect. Where an approval has lapsed, no development/use shall be carried out without the further approval of the City having first been sought and obtained.

1. This approval is not a building permit or an approval under any other law than the *Planning and Development Act 2005*. It is the responsibility of the applicant/owner to obtain any other necessary approvals, consents and/or licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
2. This approval is not an authority to ignore any constraint to development on the land, which may exist through contract or on title, such as but not limited to an easement or restrictive covenant. It is the responsibility of the applicant/owner to investigate any such constraints before commencing development.
3. The proposed development must comply in all respects with the Building Code of Australia and/or *Health (Public Building) Regulations 1992*. Plans and specifications that reflect these requirements are required to be submitted to the City with the building permit application.
4. This approval does not authorise any interference with dividing fences, nor entry onto neighbouring land. Accordingly, should the applicant/landowner wish to remove or replace any portion of a dividing fence, or enter onto neighbouring land, the

applicant/landowner must first come to a satisfactory arrangement with the adjoining property owner. Please refer to the *Dividing Fences Act 1961*.

5. In relation to condition 9, a list of suitable tree species is provided on the City's website @ <http://www.bayswater.wa.gov.au/cproot/617/2/StreetTrees2010.pdf> or as determined by the City's Parks and Gardens Services. The recommended bag size is 45 litres (35 litres minimum).
6. Any redundant septic tanks, soakwells and leach drains are to be pumped out by a licensed liquid waste contractor, completely removed from the site and filled with clean sand and compacted. A Statutory Declaration must also be provided by the landowner declaring that these works have been undertaken. However, if it is not possible to remove septic tanks, the bottoms are to be broken and the tanks backfilled with clean fill and compacted. The applicant is to contact the City at least 72 hours prior to the removal of any system to arrange an inspection.

CR MICHELLE SUTHERLAND MOVED, CR SALLY PALMER SECONDED

CARRIED UNANIMOUSLY: 10/0

#### REASON FOR CHANGE

*Council changed the Officer's Recommendation with condition 3 being amended to require the subject legal agreement to be executed prior to occupation of the development as the applicant wishes to submit a building application as soon as possible and the agreement will take longer to finalise. Council also amended condition 14 for the access way to reflect a car management plan that is approved by the City as there may be alternate parking and access arrangements to a one way access configuration.*

#### BACKGROUND

<b>Application Number:</b>	DA19-0415
<b>Address:</b>	Lot 663, 13 Beechboro Road South, Bayswater and Lot 3, 15 Beechboro Road South, Bayswater
<b>Town Planning Scheme Zoning:</b>	Business
<b>Use Class:</b>	Educational Establishment - 'D'
<b>Existing Land Use:</b>	Shops and Vacant Showroom
<b>Surrounding Land Use:</b>	Shops, Restaurant and Residential
<b>Proposed Development:</b>	Educational Establishment and Associated Alterations and Additions

A planning application dated 11 September 2019 and plans dated 12 November 2019 have been received for a proposed change of use to educational establishment and associated alterations and additions at Lot 663, 13 Beechboro Road South, Bayswater and the rear portion of Lot 3, 15 Beechboro Road South, Bayswater.

The building at 13 Beechboro Road South was most recently an automotive parts showroom however it is currently vacant. 15 Beechboro Road South comprises three shops and a vacant area to the rear which is proposed to be utilised for additional car parking for the proposed educational establishment. The proposed educational establishment will be operated by 'iCollege' who currently operate from The RISE in Maylands.

Due to requirements from the Australian Skills Quality Authority (ASQA) the Federal Government body that registers national higher education and vocational education and training providers, the applicant revised their proposal to increase the maximum number of students from 120 to 390 students. The number of students is based on the maximum occupancy of the building (likely being 400 persons) under the *Health (Public Building) Regulations 1992*.

ASQA limits the number of enrolled students based on the maximum occupancy of the building rather than the maximum number of students likely to be on the premises at any one time. The

*Health (Public Building) Regulations 1992*. Unlike the City's Town Planning Scheme No. 24 (TPS 24), the *Health (Public Building) Regulations 1992* do not take into account car parking and amenity when determining the maximum occupancy of a building. Generally, the *Health (Public Building) Regulations 1992* consider the number of toilets, distance to fire exits and the size of the rooms to determine the maximum permitted occupancy. Accordingly the maximum number of people permitted within a building may vary between the planning approval and the occupancy certificate. The planning approval and the occupancy certificate should match to avoid conflicts and misunderstanding of the maximum permitted occupancy. However different maximum number of people permitted could be considered where there are other mechanisms in place to ensure both the planning approval and the *Health (Public Building) Regulations 1992* are complied with.

The applicant advises that the proposed educational establishment will operate as follows:

1. Total enrolments of 390 students, whereas given the educational facility is mostly online, a maximum of 120 students are anticipated to attend the premises at any one time between 8:30am and 4:30pm.
2. 10 staff members between the hours of 7.30am to 7.00pm.
3. Seven training rooms and three offices.
4. The external appearance and internal fit out of the building will be upgraded at 13 Beechboro Road South, Bayswater.
5. The existing car parking facilities will be upgrading including reconfiguration of the rear car park at the rear of 15 Beechboro Road South, Bayswater, resulting in a total of 22 car bays across the two sites.
6. Bicycle parking facilities for a minimum of 24 bicycles.

The application is being referred to Council as the proposed parking shortfall is outside the delegated authority of the City officers.





**EXTERNAL CONSULTATION**

The City sought comment for a period of 14 days in relation to the initial proposal for a maximum of 120 students on the site at one time. At the completion of the first advertising period, one submission was received objecting to the car parking shortfall proposed. The revised application for a maximum of 400 persons was re-advertised for a period of 14 days with no additional submissions received.

ISSUE	NATURE OF CONCERN	APPLICANT RESPONSE	OFFICER COMMENT
Car Parking	<i>"This area has significant problems with carparking already. The new train station development will remove all current train station parking, further encroaching on the bays we have for our clients. In the morning it is often that I arrive and cars are in our carpark and they are not clients, cars are parked here all day and restricting access to both clients and trucks for the purposes of deliveries etc".</i>	As part of repurposing the building at 13 Beechboro Road South, Bayswater, additional parking bays will be constructed at 15 Beechboro Road South, Bayswater. Detailed information has been provided to the City relating to the tenant's operation. Based on the proposed parking agreement across both sites and the tenant's operation, there will be a sufficient number of parking bays to support their use. This means the proposed development will have a nil net impact on the existing parking within the surrounding area.	Refer to the 'Officer's Comments' section below.

**OFFICER'S COMMENTS**

Key Scheme Provisions	Required	Provided	Assessment
Car Parking:			
Existing Shops	7 bays*	9 bays	Compliant
Proposed Educational Establishment **	73.2 (74) bays*	13 bays	Variation

\*After a 50% dispensation has been applied to the shop use and a 25% dispensation has been applied to the education establishment use in accordance with the City's Car Parking in the Town Centres Policy.

\*\*In accordance with the City's TPS24, the number of required parking bays for an educational establishment is to be determined by Council. Please refer to the detailed car parking assessment below.

Site Context

The subject sites are located within the Bayswater Town Centre and are zoned 'Business' under the City's TPS24. The subject site adjoins residential zoned lots located on the opposite side of Beechboro Road South and also to the right of way at the rear. The sites are also located within the "Central Core Precinct" in draft Bayswater Town Centre Structure Plan Area. The sites are located approximately 200m from the Bayswater train station and approximately 300m from a high frequency bus routes along Coode Street.

Appropriateness of Use

The applicant has advised that use involves the provision of vocational education and training for people looking to develop essential skills including business and hospitality certifications. The operator, iCollege Pty Ltd is an ASX listed company which caters to a predominantly foreign student market, however, is also accredited to teach domestic students. It has campuses in Adelaide, Canberra, Sydney, Brisbane and the Gold Coast and their existing campus in Perth is located at The RISE in Maylands.

The applicant has advised that the proposed hours of operation are between 8:30am and 4:30pm weekdays, although staff will arrive earlier from 7:30am and leave later at 7pm. The educational establishment use is classified as a discretionary use within the Business zone which means that each application is considered on a case by case basis given the potential impact of the use on the surrounding area.

The applicant has advised that although the proposal is for a maximum of 390 students and 10 staff, it is unlikely that the use will operate at its maximum capacity due to the nature of the operation of the use. As the use operate based on a class schedule the operator has the ability to regulate the number of students on the site. Given that there are 138 seats within eight individual training rooms in addition to the training kitchen shown on the development plans, it is unlikely that the use will reach maximum capacity especially given that the use is targeted at online study.

The proposal also include improvements to the exterior of the building, including recladding the façade and installation of large glazed windows which will improve the appearance and amenity of the building which is currently vacant. It is considered that the presence of iCollage in the Bayswater Town Centre will also result in economic benefits through patronage by students to nearby businesses and may also attract international students to reside in the City of Bayswater. Accordingly the proposed use is considered appropriate for the site, and the broader Bayswater Town Centre.

### Car Parking

Car parking and the number of students has been raised as a concern in the objection received during the public consultation period.

Clause 8.4.1(g) of TPS24 states that:

*"If the Scheme does not specify the number of parking spaces required in respect of any particular use, then the number of parking spaces to be provided shall be determined by the Council."*

Given that no specific requirement is listed for an educational establishment other than a primary or secondary school, neither of which are considered applicable in this case, the number of bays required for the use is at the discretion of Council.

In the absence of a parking standard for the subject use, the City has taken a comparative car parking bay requirement from other adjoining local governments which considers that one car bay per four students is an appropriate requirement to impose on the subject application. This comparative car parking requirement has been utilised previously by the Council and the City to determine applications for similar educational establishments.

Therefore the total number of bays required based on 390 students is 98 parking bays. As the site is located within the Bayswater Town Centre, the City's *Car Parking the Town Planning Scheme No.24 Area Policy* applies. The policy provides for a dispensation of 25% for community uses such as educational establishments and a 50% dispensation for the shop uses. Therefore the required number of car parking bays for the educational establishment may be reduced by 24.3 bays, resulting in a reduced requirement of 73.2 (74) car parking bays. The required number of car parking bays for the shop use is reduced from 14 bays to 7 bays.

The application proposes five car parking bays in front of the building on 13 Beechboro Road South, in addition to eight car parking bays at the rear of 15 Beechboro Road South, resulting in a total of 13 bays provided for the education establishment use. The shops will use the remaining four car parking bays behind the building on 15 Beechboro Road South in addition to the five car parking bays at the front of the building. The nine car parking bays which will be used by the shops will remain separate and are not available for the use of the educational establishment. It is not feasible to achieve any additional car parking bays on the site, therefore the applicant is proposing a shortfall of 60.2 (61) parking bays representing a shortfall of 82.2% for the educational establishment use. It is noted that the previous showroom use on 13 Beechboro Road South has an existing car parking shortfall of 26 bays (83.6%).

The significant car parking shortfall was raised in the objection received during the public advertising period and there is a concern that there is no formal mechanism in place to prevent students from driving to the site and parking in nearby residential streets which the vast majority do not have a timed parking limit. The Bayswater train station upgrade will result in the loss of 180 public parking bays and the result will be that car parking will be at a premium within the Bayswater Town Centre. It is noted the significant shortfall in car parking results after a 25% dispensation has already applied under the City's *Car Parking in the Town Centres Policy* which considers proximity to public transport options. It is therefore considered that the proposed car parking shortfall of 61 car parking bays is not appropriate for the proposed education establishment use.

The applicant's initial proposal for a maximum of 120 students and 10 staff is considered to be a more appropriate maximum number of people on this site. However, it is considered that a maximum of 120 students on the site would still result in a car parking shortfall of 17 car parking bays (or 56.6%). To address the parking shortfall, the applicant has submitted justification which details the staff parking arrangements and how students will access the site. The applicant specifies that the majority of the 13 onsite parking bays will be for staff parking only. Given that a

maximum of 10 staff is proposed, it is considered that the proposed 13 onsite parking bays would be sufficient to cater for staff parking.

Students will be encouraged to access the site via nearby public transport options, walking and cycling. The proposal also includes the provision of 24 new bicycle parking bays, which would provide one bicycle parking bay per five students, however no end of trip facilities are proposed. According to the applicant, international students that attend the educational establishment tend to stay in accommodation that is in close proximity to the campus and easily accessed via public transport, walking or cycling. The applicant also believes that less than 5% of the student cohort has access to a private vehicle as the majority of their students are international students who are living in Perth temporarily while studying.

The proposed educational establishment is located in close proximity to the Bayswater train station and high frequency bus route along Coode Street. There is a limited number of on-street car parking bays available on Beechboro Road South with a one hour time limit. Given that the applicant has advised that lectures are an average of 7 hours in duration, the one hour time limit for on street parking would be a further deterrent for students to access the site by private vehicle. For students who have a disability it may be necessary for them to drive to the site. For these circumstances, the three remaining car parking bays not required for staff parking are sufficient. To further regulate access to on-site car parking the applicant could manage the demand for car parking by staggering class schedules and impose their own time limits and/or permits for use of their on-site car parking bays. It is recommended that a condition be imposed requiring the applicant submit a car parking management plan which outlines how the car parking bays associated with the educational establishment will be managed to the satisfaction of the City. Therefore, it is recommended that the maximum number of people be limited to a maximum of 120 students and 10 staff at any one time.

Due to iColleges requirement to obtain an occupancy certificate under the *Health (Public Building) Regulations 1992* for 400 people, the applicant has requested that the City does not impose a planning condition restricting the maximum number of people permitted to be on site at any one time. Instead the applicant is proposing to enter into a legal agreement with the City and register a restrictive covenant against the relevant Certificate of Title as the mechanism to ensure that they do not exceed 120 students on site at any one time.

The site is located within an area designated for cash in lieu contributions under the City's Cash in Lieu of Car Parking Policy and therefore, Council has the opportunity to apply cash in lieu of car parking for the parking shortfall. Currently, the rate of cash in lieu as specified in the City's schedule of fees and charges is \$10,000 per bay, therefore the total cash in lieu amount would be \$170,000 (based on a maximum of 120 students resulting in a shortfall of 17 car bays). In this instance it is considered that the shortfall in the car parking could be managed so that it would not have an undue impact on the car parking in the area provided the car parking management plan is approved by the City and adhered to by the applicant and accordingly it is not considered necessary to impose cash in lieu for the additional car parking shortfall.

As the two lots are under separate ownership on separate Certificates of Title, there would be insufficient legal protection of the proposed car parking arrangement in the event any of the lots were sold. Given a development approval 'runs' with the land, while a private lease agreement runs with the leaseholder and the lessee not the land and can therefore be changed at the discretion of the land owner, the City has limited statutory means to enforce the land owner to maintain these car bays for the education establishment as part of any lease.

In order for the bays on 15 Beechboro Road South to be counted as part of the car parking for the education establishment, the bays would have to be legally secured through amalgamation of the lots, grant of easement or legal agreement (with caveat). The applicant has indicated that the land owner does not wish to amalgamate the lots. Therefore, it is recommended that a condition

be imposed to formalise the use of the car bays on 15 Beechboro Road South to the satisfaction of the City.

Given the above, it is considered that the proposed car parking shortfall would not result in an undue impact on the area provided the car parking management plan is approved by the City and adhered to by the applicant. In this case the education establishment would operate as a 'public transport oriented' use with car parking on the site being able to be managed by the applicant through the legal agreement and caveat which will include a car parking management plan. It is considered that the proposal is a unique and appropriate use for Bayswater and that it will attract international students who will contribute to the vibrancy of the area.

### **LEGISLATIVE COMPLIANCE**

- City of Bayswater Town Planning Scheme No.24 and local planning policies; and
- *Planning and Development Local Planning Schemes) Regulations 2015.*

### **OPTIONS**

The following options are available to Council:

1. Council approves the development application in accordance with the Officer's Recommendation. The risks associated with this option is considered to be reduced due to the reasons given for the Officer's Recommendation.
2. Council approves the development application subject to deleted or alternate condition(s). The risks associated with this option is considered dependent on the reasons given for the deleted/alternate condition(s) and the nature of the deleted/alternate condition(s).
3. Council refuses the development application. The risks associated with this option is considered dependent on the reasons given for the application to be refused.

### **FINANCIAL IMPLICATIONS**

Nil.

### **STRATEGIC IMPLICATIONS**

In accordance with the City of Bayswater Strategic Community Plan 2017-2027 (as amended), the following applies:

Theme: Our Built Environment  
Aspiration: A quality and connected built environment.  
Outcome B1: Appealing streetscapes.  
Outcome B3: Quality built environment.

It is considered that the proposal will assist in contributing to a quality built environment through upgrading the appearance of the building and car park and the use will help activate the Bayswater Town Centre.

### **CONCLUSION**

In light of the above assessment, the application is recommended for approval subject to appropriate conditions.

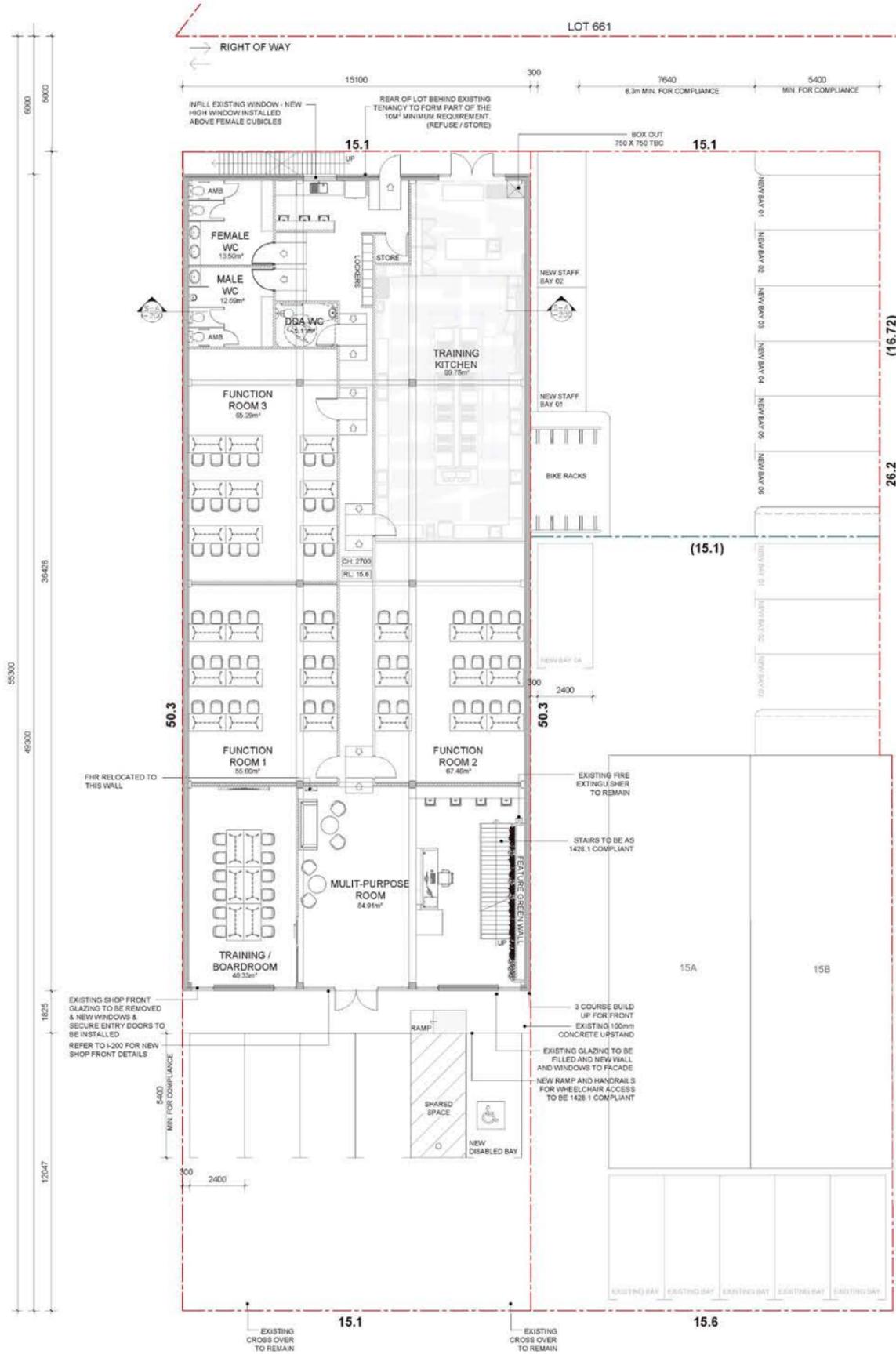
Attachment 1

NOTES GENERAL

- LOOSE FURNITURE
- ALL GREY DASHED FURNITURE ON PLANS WILL FORM PART OF THE FITOUT SCOPE OF WORKS
- LOOSE FURNITURE LOCATIONS AND LAYOUT ARE INDICATIVE ONLY.
- EXISTING BUILDING
- BOX GUTTER AND ROOF REPAIRS TO BE COMPLETED BY AGENT LANDLORD
- ASBESTOS REPORT TO BE ISSUED TO BUILDER PRIOR TO COMMENCEMENT OF WORKS ON SITE.

BUILDING CONDITIONS

- ALL NEW GLASS ASSEMBLIES TO BE IN ACCORDANCE WITH AS 1288 AND AS 2047
- THE FIRE HAZARD PROPERTIES OF NEW MATERIALS (FLOOR, WALL COVERINGS, ETC) WITHIN THE BUILDING TO COMPLY WITH BCA SPECIFICATION C1.10
- LATCHING DEVICES TO EXIT DOORS TO COMPLY WITH BCA E2.2.1
- EXISTING FIRE HYDRANTS TO REMAIN AND COMPLY WITH BCA E1.3 AND AS 2419.1 AND DIES OPERATIONAL REQUIREMENTS
- EXISTING AND NEW FIRE HOSE REELS AND CABINETS TO REMAIN AND COMPLY WITH THE BCA TABLE E1.4 AND AS 2441
- PORTABLE FIRE EXTINGUISHERS CONTAINING AN EXTINGUISHING AGENT SUITABLE FOR THE RISK BEING PROTECTED TO BE INSTALLED IN ACCORDANCE WITH BCA PART E1.8.6 AS 2444
- NEW MECHANICAL AIR HANDLING SYSTEM TO COMPLY WITH BCA PART E1.8.2 AND AS 1668.2
- NEW ELECTRICAL WORKS TO COMPLY WITH BCA PART J5 AND AS/NZS 3000
- EXISTING SMOKE HAZARD MANAGEMENT TO REMAIN AND COMPLY WITH BCA SPECIFICATIONS E2.2.6 AND E2.2.8, WHERE APPLICABLE



GROUND FLOOR PLAN  
SCALE 1:100@A1

<b>DRAWING TITLE</b> GROUND FLOOR PLAN		<b>SITE ADDRESS</b> LOT 663 13 BEECHBORO RD SOUTH BAYSWATER WA 6053 INTERNAL REFIT AREA: 1014m <sup>2</sup>		<b>REV DATE AMENDMENT DESIGNER</b> A 28.08.19 ISSUED FOR DA AB/AS B 10.10.19 ISSUED TO LINC PROPERTY AB/AS C 25.10.19 ISSUED TO LINC PROPERTY AB/AS D 12.11.19 ISSUED TO LINC PROPERTY AB/AS		<b>SITE INFORMATION</b> COUNCIL BUILDING CLASS CITY OF BAYSWATER CHANGE OF USE TO 9B		<b>EXISTING LOT AREA</b> 759.53m <sup>2</sup> <b>GROUND FLOOR AREA</b> 507m <sup>2</sup> <b>FIRST FLOOR AREA</b> 507m <sup>2</sup>		<b>NORTH</b>		 W 9429 875 888 E JUSTIN@DESIGNFIT.COM.AU PO BOX 1634 OSBORNE PARK 6816 P 08 93 431 187 DESIGNFIT.COM.AU ABR #8 DEE 737 134	
<b>DRAWING NO</b> I-100 <b>SCALE</b> 1:100@A1 <b>REVISION</b> D		<b>PROJECT</b> I-COLLEGE		<b>DATE</b> 12.11.2019 <b>DRAWN</b> AB/AS <b>PROJECT NO</b> DF 0471									



NOTES GENERAL

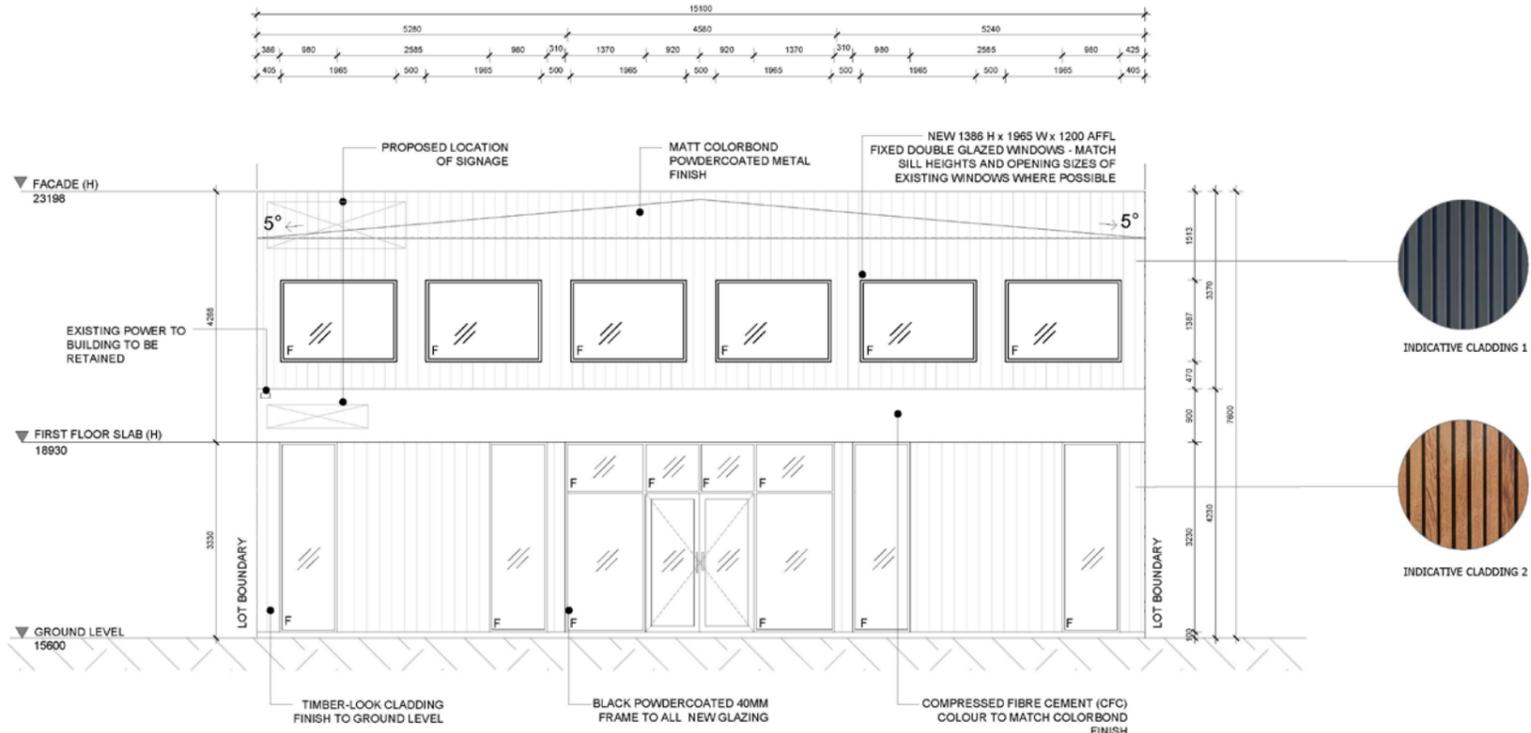
- LOOSE FURNITURE**
- ALL GREY DASHED FURNITURE ON PLANS WILL FORM PART OF THE FITOUT SCOPE OF WORKS.
  - LOOSE FURNITURE LOCATIONS AND LAYOUT ARE INDICATIVE ONLY.
- EXISTING BUILDING**
- BOX GUTTER AND ROOF REPAIRS TO BE COMPLETED BY AGENT / LANDLORD.
  - ASBESTOS REPORT TO BE ISSUED TO BUILDER PRIOR TO COMMENCEMENT OF WORKS ON SITE.

BUILDING CONDITIONS

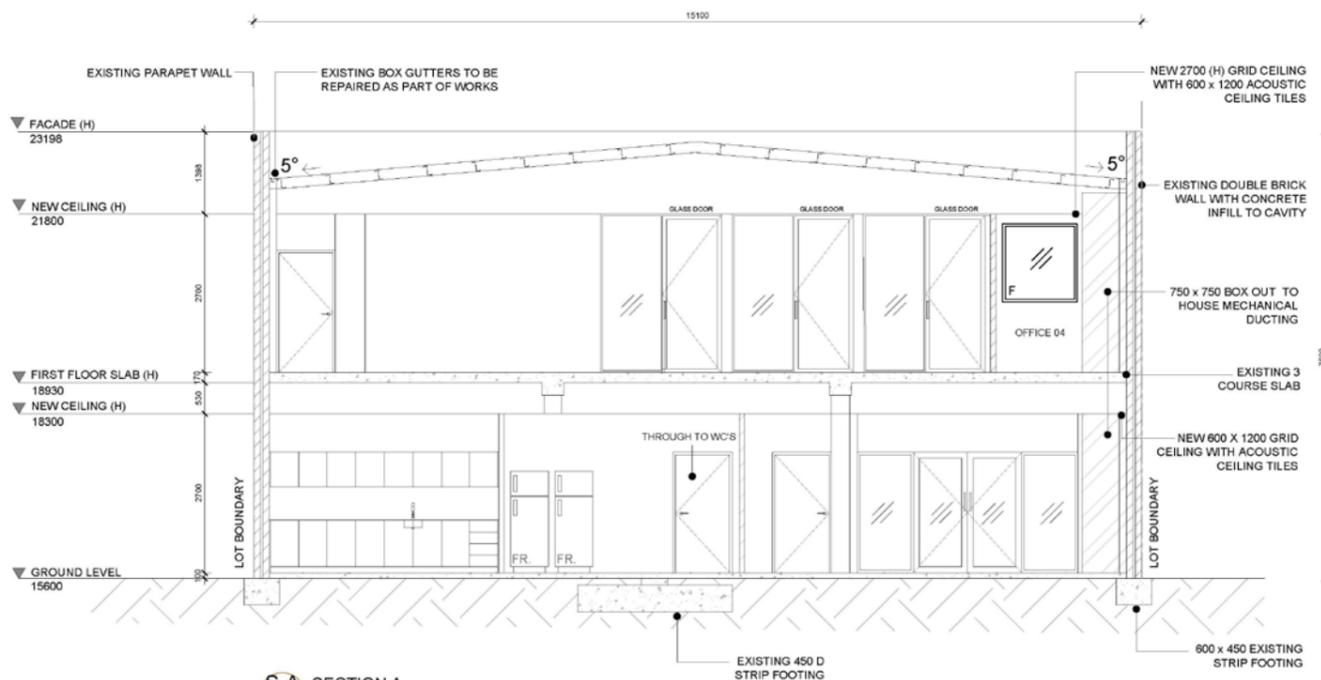
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- LATCHING DEVICES TO EXIT DOORS TO COMPLY WITH BCA 52.21
- EXISTING FIRE HYDRANTS TO REMAIN AND COMPLY WITH BCA E1.3 AND AS 2419.1 AND DFES OPERATIONAL REQUIREMENTS
- EXISTING AND NEW FIRE HOSE REELS AND

- CABINETS TO REMAIN AND COMPLYING WITH THE BCA TABLE E1.4 AND AS 2441.
- PORTABLE FIRE EXTINGUISHERS CONTAINING AN EXTINGUISHING AGENT SUITABLE FOR THE RISK BEING PROTECTED TO BE INSTALLED IN ACCORDANCE WITH BCA PART E1.8 & AS 2444.
  - NEW MECHANICAL AIR HANDLING SYSTEM TO COMPLY WITH BCA PART J6, E2.2 AND AS/NZS 1966.1 AND AS 1966.2
  - NEW ELECTRICAL WORKS TO COMPLY WITH BCA PART J5 AND AS/NZS 3000.
  - EXISTING SMOKE HAZARD MANAGEMENT TO REMAIN AND COMPLYING WITH BCA SPECIFICATIONS E2.2a AND E2.2b, WHERE APPLICABLE

REFERENCE IMAGES FOR FACADE



EXTERNAL ELEVATION  
SCALE 1:50@A1



S-A SECTION A  
1-100 SCALE 1:50@A1

DRAWING TITLE		
ELEVATION AND SECTION		
DRAWING NO	SCALE	REVISION
I-200	1:50@A1	B
DATE	DRAWN	PROJECT NO
02.10.19	ABIAS	DF 0471

SITE ADDRESS	
LOT 663 13 BEECHBORO RD SOUTH BAYSWATER WA 6053 INTERNAL REFIT AREA: 1014m <sup>2</sup>	
PROJECT	
I-COLLEGE	

REV	DATE	AMENDMENT	DESIGNER
A	28.08.19	ISSUED FOR DA	ABIAS
B	02.10.19	ISSUED TO LINC PROPERTY ABIAS	ABIAS

SITE INFORMATION	
COUNCIL	BAYSWATER
CITY OF BAYSWATER	CHANGE OF USE TO 98
EXISTING LOT AREA	759.53m <sup>2</sup>
GROUND FLOOR AREA	507m <sup>2</sup>
FIRST FLOOR AREA	507m <sup>2</sup>

NORTH	
<ol style="list-style-type: none"> <li>ALL DRAWINGS AND DOCUMENTS REMAIN THE PROPERTY OF DESIGNFIT INTERIORS AND ARE SUBJECT TO COPYRIGHT. NO COPY SCALE DRAWING.</li> <li>CONTRACTORS TO USE INDICATED DIMENSIONS. CHECK ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORKS.</li> <li>ALL WORKS TO BE ACCORDING WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARD AS/NZS 1966.1 AND AS/NZS 1966.2.</li> <li>THIS DRAWING IS TO BE USED IN CONJUNCTION WITH ALL PREVIOUS DOCUMENTATION INCLUDING OTHER DRAWINGS AND SPECIFICATIONS.</li> <li>CONTRACTOR TO VERIFY ALL DIMENSIONS AND MATERIALS WITH THE ARCHITECT PRIOR TO COMMENCEMENT OF WORKS. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED IN THIS DRAWING.</li> <li>CONTRACTOR TO VERIFY ALL DIMENSIONS AND MATERIALS WITH THE ARCHITECT PRIOR TO COMMENCEMENT OF WORKS. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED IN THIS DRAWING.</li> </ol>	

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#### 10.4.4 Revocation of Local Planning Policy - Telecommunications Towers and Other Associated Activities

<b>Responsible Branch:</b>	Strategic Planning and Place	
<b>Responsible Directorate:</b>	Community and Development	
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
<b>Voting Requirement:</b>	Simple Majority Required	
<b>Attachments:</b>	Nil	
<b>Refer:</b>	Item 10.4.2: OMC 29.10.2019	

#### SUMMARY

Council consideration is sought in relation to the proposed revocation of the Telecommunications Towers and Other Associated Activities local planning policy (LPP).

A new 'Telecommunications Infrastructure' local planning policy was adopted on 29 October 2019 to supersede the current LPP.

It is considered that the current LPP no longer serves a purpose and should be revoked.

#### COUNCIL RESOLUTION

##### (OFFICER'S RECOMMENDATION)

**That Council revokes the Telecommunications Towers and Other Associated Activities Policy.**

**CR BARRY MCKENNA MOVED, CR STEPHANIE GRAY SECONDED  
CARRIED UNANIMOUSLY BY EXCEPTION (EN BLOC): 10/0**

#### BACKGROUND

Council at its Ordinary Meeting held 29 October 2019 considered proposed Amendment No. 84 to Town Planning Scheme No. 24 and the adoption of a new LPP - Telecommunications Infrastructure, and resolved as follows:

- "1. *Recommends approval of Amendment No. 84 to the City of Bayswater's Town Planning Scheme No. 24, without modification, to the Western Australian Planning Commission.*
2. *Authorises the affixing of the Common Seal to the scheme amendment document, and the documentation being forwarded to the Western Australian Planning Commission for final approval.*
3. *Adopts the proposed Telecommunications Infrastructure Policy as contained in Attachment 1 to this report."*

#### EXTERNAL CONSULTATION

If Council resolves to revoke the Telecommunications Towers and Other Associated Activities LPP, a notice will be published in the local newspaper in accordance with the *Planning and Development (Local Planning Schemes) Regulations*.

#### OFFICER'S COMMENTS

The Telecommunications Infrastructure Policy adopted by Council on 29 October 2019 supersedes the Telecommunications Towers and Other Associated Activities Policy.

Accordingly, it is considered that the Telecommunications Towers and Other Associated Activities Policy no longer serves a purpose, and should be revoked so that there is only a single policy that applies to telecommunications infrastructure within the City.

## LEGISLATIVE COMPLIANCE

The *Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2, Part 2, clause 6 sets out the procedure for revoking a local planning policy.

## OPTIONS

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

<b>Option 1</b>	<b>That Council revokes the Telecommunications Towers and Other Associated Activities Policy.</b>		
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>	
Strategic Direction	Moderate	Low	
Reputation	Low	Low	
Governance	Low	Low	
Community and Stakeholder	Moderate	Low	
Financial Management	Low	Low	
Environmental Responsibility	Low	Low	
Service Delivery	Low	Low	
Organisational Health and Safety	Low	Low	
<b>Conclusion</b>	It is considered that there is low risk in the event Council revokes the Telecommunications Towers and Other Associated Activities Policy, as the recently adopted Telecommunications Infrastructure Policy supersedes this policy.		

<b>Option 2</b>	<b>That Council does not revoke the Telecommunications Towers and Other Associated Activities Policy.</b>		
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>	
Strategic Direction	Moderate	Low	
Reputation	Low	High	
Governance	Low	High	
Community and Stakeholder	Moderate	High	
Financial Management	Low	Low	
Environmental Responsibility	Low	Low	
Service Delivery	Low	Low	
Organisational Health and Safety	Low	Low	
<b>Conclusion</b>	It is considered that there is high risk in relation to reputation, governance and the community and stakeholders in the event Council does not revoke the Telecommunications Towers and Other Associated Activities Policy as the two policies will contradict each other and confuse the public and other stakeholders.		

## FINANCIAL IMPLICATIONS

**Item 1:** Public notice of policy revocation.

**Asset Category:** N/A

**Source of Funds:** Municipal

**LTFP Impacts:** Not itemised in the LTFP

**Notes:** N/A

ITEM NO.	CAPITAL / UPFRONT COSTS (\$)	ONGOING COSTS (\$)		INCOME (\$)	ASSET LIFE (YEARS)	WHOLE OF LIFE COSTS (\$)	CURRENT BUDGET (\$)
		MATERIALS & CONTRACT	STAFFING				
1	\$600	-	-	-	-	-	\$14,000

**STRATEGIC IMPLICATIONS**

In accordance with the City of Bayswater Strategic Community Plan 2017-2027 (as amended), the following applies:

Theme: Our Built Environment  
Aspiration: A quality and connected built environment.  
Outcome B3: Quality built environment.

Theme: Leadership and Governance  
Aspiration: Open, accountable and responsive service.  
Outcome L1: Accountable and good governance.

Revoking the Telecommunications Towers and Other Associated Activities Policy will clarify the City's policy framework by removing a superseded policy.

**CONCLUSION**

In light of the above it is recommended that Council revokes the Telecommunications Towers and Other Associated Activities Policy.

#### 10.4.5 Proposed Reforms to the Building Approval Process for Single Residential Buildings in Western Australia

<b>Responsible Branch:</b>	Development Approvals	
<b>Responsible Directorate:</b>	Community and Development	
<b>Authority/Discretion:</b>	<input checked="" type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
<b>Voting Requirement:</b>	Simple Majority Required	
<b>Attachments:</b>	1. Extract of Reforms to the Building Approval Process for Single Residential Buildings in Western Australia - Consultation Regulatory Impact Statement - Comparison of Options	

#### SUMMARY

In 2012, the building and construction industry in WA underwent significant reform with the implementation of the *Building Act 2011* (Act). The Act preserves the role of the local government authority (LGA) as the 'permit authority' responsible for granting a building permit and enforcing building standards.

In September 2019, the Department of Mines, Industry Regulation and Safety released a Consultation Regulatory Impact Statement for public comment focusing on proposed improvements to the current building approval process for single residential buildings.

The CRIS paper proposes three options for consideration for improvements to the building approval process:

- Option 1: Business as Usual;
- Option 2: Full private certification; and
- Option 3: Improvements to current building approval process.

Council comments are sought regarding the proposed improvements.

#### **COUNCIL RESOLUTION** **(OFFICER'S RECOMMENDATION)**

**That Council, in relation to the Consultation Regulatory Impact Statement as part of the Reforms to the Building Approval Process for Single Residential Buildings in Western Australia:**

- 1. Supports Option 3: Improvements to current building approval process, as the preferred reform option.**
- 2. Requests that any changes to the building approval process is to be accompanied by prescribed fees which ensures full cost recovery to local governments.**

**CR BARRY MCKENNA MOVED, CR STEPHANIE GRAY SECONDED**  
**CARRIED UNANIMOUSLY BY EXCEPTION (EN BLOC): 10/0**

#### BACKGROUND

In September 2019, the Department of Mines, Industry Regulation and Safety (DMIRS) released a Consultation Regulatory Impact Statement (CRIS) for public comment focusing on proposed improvements to the current building approval process for single residential buildings.

The document is one of a series of reports generated in response to the systematic failures relating to, but not limited to, inconsistent processes, jurisdictional differences, conflicts of interest, effectiveness of the building approval process, findings of audits undertaken by the Building Commission and in response to such high profile failures of the building system such as the Grenfell Tower fire, Opal Towers, Mascot Towers and the Spencer and Lacrosse Street cladding fires. The full document can be found at:

[https://www.commerce.wa.gov.au/sites/default/files/atoms/files/cris\\_building\\_approvals\\_process\\_residential\\_0.pdf](https://www.commerce.wa.gov.au/sites/default/files/atoms/files/cris_building_approvals_process_residential_0.pdf)

The subject document focuses on the building approval process for single residential dwellings specifically and considers the option of full privatisation of the building approval process.

The focus of this agenda report is on the comparison of the three options outlined in the report and to provide the City's preferred option.

Since the introduction of the Act in April 2012, the Western Australia Local Government Authority (WALGA) and the local government sector have been actively seeking improvements to the operation of the Act, including clarity around the roles and responsibilities of the various stakeholders involved in the building process.

The essential purpose of regulating the building industry is to ensure buildings are safe to occupy. An effective building approvals process is therefore one which ensures buildings comply with the applicable standards, including the National Construction Code (NCC) and that those persons involved in carrying out the works do so in a manner that guarantees the safety, health, amenity and sustainability of the design and performance of the building.

In recent years and following high profile failures of the building system in the Eastern States it is considered that there is strong evidence that the building regulation systems in those states are failing. These failures are likely to result in a loss of confidence in the building industry, e.g. Lacrosse and Spencer Street cladding fires (Victoria) and Mascot tower and Opal tower structural issues (NSW). The Commonwealth Government's Building Ministers Forum and the independent Building Confidence report by Professor Peter Shergold and Ms Bronwyn Weir, has highlighted systemic failings of the building and construction industry, and regulator responses such as the introduction of full private certification systems.

In WA there have been several auditing programs undertaken by DMIRS, highlighting areas of concern in construction practices, for example:

A roof tie down audit concluded that only 33% of roofs on inspected single dwellings were deemed satisfactory;

- The combustible cladding audit undertaken since 2017;
- An audit of products containing asbestos; and
- An investigation into ceilings collapsing in single residential dwellings.

Following the release of the CRIS in October 2019, a WALGA workshop was held on 17 October 2019 attended by representatives of 37 local governments including the City's officers to discuss the three options proposed within the CRIS.

Attendees were asked to vote on the three options, to identify the sector's preferred option. Option 3 received an overwhelming 98% of attendees support. Each option was then discussed to capture the positive and negative aspects of each approach.

The DMIRS Consultation Regulatory Impact Statement released for public comment in 2019, focuses on improvements to the building approvals process for single residential buildings. The public comment period closes on 9 December 2019.

The paper proposes three options for stakeholders;

- *Option 1: Business as usual*

Under this option the current building approvals system continues to operate with no change. As this would not address the problems identified with the current process, this option forms the baseline (business as usual) against which Options 2 and 3 are assessed.

- *Option 2: Full private certification*

Under this option the *Building Act 2011* would be amended to essentially allow private building surveyors to act as both the certifier and permit authority in granting building permits for single residential dwellings.

- *Option 3: Improvements to current approval process*

Under this option the partially privatised model for building approval would be retained (as per the current *Building Act 2011*), but various improvements would be made to the Act to address current problems and adopt recommendations from the Building Confidence report. Option 3 proposes to reform the Act to improve the effectiveness of the current system and continue to have the local government as the only authority permitted to perform certain statutory functions for single residential buildings, including:

- Granting a building permit and authorising the commencement of works;
- Carrying out mandatory on-site inspections at key stages during the build; and
- Enforcing compliance with applicable standards and permits.

Under Option 3, the current application processes for both certified and uncertified applications would also be retained. Where relevant, all the key elements outlined in the table contained in **Attachment 1** would apply equally to both processes.

To improve compliance with the National Construction Code, Option 3 also incorporates relevant reforms from the Building Confidence Report, namely:

- a requirement that a minimum standard of design documentation, including for performance solutions, must be submitted to clearly demonstrate compliance with the National Construction Code;
- requirements to document verified performance solutions and record them on the Certificate of Design Compliance;
- requirements to document and approve variations made during the build; and
- mandatory on-site inspections at critical stages of building work.

## **EXTERNAL CONSULTATION**

The City has not undertaken consultation with the public or other agencies on this matter.

## **OFFICER'S COMMENTS**

The benefits of option 1 includes no change, disruption or change management; no impact on work priorities or budgeting for LGAs, however this will not address the current problems or issues identified in the Building Confidence report.

Option 2 and the introduction of full private certification would remove the LGA as the permit authority and would limit the LGA involvement during the building approval process. This option will also include four mandatory inspections to be undertaken by the certifier. These inspections relate to the footings and slab, wall plate height, roof and completion of the building or where specified by the private certifier. It is envisaged that in this option the LGA would be responsible for any compliance resulting from any complaint. The actual implications however are not clear

at this stage. The introduction of mandatory inspections may cause delays during the construction phase where non-compliances are identified.

Option 3 and improvements to the current process would see the retention of the LGA as the permit authority. This option will also include four mandatory inspections to be undertaken by the LGA. These inspections would also relate to the footings and slab, wall plate height, roof and completion of the building. It is considered that this option will maintain the impartiality of the building approval process and ensure that planning, health and engineering requirements can be met and not excluded from the process. The introduction of mandatory inspections may cause delays during the construction phase where non-compliances are identified.

Notwithstanding the above, the inclusion of mandatory inspections is supported, this along with improvements to the design and documentation submitted with applications would ensure that the quality of the built form is improved. Mandatory inspections will however have significant resourcing and costs associated (at a minimum is expected to include two full time employees) with the building process for the City. It is considered that Option 3 combined with the mandatory inspections would ensure greater accountability of all involved in the process and will improve consumer confidence and expectations.

Whilst it is expected that prescribed fees will be associated with the mandatory inspection program it is however expected that delays may occur to the building approvals process and construction phase if the inspection program is not resourced appropriately to include additional staff and associated resources, this will also be applicable where Option 2 is considered. In light of options 2 and 3 having mandatory inspections it is therefore recommended that any changes to the building approval process is accompanied by prescribed fees ensuring full cost recovery for the LGAs.

Going forward it is expected that the CRIS report will form the basis for policy proposals to the regulatory framework for building and construction in WA. Policy proposals may result in new or amending legislation. The CRIS is a key part the next stage being a Regulatory Impact Statement (RIA) process which will seek to identify options and assess respective costs so as to provide assurances to government and stakeholders.

### LEGISLATIVE COMPLIANCE

- *Building Act 2011;*
- *Building Regulations 2012;* and
- *Planning and Development Act 2005* - The introduction of full private certification may impact on the *Planning and Development Act 2005* where the assessment of building permits against the Residential Design Codes or a planning approval will be undertaken externally and independent of the City.

### OPTIONS

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

<b>Option A</b>	<p><b>That Council, in relation to the Consultation Regulatory Impact Statement as part of the Reforms to the Building Approval Process for Single Residential Buildings in Western Australia:</b></p> <ol style="list-style-type: none"> <li><b>1. Supports Option 3: Improvements to current building approval process, as the preferred reform option.</b></li> <li><b>2. Requests that any changes to the building approval process is to be accompanied by prescribed fees which ensures full cost recovery to local governments.</b></li> </ol>
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Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Moderate
Environmental Responsibility	Low	Low
Service Delivery	Low	Moderate
Organisational Health and Safety	Low	Moderate
<b>Conclusion</b>	<p>It is considered that this option has the above moderate risks as the introduction of mandatory inspections will require additional resourcing and training associated with the mandatory inspections so as to ensure that unnecessary delays do not occur. The allocated officers are expected to be exposed to greater health and safety risks due to the active nature of accessing construction sites.</p> <p>It is also expected that any proposed changes should be accompanied by the introduction of new fee structures which covers the additional cost burden to the City so as to ensure the current service delivery for building permits is also maintained.</p> <p>Notwithstanding the above, it is considered that this option will improve the current standards of construction, accountability and reduce the risk of any conflict of interest that may occur during the building approval or construction phase of the project and as such should improve the consumer confidence and assurances in the building process.</p>	

<b>Option B</b>	<p><b>That Council, in relation to the Consultation Regulatory Impact Statement as part of the Reforms to the Building Approval Process for Single Residential Buildings in Western Australia:</b></p> <p><b>1. Supports Option 1: Business as Usual, as the preferred reform option.</b></p>	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Moderate
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Moderate
Environmental Responsibility	Low	Low
Service Delivery	Low	Moderate
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	<p>It is considered that this option has the above moderate risks as not improving the current system the community and builders will continue to be affected by the ongoing issues identified within the construction industry and additionally contribute to a lack in consumer confidence and assurance in the construction industry.</p> <p>It is also noted that given the current ongoing issues relating to the construction of dwellings it is expected any further increase in complaints due to these matters will put a further burden on the City's resources.</p>	

<b>Option C</b>	<p><b>That Council, in relation to the Consultation Regulatory Impact Statement as part of the Reforms to the Building Approval Process for Single Residential Buildings in Western Australia:</b></p> <p><b>1. Supports Option 2: Full private certification, as the preferred option.</b></p> <p><b>2. Requests that any changes to the building approval process is to be accompanied by prescribed fees which ensures full cost recovery to local Governments.</b></p>	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Moderate
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate

Financial Management	Low	Moderate
Environmental Responsibility	Low	Low
Service Delivery	Low	Moderate
Organisational Health and Safety	Low	Moderate
<b>Conclusion</b>	<p>It is considered that given the current emphasis on higher density living and issues identified within this sector of the construction industry that the introduction of full private certification will significantly limit the City's involvement in the building approval process. In turn it is expected that the City's role will require a significant shift towards a more dedicated compliance and enforcement focus by the City. This option is expected to significantly increase the City's exposure to further compliance matters and litigation costs. The allocated officers are expected to be exposed to greater health and safety risks due to the active nature of accessing construction sites.</p> <p>This will in turn increase the community's expectation for the City to be able to resolve building related compliance matters.</p> <p>It is expected that the private certifier compared to the City may have not as strong regard to the City's planning, engineering and environmental health requirements in granting permits and as such will become a compliance matter for the City to resolve during or at the completion of the construction works which could be considered problematic once the works have been completed.</p>	

### FINANCIAL IMPLICATIONS

Since the introduction of the Act in 2012 the City has received on average of 455 building permit applications for residential dwellings per financial year.

With the expected four mandatory inspections per residential dwelling this would equate to 1820 inspections per year. Given the number of non-compliances determined by DMIRS as part of their auditing program, the number of follow up inspections may also be a significant, possibly in the region of 2,500-3,000 inspections per financial year.

In light of the above and in the event mandatory inspections are pursued as per options 2 and 3 (Full private certification and Improvements to current approval process) the City could potentially require an additional two full time building surveyors with the associated vehicle access, office accommodation and administrative support to a mandatory inspection program. Accordingly financial implications may exceed \$200,000, and any proposed changes to the building approval process should be accompanied by prescribed fees which ensures full cost recovery to LGA.

### STRATEGIC IMPLICATIONS

N/A

In accordance with the City of Bayswater Strategic Community Plan 2017-2027 (as amended), the following applies:

Theme: Our Built Environment  
 Aspiration: A quality and connected built environment.  
 Outcome B1: Appealing streetscapes.  
 Outcome B3: Quality built environment.

The expected impact on the built environment where Option 3 is adopted will improve the quality of new single residential buildings, and greater compliance of the buildings with the City's planning requirements and the approved plans and permits issued by the City.

### CONCLUSION

In light of the above it is recommended that Council supports Option 3 - Improvements to the current approval process, in the Consultation Regulatory Impact Statement as the preferred option, and that any changes to the building approval process should be accompanied by prescribed fees which ensures full cost recovery to the LGA.

**Attachment 1**



Government of **Western Australia**  
Department of Mines, Industry Regulation and Safety  
**Building and Energy**



# **Reforms to the building approval process for single residential buildings in Western Australia**

**Consultation Regulatory Impact Statement**

**September 2019**

CRIS Reforms to the building approval process

**5.4 Comparison of options**

Table 9 below compares Options 2 and 3 against the baseline of Option 1.

**Table 9: Options comparison**

Key elements	Option 1 Business as usual	Option 2 Full private certification	Option 3 Improvements to current approval process
<b>Permit authorities/certifiers</b>	<ul style="list-style-type: none"> <li>LGAs appointed as permit authorities (PAs).</li> </ul>	<ul style="list-style-type: none"> <li>Private building surveyors operate as certifiers.</li> <li>LGAs can choose to compete for single residential building work anywhere in the state, or opt out.</li> </ul>	<ul style="list-style-type: none"> <li>No change from Option 1.</li> </ul>
<b>Building approval applications</b>	<ul style="list-style-type: none"> <li>Planning compliance confirmed by PA during building permit assessment.</li> <li>Voluntary verification of planning compliance offered by some LGAs.</li> </ul>	<ul style="list-style-type: none"> <li>Mandatory verification of planning compliance submitted with a building permit application (i.e. development approval or a 'deemed to comply' check for single houses).</li> </ul>	<ul style="list-style-type: none"> <li>No change from Option 1.</li> <li>Where evidence of planning compliance is submitted with a building application, a fast-track approval process could apply (if implemented).</li> </ul>
	<ul style="list-style-type: none"> <li>PAs assess applications against Act requirements and (where appropriate) grant building permits.</li> </ul>	<ul style="list-style-type: none"> <li>Certifiers assess applications against Act requirements and (where appropriate) grant building permits.</li> <li>Requirements for certifiers to lodge approval documentation with relevant LGA.</li> </ul>	<ul style="list-style-type: none"> <li>No change from Option 1.</li> </ul>
<b>Design compliance and documentation</b>	<ul style="list-style-type: none"> <li>No design documentation requirements.</li> <li>Regulation requirements for performance solutions are minimal and not consistently enforced.</li> </ul>	<ul style="list-style-type: none"> <li>Minimum standard of design documentation prescribed.</li> <li>Designers become responsible for complying with minimum standard of documentation requirements/processes.</li> <li>Requirements introduced for performance solution documentation and processes.</li> <li>Certifier to assess design/performance solution documentation against prescribed requirements.</li> <li>Certifier to be satisfied documentation complies with prescribed requirements prior to granting building permit.</li> </ul>	<ul style="list-style-type: none"> <li>Minimum standard of design documentation prescribed.</li> <li>Designers become responsible for complying with minimum standard of documentation requirements/processes.</li> <li>Requirements introduced for performance solution documentation and processes.</li> <li>Building surveyor issuing CDC must document performance solutions in CDC.</li> <li>PA to be satisfied documentation complies with prescribed requirements prior to granting building permit.</li> </ul>

CRIS Reforms to the building approval process

Key elements	Option 1 Business as usual	Option 2 Full private certification	Option 3 Improvements to current approval process
	<ul style="list-style-type: none"> <li>• Certificate of design compliance issued by registered building surveyor (can be privately engaged or work for permit authority).</li> </ul>	<ul style="list-style-type: none"> <li>• Certificate of design compliance issued by certifier.</li> </ul>	<ul style="list-style-type: none"> <li>• No change from Option 1.</li> </ul>
<b>Conflicts of interest</b>	<ul style="list-style-type: none"> <li>• Minimal conflict of interest controls.</li> </ul>	<ul style="list-style-type: none"> <li>• Strengthened conflict of interest controls.</li> </ul>	<ul style="list-style-type: none"> <li>• Strongest conflict of interest controls.</li> </ul>
<b>Mandatory inspections of building work</b>	<ul style="list-style-type: none"> <li>• PA may inspect building work.</li> </ul>	<ul style="list-style-type: none"> <li>• Mandatory inspections of building work at prescribed stages carried out by certifiers.</li> </ul>	<ul style="list-style-type: none"> <li>• Mandatory inspections of building work at prescribed stages carried out by PA.</li> </ul>
<b>Process for variations</b>	<ul style="list-style-type: none"> <li>• Informal process for amending building permit is available but inconsistently applied.</li> </ul>	<ul style="list-style-type: none"> <li>• Requirement to apply to vary from approved design documentation.</li> <li>• Process for certifier to assess and approve variations during construction, amend building approval documentation, provide amended documentation to builder and owner.</li> <li>• Certifier required to lodge amended documentation with LGA.</li> </ul>	<ul style="list-style-type: none"> <li>• Requirement to apply to vary from approved design documentation.</li> <li>• Process for PA to assess and approve variations during construction, amend building approval documentation, provide amended documentation to builder and owner.</li> </ul>
<b>Enforcement</b>	<ul style="list-style-type: none"> <li>• PA responsible for enforcing compliance with building permits/standards, including any rectification work.</li> <li>• PA responsible for all enforcement action, including prosecutions.</li> <li>• Building Commissioner responsible for dealing with negligent or incompetent practice.</li> </ul>	<ul style="list-style-type: none"> <li>• Certifiers enforce compliance with building plans/building standards during construction, including any rectification work.</li> <li>• Mandatory reporting by certifiers to relevant government authority for:                             <ul style="list-style-type: none"> <li>○ non-compliance requiring further enforcement action; and</li> <li>○ negligent or incompetent practice.</li> </ul> </li> <li>• LGA responsible for further enforcement actions, including prosecutions.</li> <li>• Building Commissioner responsible for dealing with negligent or incompetent practice.</li> </ul>	<ul style="list-style-type: none"> <li>• Permit authority is responsible for enforcing compliance with mandatory inspections.</li> </ul>

CRIS Reforms to the building approval process

Key elements	Option 1 Business as usual	Option 2 Full private certification	Option 3 Improvements to current approval process
<b>Record keeping</b>	<ul style="list-style-type: none"> <li>LGA responsible for maintaining building records.</li> </ul>	<ul style="list-style-type: none"> <li>LGA responsible for maintaining building records.</li> <li>Certifier responsible for lodging all building approval documentation with the LGA within a specified time.</li> </ul>	<ul style="list-style-type: none"> <li>No change from Option 1.</li> </ul>
<b>Registration requirements (building surveyors)</b>	<ul style="list-style-type: none"> <li>No CPD requirements.</li> <li>No code of conduct.</li> </ul>	<ul style="list-style-type: none"> <li>Mandatory CPD requirements for registered building surveyors.</li> <li>Code of conduct for certifiers.</li> </ul>	<ul style="list-style-type: none"> <li>No change from Option 1.</li> </ul>

**5.4.1 Summary of key impacts of Options 2 and 3**

Below is a summary of the comparative costs and benefits of Option 2 and Option 3.

	Costs	Benefits	Comments
<b>Option 2 – Full private certification</b>			
Total per year across the industry	\$26–\$31M	\$14–\$27M	Significant disruption, risk, and time to implement
Average cost per build	\$1,900–\$2,200	Up to \$5,600 for <u>affected buildings</u>	
<b>Option 3 – Improvements to current building approvals process</b>			
Total per year across the industry	\$22–\$28M	\$14–\$27M	Moderate disruption, risk, and time to implement
Average cost per build	\$1,600–\$2,000	Up to \$5,600 for <u>affected buildings</u>	

**5.4.2 Concluding remarks**

The cost benefit analyses set out in this CRIS indicate that costs will increase for both Option 2 and Option 3 and that both options will improve the quality of building.

However, Option 3 would cost somewhat less and would involve significantly less disruption and risk than introducing the full private certification model in Option 2.

It is also important to note that removing LGAs from the building approvals process (as per Option 2) would be a major structural change that would be likely to result in most qualified building staff moving to the private sector where ongoing livelihood is dependent on the market. This would leave LGAs with considerably reduced capacity for dealing with building problems once building work is complete.

It is also often problematic for the private sector to meet demand in more remote areas of the state in a timely and cost effective manner.

**10.4.6 Parking Permits Relating to Morley Market**

<b>Responsible Branch:</b>	Rangers and Security	
<b>Responsible Directorate:</b>	Community and Development	
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input checked="" type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
<b>Voting Requirement:</b>	Simple Majority Required	
<b>Attachments:</b>	1. Feedback from affected business proprietors	
<b>Refer:</b>	Item 11.1: OCM 11.12.2018 Item 11.1: OCM 23.10.2018 Item 9.1.1: CTFCS 21.8.2018	

**SUMMARY**

At the Community, Technical, Finance and Corporate Services Committee on 21 August 2018 Council considered a petition from businesses situated within the Old Morley Markets, 238 Walter Road, Morley, seeking Council support to enable employees to park in the vicinity of their businesses.

Council resolved to authorise the provision of two parking permits to each business and requested the City to provide a report on the appropriateness of the parking restrictions, prior to the end of 2019.

The City has reviewed the appropriateness of the parking amendments and the outcomes are contained within this report.

**COUNCIL RESOLUTION****(OFFICER'S RECOMMENDATION)**

**That Council notes the report relating to the appropriateness of the current permit parking arrangements at the Morley Market site.**

**CR BARRY MCKENNA MOVED, CR STEPHANIE GRAY SECONDED  
CARRIED UNANIMOUSLY BY EXCEPTION (EN BLOC): 10/0**

**BACKGROUND**

At the 13 February 2018 Community, Technical, Finance and Corporate Services Committee Meeting, Council considered the parking situation at the Morley Market site in Bishop Street and businesses situated at 8 - 14 Old Collier Road, Morley, and resolved as follows:

*"That Council:*

1. *Maintain the current time restrictions for the 23 parking bays adjacent to Old Collier Road.*
2. *Approves these restrictions to remain in place until such time that new restrictions recommended in the draft 'Car Parking Management Plan for the Morley Activity Centre' are implemented."*

At the 21 August 2018 Community, Technical, Finance and Corporate Services Committee Meeting, Council considered a petition by occupiers of businesses, seeking approval for parking permits and bays to be allocated to businesses of Morley Market, and resolved as follows:

*"That Council:*

1. *Approves the allocation of two parking permits per business in the Old Morley Markets in accordance with the City's Fees and Charges.*

2. *Approves a minor parking scheme review to the existing eight-hour parking bays adjacent to Old Morley Markets to make the bays eight-hour parking, permit holders only.*
3. *Requests a report to be provided by the City to allow Council to consider the appropriateness of these restrictions into the future before the end of 2019."*

At the 23 October 2018, Ordinary Council Meeting, Council considered a Motion in regards to issuing permits for car parking bays in Old Collier Road and resolved as follows:

*"That in relation to the time-restricted car parking bays in Old Collier Road, Council approves the allocation of two parking permits per business directly adjacent to these bays, and the fee for these parking permits to be in accordance with the City's Fees and Charges."*

At the 11 December 2018 Ordinary Council Meeting, Council considered a motion in relation to the issues of car parking permits for businesses at 8 Progress Street / 5 Bishop Street, and resolved as follows:

*"That Council approves each business at 8 Progress Street / 5 Bishop Street to be allocated two parking permits for use in the time-restricted car parking bays adjacent to Morley Market, and the fee for these parking permits to be in accordance with the City's Fees and Charges."*

In light of the above Council resolutions, the City reassigned a total of 52 parking bays as permit parking only areas. 14 parking of the bays are adjacent to 8 – 12 Old Collier Road and 38 bays are in the carpark on the western side of Morley Market. Signage has been installed and each of the subject businesses was issued with two parking permits which are able to be clearly displayed on the inside of a vehicle.

A two week implementation phase was undertaken where no infringements were issued and motorists were educated by way of verbal guidance and written warnings regarding the changes.

Since the introduction of the permit arrangements, 434 infringements and 43 warnings have been issued for 'Failure to Display Valid Permit' in accordance with Clause 9.9 of the City of Bayswater Parking and Parking Facilities Local Law.

74 infringement notices have been appealed, resulting in the withdrawal of 6 infringements on medical (3), mechanical (1) and extenuating grounds (2). To date no infringement notices have been contested in the Magistrates Court.

## EXTERNAL CONSULTATION

Business occupiers in the subject Morley Market/Old Collier Road/Progress Street/Bishop Street precinct were consulted in relation to the business parking permits and are generally satisfied with the arrangement, although some feel additional permits would be beneficial. Their comments are summarised in **Attachment 1**.

On 29 October 2019, correspondence was received from a City resident, advising that parking in Old Collier Road is inadequate and falls well short of demand.

The proprietor of Godfrey's Morley provided verbal feedback that one hour parking adjacent to the shops is restrictive and does not encourage shoppers to spend time in the area.

Common reasons cited for infringement appeals are:

1. Signage is too small and should be complemented by road marking.
2. Restrictions should apply to peak periods of demand and not be applicable at other times.

## OFFICER'S COMMENTS

All parking-related signage within the Morley Activity Centre meets the dimensions and the spacing requirements outlined by the Australian Standards.

Some business proprietors have suggested additional permits are required due to the number of staff they employ. Although the City is not obliged to provide parking for business employees, 52 City owned bays have been allocated to businesses for exclusive use by employees. Accordingly allocation of additional permits would necessitate the provision of a commensurate number of bays, which would further reduce the number of available bays for shoppers and other visitors to the area.

Eight hour time restricted bays within the vicinity and unrestricted timed bays within and surrounding the Morley Sport and Recreation Centre are considered as acceptable alternatives for staff parking. Also a number of public transport options exist in close proximity.

The predicted increase in additional businesses requesting permits has not eventuated, although as outlined in this report a number of businesses that already possess permits would like to be issued with more due to staff numbers.

A number of infringement notices have been issued to business employees however it is considered they predominantly relate to forgetting to display them rather than excessive staff members requiring additional parking bays.

To date the current parking permit arrangements do not appear to have had any undue impact on the parking situation in the surrounding area. Nevertheless it is considered that should additional bays be reallocated as permit parking it will likely increase pressure on the number of available bays for shoppers and other visitors, and motorists attempting to locate parking close to their desired destination. This may have a detrimental effect on businesses as shoppers go elsewhere for convenience.

## LEGISLATIVE COMPLIANCE

Not applicable.

## OPTIONS

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

<b>Option 1</b>	<b>That Council notes the report relating to the appropriateness of the current permit parking arrangements at the Morley Market site.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	It is considered that this option presents the least level of risk and is the recommended option. It recognises the needs of local businesses and the wider community. The volume of bays currently allocated to business permit parking does not impact on the wider community's ability to park at the location.	

<b>Option 2</b>	<b>That Council provides comment on the report relating to the appropriateness of the current permit parking arrangements at the Morley Market site.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	The risks are dependent on the comments provided by Council.
Reputation	Low	
Governance	Low	
Community and Stakeholder	Moderate	
Financial Management	Low	
Environmental Responsibility	Low	
Service Delivery	Low	
Organisational Health and Safety	Low	
<b>Conclusion</b>	It is considered that the risks are dependent on the comments provided by Council.	

## FINANCIAL IMPLICATIONS

Nil.

## STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2017-2027(as amended), the following applies:

Theme: Our Local Economy  
 Aspiration: A business and employment destination.  
 Outcome E1 Support initiatives for local business.

The businesses within the subject precinct advised that previous parking arrangements were detrimental to the growth, and the permit parking arrangement assists in addressing this matter.

## CONCLUSION

Anecdotal evidence supports maintaining the current allocation of two parking permits per business at the subject precinct, which appears to be operating in a way that is suitable to local businesses and the wider community.

It is recommended that Council notes this report.

**Attachment 1****Feedback from Affected Business Owners**

<b>Name of Business</b>	<b>Comments</b>
Monte Carlo	Happy with permits
KB Jewellery	Satisfied
K&G Hair Salon	Happy with arrangement but would like 2 more permits
Scwins Centre	System is perfect
Far East	With permit displayed still getting infringements
Beauty Bar	Got fine, bought her mums car, came in to get permit went out to put it in the car and did already have a fine. Business owners should get free permits.
Bishop St News Agency	Parking is 8hrs for people working in City. By 06:30, parking is already full. Walk to bus station to work in the city. Should change to 5 hrs.
HY Mobile Repairs	Happy with parking and 2 permits.
Jesters	2 permits are not enough for their business. Will need one more to make it flow better.
Morley Camera House	Permit was on dash, fine issued they told me it needed to be hanging up. In addition, need one more permit.
Goldern King BBQ Express	Business needs 3 more permits please.
Commonwealth Bank	Do not have permits, use the 8hr bays and staff move their cars around.
Rosemount Partners	One person got a fine, had permit displayed. Does see Rangers checking cars, which is good. Have 6-7 staff would be good to have a permit each. Too many beggars.
Bookwiz	2 permits for the whole office need 7 in total. Return to office noticed some cards have no permits displayed. Road parking was changed so there is only 11 bays are for 8 hrs only without permit. Lost 20 bays, which are 2hrs only for permit parking. Need to change 2hrs to 8 hrs. Bays taken up at rear with road works but no action in 6 weeks.
Silver Seas Chinese	3 permits needed to run this business, and have 2 already. People parking in afternoons using permit bays, but not displaying permit.

ANZ	Multiple workers that have 2 permits for 20-30 staff. Would like stickers on window instead of current permit.
Mamak House	Need more permits, need 3 more.
Canary Trading	Happy with current arrangements
Good Fortune Reflexology	Happy with current arrangements
Jasper Bakery	Happy with current arrangements
Godfreys	Not happy to pay the cost for the permit.
Swan River International Trading	Happy with current arrangements.
Perfect Nails Morley	Ok with arrangement but can be an issue with staff changing permits when shop is busy and were fined.
JBN Flowers	Does not have permits but thinks parking should be free and not pay for it.
Johns Shoe Repairs	Does not need as public transport is used to arrive at work. Rubbish being dumped in bins out the back. Cam to be installed by Far East.
Pearl River	Customers complain signs are not clear and are getting tickets. Staff 5-6, not enough permits.

**10.4.7 Dog Pound Review**

<b>Responsible Branch:</b>	Rangers and Security	
<b>Responsible Directorate:</b>	Community and Development	
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input checked="" type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
<b>Voting Requirement:</b>	Simple Majority Required	
<b>Attachments:</b>	1. Photographs of interior of City dog pound 2. Daily operating costs of City dog pound 3. Comparative fees and charges between City and outsourced provider 4. Comparative fees and charges between City and outsourced provider utilising 2018 data 5. Proposed scope and cost of dog pound refurbishment <b>Confidential Attachment</b> 6. Julies Boarding Kennels and Cattery proposal for the provision of a dog impoundment and disposal service	
<b>Refer:</b>	Item 9.1.5: CTFCS 17.5.2017	

***Confidential Attachment(s)- in accordance with Section 5.32(2) of the Local Government Act 1995 - information that has a commercial value to a person.***

**SUMMARY**

At the Community, Technical, Finance and Corporate Services Committee on 17 May 2017 Council approved ceasing of operations at the City's dog pound and authorising the City to outsource management of the facility to an external provider.

Expression of Interests were sought from interested parties, however no applications were received. Further efforts to identify commercial operators resulted in the receipt of a single application however is considered that this application does not fully support the City's business requirements.

Accordingly, Council is requested to reconsider the previous resolution, approving the City to retain management of pound operations and to consider funding of \$52,000 as part of the 2020/21 budget process to undertake the refurbishment of the facility.

**OFFICER'S RECOMMENDATION**

That Council:

1. Approves the City's dog pound facility at 15 Wright Street, Bayswater to remain open and for the City to retain operational management of this facility.
2. Considers an allocation of \$52,000 as part of the 2020/21 budget process for the refurbishment of the facility.

**COUNCIL RESOLUTION  
(PROCEDURAL MOTION)**

**That Council refers this item to a Councillor Workshop.**

**CR DAN BULL, MAYOR MOVED, CR SALLY PALMER SECONDED**

**CARRIED UNANIMOUSLY: 10/0**

**REASON FOR CHANGE**

***Council changed the Officer's Recommendation to ensure that the impacts of the Draft Standards and Guidelines for the Health and Welfare of Dogs in Western Australia, as well as the proposed changes to the Dog Act 1976, which were not specifically raised in the report, could be discussed at a future Councillor Workshop.***

**BACKGROUND**

The City's dog management facility (dog pound) was constructed in 1982 at 15 Wright Street, Bayswater, consisting of 12 internal caged kennels and an office. A toilet, storeroom and two kennels with external exercise areas were added in 2001. Approximately \$5,000 has been spent in the past 10 years on painting the building and provision of some maintenance which include the provision of natural lighting and air conditioning. A series of photographs showing the interior of the dog pound is provided as **Attachment 1**.

During 2017 the City reviewed the dog pound's operations in accordance with an action in the previous City Corporate Business Plan 2016 - 2026 to "review the City's dog and cat pound" (C1.2.3) and as the result of complaints relating to the standard of the facility.

The review concluded that:

- Complaints had been received about the condition of the pound;
- The current facility is outdated, falls short of community expectation and lacks basic facilities such as hot water, suitable exercise/outdoor areas or an isolation area for sick animals; and
- It had become contemporary practice for local governments to outsource pound operations to specialist organisations.

The key benefits and outcomes of outsourcing operations were determined as:

- Identification of the most appropriate dog management facility and ensuring outsourcing costs incorporate kennels and sustenance specifically allocated for the City's use;
- Reduction in complaints; and
- Reallocation of Ranger time to other tasks.

Council considered a report on the above dog pound review at the Community, Technical Finance and Corporate Services Committee Meeting on 17 May 2017, and resolved as follows:

*"That Council:*

1. *Authorises the CEO to seek quotations and enter into a contract with a dog pound provider to outsource the provision of a dog pound facility;*
2. *Approves the City's pound to cease operations in line with the commencement of a contract to outsource services;*
3. *Approves Public Notice to be provided for the closure of the City of Bayswater pound, located at 15 Wright Street, Bayswater and the outsourcing of the City of Bayswater pound after a contract has been entered into;*
4. *Notes the site of the current dog pound will be investigated to determine options for future use; and*
5. *Considers \$20,000 income for impounding dogs in the 2017/2018 budget."*

In The West Australian newspaper on 10 February 2018, the City invited tenders for the provision of animal impounding services (other than cats) through a suitably managed facility (Tender No. 3-2018). Applications closed on 27 February 2018 with no responses received. The City subsequently canvassed a number of organisations which resulted in a single application being

submitted by Julie's Boarding Kennels and Cattery (Julie's Facility). A copy of this application is contained in **Confidential Attachment 6**.

City officers have consulted extensively with local governments in the metropolitan area to determine individual arrangements for pound management.

Consultation in 2106 with 18 local governments found it was common practice for local governments to outsource pound operations and 12 of the organisations were outsourcing pound operations to other local governments or to professional kennel operators.

Further consultation with 20 metropolitan local governments in 2018 determined the number of local governments outsourcing pound services has decreased to 10. Anecdotal information suggests internal management is more cost effective and enables provision of quality local service delivery to solve local problems which enhances community relationships.

The local governments who continue to utilise external providers impound an average of 30 - 40 dogs per year, which is significantly fewer than the volume of dogs impounded by the City. The City impounded 204 dogs during 2018 and are projected to impound 210 in 2019.

The City of South Perth Animal Management Facility has capability to be accessed 24 hours per day and the Town of Bassendean currently utilises this facility for management of animals seized by them. The Town of Bassendean have initiated temporary kennels due to the time lost transporting every dog to the South Perth facility. The Town of Bassendean impound approximately 50 dogs per year and can lose an entire shift in travel and administration time. The South Perth facility is only accessible to the public for three hours per day and will not release dogs outside of this time. A cost of \$100 is incurred by dog owners if the City of South Perth returns dogs to them. This level of customer service may not be acceptable to the City and Bayswater residents.

The City of Stirling do not outsource to other local governments and a new pound being developed by the City of Wanneroo is some years from completion and is not intended to be an outsourced facility.

As part of the due diligence process City officers participated in a tour of Julie's Facility, noting:

- The area set aside for dogs received from local governments is of similar quality to the City pound, but unlike the pound does not contain air conditioning;
- Additional costs are associated with after-hours admissions, dogs that are unable to be rehomed and posting information on Julie's Facility website; and
- Julie's Facility is unable to commit to accepting impounded dogs between the hours of 7.00pm and 7.00am. In the 2018/19 financial year the City seized 89 dogs, which equates to 42% of all dogs seized by the City, between these times. This is considered significant as none of the local governments utilising outsourced services provide after-hours ranger or security services and do not generally seize animals outside of office hours.

Two metropolitan local governments currently utilise Julie's Facility and have been consulted. Both reported good service provision, however neither of them provides after hours ranger or security service and do not, as a matter of course, impound dogs outside of office hours.

## **OFFICER'S COMMENTS**

The City dog pound has remained operational since Council's resolution on 17 May 2017, whilst unsuccessfully attempting to identify an appropriate service provider. During that time the City has received no complaints about the standard of the pound and no animals have suffered any reported injuries or illnesses whilst in the pound, despite the high volume of animals received from unknown and less than ideal environments.

The pound provides City staff with an ideal setting to develop skills and confidence, under guidance of the Senior Ranger, when dealing with unpredictable dogs. This is the only controlled environment available to develop these skills, which greatly reduces the risk of injury to the animals, City staff and members of the public.

Although Julie's Facility is situated within 8kms of the City's Rangers and Security Office it is not considered practical to expect community members to collect dogs from that location and then make subsequent visits to the Rangers Office to attend related administrative matters, or for City staff to make multiple visits to the kennel. It is considered that the ability for community members to attend to all matters in a one stop shop environment provides a more acceptable level of customer service. This is also considered efficient and effective for City staff who can deal with matters at one location and at one time. Future community "one stop shop" opportunities could also include utilising the dog pound for animal registration and microchipping events involving a range of stakeholders.

Julie's Facility is unable to guarantee admission of animals between 7.00pm and 7.00am and on occasions where dogs can be accommodated during those times a fee of \$140 per animal is charged. The City impounded 86 dogs during these hours in 2018 equating to an additional cost of \$12,040 that the City does not currently pay. In the event of Julie's Facility being unavailable during these times the City does not have any alternate accommodation for dogs if the pound is closed.

Other additional costs the City does not currently incur but will do so by utilising a provider include rehoming fees of \$120 and veterinary check fees of \$40 for each unclaimed dog. Based on 38 dogs rehomed by the City in the past 12 months this cost amounts to \$6,080. The City currently has an arrangement with a reputable dog rescue service who takes, assesses and rehomes dogs at no cost to the City.

The City currently places photographs and biographies of found dogs on the City website at no cost. A charge of \$20 is incurred for dogs to be placed on the website of Julie's Facility and the City is required to pay a once off webpage fee as determined by Incub8 Developers.

Based on the number of dogs seized in 2018/19 the estimated cost of an outsourced provider, Julie's Facility would amount to \$28,724 excluding GST if each dog was to be impounded for a maximum permissible time of seven days and \$12,310 excluding GST based on dogs being kept for the average period of three days. With internal pound management the cost (including staff costs) to the City in the same circumstances would be approximately \$10,610 excluding GST for dogs kept for seven days and \$4,547 excluding GST for dogs kept for three days.

Tables provided as **Attachment 2**, **Attachment 3** and **Attachment 4** outline the comparative costs between the City and Julie's Facility.

In light of the assessment of the application, it is considered that the service provision of Julie's Facility does not provide cost or service improvements exceeding those currently provided by the City.

The dog pound is considered a critical infrastructure for the accommodation of dangerous dogs during emergency incidents as per the Local Emergency Management arrangements and Animal Welfare Plan.

Whilst the dog pound is still functional, it has received minimal maintenance for many years and requires aesthetic and operational upgrading to contemporary standards to enable it to remain viable and to negate complaints that arise due to its condition. The proposed refurbishment of the dog pound is detailed in **Attachment 5**. The proposed changes to the animal enclosure and office area are aligned to improving animal welfare and ensuring appropriate levels of staff safety

in accordance with the *Occupational Safety and Health Act 1984* and the City's commitment to safety of the community and staff.

Upgrading of the IT and telecommunications infrastructure will enable efficient and effective service delivery by enabling animals to be impounded and released directly from the pound. Currently a process is undertaken requiring Rangers and community members to alternate between the pound and the Rangers office to complete administrative tasks.

It is anticipated that refurbishment of the dog pound may also lead to future income producing opportunities by providing pound facility to smaller nearby local governments and by becoming a location for the microchipping of animals.

Given the time lapse between now and the tender submission received in 2018, if Council wishes to continue to pursue the avenue of outsourcing, it is recommended that the tender/quotation process is re-commenced to ensure currency.

### LEGISLATIVE COMPLIANCE

- *Dog Act 1976*;
- *Animal Welfare Act 2002*; and
- City of Bayswater Dog Local Law 2016.

### OPTIONS

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

<b>Option 1</b>	<b>That Council:</b>	
	<ol style="list-style-type: none"> <li>1. Approves the City's dog pound facility at 15 Wright Street, Bayswater to remain open and for the City to retain operational management of this facility.</li> <li>2. Considers an allocation of \$52,000 as part of the 2020/21 budget process for the refurbishment of the facility.</li> </ol>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	<p>It is considered that this option is consistent with the City's endorsed levels of risk tolerance. Improvements to the facility will ensure continued compliance with legislation and improved service delivery resulting in community and stakeholder satisfaction.</p> <p>Continued animal handling and animal husbandry development will ensure appropriate care and handling of animals and maintenance of high standards of health and safety for City staff and community members.</p> <p>This is considered the most cost effective option and allows for future revenue growth via microchipping.</p> <p>It allows for improved customer satisfaction and service delivery by offering a single point of contact and potential for events such as registration days.</p>	

<b>Option 2</b>	<b>That Council:</b>		
	<ol style="list-style-type: none"> <li>1. Authorises the Chief Executive Officer to seek quotations and enter into a contract with a dog impounding provider for the provision of dog impounding services at a suitably managed facility.</li> <li>2. Approves the City's dog pound at 15 Wright Street, Bayswater to cease operation upon the commencement of the contract for the provision of dog impounding services at a suitably managed facility.</li> <li>3. Authorises the Chief Executive Officer to investigate options for the future use of the current dog pound site and a report be presented to Council on the outcomes of the investigation.</li> <li>4. Considers an allocation of \$10,000 for the outsource provision of dog impounding services as part of the mid-year review of the 2019/20 budget.</li> </ol>		
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>		<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate		Low
Reputation	Low		Moderate
Governance	Low		Low
Community and Stakeholder	Moderate		Moderate
Financial Management	Low		Moderate
Environmental Responsibility	Low		Low
Service Delivery	Low		Moderate
Organisational Health and Safety	Low		Low
<b>Conclusion</b>	<p>It is considered that this option has the above moderate risks as only one expression of interest has been received and does not adequately meet the operational demands of the City or provide financial or service provision improvements.</p> <p>This option will require residents to make separate trips to the kennel to collect animals and to the City Rangers Office to undertake compliance and administrative requirements.</p>		

## FINANCIAL IMPLICATIONS

The following financial implications are applicable:

**Item 1:** Refurbishment and operational management of City dog pound

**Asset Category:** Refurbishment/Renewal      **Source of Funds:** Municipal

**LTFP Impacts:** This is not itemised in the LTFP

**Notes:** Nil.

ITEM NO.	CAPITAL / UPFRONT COSTS (\$)	ONGOING COSTS (\$)		INCOME (\$)	ASSET LIFE (YEARS)	WHOLE OF LIFE COSTS (\$)	CURRENT BUDGET (\$)
		MATERIALS & CONTRACT	STAFFING				
1	\$52,000	\$5,741* \$1,000**	\$9,395	\$18,156 per annum (Impoundment fees)	40	\$645,440	\$10,000 (food and consumables)

\* Food, water, power and cleaning costs as included in **Attachment 2**.

\*\* Building and contents insurance and annual building maintenance costs.

## STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2017-2027 (as amended), the following applies:

Theme: Our community

Aspiration: An active and engaged community.

Outcome C1: A strong sense of community through the provision of quality services and facilities.

Retaining management of the dog pound, especially if it is refurbished, will enable the City to continue to provide cost effective and quality service delivery to the community with an emphasis on safe and effective animal management.

**CONCLUSION**

In light of the above, it is recommended that Council:

- Approves the dog pound to remain open and the City to maintain operational management of the dog pound; and
- Considers funding of \$52,000 for the refurbishment of the dog pound as part of the 2020/21 budget process.

**Attachment 1**









**Attachment 2**

<b>DAILY OPERATING COSTS OF CITY DOG POUND</b>		
<b>Daily Keep – Sustenance</b>	<b>Daily cost per kennel</b>	<b>Breakdown of costs</b>
Food	\$0.30	Total cost of wet and dry food = \$1,200 per annum
Water	\$0.33	Total usage cost = \$1321.30 per annum
Power	\$0.45	Portion (25%) of total Rangers and Security usage cost = \$1,821.35 per annum
Cleaning Products	\$0.30	Cleaning product usage = \$1196.03 per annum
Cleaning Accessories	\$0.05	Estimate replacement allocation of \$200 per annum for items used during cleaning (scrubbing, spray bottles etc).
Ranger Attendance (husbandry duties)	\$2.34	Estimated time for husbandry duties: 30 minutes per day (based on hourly average salary rate per Ranger)
<b>Total cost per kennel per day (excluding GST):</b>	<b>\$3.77</b>	
<b>Total daily operating cost for 11 kennels (excluding GST) :</b>	<b>\$41.47</b>	

**Attachment 3:**

<b>COMPARATIVE FEES AND CHARGES BETWEEN CITY AND OUTSOURCED PROVIDER</b>			
<b>Services</b>	<b>Outsource Provider</b>	<b>City of Bayswater</b>	<b>Cost Variation</b>
Registered Dog Impound Fee (claimed)	\$100.00	\$100.00	Nil
Unregistered Dog Impound Fee	\$140.00	\$140.00	Nil
Daily Sustenance Fee (claimed dog)	\$18.00 per day	\$18.00 per day	Nil
Daily Sustenance Fee (unclaimed dog)	\$22.00 per day	\$0.30 per day	+\$21.70 per dog per day (held for approx. 8 days = \$173.60)
Unclaimed Dog Disposal	\$120.00	Nil	+\$120.00 per dog
Veterinary Attendance Fee	\$40.00	\$36.37 (euthanasia only)	+\$3.63
Website Updates (on impound)	\$20.00	Nil	+\$20.00
Daily Facility Operating Costs	Nil	\$41.36 for 11 kennels	Unable to compare
Emergency Impoundment Service (between 7pm and 7am)	\$154.00 per dog	Nil	+\$154.00 per dog
Emergency Collection Service (between 7pm and 7am)	\$275.00 per dog	Nil	+\$275.00 per dog

**Attachment 4**

<b>FEES AND CHARGES - CITY AND OUTSOURCED PROVIDER (2018 data - 204 dogs impounded)</b>			
<b>Services</b>	<b>Outsource Provider (Julies Facility)</b>	<b>City Of Bayswater</b>	<b>Cost Variations</b>
Daily Sustenance Fee (unclaimed dog) Based on 7 day impoundment	38 x dogs unclaimed @ \$20.00 per day.  \$5,320.00	38 x dogs unclaimed @ \$0.30c per day.  \$79.80	+\$5,240.20
Unclaimed Dog Disposal	38 x dogs unclaimed @ \$120.00 = \$4,560.00	32 x dogs unclaimed @ \$41.58 (Ranger salary and operational costs) = \$1,330.56	+\$3,229.44
Veterinary Attendance Fee	38 x dogs for veterinary assessment @ \$40.00 = \$1,520.00	Nil	+\$1,520.00
Euthanasia fee	Nil	6 x dogs euthanized at \$40.00 per dog = \$240.00	-\$240.00
Website Updates (on impound)	204 dogs added to website @ \$20.00 per dog = \$4,080.00	Nil	+\$4,080.00
Daily facility operating costs	Nil	\$3.77 @ 204 dogs impounded for maximum of 7 days \$5,383.53	-\$5,383.56
Emergency Impoundment Service (between 7pm and 7am)	86 x dogs impounded during this time @ \$154.00 per dog = \$13,244.00	86 x dogs impounded during this time – \$41.58 (Ranger salary and operational costs) = \$3,575.88.	+\$9,668.12
<b>TOTAL:</b>	<b>\$28,724.00</b>	<b>\$10,609.77</b>	<b>+\$18,114.20</b>
<b>Note: All costs exclusive of GST</b>			

**Attachment 5****PROPOSED SCOPE AND COST OF DOG POUND REFURBISHMENT**

<b>Area</b>	<b>Description</b>	<b>Cost</b>	
<b>Dog Enclosure</b>	• Grind floor (ripples, etc.) so that water does not pool on floor or around the centre drain.	\$5,508.00	
	• Seal floor and apply <u>bondcrete</u> or similar	\$1,944.00	
	• Remove 10 x asbestos partitions at back of cages and replace with 12mm CFC fibre board so that the dogs cannot see each other	\$7,020.00	
	• Remove hinges from dog beds and weld 2 rear legs on back – to make them moveable	\$2,760.00	
	• Cut bottom sections of cage partitions at 1200H.	\$1,500.00	
	• Install 1200H board between cages and fix to top portion of cages	\$4,260.00	
	• Install wires on cage latches (on the exterior side) so that you can lift the latch without being bitten when opening cages	\$1,020.00	
	• Install solar tubes on 3 existing skylights to increase light in space	\$3,420.00	
	• Install step leading from back door to rear exercise area	\$1,500.00	
	• Replace rear door with heavy duty metal door including painting existing hardware to be used	\$2,280.00	
	• Install heavy duty rear security door	\$1,440.00	
	• Paint walls, ceiling, doors and door frames	\$2,760.00	
	• Cut a 400x400 square at eye height in door from passage into dog kennel area and insert Perspex (to enable staff to view into the space and ensure a dog has not escaped prior to entering.	\$582.00	
	• Address exercise area fencing and install digging prevention concrete - 600mm wide concrete apron along fence perimeter	\$5,010.00	
	<b>Subtotal</b>	\$41,004.00	
	<b>GST</b>	\$4,100.40	
	<b>TOTAL</b>	<b>\$45,104.40</b>	
<b>Office</b>	• Cut hole in wall facing road and install sliding window that can open with 100x44 commercial window section and comfort plus glazing	\$3,495.00	
	• Install heavy duty sliding <u>Clearshield</u> grilles and stainless steel servery, to enable pass through to public (signing documents, etc.) – padlock to be on inside of grilles.	\$3,726.00	
	• Paint walls, ceiling, door and door frame	\$1,865.00	
	• Desktop computer and network router	\$1,800.00	
		<b>Subtotal</b>	\$10,886.00
		<b>GST</b>	\$1088.60
	<b>TOTAL</b>	<b>\$11,974.60</b>	
<b>Dog Enclosure and Office</b>		<b>Subtotal</b>	\$51,890.00
		<b>GST</b>	\$5,189.00
		<b>TOTAL</b>	<b>\$57,079.00</b>

#### 10.4.8 Australia Day Awards - Citizen of the Year and Outstanding Women in Leadership

<b>Responsible Branch:</b>	Community Development	
<b>Responsible Directorate:</b>	Community and Development	
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input checked="" type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
<b>Voting Requirement:</b>	Simple Majority Required	
<b>Attachments:</b>	<b>Confidential Attachment(s)</b> 1. Summary of Nominations 2. 2020 Citizen of the Year 3. 2020 Citizen of the Year 4. 2020 Citizen of the Year 5. 2020 Citizen of the Year 6. 2020 Senior Citizen of the Year 7. 2020 Youth Citizen of the Year 8. 2020 Active Citizenship of the 9. 2020 Active Citizen of the Year	
<b>Refer:</b>	Item 11.3: OCM 25.06.2019 Item 10.1.3: CTF CSC 20.11.2018	

**Confidential Attachment - in accordance with Section 5.23(2)(b) of the Local Government Act 1995 - personal affairs of any person.**

#### **CR GIORGIA JOHNSON DECLARED AN IMPARTIAL INTEREST**

**In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Giorgia Johnson declared an impartial interest in this item as she knows some of the nominees. Cr Giorgia Johnson remained in the room during voting on this item.**

#### **CR MICHELLE SUTHERLAND DECLARED AN IMPARTIAL INTEREST**

**In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Michelle Sutherland declared an impartial interest in this item as she knows some of the nominees. Cr Michelle Sutherland remained in the room during voting on this item.**

#### **CR LORNA CLARKE DECLARED AN IMPARTIAL INTEREST**

**In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Lorna Clarke declared an impartial interest in this item as she knows a number of nominees for awards. Cr Lorna Clarke remained in the room during voting on this item.**

#### **CR STEPHANIE GRAY DECLARED AN IMPARTIAL INTEREST**

**In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Stephanie Gray declared an impartial interest in this item as some nominees are known to her and she nominated one person. Cr Stephanie Gray remained in the room during voting on this item.**

**CR SALLY PALMER DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Sally Palmer declared an impartial interest in this item as she knows some of the candidates and applicants. Cr Sally Palmer remained in the room during voting on this item.*

**CR DAN BULL, MAYOR DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Dan Bull, Mayor declared an impartial interest in this item as some of the nominees are known to him. Cr Dan Bull, Mayor remained in the room during voting on this item.*

**CR BARRY MCKENNA DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Barry McKenna declared an impartial interest in this item as he knows several of the nominated persons. Cr Barry McKenna remained in the room during voting on this item.*

**CR FILOMENA PIFFARETTI, DEPUTY MAYOR DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Filomena Piffaretti, Deputy Mayor declared an impartial interest in this item as she knows some of the nominees. Cr Filomena Piffaretti, Deputy Mayor remained in the room during voting on this item.*

**SUMMARY**

Nominations have been sought for the 2020 Community Citizen of the Year Awards and the City's inaugural Outstanding Women in Leadership award.

Council consideration of the nominations (**Attachments 1 - 9**) and selection of award winners is required to determine Citizen of the Year and Outstanding Women in Leadership awards across five separate categories.

**COUNCIL RESOLUTION**

That item 10.4.8, Australia Day Awards – Citizen of the Year and Outstanding Women in Leadership, be heard behind closed doors.

**CR BARRY MCKENNA MOVED, CR SALLY PALMER SECONDED**

**CARRIED UNANIMOUSLY: 10/0**

**COUNCIL RESOLUTION**

That Council:

1. Awards the 2020 City of Bayswater Citizen of the Year to [Award recipient's details to be publicly released on 26 January 2020].
2. Awards the 2020 City of Bayswater Senior Citizen of the Year to [Award recipient's details to be publicly released on 26 January 2020].
3. Awards the 2020 City of Bayswater Active Citizenship (group or event) of the Year to [Award recipient's details to be publicly released on 26 January 2020].
4. Awards the 2020 City of Bayswater Youth Citizen of the Year to [Award recipient's details to be publicly released on 26 January 2020].

5. **Awards the 2020 City of Bayswater Outstanding Women in Leadership to [Award recipient's details to be publicly released on 26 January 2020].**
6. **Approves that the above Resolutions 1 - 5 that include the names of the successful nominees of Citizen of the Year and Outstanding Women in Leadership awards remain confidential until after the presentation ceremony to be held on 26 January 2020.**
7. **Notes that the City will present the award to the above successful nominees at the Australia Day Citizenship Ceremony to be conducted on 26 January 2020 at the City of Bayswater Civic Centre.**

**CR SALLY PALMER MOVED, CR FILOMENA PIFFARETTI, DEPUTY MAYOR SECONDED  
CARRIED UNANIMOUSLY: 10/0**

## **BACKGROUND**

The Australia Day Active Citizenship Awards program has been delivered in partnership with Western Australian local governments for more than 18 years. The program has evolved into one of the key activities for local governments at their annual Australia Day Citizenship celebrations.

The Australia Day WA Community Citizen of the Year Awards are promoted by the Australia Day Council of Western Australia (ADCWA). The Governor is a signatory on the award certificates – a special acknowledgement for those community members recognised by their local government in each of the four categories.

For 2020, the criteria for the awards remain consistent with previous years and allows Council to recognise a wider range of community champions through the four categories:

- Citizen of the Year;
- Senior Citizen of the Year (over 65 years of age);
- Youth Citizen of the Year (under 25 years of age); and
- Active Citizenship Award (to recognise a community group or event).

The awards reward and recognise individuals and organisations making a notable contribution during the current year, and/or those who have given outstanding service over a number of years. Outstanding contribution and community services includes areas such as; education, health, fundraising, charitable and voluntary services, business, sport, arts, the environment or any other area that contributes to the advancement and wellbeing of a community.

In 2019, Council selected four winners for these awards under three of the four categories. The winners were:

- Ms Michelle Hughes - City of Bayswater Citizen of the Year 2019;
- Ms Polly Lawson - City of Bayswater Senior Citizen of the Year 2019;
- Mr Galvin Phuong - Youth Citizen of the Year 2019; and
- Bayswater Historical Society- City of Bayswater Active Citizenship of the Year 2019.

At the Ordinary Council Meeting of 25 June 2019 Council considered a Notice of Motion relating to recognising outstanding women in leadership, and resolved as follows:

*"That the City of Bayswater, in recognising the contribution and outstanding achievements of local women leaders who either live or work in the City of Bayswater, creates a new annual award 'Outstanding Women in Leadership' to be presented alongside the City's annual Community Citizen of the Year Awards on Australia Day."*

To that end, the City introduced this new award and called for nominations alongside the Community Citizen of the Year Awards.

### EXTERNAL CONSULTATION

The ADCWA in conjunction with participating local governments called for public nominations from 1 September 2019 to 4 November 2019 for the Australia Day WA, Community Citizen of the Year Awards. Additionally, the City concurrently called for nominations for its inaugural Outstanding Woman in Leadership award.

Calls for nominations were promoted on the City's website and Facebook page. Additionally, the award opportunities were further promoted by ADCWA across the State on Channel 9, radio station 6PR 882 and via the Community Newspaper Group (with the exception of the Outstanding Women in Leadership award).

### OFFICER'S COMMENTS

Consistent with previous years, community members could be nominated for the following Citizen of the Year awards:

- 2019 City of Bayswater Citizen of the Year;
- 2019 City of Bayswater Senior Citizen of the Year;
- 2019 City of Bayswater Youth Citizen of the Year; and
- 2019 City of Bayswater Active Citizenship of the Year (group or event).

Participating local governments have been asked to forward their final selections to ADCWA by 7 December 2019. ADCWA will then produce all certificates and medallions for the 2019 Awards to be presented as part of the City's Australia Day celebrations. Winners are subsequently invited to a number of City of Bayswater civic events throughout the year.

The City's new Outstanding Women in Leadership award was promoted alongside the Citizen of the Year awards for 2019. The promotion of this new award had a similar focus for selection as the Citizen of the Year Awards in that the award called for nominations of local women who have made a significant contribution to the community by either participation or leadership.

It is intended that the winner of this new award receive the same acknowledgement as the Community Citizen of the Year Awards, providing the winner with a certificate from the City of Bayswater; an engraved medal; and an invitation to attend a number of City of Bayswater civic events throughout the year.

In considering winning nominations for the Citizen of the Year Awards and the City's new Outstanding Women in Leadership award, Council should have regard to the below eligibility and selection criteria.

#### Eligibility Criteria

- Nominees should reside or work principally within the local authority making the award.
- Awards may be granted posthumously in recognition of recent achievements.
- Groups of people or couples will not normally be eligible except when meeting the criteria for a community group.
- A person may receive an award on more than one occasion in recognition of their particularly outstanding community contribution or involvement in an alternative initiative.
- Unsuccessful nominees may be nominated in future years.
- Sitting members of State, Federal and Local Government are not eligible.

Selection Criteria

The winners will be judged by Council to have shown active citizenship and:

- Significant contribution to the local community;
- Demonstrated leadership on a community issue resulting in the enhancement of community life;
- A significant initiative which has brought about positive change and added value to community life; and
- Inspiring qualities as a role model for the community.

Nominations Received

The City of Bayswater received eight nominations across four categories as follows:

- 2020 Citizen of the Year 4 Nominations
- 2020 Senior Citizen of the Year 1 Nomination
- 2020 Youth Citizen of the Year 1 Nomination
- 2020 Active Citizenship of the Year (group or event) 2 Nomination

The City did not receive nominations for the 2020 Outstanding Women in Leadership category.

Council has the option of selecting another candidate for each award at any point during the selection process.

The complete nomination forms are included as Confidential Attachments to this report.

Council's winning candidate selections for the Citizen of the Year Awards will be forwarded to Australia Day WA, and the award winners will be presented with certificates and medallions at the City of Bayswater Australia Day Citizenship Ceremony to be held at the City of Bayswater Civic Centre on of 26 January 2020.

**LEGISLATIVE COMPLIANCE**

Not applicable.

**OPTIONS**

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

<b>Option 1</b>	<p><b>That Council:</b></p> <ol style="list-style-type: none"> <li>1. Awards the 2020 City of Bayswater Citizen of the Year to _____.</li> <li>2. Awards the 2020 City of Bayswater Senior Citizen of the Year to _____.</li> <li>3. Awards the 2020 City of Bayswater Active Citizenship (group or event) of the Year to _____.</li> <li>4. Awards the 2020 City of Bayswater Youth Citizen of the Year to _____.</li> <li>5. Awards the 2020 City of Bayswater Outstanding Women in Leadership to _____.</li> <li>6. Approves that the above Resolutions 1 - 5 that include the names of the successful nominees of Citizen of the Year and Outstanding Women in</li> </ol>
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	<p>Leadership awards remain confidential until after the presentation ceremony to be held on 26 January 2020.</p> <p>7. Notes that the City will present the award to the above successful nominees at the Australia Day Citizenship Ceremony to be conducted on 26 January 2020 at the City of Bayswater Civic Centre.</p>	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	<p>In the main, it is considered a low risk for the City to award its 2020 Citizen of the Year awards, as detailed in the Officer's recommendation section of this report, as this has been the process followed by Council in previous years and one that is accepted by the Australia Day Council of Western Australia. However, it is considered a moderate community and stakeholder risk, as not all nominees will receive an award and this may cause disappointment among those award nominators/ nominees. As the City did not receive nominations for the 2020 Outstanding Women in Leadership award, it is considered a low risk option for Council to nominate an award recipient for that category.</p>	

<b>Option 2</b>	<p><b>That Council select a non-nominated candidate(s) for the 2020 City of Bayswater Citizen of the Year and Outstanding Women in Leadership Awards.</b></p>	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Moderate
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	<p>It is considered that this option poses a moderate reputational and community and stakeholder sentiment risk, as the nominators and nominees could feel disappointed if Council selected a non-nominated candidate for any of the award categories. In addition, the City's reputation with the Australia Day Council of Western Australia may be questioned, as there is an expectation that awards will be provided to a selection of nominating community members.</p>	

<b>Option 3</b>	<p><b>That Council does not select candidates for and/or not progress with the 2020 City of Bayswater Citizen of the Year and Outstanding Women in Leadership Awards.</b></p>	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Moderate
Governance	Low	Low
Community and Stakeholder	Moderate	High
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	<p>It is considered that this option poses a moderate reputational and high community and stakeholder sentiment risk as the nominators and nominees could feel disappointed or aggrieved if Council did not select any candidates for the awards nor</p>	

	progressed with the five award categories for 2020. In addition, the City's reputation with the Australia Day Council of Western Australia may be questioned, as there is an expectation that awards will be provided to a selection of nominating community members.
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### FINANCIAL IMPLICATIONS

The following financial implications are applicable:

**Item 1:** Australia Day WA, Community Citizen of the Year Awards and Outstanding Women in Leadership Award

**Asset Category:** N/A **Source of Funds:** Municipal

**LTFP Impacts:** Not itemised in the LTFP.

**Notes:** Fees paid (\$550) to ADCWA for promotion of awards, medallions and certificates signed by the Governor and funding available for the purchase of medallion for the Outstanding Women in Leadership Award (\$150).

ITEM NO.	CAPITAL / UPFRONT COSTS (\$)	ONGOING COSTS (\$) ANNUAL		INCOME (\$)	ASSET LIFE (YEARS)	WHOLE OF LIFE COSTS (\$)	CURRENT BUDGET (\$)
		MATERIALS & CONTRACT	STAFFING				
1	\$700	N/A	\$800	N/A	N/A	N/A	\$700

### STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater's Strategic Community Plan 2017-2027 (as amended), the following applies;

Theme: Our Community

Aspiration: An active and engaged community

Outcome C1: A strong sense of community through the provision of quality services and facilities

The award nominations process encourages community participation and engagement. The presentation of the awards of the chosen nominees creates a strong sense of community and acknowledgement.

### CONCLUSION

Council received eight nominations, four of which were nominations for Citizen of the Year. The Senior Citizen of the Year award and Youth Citizen of the Year Award each received one nomination. The Active Citizenship of the Year Award received two nominations.

There City's new Outstanding Women in Leadership award did not receive nominations, however, Council have an option to select an award recipient for that category.

In light of the above and that the awards have been promoted extensively and a number of community nominations have been received, the above Option 1 is recommended.

**10.5 Sub Committee Reports****10.5.1 Audit and Risk Management Committee Meeting 12 November 2019****10.5.1.1 Information Report - Expressions of Interest for External Member of Audit and Risk Management Committee**

<b>Responsible Branch:</b>	Governance	
<b>Responsible Directorate:</b>	Corporate and Strategy	
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Information Purposes
<b>Voting Requirement:</b>	Simple Majority Required	
<b>Attachments:</b>	1. Expression of Interest document 2. Proposed Amendments to the Terms of Reference	
<b>Refer:</b>	Item 8.2: SCM 21.10.2019	

**SUMMARY**

At its Special Council Meeting of 21 October 2019 to appoint committee members, Council resolved to appoint a suitably-qualified and experienced external person as a member of the Audit and Risk Management Committee for a two-year term, in line with the terms of office of council members on committees.

The Expression of Interest document (EOI) has now been advertised, and will close on 29 November 2019 (refer **Attachment 1**). The responses will be presented to Council for consideration in due course with recommendations, and include a shortlist subject to the level of interest received.

To reflect the Council resolution, the Terms of Reference have been amended as indicated in red in **Attachment 2**.

**COUNCIL RESOLUTION****(MANAGEMENT COMMITTEE/OFFICER'S RECOMMENDATION)**

That Council:

1. Notes that the EOI has been advertised and that responses will be provided to Council in due course with recommendations, shortlisted subject to the level of interest received.
2. Endorses the proposed changes to the Terms of Reference which have been amended to reflect the resolution of 21 October 2019.

**CR BARRY MCKENNA MOVED, CR STEPHANIE GRAY SECONDED**

**CARRIED UNANIMOUSLY BY EXCEPTION (EN BLOC): 10/0**

**BACKGROUND**

The appointment of council members to external committees was considered at the Special Council meeting of 21 October 2019, and the appointment to the Audit and Risk Management Committee was also considered under a separate item at that meeting. Council resolved to accept the recommendation to have an external member on the Audit and Risk Management Committee and also accepted the proposed EOI process.

Other local governments have followed a similar EOI process.

**EXTERNAL CONSULTATION**

Not Applicable

**OFFICER'S COMMENTS**

Having external members on audit committees is well-established practice in other states, and WA local governments have been moving in that direction over the past few years.

Local governments which have an external member on their respective committees include the Cities of Belmont, Canning, Cockburn, Joondalup, Fremantle, Nedlands, Perth, Stirling, Swan and Vincent.

**LEGISLATIVE COMPLIANCE**

The Audit and Risk Committee is a statutory committee required under section 7.1(A)1 of the *Local Government Act 1995* (the LG Act).

Council is required, under the LG Act, to appoint three or more persons to the Audit and Risk Management Committee. There is no legislative requirement to have an external member, however the Department of Local Government, Sport and Cultural Industries has released an operational guideline which suggests that it is the preferred model.

**FINANCIAL IMPLICATIONS**

Nil.

**STRATEGIC IMPLICATIONS**

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Leadership and Governance.  
Aspiration: Open, accountable and responsive service.  
Outcome L1: Accountable and good governance.

**CONCLUSION**

The EOI process, as resolved by Council at its meeting of 21 October 2019, is currently underway and the responses will be presented to Council in due course.

The Terms of Reference for the Audit and Risk Management Committee have been amended to reflect that the committee will consist of five members of council and one external member.

Attachment 1



**EXPRESSIONS OF INTEREST FOR AN INDEPENDENT  
MEMBER OF THE AUDIT AND RISK MANAGEMENT  
COMMITTEE FOR A TWO-YEAR PERIOD**

**CONTENTS**

**Background..... 1**  
**Legislative Framework ..... 1**  
**Role of the Office of Auditor General in Local Government Audits ..... 3**  
**Purpose of the Expression of Interest..... 3**  
**City's Contact Person..... 4**  
**Essential Requirements for Consideration ..... 4**  
**Evaluation Process..... 4**  
**Lodgement Process..... 4**

Expression of Interest for an Independent Member of the  
Audit and Risk Management Committee for a Two-Year Period

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## Background

The City of Bayswater ('the City') is a local government situated approximately eight kilometres east of the Perth CBD.

The main office (Civic Centre) is located in Morley. The City has approximately 68,000 residents who are represented by Council under four electoral wards. Council comprises the Mayor and ten elected members who collectively represent the electorate.

Council meetings are held fortnightly.

The *Local Government Act 1995* requires all local governments to have an audit committee. The City's committee is titled the Audit and Risk Management Committee to reflect its terms of reference.

There are also a number of internal and external committees which are not required under legislation but support the functions of Council. The scope and meeting dates for these committees are determined through their respective terms of reference.

The Audit and Risk Management Committee currently comprises five elected members. At its meeting of 21 October 2019, Council resolved to seek expressions of interest for an external person on the committee, which will take the total number of committee members to six.

Having at least one external member on the audit committee has been a long-established practice in other states, and local governments in Western Australia have been increasingly moving in that direction over the past five years or so. External members are appointed for a period of two years, in line with the normal terms of office for Council.

## Legislative Framework

The principle legislation is the *Local Government Act 1995* (the Act). There are a number of subsidiary regulations which apply to the audit committee. All of the legislation can be viewed on line.

The annual budgeting process, financial accounting, management and reporting of municipal and trust funds, and the requirements for rates setting and land valuation are set out in Part 6 of the Act.

The requirement to have an audit committee is set out in Part 7 of the Act which also covers the essential requirements for appointment of auditors and conducting audits. This part was expanded significantly in 2017 to allow for financial and performance audits to be done by the Office of Auditor General (OAG).

The detailed requirements for appointing auditors, developing an audit plan and conducting and reviewing audits are dealt with under regulation 16 of the *Local Government (Audit) Regulations 1996*:

Expression of Interest for an Independent Member of the  
Audit and Risk Management Committee for a Two-Year Period

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## 16. Audit Committee, functions of

An audit committee -

- (a) is to provide guidance and assistance to the local government —
  - (i) as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act; and
  - (ii) as to the development of a process to be used to select and appoint a person to be an auditor;and
- (b) may provide guidance and assistance to the local government as to —
  - (i) matters to be audited; and
  - (ii) the scope of audits; and
  - (iii) its functions under Part 6 of the Act; and
  - (iv) the carrying out of its functions relating to other audits and other matters related to financial management; and
- (c) is to review a report given to it by the CEO under regulation 17(3) (the CEO's report) and is to —
  - (i) report to the council the results of that review;and
  - (ii) give a copy of the CEO's report to the council.

There is a separate reporting requirement under regulation 17 of the *Local Government (Audit) Regulations 1996*:

## 17. CEO to review certain systems and procedures

- (1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —
  - (a) risk management; and
  - (b) internal control; and
  - (c) legislative compliance.
- (2) The review may relate to any or all of the matters referred to in sub-regulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.
- (3) The CEO is to report to the audit committee the results of that review.

It is also worth noting that there are separate requirements under *the Local Government (Financial Management) Regulations 1996*:

## 5. CEO's duties as to financial management

- (2) The CEO is to —
- (a) ensure that the resources of the local government are effectively and efficiently managed; and
  - (b) assist the council to undertake reviews of fees and charges regularly (and not less than once in every financial year); and
  - (c) undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 3 financial years) and report to the local government the results of those reviews.

## Role of the Office of Auditor General in Local Government Audits

Local governments are required to be audited annually and, up until 2017, they could appoint their own financial auditors. Performance audits were not required under legislation.

Part 7 of the Act relating to appointment of auditors and conducting audits was amended in 2017 to allow for financial and performance audits to be done by the Office of Auditor General (OAG). Of particular significance are the new sub-sections:

7.12AD. 'Reporting on a financial audit' which requires the auditor to provide copies of financial reports to the Minister;

7.12AG. 'Conducting a supplementary audit' which allows the Minister to direct the auditor to conduct a supplementary audit of any aspect of the accounts of a local government; and

7.12AJ. 'Conducting a performance audit' which treats local governments as a state government agency for the purposes of carrying out performance audits.

Essentially, the significant changes for local government auditing are that all financial audits of local governments are now conducted by auditors engaged by the OAG and, secondly, performance audits are now conducted of local governments under similar programs to that of State government.

## Purpose of the Expression of Interest

Audit practice guidelines universally recommend that there be external and independent membership of an audit committee, as it is an opportunity to bring in specific financial and governance skills. It can be argued that Council members meet the description of an independent member in the same way that a company board member is independent to the operations of an organisation, however the Department of Local Government, Sport and Cultural Industry's *Guideline No 9 – Audit Committees* states that "If the local government wishes to appoint one or more persons other than elected members to the committee, which is recommended, it should ensure that they have the requisite knowledge and skills to provide benefit to the committee. If Council were to opt for a model that involves external membership, the number of external members must also be determined."

[Expression of Interest for an Independent Member of the Audit and Risk Management Committee for a Two-Year Period](#)

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Having external members on audit committees is a well-established practice in other states, and local governments in WA have been moving towards this practice in the last few years to provide a greater level of oversight and transparency.

Local governments that have moved in that direction include the Cities of Belmont, Canning, Cockburn, Fremantle, Joondalup, Nedlands, Perth, Stirling and Swan.

## City's Contact Person

Further information may be obtained from:

Kelley Ambrose  
Manager Governance  
Ph. (08) 9270 4110  
Email: [kelley.ambrose@bayswater.wa.gov.au](mailto:kelley.ambrose@bayswater.wa.gov.au)

## Essential Requirements for Consideration

While there are no specific criteria, applicants must be able to demonstrate the appropriate experience and qualifications in at least one relevant discipline such as financial risk management, corporate governance, risk management or auditing and be CPA or CA qualified.

## Evaluation Process

Expressions of interest will be presented to the first available Audit and Risk Management Committee.

Depending on the level of response, an initial assessment may be made by an internal panel to develop a shortlist of the expressions of interest.

It is essential that respondents are able to commit to the two-year term for the committee and the committee may elect to shortlist applicants and request an in-person meeting. Applicants will be advised accordingly.

The successful respondent may be required to sign a confidentiality agreement as external committee members are not bound to the requirements that apply to elected members as set out in the City's Code of Conduct.

## Lodgement Process

The responses should be provided by 5.00 pm (WA Standard Time) on 29 November 2019 to allow time for them to be presented to the next available Audit and Risk Management Committee meeting.

Electronic responses may be lodged via the City's corporate email address: [mail@bayswater.wa.gov.au](mailto:mail@bayswater.wa.gov.au) and should be marked for the attention of David Nicolson, Director Corporate and Strategy. Hand-delivered or posted submissions will also be accepted, and should also be marked for the attention of:

David Nicolson  
Director Corporate and Strategy  
City of Bayswater  
PO Box 467  
Morley WA 6943

Attachment 2

**PROPOSED AMENDMENTS TO THE TERMS OF REFERENCE  
(indicated in red)**

<b>TERMS OF REFERENCE Audit and Risk Management Committee</b>		
<b>1.</b>	<b>Objectives</b>	The primary objective of the Committee is to provide independent oversight so that Council can be satisfied with the performance and effectiveness of the City's financial reporting, governance systems, risk management and internal control practices.
<b>2.</b>	<b>Powers</b>	<p>The Committee does not have executive powers or authority implement actions in areas over which the Chief Executive Officer has legislative responsibility and does not have any delegated financial responsibility. The Committee does not have any management functions and cannot involve itself in the management processes or procedures.</p> <p>In discharging its responsibilities, the Committee will liaise with the Chief Executive Officer to ensure the effective and efficient management of the City's functions and compliance with legislation and, in particular, Part 6 (Financial Management) and Part 7 (Audit) of the <i>Local Government Act 1995</i> ('the Act') as well as Part 16 (Functions of Audit Committee) and Part 17 (CEO to review certain systems and procedures) of the <i>Local Government (Audit) Regulations 1996</i> ('the audit regulations') and periodic reviews of the City's financial management systems under Regulation 5 (2) of the Local Government (Financial Management) Regulations 1996 ('the financial regulations').</p> <p>The Committee may request such access to members of management, employees and all relevant information as it considers necessary to discharge its duties. This includes being entitled to request access to records, data, reports and explanatory information as the Committee deems necessary to discharge its responsibilities for providing independent oversight.</p>
<b>3.</b>	<b>Membership</b>	<p>The Committee will consist of five* Councillors including the chair, <b>plus one external member</b>.</p> <p>All Members shall have full voting rights. The tenure of Member to the Committee is in accordance with Section 5.11 of the Act and other Councillors are appointed as Deputy Members in accordance with Section 5.11A. The Chief Executive Officer and other employees are not members of the Committee.</p> <p>The Chief Executive Officer or his/her nominee is to be available together with the Director Corporate and Strategy or his/her nominee, to attend all meetings to provide advice and guidance to the Committee. Other Council officers may attend meetings as and when required. The City shall provide such administrative support to the Committee as may be required from time to time.</p> <p><i>*minimum three required under legislation</i></p>
<b>4.</b>	<b>Meetings</b>	<p>The Committee shall meet at least quarterly**. Additional meetings shall be convened at the discretion of the Chair.</p> <p><i>**minimum annually under legislation</i></p>
<b>5.</b>	<b>Order of Business</b>	<p>The order of business for Committee meetings shall be, or as near thereto as practicable:</p> <ul style="list-style-type: none"> <li>• Official Opening</li> <li>• Acknowledgment of Country</li> <li>• Attendance <ul style="list-style-type: none"> <li>- Apologies</li> <li>- Approved Leave of Absence</li> </ul> </li> <li>• Disclosure of Interest Summary</li> <li>• Delegated Authority by Council</li> <li>• Terms of Reference</li> <li>• Confirmation of Minutes</li> </ul>

		<ul style="list-style-type: none"> <li>• Presentations             <ul style="list-style-type: none"> <li>- Presentations</li> <li>- Deputations</li> </ul> </li> <li>• Reports</li> <li>• Previous Matters Dealt with Not on the Agenda</li> <li>• General Business</li> <li>• Confidential Items</li> <li>• Next Meeting</li> <li>• Closure</li> </ul>
	<p><b>Duties and Responsibilities (to be amended to 'Roles and Functions')</b></p>	<p>The roles and functions of the Committee are to:</p> <ul style="list-style-type: none"> <li>(a) Guide and assist the City in carrying out its functions under part 6 of the Act which deals with the annual budgeting process, financial accounting, and management and reporting of municipal and trust funds and the requirements for rates setting and land valuation general.</li> <li>(b) Guide and assist the City in carrying out its functions under Part 7 of the Act which covers the essential requirements for appointment of auditors and conducting audits, and in particular, oversee implementation of any action under section 7.12 of the Act which covers financial audits, supplementary audits and performance audits by the Auditor General.</li> <li>(c) Guide and assist the City in carrying out its functions under regulation 17 of the audit regulations and, in particular, monitor and advise the CEO when undertaking a review under regulation 17 (1) of the audit regulations or regulation 5 (2) of the financial management regulations, and review reports provided to the Committee by the CEO under regulation 17 (3) of the audit regulations and refer the results of its review to Council;</li> <li>(d) Support the City's auditors (both external and internal) when conducting an audit or carrying out other duties under the Act and associated regulations;</li> <li>(e) Perform any other function conferred on the Committee by these regulations or another written law.</li> <li>(f) In addition to the above functions, the Committee also has the following responsibilities:             <ul style="list-style-type: none"> <li>• To review the scope of the Internal Audit plans and to consider their effectiveness;</li> <li>• Receive progress reports on the City's Integrated Planning and Reporting Framework (IPRF) documents including the Strategic Community Plan, Corporate Business Plan, Workforce Plan, Asset Management Plans and the Long-Term Financial Plan.</li> <li>• Consider recommendations for practice improvement as may be made from time to time through the City's Internal Audit process.</li> <li>• Support the implementation of a risk management culture. Consider reports at least annually on the City's Risk Management Framework.</li> </ul> </li> </ul>
	<p><b>Location</b></p>	<p>City of Bayswater Civic Centre</p>
	<p><b>Liaison Officer</b></p>	<p>Director Corporate and Strategy or nominated officer.</p>

### 10.5.1.2 Corporate Business Plan Quarterly Status Update - Quarter ended 30 September 2019

<b>Responsible Branch:</b>	Organisational Strategy	
<b>Responsible Directorate:</b>	Corporate and Strategy	
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Information Purposes
<b>Voting Requirement:</b>	Simple Majority Required	
<b>Attachments:</b>	1. Corporate Business Plan 2019-23 Status Update	
<b>Refer:</b>	Item 10.5.1.2: OCM: 03.09.2019 Item 10.4.7: OCM 23.07.2019 Item 10.2.2: OCM 11.06.2019 Item 10.3.2: OCM 26.03.2019 Item 9.2.3: CTFCS 17.04.2018 Item 10.3: OCM 25.07.2017	

#### SUMMARY

A minor review was undertaken for the Corporate Business Plan during the 2018-19 financial year. This report presents the first status update of actions set out in the Corporate Business Plan 2019-23, for the period ended 30 September 2019.

#### COUNCIL RESOLUTION

##### (MANAGEMENT COMMITTEE/OFFICER'S RECOMMENDATION)

That Council receives the Corporate Business Plan Status Update (Attachment 1) for the quarter ended 30 September 2019.

**CR BARRY MCKENNA MOVED, CR STEPHANIE GRAY SECONDED  
CARRIED UNANIMOUSLY BY EXCEPTION (EN BLOC): 10/0**

#### BACKGROUND

Section 5.56 of the *Local Government Act 1995* (WA) requires all local governments to effectively plan for the future. The components of this plan are contained in the Integrated Planning and Reporting Framework and include the Strategic Community Plan, the Corporate Business Plan and the Annual Budget. The intent of the framework is to ensure the priorities and services provided by the City of Bayswater are aligned with community vision, needs and aspirations.

On 25 July 2017, Council adopted the Corporate Business Plan 2017-2021. The plan set out 65 actions that aligned with the Strategic Community Plan. Status reports were presented to Council each quarter.

On 11 June 2019, Council adopted the minor review of the Corporate Business Plan, now 2019-2023. The reviewed plan set out 34 actions aligned with the Strategic Community Plan. This report presents the first status update for the actions set out in the reviewed plan.

#### EXTERNAL CONSULTATION

Nil.

#### OFFICER'S COMMENTS

Two actions have been completed at the end of the quarter. A further 28 are on track for targeted completion and four have not yet commenced. No actions were reported as off track for this quarter.

**Complete**

The following two actions are considered complete:

Action	Target	Comments
C1.2.3 Develop and implement a Public Health Plan.	FY2020-23	The Public Health and Wellbeing Plan was adopted by Council in June 2019. Actions will be implemented as part of ongoing business as usual operations.
B2.1.2 Complete and implement a City wide Local Area Traffic Management Study.	FY2020-23	The study was completed and endorsed by Council in 2018. An implementation plan was completed and adopted by Council in March 2019. Recommendations from the study will be implemented as part of ongoing business as usual operations.

**On track**

Of the 28 actions that are on track, the following achievements are of note:

Action	Target	Comments
C1.2.2 Deliver and implement a youth plan.	FY2023	The City's inaugural Youth Action Plan, "The Platform" was adopted by Council on 3 September 2019. The adopted document is being designed and typeset. Once complete it will be made available on the City's website and launched externally to key stakeholders.
N1.1.1 Develop and implement a City of Bayswater Environmental liveability framework including biodiversity, climate change, and urban forest.	FY2023	This project is currently progressing towards milestone two. This includes updating project documentation and liaising with Curtin University with an aim to develop a partnership to support the project. The City will open to expression of interest from community experts by the end of 2019.
N2.1.1 Review waste collection practices, investigate and implement alternative waste treatment technologies, including Food Organics and Garden Organics (FOGO).	FY2023	Implementation of a FOGO bin system is expected at or by 1 July 2020. Composting workshops have also been rolled out in collaboration with community groups (eg Environment House) to educate the community about home composting and waste reduction.
B3.1.1 Prepare a Structure Plan and built form policies for each town centre - Maylands, Morley, Noranda and Bayswater.	FY2023	The Morley Activity Centre Plan has been approved by the Western Australian Planning Commission (WAPC) and is currently being implemented. The Meltham Station Precinct

		Structure Plan has been approved by the WAPC and new zoning has been implemented.
E2.1.2 Implement Town Centre Activation Plans.	FY2023	In Noranda, the City hosted a community planting day in the Noranda Nook on Saturday 21 September, with over 50 local residents in attendance. A new pathway has also been installed to connect the McGilvray Avenue pathway through to the Hawaiian's shopping centre, the Noranda Nook and Morley Noranda Recreation Club. New age-friendly 'patio-style' seating has also been installed around the pathway. This is in response to the community priority within the Noranda Place Activation Plan to connect the built environment and improve walkability around the shopping centre and surrounding recreational facilities.

**Not started**

The following four actions have not yet commenced:

Action	Target	Comments
B1.1.2 Develop and implement a streetscape upgrade plan for Noranda.	FY2022	In accordance with the Corporate Business Plan, work on this project is not due to commence until 2021.
E2.1.3 Develop and implement a Public Art Strategic Plan.	FY2021	This project is on hold pending funding. Funding will be considered in the FY2021 budget.
L2.1.2 Undertake a community perception survey every two years.	Next survey FY2021	The next Community Perceptions Survey is scheduled for 2020/2021. Work will commence closer to the date.
L3.1.2 Undertake annual staff satisfaction surveys.	Next survey FY2020	The next staff satisfaction survey is scheduled for early 2020. Work will commence in November 2019.

A full list of action updates is provided in the Status Update (**Attachment 1**).

**LEGISLATIVE COMPLIANCE**

The *Local Government Act 1995 (WA)* requires periodic review of the Corporate Business Plan and its deliverables. The most recent review was completed in FY2019.

**FINANCIAL IMPLICATIONS**

The financial implications of deliverables contained in the Corporate Business Plan for 2019-20 are quantified in the 2019-20 Budget.

**STRATEGIC IMPLICATIONS**

Section 5.56 of the *Local Government Act 1995 (WA)* requires that local governments effectively plan for the future using the Integrated Planning and Reporting Framework (IPRF). Part of the IPRF involves reporting against progress.

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Leadership and Governance  
Aspiration: Open, accountable and responsible service  
Outcome L1: Accountable and good service

This report will assist Council in meeting its responsibilities in relation to the Integrated Planning and Reporting Framework.

**CONCLUSION**

This report is submitted to Council for acceptance of the Status Update on actions identified in the Corporate Business Plan 2019-23 for the quarter ended 30 September 2019. Generally, progress against these strategies is on-track with full disclosure made of any exceptions.

**Attachment 1**

City of  
**Bayswater**

# Corporate Business Plan 2019-23

Status update - 1 July to 30 September 2019



Following is an update for the actions set out in the City of Bayswater Corporate Business Plan 2019-2023 for the period of 1 July 2019 to 30 September 2019.

**At a glance...**

	<p><b>OUR COMMUNITY</b></p> <p><i>Aspiration:</i> An active and engaged community.</p> <p><i>Strategies:</i> C1 A strong sense of community through the provision of quality services and facilities. C2 Accessible services that recognise</p>		<table border="0"> <tr><td style="width: 15px; height: 10px; background-color: #0070C0; border: 1px solid #000;"></td><td>On track</td><td>(8)</td></tr> <tr><td style="width: 15px; height: 10px; background-color: #FF8C00; border: 1px solid #000;"></td><td>Off track</td><td>(0)</td></tr> <tr><td style="width: 15px; height: 10px; background-color: #A9A9A9; border: 1px solid #000;"></td><td>Not started</td><td>(0)</td></tr> <tr><td style="width: 15px; height: 10px; background-color: #FFD700; border: 1px solid #000;"></td><td>Complete</td><td>(1)</td></tr> </table>		On track	(8)		Off track	(0)		Not started	(0)		Complete	(1)
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	Off track	(0)													
	Not started	(0)													
	Complete	(1)													
	<p><b>OUR NATURAL ENVIRONMENT</b></p> <p><i>Aspiration:</i> A quality and connected built environment.</p> <p><i>Strategies:</i> N1 Natural environment and biodiversity that are conserved and protected. N2 A resilient community that responds to sustainability challenges.</p>		<table border="0"> <tr><td style="width: 15px; height: 10px; background-color: #0070C0; border: 1px solid #000;"></td><td>On track</td><td>(3)</td></tr> <tr><td style="width: 15px; height: 10px; background-color: #FF8C00; border: 1px solid #000;"></td><td>Off track</td><td>(0)</td></tr> <tr><td style="width: 15px; height: 10px; background-color: #A9A9A9; border: 1px solid #000;"></td><td>Not started</td><td>(0)</td></tr> <tr><td style="width: 15px; height: 10px; background-color: #FFD700; border: 1px solid #000;"></td><td>Complete</td><td>(0)</td></tr> </table>		On track	(3)		Off track	(0)		Not started	(0)		Complete	(0)
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	Off track	(0)													
	Not started	(0)													
	Complete	(0)													
	<p><b>OUR BUILT ENVIRONMENT</b></p> <p><i>Aspiration:</i> An active and engaged community.</p> <p><i>Strategies:</i> B1 Appealing streetscapes. B2 A connected community with sustainable and well maintained transport. B3 Quality built environment.</p>		<table border="0"> <tr><td style="width: 15px; height: 10px; background-color: #0070C0; border: 1px solid #000;"></td><td>On track</td><td>(8)</td></tr> <tr><td style="width: 15px; height: 10px; background-color: #FF8C00; border: 1px solid #000;"></td><td>Off track</td><td>(0)</td></tr> <tr><td style="width: 15px; height: 10px; background-color: #A9A9A9; border: 1px solid #000;"></td><td>Not started</td><td>(1)</td></tr> <tr><td style="width: 15px; height: 10px; background-color: #FFD700; border: 1px solid #000;"></td><td>Complete</td><td>(1)</td></tr> </table>		On track	(8)		Off track	(0)		Not started	(1)		Complete	(1)
	On track	(8)													
	Off track	(0)													
	Not started	(1)													
	Complete	(1)													
	<p><b>OUR LOCAL ECONOMY</b></p> <p><i>Aspiration:</i> An active and engaged community.</p> <p><i>Strategies:</i> E1 Support initiatives for local business. E2 Active and engaging town and city centres.</p>		<table border="0"> <tr><td style="width: 15px; height: 10px; background-color: #0070C0; border: 1px solid #000;"></td><td>On track</td><td>(3)</td></tr> <tr><td style="width: 15px; height: 10px; background-color: #FF8C00; border: 1px solid #000;"></td><td>Off track</td><td>(0)</td></tr> <tr><td style="width: 15px; height: 10px; background-color: #A9A9A9; border: 1px solid #000;"></td><td>Not started</td><td>(1)</td></tr> <tr><td style="width: 15px; height: 10px; background-color: #FFD700; border: 1px solid #000;"></td><td>Complete</td><td>(0)</td></tr> </table>		On track	(3)		Off track	(0)		Not started	(1)		Complete	(0)
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	Complete	(0)													
	<p><b>LEADERSHIP &amp; GOVERNANCE</b></p> <p><i>Aspiration:</i> An active and engaged community.</p> <p><i>Strategies:</i> L1 Accountable and good governance. L2 Proactively communicates and consults. L3 Strong stewardship and leadership.</p>		<table border="0"> <tr><td style="width: 15px; height: 10px; background-color: #0070C0; border: 1px solid #000;"></td><td>On track</td><td>(6)</td></tr> <tr><td style="width: 15px; height: 10px; background-color: #FF8C00; border: 1px solid #000;"></td><td>Off track</td><td>(0)</td></tr> <tr><td style="width: 15px; height: 10px; background-color: #A9A9A9; border: 1px solid #000;"></td><td>Not started</td><td>(2)</td></tr> <tr><td style="width: 15px; height: 10px; background-color: #FFD700; border: 1px solid #000;"></td><td>Complete</td><td>(0)</td></tr> </table>		On track	(6)		Off track	(0)		Not started	(2)		Complete	(0)
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**OUR COMMUNITY**

Aspiration: An active and engaged community.

Outcomes	Strategies	Actions	Timeframes				Status	Comments	
			19/20	20/21	21/22	22/23			
C1 A strong sense of community through the provision of quality services and facilities.	C1.1 Plan and provide a range of community facilities and services to meet current and future needs.	C1.1.1 Implement the approved future option for the Maylands Waterland site.	●	●	●	●	On Track	At the 3 September OCM Council voted to close Maylands Waterland for the 2019/20 season and reallocate any savings towards the redevelopment. The City will continue to work with the Maylands Waterland Working Group to develop a concept design.	
		C1.1.2 Implement a library services strategy.	●	●	●	●	On Track	An assessment has been completed and a summary of findings will be presented to ELT in October.	
		C1.1.3 Investigate possible locations for permanent event stage structures within the City's Regional reserves.	●	●			On Track	An internal assessment has been completed. Options and possible costs will be presented to a Councillor Workshop in the next quarter.	
	C1.2 Deliver community programs that encourage community interaction and participation.	C1.2.1 Develop and implement a Community Recreation Plan.	C1.2.1 Develop and implement a Community Recreation Plan.	●	●	●	●	On Track	A project plan and scope of works is currently being developed and will be presented to ELT late October, then a Councillor workshop in November.
			C1.2.2 Deliver and implement a youth plan.	●	●	●	●	On Track	The City's inaugural Youth Action Plan, "The Platform" was adopted by Council on 3 September 2019. The adopted document is being designed and typeset. Once complete it will be made available on the City's website and launched externally to key stakeholders.
			C1.2.3 Develop and implement a Public Health Plan.	●	●	●	●	Complete	The Public Health and Wellbeing Plan was adopted by Council in June 2019. Actions will be implemented as part of ongoing business as usual operations.
			C1.2.4 Develop and implement a Culture Plan.	●	●	●	●	On Track	The Cultural Plan 2019-2024 was adopted by Council on 23 July 2019 and has since been published and distributed to stakeholders. An implementation plan is currently being developed and is expected to be completed in October, at which time the City will begin recording progress against the Plan's listed deliverables and opportunities.
	C1.3 Deliver a safety service which builds a strong sense of community safety.	C1.3.1 Apply Crime Prevention Through Environmental Design principles in Town Centre developments.	C1.3.1 Apply Crime Prevention Through Environmental Design principles in Town Centre developments.	●	●	●	●	On Track	The Morley Activity Centre Plan includes a number of provisions to encourage CPTED principles. The scheme now includes provisions to locate large parking areas behind buildings and have visual permeability for ground floor shops to allow eyes on the street. A recent example is the approved conversion of restaurants along Rudloc Road and Russell Street to a mix of land uses which promote activity day and night.
			C2.1.1 Review of Aged Care assets.	●	●			On Track	A valuation report has been received from the independent valuer and is currently being considered by all parties.
C2 Accessible services that recognise diversity.	C2.1 Ensure the City's services and facilities are accessible and inclusive.	C2.1.1 Review of Aged Care assets.	●	●			On Track	A valuation report has been received from the independent valuer and is currently being considered by all parties.	



**OUR NATURAL ENVIRONMENT**

Aspiration: A green and sustainable environment.

Outcomes	Strategies	Actions	Timeframes				Status	Comments
			18/20	20/21	21/22	22/23		
N1 Natural environment and biodiversity that are conserved and protected.	N1.1 Develop and implement management strategies to strengthen the resilience of the environment.	N1.1.1 Develop and implement a City of Bayswater Environmental liveability framework including biodiversity, climate change, and urban forest.	●	●	●	●	On Track	This project is currently progressing towards milestone two. This includes updating project documentation and liaising with Curtin University with an aim to develop a partnership to support the project. The City will open to expression of interest from community experts by the end of 2019.
		N2.1.1 Review waste collection practices, investigate and implement alternative waste treatment technologies, including Food Organics and Garden Organics (FOGO).	●	●	●	●	On Track	Implementation of a FOGO bin system is expected at or by 1 July 2020. Composting workshops have also been rolled out in collaboration with community groups (eg Environment House) to educate the community about home composting and waste reduction.  The City is liaising with the EMRC regarding the Container Deposit Scheme and has also implemented several new waste initiatives, including green waste bulk bins, online bulk bin ordering, bulk waste recycling, light globe and battery collection sites, and e-waste collection. New waste initiatives, such as dog waste compost bins in reserves, are being investigated. Investigation into alternative waste treatment technologies, such as Pyrolysis and Waste to Energy, with continue in conjunction with the EMRC.
N2 A resilient community that responds to sustainability challenges.	N2.1 Provide innovative waste and recycling services to reduce waste and empower the community to do the same.	N2.1.2 Deliver waste education to the community in partnership with other stakeholders.	●	●	●	●	On Track	Waste education for the community is continuing via Cleanaway, EMRC and Boomerang Alliance. Composting workshops have been rolled out in collaboration with community groups to educate the community about home composting and waste reduction. This helps remove waste from the municipal waste stream, which is expected to have significant cost and environmental benefits.



**OUR BUILT ENVIRONMENT**

Aspiration: A quality and connected built environment.

Outcomes	Strategies	Actions	Timeframes				Status	Comments
			18/20	20/21	21/22	22/23		
B1 Appealing streetscapes.	B1.1 Develop and maintain streetscapes.	B1.1.1 Develop and implement a streetscape upgrade plan for Morley and Bayswater.	●	●			On Track	The draft Morley Streetscape plan was adopted by Council for advertising on 23 July 2019. Advertising of the plan has been completed and the outcome of the consultation will be reported to Council by December 2019.  The Bayswater Streetscape plan will not be prepared by the City now that DevelopmentWA are involved in the Bayswater town centre. The City will work with Development WA and PTA.
		B1.1.2 Develop and implement a streetscape upgrade plan for Noranda.			●		Not Started	In accordance with the Corporate Business Plan, work on this project is not due to commence until 2021.
B2 A connected community with sustainable and well maintained transport.	B2.1 Advocate for safe and accessible public transport.	B2.1.1 Partner with the Department of Transport to deliver strategic bicycle routes.	●	●	●	●	On Track	In July the City made a Stage 1 funding submission to the Department of Transport Cycling division to support widening the Recreational Shared Path along Riverside Gardens in the 2020/21 financial year. The submission was not successful on this occasion. The City is awaiting further rounds of grant opportunities. The City is also in discussion with the Department of Transport in regards to the Leake Street/Whatley Crescent signalised pedestrian crossing.
		B2.1.2 Complete and implement a City wide Local Area Traffic Management Study.	●	●	●	●	Complete	The study was completed and endorsed by Council in 2018. An implementation plan was completed and adopted by Council in March 2019. Recommendations from the study will be implemented as part of ongoing business as usual operations.
		B2.1.3 Develop remaining Parking Management Strategies for Town Centres.	●	●	●	●	On Track	Parking Management Strategies for Morley and Maylands have been adopted and implementation is underway.  A short-term parking improvement plan for Bayswater town centre was adopted by Council on 3 September 2019. Implementation is currently underway. New time restriction signs have been installed along Olfe Street, with more to follow. Plans are being prepared for line marking of new bays along King William Street, and it is anticipated work will commence by early next year (before train station parking is removed).

		B2.1.4 Investigate a pedestrian friendly shared place in the Bayswater Town Centre.	● ● ● ●	On Track	Will be implemented with the Metropolitan Redevelopment Authority (MRA) and Public Transport Authority (PTA) in the redevelopment of the Bayswater Station and the surrounding precinct. The City will seek to influence the detailed road and public realm design of these two agencies.
B3 Quality built environment.	B3.1 Develop plans, policies and guidelines for quality built form.	B3.1.1 Prepare a Structure Plan and built form policies for each town centre - Maylands, Morley, Noranda and Bayswater.	● ● ● ●	On Track	The Morley Activity Centre Plan has been approved by the Western Australian Planning Commission (WAPC) and is currently being implemented. Funding of a plan for Walter Road West has been included in the 2019-20 Budget and work is scheduled to commence in February 2020. The Meltham Station Precinct Structure Plan has been approved by the WAPC and new zoning has been implemented. The Bayswater Town Centre Structure Plan is with the WAPC for approval and it is not known if or when it will be determined, in light of the MRA coming into the area.
		B3.1.2 Develop and implement a Local Planning Strategy and develop a new town planning scheme.	● ● ● ●	On Track	The draft LPS was approved for advertising at the 30 April 2019 OCM. It is now with the WAPC for their consent to advertise.
		B3.1.3 Review and implement the Municipal Heritage Inventory and associated processes.	● ● ● ●	On Track	The draft inventory advertising period closed 29 August. Officers are now reviewing the submissions and a report on the comments received will be put to Council by the end of 2019.
	B3.2 Facilitate the development of activity nodes.	B3.2.1 Facilitate the development of shopping precincts.	● ● ● ●	On Track	A report on the options for the Bedford shopping precincts will be presented to Council by the end of 2019.

 **OUR LOCAL ECONOMY**  
Aspiration: A business and employment destination.

Outcomes	Strategies	Actions	Timeframes				Status	Comments
			19/20	20/21	21/22	22/23		
E1 Support initiatives for local business.	E1.1 Implement initiatives that support business growth.	E1.1.1 Create precinct marketing plans that itemise the qualities of the town centres and transmits them to the public.	●	●			On Track	The project is currently being scoped to commence in early 2020.
E2 Active and engaging town and city centres.	E2.1 Increase public amenity in town and city centres to enhance community interaction and public safety.	E2.1.1 Strengthen the Morley City Centre as a pedestrian friendly environment to meet the requirements of a Strategic Metropolitan Centre.	●	●	●	●	On Track	The draft Morley Streetscape plan was adopted by Council for advertising at the 23 July 2019 OCM. Advertising has now been completed and the outcomes of the consultation will be reported to Council by December 2019.
		E2.1.2 Implement Town Centre Activation Plans.					On Track	The Place Managers continue to implement the activation plans for Bayswater, Maylands, Morley and Noranda. In Bayswater, concept plans are being finalised for the laneway activation project connecting King William Street and Whatley Crescent. This initiative is part of a larger proposal to the State Government seeking funding to activate the town centre and offset many of the negative impacts on local businesses during the redevelopment of Bayswater Train Station. In Noranda, the City hosted a community planting day in the Noranda Nook on Saturday 21 September, with over 50 local residents in attendance. A new pathway has also been installed to connect the McGilvray Avenue pathway though to the Hawaiian's shopping centre, the Noranda Nook and Morley Noranda Recreation Club. New age-friendly 'patio-style' seating has also been installed around the pathway. This is in response to the community priority within the Noranda Place Activation Plan to connect the built environment and improve walkability around the shopping centre and surrounding recreational facilities.
		E2.1.3 Develop and implement a Public Art Strategic Plan.	●	●			Not started	This project is on hold pending funding. Funding will be considered in the FY2021 budget.



**LEADERSHIP & GOVERNANCE**

Aspiration: Open, accountable and responsive service.

Outcomes	Strategies	Actions	Timeframes				Status	Comments
			18/20	20/21	21/22	22/23		
L1 Accountable and good governance.	L1.1 Ensure policies, procedures and practices are effective.	L1.1.1 Investigate opportunities to simplify processes and reduce red tape in all areas of the City's business.	●	●	●	●	On Track	Individual work areas are continuing to look for opportunities to reduce red tape, and implementing new programs to do so, such as the Open Street Events program.
	L1.2 Deliver long term financial planning.	L1.2.1 Develop a land asset disposal and acquisition strategy and program, including review of use.	●	●			On Track	The City has employed a specialist on a fixed-term contract to prepare the strategy. It is on track to be presented to a Councillor Workshop by end of 2019.
L2 Proactively communicates and consults.	L2.1 Communicate and engage with the community.	L2.1.1 Develop a public relations and marketing strategy, including online and social media.	●	●			On Track	An overarching Communications and Marketing Strategy is currently being drafted. A specialist social media agency has been engaged to assist in the development of a Social Media Strategy.
		L2.1.2 Undertake a community perception survey every two years.		●		●	Not Started	The next Community Perceptions Survey is scheduled for 2020/2021. Work will commence closer to the date.
	L2.2 Provide quality customer services to the community.	L2.2.1 Develop, review and implement processes and corporate systems to be more responsive to community needs and contemporary customer interaction.		●	●	●	●	On Track
L3 Strong stewardship and leadership	L3.1 Provide Council with information and support to enable informed decision making.	L3.1.1 Co-ordinate ongoing training programs for elected members.	●	●	●	●	On Track	Coordination of Councillor training programs is provided as required and updated upon request. Information is provided to Councillors on an ongoing basis about relevant training courses and conferences.
		L3.1.2 Undertake annual staff satisfaction surveys.	●	●	●	●	Not Started	The next staff satisfaction survey is scheduled for early 2020. Work will commence in November 2019.
		L3.1.3 Provide an annual report on the implementation of approved strategies.	●	●	●	●	On Track	Project is still in planning stage due to the October election. It is anticipated that reports will begin to be delivered late 2019 or early 2020.

**10.5.1.3 Risk Management Assurance Reporting**

<b>Responsible Branch:</b>	Corporate Services	
<b>Responsible Directorate:</b>	Corporate and Strategy	
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Information Purposes
<b>Voting Requirement:</b>	Simple Majority Required	
<b>Attachments:</b>	1. 2019 JLT Public Sector Risk Report 2. Corporate Risk Issues 3. Risk Assessment Tables	
<b>Refer:</b>	Item 9.2: ARMC: 30.04.2019 Item 8.1: ARMC: 09.10.2018 Item 8.2: ARMC: 10.06.2018	

**SUMMARY**

For the Audit and Risk Management Committee to receive the November 2019 Risk Management Assurance Report and note the 2019 Jardine Lloyd Thompson (JLT) Public Sector Risk Report (**Attachment 1**).

The City's Risk Management Framework includes the Risk Management Policy, Risk Appetite Statement and the Corporate Risk Register and associated assurance reporting.

The Risk Management Assurance report is intended to demonstrate activation of the City's risk framework through examination of selected risk topics from the City's Corporate Risk Register. The report is also future-focused and involves scanning the external environment for emerging issues and conducting self-assessment against relevant sector reports.

The City's Corporate Risk Register includes 87 identified risk issues in the following categories: material operating risks; procurement and tendering; fraud and misconduct; business continuity; and strategic risks. The register is continually reviewed to include newly-identified and emerging issues and to remove any outdated or irrelevant risk topics. A summary of the City's Corporate Risk Issues is provided at **Attachment 2**.

**COUNCIL RESOLUTION****(MANAGEMENT COMMITTEE/OFFICER'S RECOMMENDATION)**

**That Council receives the November 2019 Risk Management Assurance Report and notes the sector risk priorities identified in the 2019 JLT Public Sector Risk Report.**

**CR BARRY MCKENNA MOVED, CR STEPHANIE GRAY SECONDED**

**CARRIED UNANIMOUSLY BY EXCEPTION (EN BLOC): 10/0**

**BACKGROUND**

The City is moving towards a greater focus on risk management, as demonstrated in its revised core framework documents and assessment processes which have filtered through the City's business (council reports, projects, event planning, occupational safety and health, and liability risk).

The City has also recently expanded its integrity documentation covering ethical decision making, fraud and misconduct control and complaints management. This integrity framework depicts the overarching connection between City policies, guidelines, training and awareness programs that ensure ethical decision making.

Awareness of risk management has also been raised with key external stakeholder engagements in the past twelve months from the Office of the Auditor General (OAG), Public Sector Commission (PSC) and Ombudsman WA in relation to good governance and administrative practice.

**EXTERNAL CONSULTATION**

Nil.

**OFFICER'S COMMENTS**

**Future Direction - Strategic Risk Focus**

It is proposed that future Assurance reports move away from examination of tactical risk issues (operational and project/program risks) to focus on the strategic risks (delivery, external, enterprise risks) to the City. More specifically these are risks that can impact service delivery outcomes, financial sustainability, strategy execution, workforce management, the City's organisational environment and infrastructure.

Future reporting will also focus on the material emerging risk issues identified by the sector to inform its focus and discussion. The 2019 JLT Public Sector Risk Report is a national risk survey of the local government sector delivering benchmarking updates and insights about risk mitigation and transfer; and is one such report of focus.

**JLT Public Sector Risk Report 2019: Key Risk Rankings**

Jardine Lloyd Thompson is a global insurer with a significant presence in the local government sector nationally and, based on claim data and the emerging risk environment, provides annual reports on the top risks identified by local government CEO's and general managers, ranked in order of priority.

It is proposed that future risk assurance reports be framed around the risk rankings identified in the JLT annual risk reports. .

The risks identified by JLT for 2019 across the sector are:



The 2019 report highlights the continued importance of financial sustainability with its ranking as the leading risk for the second year followed by Cyber incidents and reputational risks. It has also concluded that forward thinking local governments are engaging in data-backed risk profiling, gap analysis, and development and implementation of strategies to enhance employee engagement and protect the wellbeing of workers and test emergency management and business continuity plans.

With the complexity and variety of risks impacting the City changing at a rapid rate, it is essential to ensure there are regular forums to undertake self-analysis and discussion of the City's response to these issues. It is therefore proposed that the City undertake its own self-analysis against the 2019 JLT Public Sector Risk and other sector reports within future assurance reports.

### **Assurance Interview Observations**

The November 2019 assessment data in **Attachment 3** demonstrates that all risk issues had an acceptable level of adequate or effective controls. It is also positive to note that some risk issues have been downgraded in likelihood and consequence after mitigation activities are assigned.

In addition to the assurance exercise data, general observations in relation to the November 2019 exercise have also been made and include:

- *Risk Maturity*

The risk assurance exercise demonstrated that risk owners were able to: identify comprehensive controls in most circumstances; and plan and strategise to manage their risk issues. For example, the assessment found that inadequate resourcing of facility maintenance works was a risk factor, as such improvements to how works requests are submitted (to include the visual aspects of the work) were identified as a risk control. This and other factors evidence that the City's risk maturity is generally competent progressing towards proficient in certain areas.

- *Risk Assessment in Council Reports*

It is pleasing to note in April 2019 the standard Council Report template was amended to require all report recommendations and conclusions be assessed against the City's adopted risk tolerance statements contained within the Risk Management Framework. All council reports utilise the standard Council Report template except for planning matters which are of a technical nature and must comply with the Town Planning Scheme and the *Planning and Development Act 2005*.

This process is intended to provide boundaries and expectations, so that Council can consider what risks apply to their decision-making resulting in a culture where decisions are made with consideration for risk.

- *Occupational Safety and Health Framework*

The City's Occupational Safety & Health (OSH) framework has recently been launched and is based on the same assessment process and tools outlined in the Risk Management Framework. This will ensure that the City uses a single process across Corporate, Project, Events and OSH Risk which is aligned to the current industry standard.

### Emerging Issues

Whilst it is important to prioritise risks in terms of their potential impact, regular surveillance of the possible implications of emerging risks is equally important. One of the significant changes for the sector has been the commencement of performance audits by the OAG. The OAG has developed an annual program, and current or impending topics include:

- Governance in Local Government:** The operations and governance arrangements of Local Government entities in Western Australia are informed by the *Local Government Act 1995* and the subsidiary regulations. The OAG will examine whether local governments have effective governance arrangements in place. The audit will focus on three questions: are roles and responsibilities understood within local governments; is there appropriate oversight or review processes within local governments; and do local governments operate with healthy organisational cultures. Tabling of this topic is planned for the fourth quarter of 2019.
- Local Government Waste Management:** The OAG has tabled Waste Management as an audit topic for the first quarter of 2020 examining whether local government entities plan and deliver effective waste management services to their communities. The audit will focus on the following lines of enquiry: Are waste services planned to minimise waste and meet community expectations? Do local government entities deliver effective waste services? Does the State Government provide adequate support for local waste planning and service delivery?
- Management of contract extensions and variations:** The OAG recently conducted an audit of contract extensions and variations. The objective was to assess whether local government entities managed their contract renewals or extensions and variations effectively, and whether local governments were maintaining complete and accurate records of contract. The City of Bayswater was one of the local governments elected for this audit in July – August 2019, and the audit results will be advised to the Audit and Risk Management Committee once they are released by the OAG.

### LEGISLATIVE COMPLIANCE

Regulation 17. of the *Local Government (Audit) Regulations 1996* requires the CEO to periodically review the systems and procedures in relation to risk management, internal controls and legislative compliance.

### OPTIONS

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

Option 1	Council receives the Risk Management Assurance Report		
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome	
Strategic Direction	Moderate	Low	
Reputation	Low	Low	
Governance	Low	Low	
Community and Stakeholder	Moderate	Low	
Financial Management	Low	Low	
Environmental Responsibility	Low	Low	
Service Delivery	Low	Low	
Organisational Health and Safety	Low	Low	
<b>Conclusion</b>	This option will provide confidence to the Audit and Risk Management Committee that the City has transparent and accountable processes in place in relation to Risk Management.		

Option 2	Council not receive the Risk Management Assurance Report	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Moderate
Reputation	Low	Moderate
Governance	Low	Moderate
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Moderate
Environmental Responsibility	Low	Low
Service Delivery	Low	Moderate
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	This option does not provide appropriate guidance to the Audit and Risk Management Committee.	

### FINANCIAL IMPLICATIONS

Nil.

### STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Leadership and Governance.  
 Aspiration: Open, accountable and responsive service.  
 Outcome L1: Accountable and good governance.

### CONCLUSION

That the Audit and Risk Management Committee receives the November 2019 Risk Management Assurance Report and notes the sector risk priorities identified in the 2019 JLT Public Sector Risk Report.

Attachment 1



## 2019 KEY RISK RANKINGS IN ORDER

-  **1.** Financial Sustainability
-  **2.** Cyber incidents/IT infrastructure
-  **3.** Reputation Risk
-  **4.** Natural catastrophes/Climate change
-  **5.** Property & Infrastructure management
-  **6.** Increased statutory and/or regulatory requirements
-  **7.** Ineffective governance
-  **8.** Business continuity and community disruption
-  **9.** Effective HR and/or WHS management
-  **10.** Environmental management
-  **11.** Errors, omissions or civil liability exposure
-  **12.** Theft, fraud and/or crime
-  **13.** Terrorism

2019	2018
1  Financial sustainability	Financial sustainability
2  Cyber incidents/IT infrastructure	Theft, fraud and crime
3  Reputation risk	Reputation risk
4  Natural catastrophe/Climate change	Increased statutory and/or regulatory requirements
5  Property and Infrastructure management	Environmental Management
6  Increased statutory and/or regulatory requirements	Property and Infrastructure management
7  Ineffective governance	Natural catastrophe/Climate change
8  Business continuity and community disruption	Cyber incidents/IT infrastructure
9  Effective HR and/or WHS management	Business continuity and community disruption
10  Environmental Management	Ineffective governance
11  Errors, omissions or civil liability	Effective HR and/or WHS management
12  Theft, fraud and crime	Errors, omissions or civil liability
13  Terrorism	Terrorism

## A NOTE FROM GARY OKELY

In our second edition of the JLT Risk Report, we take an in depth look at the risk information provided by CEO's and General Managers and share the key risks faced by Councils with the entire Local Government community. With the complexity and variety of risks changing at a rapid rate, Local Government finds itself in a central role for many of these due to their multi-faceted business and community focused operation. Management of these risks creates both opportunities and challenges for Local Government as they look to lead economic stability, climate change, cyber security and community safety.

The JLT Risk Report showcases the sensitivity and risk challenges that are faced by councils.

This report reflects the information that General Managers and CEO's of Local Government see as their key risks. Underpinning these results is the analysis of this data benchmarked against our claims data. This provides the broadest and most significant risk report of Local Government information across Australia and is able to provide industry insights and alignment of real scenarios that impact Councils. We can confidently say this because responses to the survey came from Metropolitan, Regional City, Regional and Rural/Remote councils and from every Australian State and Territory.

Thank you to all General Managers and CEOs who participated in the survey. I am sure you find the JLT Risk Report informative and will valuable.



**GARY OKELY**  
Head of JLT Public Sector, Pacific

A handwritten signature in white ink, appearing to read 'Gary Okely', positioned below the portrait photo.

# OVERVIEW

The JLT Risk Report analyses the feedback from Local Government CEOs and General Managers on the key risks they view as a potential impact on councils. These risks are benchmarked against our 2018 Risk Report as well as claims and risk data from over 500 councils nationally.

This year's findings once again highlight the complexity of Local Government operations.

This report examines the claims and risk environment within Local Government and highlight the top risks identified by Local Government CEOs and General Managers.

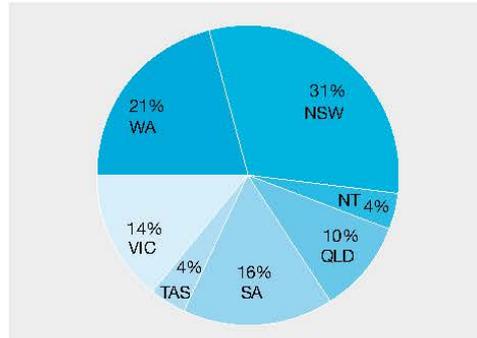
### Risk Rankings

1. Financial sustainability
2. Cyber incidents/IT infrastructure
3. Reputation risk
4. Natural catastrophe/Climate change
5. Property and Infrastructure management
6. Increased statutory and/or regulatory requirements
7. Ineffective governance
8. Business continuity and community disruption
9. Effective HR and/or WHS management
10. Environmental management
11. Errors, omissions or civil liability
12. Theft, fraud and crime
13. Terrorism

The report highlights the continued importance of financial sustainability with its ranking as the leading risk for the second year. The greater awareness and activity in Cyber incidents brought this risk down to the number 2 position followed by Reputational Risks which maintained the number 3 position from 2018.

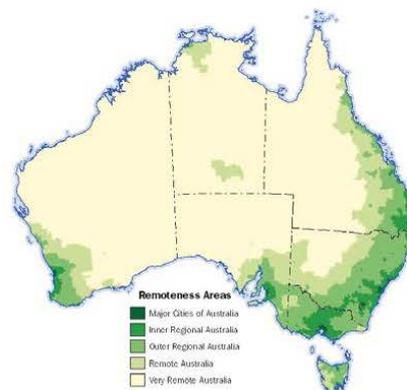
### Survey Respondents

The responses received across Australia to the Risk Survey were well balanced with a cross section of Metropolitan, Regional City, Regional and Remote/Rural Councils spread across the states.



Metro/Regional City / Regional/Rural & Remote	Response Percent
Rural/remote	40.0%
Regional Council	29.0%
Metropolitan Council	21.0%
Regional City	10.0%

It is important to recognise the representation of responses. Remoteness is based on the level of access to services and the following map by the ABS shows these levels from rural/remote to metropolitan. The significant response from rural/remote council indicates the impact of risks as the sustainability of these councils.



The following chart showcases the vast thoughts across metropolitan, regional city, regional and rural and remote councils on the risks.

Sample: Metro/Regional City/Regional/Remote Rural



As new risks evolve or existing risks become more complex, the mitigation of these are paramount in reducing the impact on Local Government and the community.

Tailored programmes and risk protection methods enables Councils to feel assured they are protected against loss and disruption, reducing the impact on services to their communities.

# 2019 OUTCOMES



## RISK 1. FINANCIAL SUSTAINABILITY

The leading risk Councils are facing continues to be Financial Sustainability. The major driver continues to be limitation of revenue growth, operations, rate capping along with cost shifting from State and Federal Government to Local Government. As the shift of asset and infrastructure costs continue, Councils are required to be more resourceful so that they manage their existing operations along with new activities.

With an 8% increase on the 2018 survey in selecting this as the leading risk, this demonstrates the increasing concerns Councils have in this space.

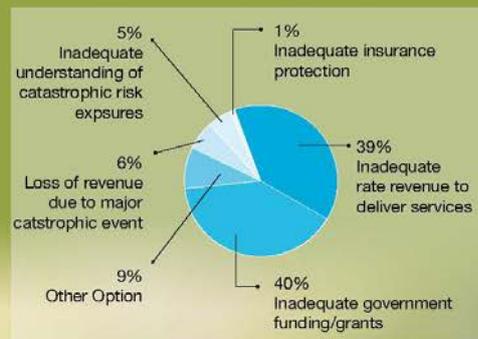
Of the respondents who rated financial stability as their primary concern as a risk, 52% were from rural councils, followed by 26% being regional councils. Regional city and metropolitan councils made up the remaining 22% concerns.

Local Government employs over 190,000 people and owns and manages \$410B in assets. With controls from Federal and State Budgets affecting their funding and management of rates, it is no surprise that Financial Sustainability maintains its number one ranking.

The above figures link with the leading concerns regarding financial sustainability that inadequate rate revenue to deliver services and inadequate government funding grants leads to pressures for councils.

JLT has compared the cost of risk against Council revenues and asset values for many years. In recognising the financial pressure on Councils, our objective is to provide long term price stability beyond the traditional

cyclical nature of insurance markets. Recent weather events in northern Australia and planning related matters have created challenges in some areas however Local Government's investment in risk activity has had very positive impacts on the outcomes that are achieved.





## RISK 2. CYBER INCIDENTS/IT INFRASTRUCTURE

As a continually growing and evolving issue globally, this demonstrates Local Government's recognition of this risk and the potential for current and future exposures.

As more and more councils become smart cities, improving the liveability, productivity and sustainability of their communities, they are, or are going to embrace the Internet of Things (IoT) to deliver services.

Digital technology coupled with data is beneficial in delivering efficient services, however the technological infrastructure needs to be maintained to manage the fast pace changes of the digital world and ensure it is protected so the community is not impacted.

Moving from 8th position in 2018, respondents said that the second highest concern facing Local Government was Cyber Incidents and IT Fraud. Regional and metropolitan Councils primarily voiced this concern at 93%.

The leading concern in the Cyber space was the emergence of cyber-attacks with 22% of respondents identifying this as their biggest cyber risk. This was closely followed by Council IT infrastructure being unable to keep pace with cyber changes with the third cyber concern being Data fraud and security risks.

To highlight the continual evolution of cyber risks, the insurance market is adapting to identify non-affirmative or silent cyber risks and how protection is now being provided. Lloyds of London have already detailed that all property damage policies will have to specify if Cyber coverage is included or specifically excluded in the policy wording.

In 2018, there was an increase of 350% in ransomware attacks, 250% in email compromise attacks and 70% of phishing attacks. This aligns with the increase in the ranking of cyber to being the second highest risk Councils see they face.

As digital technologies evolve and become a significant driver of business, this report indicates Local Government will see this as a leading concern now and into the future.

As Councils rely increasingly on internet connectivity to carry out business operations, they are more vulnerable to cyber risks.

Network intrusion, hacking, phishing, cyber extortion and social engineering are just some of the ways that today's organisations can have their information assets compromised. As the frequency of cyber-attack incidents increases and are publicised, so is the appetite for Councils to invest in the mitigation of their cyber risks.

In South Australia, LGRS introduced the Cyber Vulnerability and Risk Profiling service as a "Whole-Of-Business" approach to help Councils to manage their cyber risks. In order for Members to understand their cyber risk profile, it was crucial for participating Councils to be aware of the value and information assets and the repercussions should there be a cyber breach. To date, the common issues identified for Local Government include:

1. Business Continuity and Disaster Recovery not tested/ lacking documented processes
2. Mobile Device Management (MDM) with the potential for lost or stolen device being used to access Council email system.
3. Multi-factor authentication for external services to protect services such as email accounts and other logins to external systems.
4. Lack of utilising auditing and logging functions to capture events to raise visibility of possible malicious activity





### RISK 3. REPUTATION RISK

Reputational risks maintained the third highest risk ranking that Council's and the CEO/General Managers face. The loss of community trust in Council was the biggest concern with 74% of Councils raising this, followed by losing trust in Council staff and then loss of trust in Councils with failure to undertake legislative requirements their third concern. 10% of respondents were concerned about investigations by ICAC and other governing bodies.

In the past 12 months, claims data for Councillors & Officers insurance has had an upward trend of 11.24% across Australia, with a 26% increase in claims in the past two years. In addition to the claim numbers reported, costs of defending these matters have increased dramatically due to the sensitive and emotive nature of these claims. The most common causes reported arise

from elected member conflicts, increased regulatory activity and employment disputes. Claim reports also increase following election cycles.

Council CEO's are very aware that the Council's reputation is paramount in maintaining community trust and the emergence of Audit Committee's requiring consideration of "risk" issues is a positive move.



### RISK 4. NATURAL CATASTROPHES/CLIMATE CHANGE

Moving up the ranks is the risk and impact of natural catastrophes and climate change. With 32% of respondents noting their major concern surrounding damage to Council assets and infrastructure, followed closely by 29% stating bushfire, flood and cyclones as a contributor to this risk rating.

Disaster Assist has stated that in 2018 there were 55 Australian disasters incorporating 29 Bushfires, 6 cyclones along with 19 floods and/or storms and 1 monsoon. This is an increase of 12 events on 2017. With a 28% increase in one year and a 34% increase in five years of natural disasters in Australia, this underpins the reason Local Government have this concern.

In 2017, IAG estimated the cost of natural disasters to reach \$39 Billion by 2050. This continual increase in catastrophes and climate change being a contributor to this, respondents have again highlighted the seriousness of these events on councils. CEOs and General Managers noted in responses real concern regarding the uncertainty and severity of events. As events increase, 17% of respondents further noted that the impact and disruption of the community was a concern.

The financial impacts from significant events is very expansive and while insurance of assets can provide significant protection, in reality, a number of community assets remain uninsured, The Federal Government continues to review funding mechanisms for Natural Disasters and there have been changes to the National Disaster Fund Programme (NDFP) during the last 12 months that will impact Local Government. From a risk management perspective Local Government and the insurance industry have been lobbying the Federal Government to invest more funds in risk mitigation and the recent Federal Budget showed some promising signs with the Morrison Government announcing \$3.9 Billion to fund disasters, including funding for risk mitigation.





## RISK 5. PROPERTY AND INFRASTRUCTURE MANAGEMENT

Local Government has substantial ownership of property and infrastructure. Moving up from the ranking of #6 in 2018, 35% of Councils' responses to this question noted once again, natural catastrophe damage to infrastructure and equally inadequate capacity to finance their asset base as the leading concerns regarding this risk.

These concerns were followed by 26% of Council having the concern of State and Federal Government transferring the responsibility of assets to Local Government. In a catastrophic event, damage impacts infrastructure assets and the financial loss from disasters can be significant.

Since 2014, the top 10 catastrophes in Australia have been at a cost of \$8,430,203,933.

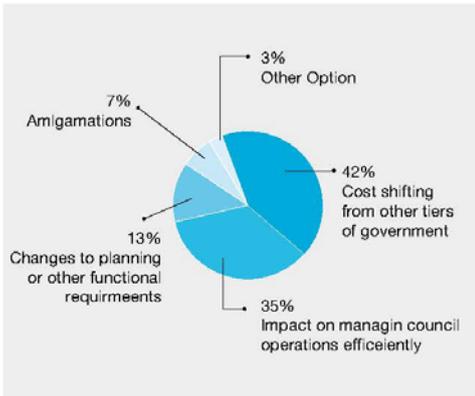
Year	Catastrophe	Normalised Loss
2019	Townsville Floods	Over \$1,000,000,000*
2019	NSW Hail Storm	Over \$670,000,000*
2018	Cyclone Trevor	Not yet disclosed
2017	Cyclone Debbie	\$1,781,599,484
2014	Brisbane Hailstorm	\$1,535,440,024
2015	East Coast Low	\$1,059,849,563
2018	NSW Metro & Regions Hailstorm	\$1,038,704,566
2016	November Hailstorm	\$621,470,779
2015	Severe Tropical Cyclone Marcia	\$573,653,503
2017	Sydney Storm	\$529,694,379
2015	Anzac Day Sydney Hailstorm	\$470,819,649
2016	East Coast Low	\$431,566,695
2015	SEQ Extreme Weather	\$387,405,291

\*Accurate data has not yet been released, these are estimated figures.

The number of property damage claims by councils arising from cyclones, storms, floods and bushfires since 2014 equate to 19.64%.



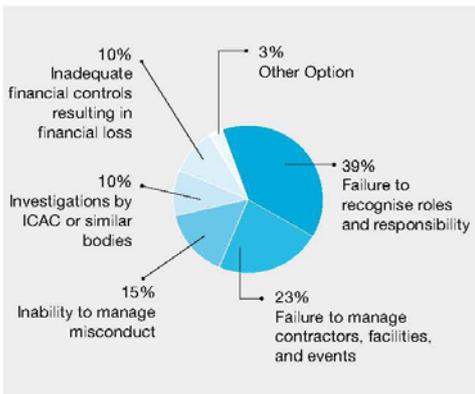
**RISK 6. INCREASED STATUTORY AND REGULATORY REQUIREMENTS**



The increasing focus of compliance and transparency, cost shifting from other tiers of Government and the impact on Councils continued in the 2019 response rate. This links with 35% of responses stating their concern that increased statutory and regulatory requirements reduce capacity to deliver effectively and efficiently to their communities.



**RISK 7. INEFFECTIVE GOVERNANCE**



Risks arise from ineffective governance which often leads to reputational damage with Council's communities and other stakeholders. This risk has moved up from 10th place in 2018.

Again the key concern highlighted by councils was the failure to recognise roles and responsibilities within the organisation at 38% followed by 23% identifying a failure to manage contractors, facilities and events as a concern. 15% noted an inability to manage misconduct as a series issue and 20% of respondents shared concerns with investigations by ICAC or similar bodies or inadequate financial controls resulting in financial loss.

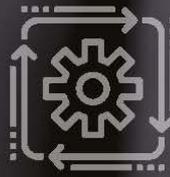




## RISK 8. BUSINESS CONTINUITY AND COMMUNITY DISRUPTION

Moving up one spot, responses to this question again showcased the diverse exposures that can lead to the need for business continuity management plans in order to minimise community disruption. Natural catastrophes such as bushfire, flood and storm were the highest concerns with 33% of CEOs and General Managers seeing this as a contributor. This links strongly with the concerns of risk 4 linking with natural disasters and climate change.

Having unplanned outage of IT or telecommunications was followed closely by 31% of respondents stating this as a serious issue, yet only 18% noted cyber threats as a contributing concern to business continuity and community disruption – even though Cyber Incidents and IT infrastructure ranked as the second highest risk overall in the Risk Survey.





## RISK 9. EFFECTIVE HR AND/OR WHS MANAGEMENT

Effective HR and/or WHS Management saw 39% of respondents noting health, safety and wellbeing of all employees was the high concern within this risk. This was followed closely with 31% concerned with Councils' limited capacity to attract and retain professional staff.

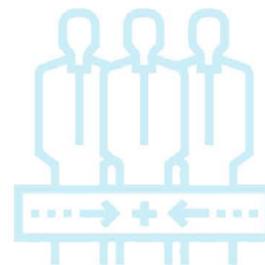
Maintaining the health, wellbeing and safety of employees within Local Government is a continuing challenge. This is none more so prevalent now with an ever increasing ageing workforce, which brings about additional challenges and risks to the workplace. Indeed, Australians are intending to work longer than ever before. ABS research released in 2016 revealed that 23% of Australians aged 45 and over intend to work to age 70, compared to only 8% in 2004-2005. Research suggests that many workplaces are failing to actively address their increasingly ageing workforce, with only one in three organisations taking measures to do so. This is despite ample evidence to support the financial proposition that investing in supporting an ageing workforce is a good idea. For example, based on some of our Mutual Scheme's workers compensation data over a 20 year period we have seen an average cost of a claim for a 55-64 year old incur in excess of 240% higher costs when compared to a 25-34 year old. Unfortunately, the sad reality is that as we age our body's capacity to recover, rehabilitate and return to work following injury or illness declines.

That being said, older employees can safely and productively remain at work, if policy and practices supportive of employee needs are in place. In South Australia, where the median age is the second highest in the country, we have run a 2 year pilot project charged with identifying and implementing such supportive policies and practices within Local Government. The pilot considered a whole of employment approach, with particular focus and attention on health, wellbeing, financial security, flexible age and retirement options. Deliverables such as a mentoring program, stretching program, financial health and wellbeing education headlined the pilot with Council employees participating reporting higher levels of engagement, self-reporting of future employment needs and improved overall physical, wellbeing and cognitive function. Whilst addressing the needs of an ageing workforce is not a simple fix and is multifactorial, it is important that Local Government considers this continuing long term risk and implements strategies aimed at mitigating potential future losses.

Related to the Ageing Workforce our survey identified that employee remuneration, training and development as a risk with 23% reporting this as a concern. Training and development is a critical investment area and in terms of managing an ageing workforce it is important to consider how a Council may transition an employee completing heavy, manual tasks into employment that can be sustained into the latter years of their working life. Fitness for work is a common risk for Local Government and where addressed in a proactive, positive manner it can contribute towards building workforce capability, productivity and safety. More often, we see fitness for work becoming an industrial avenue or a workers compensation matter, however with forward planning, identification of employment pathways and open and transparent communication with the entire workforce does not mean it has to be an adversarial process.

These results and concerns solidify Local Government commitment to providing a safe working environment and having health and wellbeing programmes to support employees.

With 23% noting employee remuneration, training and development as their third concerns within this risk, links with our knowledge of Councils looking for solutions for an ageing workforce, providing suitable employment those but also attracting and retaining young professionals.







## RISK 10. ENVIRONMENTAL MANAGEMENT

Moving five ranks down from 5th position is Environmental Management. South Australia and Western Australia were the primary states that recognised this risk, being represented by metropolitan and rural councils.

However, in breaking down the concerns within this risk, 69% of respondents recognised the impacts of climate change on future Council activities being the key contributor. This was followed by 25% noting risks of harm to people or the environment arising from waste facilities.



## OTHER IDENTIFIED RISKS

### ERRORS, OMISSIONS OR CIVIL LIABILITY EXPOSURE

Potential errors from Councils failing to adequately undertake regulatory roles create liability issues that result in financial loss, property damage or injury to others. Every year hundreds of professional indemnity claims are made against Local Government and these arise from simple planning matters to complex and large property developments. While the frequency of events are lower than general liability incidents, the complexity and severity of professional indemnity losses are quite significant.



### THEFT, FRAUD AND CRIME

A dramatic change from the 2018 survey was the placement of theft and fraud moving from second position to 8th. This demonstrates there is a shift in Local Governments view of theft from physical asset loss to electronic.



### TERRORISM

Terrorism was rated as a very minor risk to Local Government across Australia. While the risk of terrorism events are extremely rare in Australia, the consequences can obviously be extreme. The recent lone wolf attack in New Zealand demonstrates the challenges of identifying the potential of such events; and when such an event occurs, the effect on the local and global community is devastating and polarising. Having such events on Council's risk radar is important and developing and putting in place disaster response plans that can address terror related events is essential.



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**Attachment 2****Corporate Risk Issues**

<b>1. MATERIAL OPERATING RISKS</b>									
Risk Issue	Jan 2017	May 2017	Aug 2017	Dec 2017	Apr 2018	Oct 2018	April 2019	Oct 2019	
1	Theft of City Property	✓				✓			
2	Inappropriate or threatening behaviour		✓						
3	Working in Isolation			✓					
4	Workplace safety inspection/hazard identification	✓							
5	SDS and Hazards register				✓				
6	Workplace Inductions - New Employees					✓			
7	Site Induction and Task Analysis - Contractors/other				✓				
8	Emergency and Threat Evacuation						✓		
9	Hazard Reporting and Safety Representation	✓				✓			
10	Visitor sign in/sign out procedures								✓
11	Use of City Vehicles			✓					
12	Aged Care - Agency Reporting		✓						
13	Environmental Health Inspections - Food Handling					✓			
14	Environmental Health Inspections - Aquatic Centre Sampling and Testing						✓		
15	Environmental Health - Waste Management		✓						✓
16	Intellectual Property - Copyright and Media Creation				✓				
17	Public Swimming Pool Compliance - Pool Fence Inspections					✓			
18	Accounting Standards (Information Standards)	✓							
19	Investment Diversification	✓							✓
20	Corporate Credit Cards - Reporting and Reconciliation	✓							
21	Effective Media Engagement				✓				
22	Venue and Public Event Risk Management				✓				
23	Use of Social Media				✓				
24	Corporate Branding					✓			
25	Activation of Council Commitments						✓		
26	Community Engagement		✓						
27	Community Infrastructure						✓		
28	Facility Maintenance Planning						✓		
29	Corporate record keeping - document creation			✓					
30	Document Management and Retention			✓					
31	Failure to meet Legislative requirements in relation to Corporate Record Keeping			✓					
32	Recruitment and Training - Employment Reference and Qualifications Checks				✓				
33	Equal opportunity and diversity	✓							✓
34	Timekeeping and Performance Management	✓							
35	Training and Skills Development					✓			
36	Reporting of asbestos in City owned buildings					✓			
37	Testing and Tagging of electrical equipment.					✓			
38	Online Content Management								
<b>2. PROCUREMENT AND TENDERING</b>									
Risk Issue	Jan 2017	May 2017	Aug 2017	Dec 2017	Apr 2018	Oct 2018	April 2019	Oct 2019	
39	Supplier (Vendor) Validation				✓				
40	Invoice Certification	✓							✓
41	Business Efficiency - Quotation Business Rules								✓
42	Vendor Duplication			✓					
43	Market Testing Processes					✓			
44	Tendering (Over \$1,000) - Evaluation Panels						✓		
45	Contract Terms and Conditions				✓				
46	Contract Authorisation Limit	✓			✓				
47	Contract Execution and Review			✓					✓

48	Legitimacy of vendor request to transfer banking details						✓		
49	Implementing effective tendering process in accordance with Legislation.			✓					
50	Contract Payment Governance								
<b>3. FRAUD AND MISCONDUCT</b>									
Risk Issue		Jan 2017	May 2017	Aug 2017	Dec 2017	Apr 2018	Oct 2018	April 2019	Oct 2019
51	Revenue Fraud - Cash Handling	✓							✓
52	Mobile Technology Devices				✓				
53	Information Sharing - Confidential Information	✓							✓
54	Full Disclosure Reports							✓	
55	Gifts & Incentives - Gift Register			✓					
56	Management of City Equipment & Materials (Depot)								
57	Adequacy of City's Integrity Framework (Fraud & Corruption Control, PID Guidelines)								✓
<b>4. BUSINESS CONTINUITY</b>									
Risk Issue		Jan 2017	May 2017	Aug 2017	Dec 2017	Apr 2018	Oct 2018	April 2019	Oct 2019
58	Essential IT Systems - Power Supply	✓							
59	Data Recovery		✓			✓			
60	User Account Creation and Network Access	✓							✓
61	Community Disaster							✓	
62	Business Disruption due to Emergency Accommodation								
63	Business Continuity Planning			✓					
64	Disaster Recovery Planning (IT)			✓					
<b>5. STRATEGIC RISKS</b>									
Risk Issue		Jan 2017	May 2017	Aug 2017	Dec 2017	Apr 2018	Oct 2018	April 2019	Oct 2019
65	Financial Risks - Financial Management						✓		
66	Financial Sustainability					✓			
67	Political Risks - Council (Administrative Alignment)							✓	
68	Changing Government Agenda				✓				
69	Changing Role of Local Government						✓		
70	Natural Environment Risks - Water Availability							✓	
71	Managing Climate Variation								
72	Built Environment Risks - Built Form						✓		
73	Achieving Destination of Choice								
74	Technology Risks - Digital Environment		✓						✓
75	Social Risks - Managing Community Expectations						✓		
76	Resources - Workforce Planning		✓						✓
77	Organisational Processes - Organisational Direction				✓				
78	Internal Communications		✓						✓
79	Maintenance of Core Services - Waste Management	✓							
80	Infrastructure Assets - Asset Management and Sustainability Modelling						✓		
81	Future Planning of Asset Replacement and Major Redevelopment Projects							✓	
82	Major Asset Maintenance and Replacement (unplanned partial or total loss)			✓					
83	Managing the cost of recycling - impact on ban by China on imported recyclable materials					✓			
84	Developing and collating information in accordance with the <i>State Records Act 2000</i> .					✓			
85	Effective alignment of Corporate Reporting								
86	Urban infill v Tree retention								
87	Adequacy of the City's Privacy Controls								✓

Attachment 3

RISK ASSESSMENT TABLES

Risk #	Description of Risk	Risk Category	Existing risk rating			Current Controls	Existing Controls Rating	Nov 2019 risk rating			Further control activities	Risk Owner	Next Review
			Consequence	Likelihood	Rating			Consequence	Likelihood	Rating			
33.	<i>The City fails to implement equal opportunity and diversity requirements in accordance with legislation.</i>	Material Operating Risk	Major	Possible	Moderate	<p>The City has in place an Equal Opportunity (EEO) Management Plan in accordance with Section 145(1) of the Equal Opportunity Act 1984 (EO Act). People, Culture and Safety is taking a more integrated approach to meeting its EO commitments with a focus on language and accessibility.</p> <p>The City also has in place an Equal Opportunity Policy (2008) to ensure fair and equitable treatment of people accessing the City's services and facilities. In support the City has in place a Disability Access and Inclusion Plan (2016-2020) to ensure the City is providing excellent customer service to people with a disability or from a culturally and linguistically diverse background.</p> <p>The City has hosted Western Australian Disability Enterprises (WADE) in May 2019 which presented to operational staff on the opportunity to provide supported employment opportunities to those with disability. The City currently uses WADE for the cleaning of BBQ's at its park locations and interest has been expressed by other operational areas.</p> <p>An increased level of awareness and commitment has been demonstrated at a City level; recently negotiations for the City's Enterprise Agreement 2019 have now concluded and key changes to terms in the proposed agreement include paid Family and Domestic Violence Leave. There is also an HR team member on the panel of all new employee interviews to advocate equal opportunity and diversity requirements.</p>	Adequate	Major	Rare	Low	<p>The City's EEO Management Plan is due to be revised by the City in 2019 and the plan must be submitted to the Director of Equal Opportunity in Public Employment as soon as it has been prepared and endorsed. It is understood the management plan is with the Manager of People, Culture and Safety for final review and approval in late 2019.</p> <p>There has been shift in focus on training for City staff over the last twelve months with Disability Access and Inclusion, Bullying and Harassment training opened up to all staff. This type of training will feature on the City's Learning Management System (LMS) which is intended to manage ongoing training requirements for employees and will be launched in late 2019.</p>	Manager People, Culture and Safety	December 2020
41.	<i>Business Efficiency - quotation business rules are not adequately applied.</i>	Procurement and Tendering	N/A - newly identified risk issue			<p>The risk issue is centred on how City officers apply the quotation and tendering guidelines outlined within the City's Procurement Policy i.e. obtaining relevant number of quotations or conducting the relevant advertising in accordance with the contract value.</p> <p>The City's Procurement Policy (February 2019) contains procurement quotation and tendering requirements that are dependent on the value of the contract. This document is based on a model policy developed by WALGA. Categories generally outline: Contracts under \$1,000 require two verbal quotations; and Contracts over \$1,000 and up to \$40,000 to have three written quotations to contracts over \$150,000 which involves publically advertised tenders.</p>	Adequate	Moderate	Unlikely	Moderate	<p>The City must ensure there is a clear understanding of the Procurement and Execution of Documents/Application of Common Seal Policies and the Governance Manager has identified that he would like to devote time to workshopping the documents internally.</p> <p>A further improvement could also be a greater inter-collaboration of business areas i.e. looking to aggregate spend as opposed to entering into multiple contracts. These opportunities could be discussed at future Managers Meetings.</p>	Manager Governance	December 2020

Risk #	Description of Risk	Risk Category	Existing risk rating			Current Controls	Existing Controls Rating	Nov 2019 risk rating			Further control activities	Risk Owner	Next Review
			Consequence	Likelihood	Rating			Consequence	Likelihood	Rating			
47.	<b>Contract Execution and Review</b>	Procurement and Tendering	Moderate	Unlikely	Moderate	<p>Governing Legislation includes the Local Government Act 1995, Corruption Crime and Misconduct Act 2003, State Supply Commission Act 1991 and Local Government (Functions and General) Regulations 1996.</p> <p>Central documents include the tender register, contracts register, legal document register, common seal policy and document advice processes and financial system (ERP).</p> <p>A central register is maintained (within Governance) of contract expiry dates, and augments the statutory Tender Register. Originals of executed agreements are retained on a secure repository in the City's record system and copies are kept in the central records system.</p> <p>The City also has in place an Execution of Documents and Application of Common Seal Policy to establish procedures for affixing the City's common seal and determining whether a document is executed by way of common seal or signed by an authorised employee. These business rules ensure that the City is able to sign off on documents administratively.</p> <p>The policy limit of \$50,000 for contracts under common seal provides a control for authorisation of the majority of routine contracts. The records system is used to archive the originals of contracts, however the application of the common seal is dealt with through separate processes and the overall process is not integrated.</p> <p>The central contracts register is primarily used for tracking contract expiry dates and spot checking of contract terms and conditions. This is however dependent on manual tracking and is not integrated with the City's records system.</p> <p>Expenditure checks are periodically done to establish whether the City's expenditure is adequately covered by either its own contractual arrangements or prescribed agency (WALGA and State Government CUA) arrangements. Regular audits of payments are carried out and no significant issues have been raised.</p> <p>The 'start of process' control mechanism is the City's statutory tender register, which is supplemented by an administrative Contract Register. Regular audits test the payment claims against the contract rates. The 'end of process' control is the Annual Compliance Audit Return which covers several aspects of contract management, including contract extension and renewal.</p>	Adequate	Minor	Unlikely	Low	<p>The City has recently been audited by the OAG in relation to contract extensions and variations; out of that audit it is prudent that the City improve its data management and record keeping practices.</p> <p>Effective contract management includes</p> <ul style="list-style-type: none"> <li>(a) ensuring that the execution process meets policy requirements</li> <li>(b) following up contract expiry and taking appropriate renewal action</li> <li>(c) ensuring that price increase claims are in accordance with the terms and</li> <li>(d) negotiating vendor terms to achieve a fair balance of risk.</li> </ul> <p>Day-to-day operation aspects of contract management across the City is decentralised. Maintaining an effectively managed overall system requires a high level of manual tracking, and effectiveness would be increased through a systems-based approach that integrates all elements of contract management with the City's financial and record keeping systems.</p> <p>It has been identified during assessment that there is a lack of integrated reporting systems including a centralised contracts system. It is proposed that the City consider a centralised procurement arrangement or independent review of procurement including additional resourcing (additional staff).</p>	Manager Governance	December 2020

Risk #	Description of Risk	Risk Category	Existing risk rating			Current Controls	Existing Controls Rating	Nov 2019 risk rating			Further control activities	Risk Owner	Next Review
			Consequence	Likelihood	Rating			Consequence	Likelihood	Rating			
10.	<b>Visitor sign in/sign out procedures</b>	Material Operating Risk	Moderate	Unlikely	Moderate	<p>Currently the City operates a manual register at the front counter desk to record its visitors. Visitors sign in, note who they are visiting and are issued with a temporary tag which is returned when signing out. The City officer is called to the counter to meet their visitor.</p> <p>On occasion, tags are not returned which could cause danger if an unauthorised visitor walked into the building. Regular tradespeople also come into the building to collect keys from the building department. Often the building officers ask for the tradesperson to be allowed in and sent to the department.</p> <p>There are some access and security concerns identified including when meetings continue after hours with visitors, and whilst cash is being counted at customer service desk after hours.</p> <p>Recently, disability access doors have been fitted to the Civic Centre and operate on an automatic timer. Due to the timing of these doors, there was a security breach in September where a member of the public accessed the Civic Centre. In response to this breach the door timing has been shortened.</p>	Adequate	Moderate	Rare	Low	<p>A procedure is currently being developed by Customer Services in relation to safe sign in/sign out procedures and the development of an Information &amp; Communication Technology (ICT) Plan. The ICT Plan will outline hardware/software/services to implement in the next 5 years, to inform future planning, scheduling and budgeting. This will include the Visitor Management System.</p> <p>The Customer Service team has also identified process improvements including development of an electronic system sign in/sign out tablet. This concept is in the initial stages with IT and this will be developed into the Library and Customer Services Team Branch Plan.</p> <p>It has also been suggested that the Building Department meet tradespersons at the front counter with keys, reducing tradespersons walking around without a staff member whilst staff will be instructed to walk visitors who come in for after-hour appointments out of the building.</p>	Manager, Library & Customer Services	March 2020
15.	<b>Environmental Health - failure to provide an adequate Waste Management Service to the community</b>	Material Operating Risk	Catastrophic	Unlikely	High	<p>The City is guided by legislation including Health (Miscellaneous Provisions) Act 1911, Waste Avoidance and Resource Recovery Act 2007, Waste Avoidance, Resource Recovery Regulations 2008 and Code of Practice - Fatigue Management for Commercial Drivers 2004.</p> <p>The City has in place a comprehensive contract with a service provider (Cleanaway) and meets regularly with the service provider to discuss any issues or improvements.</p> <p>A new contract with Cleanaway has been entered into, with some qualification clauses to be finalised. A six month contract has been granted in relation to the transfer station at Collier Road as Council is workshopping the future of the site (and possibilities to relocate to Red Hill or City of Stirling waste centre in Balcatta).</p> <p>The Health Act 1911 is currently being reviewed on State level and is in the 4<sup>th</sup> stage of approval. (Stage 5 remaining. Once endorsed (possibly in the next 5 years) the City will transition to the Public Health Act 2016). In preparation of the Act the City has made some changes to its operations but is unable to amend local laws as advised by the State to hold until the new Act is passed.</p>	Adequate	Catastrophic	Rare	Moderate	<p>Cleanaway lease to be signed; both parties working through all clauses should be finalised by Sept 19. Comprehensive safety clauses are being incorporated within the lease along with requirement of sufficient Public Liability insurance reviewed by the City's Governance team.</p> <p>Research being conducted on the FOGO bin system (food organics and green organics placed in the same bin to create a high quality of compost). Some Regional Councils are trialling the system. This may possibly reduce costs of waste collection, however if not managed properly could lead to risks of land contamination.</p> <p>Regular workshops are being conducted by the City either solely or in collaboration with Cleanaway and/or State Agencies. This includes Waste Education, Composting, uses and benefits of kitchen compost bins, Bokashi bins &amp; worm farming.</p>	Manager Environmental Health	March 2020

Risk #	Description of Risk	Risk Category	Existing risk rating			Current Controls	Existing Controls Rating	Nov 2019 risk rating			Further control activities	Risk Owner	Next Review
			Consequence	Likelihood	Rating			Consequence	Likelihood	Rating			
19.	<b>Investment Diversification</b>	Material Operating Risk	Moderate	Unlikely	Moderate	<p>Investment Policy reinforces the City's commitment to maintaining conservative investments and prohibits speculative or volatile investments. All investments comply with:</p> <ul style="list-style-type: none"> <li>Local Government Act 1995 – Section 6.14;</li> <li>Trustees Act 1962 – Part III Investments</li> <li>Local Government (Financial Management) Regulations 1996 – Regulations 19, 19C, 28 and 49</li> <li>Australian Accounting Standards.</li> </ul> <p>Diversification of the investment portfolio aligns with the City's Risk Management Guidelines which outline maximum direct investments, exposure to a single institution and keeping within an ADI's credit rating. Credit ratings of ADI's are periodically graded by credit agency S&amp;P (Standard &amp; Poor's).</p> <p>Internal policies require investment recommendations to be attached with supporting paperwork which is checked and signed by two authorised signatories. The register is reconciled once a month when it is reconciled from the balance sheet. This is also checked and signed by an authorised signatory.</p> <p>Investment summary reports are provided to Council in the Agenda and Minutes each month. These reports shows balances in the Municipal and Aged ledgers and the amount &amp; percentage of Fossil Free investments.</p> <p>Registers, investment recommendations, and all controls are regularly checked by external auditors.</p>	Adequate	Moderate	Rare	Low	<p>The City's Investment Policy is periodically reviewed every three years.</p> <p>It was last reviewed in May 2019, after viewing the final Report from the Hayne Royal Commission which was into Misconduct in the Banking, Superannuation and Financial Services Industry.</p> <p>The Investment register has been moved from Property &amp; Rating into Finance One, which has now integrated the Investment register within the Treasury Ledger. This produces automatic journals, reports and balance sheets, reducing data entry errors. Balance sheets are reconciled monthly and signed off by authorised signatories.</p> <p>Other current checks remain as an ongoing practice.</p>	Manager Financial Services	December 2020
51.	<b>Revenue Fraud Cash handling</b>	Fraud and Misconduct	Major	Unlikely	Moderate	<p>Presently the City does not have any formalised cash handling procedures in place.</p> <p>End-of-day cash balancing is completed by the officer counting cash and a second officer checking and counter signing. The City's safe was previously located behind customer services and has now been moved away from customer sight, and located near switchboard.</p> <p>Maximum cash carried in each cash drawer (2) is currently \$5,000 each (total of \$10,000) cash is moved throughout the day to the safe near switchboard.</p> <p>Libraries have a limit for their customer's cash transactions of \$150 after which EFT has to be used. Cash couriers are used for cash being deposited into the bank. Petty cash transported from bank to Civic Centre by courier is then distributed to out-centres by each officer coming in.</p> <p>End-of-year audit conducted by Finance officers who receive float balances which are checked off against Finance records. Float balances are counted and signed by officer and manager at each centre, before they are sent to Finance.</p>	Adequate	Major	Unlikely	Moderate	<p>A recent internal audit in relation to the City's Fraud &amp; Misconduct controls identified that large amounts of receipts are taken in cash and that more formal training and documentation in cash receipting is required due to the inherent in large volumes of cash receipts.</p> <p>Process Improvements have been identified by Customer Services including reducing the front counter cash drawer limit and that all cash floats to be recorded included the out stations and library photo copier floats.</p> <p>Further to visit by the OAG further controls and higher standards are being looked at, in the process of cash handling, petty cash, cash advances and till floats.</p>	Manager Financial Services	January 2020

Risk #	Description of Risk	Risk Category	Existing risk rating			Current Controls	Existing Controls Rating	Nov 2019 risk rating			Further control activities	Risk Owner	Next Review
			Consequence	Likelihood	Rating			Consequence	Likelihood	Rating			
87.	<b>Adequacy of the City's Privacy Controls.</b>	Fraud and Misconduct	Major	Unlikely	Moderate	<p>The WA Public sector does not currently have a legislative privacy regime although the City administratively manages privacy through the implementation of policies, procedures and management practices. The City has in place a Privacy Policy (May 2018) which outlines that the City will take all reasonable steps to safeguard personal data from unauthorised access or misuse or disclosure.</p> <p>Confidentiality is covered in the City's Employee Code of Ethics with new staff receiving training on this code at induction. Obligations to comply with privacy and confidentiality are also outlined within the City's Conditions of Employment.</p> <p>All correspondence is retained in an enterprise content management system; there are daily backups and physical security of data on site at City facilities; there is additional backup at an offsite facility. Each employee is categorised with specific access privileges for their role.</p> <p>A Records Management induction outlines the City's record-keeping obligations in line with the State Records Act 2000. The City maintains a thorough Record Keeping Plan as part of the State Records Act 2000. The Plan includes information on the storing of documents, (confidential, officer level, etc.), employee responsibilities of record keeping, archiving and destruction of documents.</p>	Adequate	Major	Unlikely	Moderate	<p>There is currently State government privacy reform underway which will look to introduce a 'whole of government' approach to the way the public sector manages information; the Governance Team will monitor these developments and undertake review of the City's Privacy Policy as required.</p> <p>The Governance Team has identified that it would like to further develop ongoing training in relation to employee privacy obligations and has commenced this process with a recent employee 'lunch and learn' session for employees in relation to their privacy obligations.</p> <p>The Governance Team will also look to outline the City's commitment to Privacy obligations on its website.</p>	Manager Governance	January 2020
60.	<b>User Account Creation and Network Access</b>	Business Continuity	Major	Unlikely	Moderate	<p>All network user accounts are created, with access to systems based on positions and network access and permissions are based on roles not individuals</p> <p>Network creations are completed by staff then further checked by the manager; all IT transactions are checked by 2 officers, to ensure separation of duties.</p> <p>All temporary users are created with an expiry date; HR confirm to IT with start and finish dates of casual staff and users are created with those start and completion dates.</p>	Adequate	Major	Rare	Low	<p>The Manager Information Services has identified some process improvements including enforcement of complexity in passwords and penetration testing conducted bi-annually.</p> <p>Sometimes there is a delay in communication with casual staff continuing their employment - this not being reported to IT which results in extra resources to recreate the same user.</p> <p>Access to a regular staff listing from HR would improve communication in relation to casual staff employed/left at Waves &amp; The RISE.</p>	Manager Information Services	October 2020.
74.	<b>Technology Risks Digital Environment</b>	Strategic Risks	Moderate	Unlikely	Moderate	<p>The City has in place firewall security and internal audits carried out to confirm correct IT processes are being followed.</p>	Adequate	Moderate	Rare	Low	<p>Information Services will await the results of a full security assessment by Deloitte and PCI compliance assessment being completed.</p> <p>Information Services has a firewall review project in 2019/20 and security framework assessment scheduled.</p>	Manager Information Services	March 2020.

Risk #	Description of Risk	Risk Category	Existing risk rating			Current Controls	Existing Controls Rating	Nov 2019 risk rating			Further control activities	Risk Owner	Next Review
			Consequence	Likelihood	Rating			Consequence	Likelihood	Rating			
76.	<b>Resources - Workforce Planning</b>	Strategic Risks	Moderate	Unlikely	Moderate	<p>The City is guided by Governing Legislation in relation to workforce planning including the Fair Work Act 2009, Labour Relations Act 1979, Local Government Act 1995, Occupational Safety and Health Act 1984.</p> <p>The City had previously developed a Workforce plan in 2017 which has now been replaced by a new 10 year plan. - Workforce Plan Summary 2019/2029. This plan outlines focus areas and goals which include leadership &amp; culture, competent workforce, attraction &amp; retention, operating model, technology &amp; innovation and employee relations.</p> <p>The following Management Practices were completed and are now in operation:</p> <ul style="list-style-type: none"> <li>Higher Duties MP &amp; Procedure – Original published May 18 and updated April 19</li> <li>Flexible Working Arrangements April 19</li> <li>Classification Process – started to utilise as at Feb 19</li> </ul> <p>Electronic talent module (for yearly employee appraisals) was launched and further enhancements are planned for 2019/20.</p> <p>The City currently uses Big Red Sky for job advertisements. A method of "E on board" button will be used in future, which allows letter of appointments, code of conduct, employee handbook and all other documentation for new employees to be emailed. These procedures will be reflected in Promapp.</p>	Adequate	Moderate	Rare	Low	<p>The following Management Practices will be developed as part of People, Culture and Safety branch plan for 2019/20:</p> <ul style="list-style-type: none"> <li>Bullying &amp; Harassment</li> <li>Employment Equity &amp; Workplace Diversity</li> <li>Recruitment</li> <li>Discipline</li> <li>Managing Performance</li> <li>Code of Ethics</li> </ul> <p>LMS (Learning Management System) will be launched in late 2019 by Organisation Development with further Corporate &amp; Manual training opportunities for staff.</p> <p>Payroll is currently working with IT for the HRIS project. This will see the launch of "my leave" and "time sheets" to be electronically seen by employees by using CI anywhere. Currently data integrity is being conducted, which is the first step of the project. There is no set time frame of completion and this is an ongoing project.</p> <p>Second phase of the talent module to be introduced in Aug/Sept 2019 which would be "Goal setting" as part of the performance appraisals.</p>	Manager People, Culture and Safety/HR Coordinator	March 2020
78.	<b>Internal Communications</b>	Strategic Risks	Moderate	Possible	Moderate	<p>As with all large organisations, there is a risk of communication becoming partitioned and can restrict the flow of information between officers. Failures in effective communication can result in operational inefficiencies, incorrect information within the City, staff morale as well as the potential loss of corporate knowledge.</p> <p>Currently, City officers are using emails and informal and formal meetings to pass information on. The City's information management system is an effective repository but is not fully effective in disseminating information. Internal emails are used to distribute information, but the volume can be overwhelming when used as a general communication tool.</p> <p>Emails can be easily stored into the EMS system or backed up via the corporate back-up system. The easy backup and retrieval of emails is an asset to the organisation, however the majority of emails are not important to the corporate pool of information and should not be backed up.</p>	Adequate	Moderate	Possible	Moderate	<p>Currently, there is a large volume of incoming emails and hard copy documents, and a review is being taken on how to best manage handling of those documents.</p> <p>Digitalisation is being looked at - how to condense and streamline processes to increase efficiency. The aim is to move from hard copies to soft copies reducing the need for archiving. Currently documents are archived, retained for the required period then disposed of; sometimes documents can be retained for up to 30 years. This retention of documents was based on the 2015 General Disposal Authority for Local Government Records (GDA). By end of August 2019 the intention is to move from hard copies to soft copies, and to follow the digital records management systems outlined in the 2016 GDA for source records.</p> <p>It is the responsibility of each officer to register their own emails, incoming and outgoing. If this procedure is not correctly followed it can result in loss of corporate information and knowledge.</p> <p>Social media posts (Instagram, Facebook, YouTube and LinkedIn) are saved and stored in the broolly system since the commencement of social media in the City i.e. 2012.</p>	Manager Information Services	December 2020

Risk #	Description of Risk	Risk Category	Existing risk rating			Current Controls	Existing Controls Rating	Nov 2019 risk rating			Further control activities	Risk Owner	Next Review
			Consequence	Likelihood	Rating			Consequence	Likelihood	Rating			
57.	<b>Adequacy of City's Integrity Framework.</b>	Fraud and Misconduct	Major	Unlikely	Moderate	<p>The City has in place Integrity Framework comprising of the Fraud and Corruption Policy, Fraud and Corruption Control Plan, Code of Ethics and Public Interest Disclosure (PID) reporting process.</p> <p>The Governance Team has developed an Integrity flowchart which is available on the City's intranet to navigate staff around these materials.</p> <p>The Fraud and Corruption Control Plan articulates the City's commitment to prevention, detection, response and monitoring of fraudulent or corrupt activities within City operations.</p> <p>PID is the City's 'Whistle-blower' process for reporting fraud and misconduct matters at an operational level and is modelled on the aims and objectives of the Public Interest Disclosure Act 2003 (PID Act).</p> <p>The City has had strong external stakeholder engagement with the Public Sector Commission (PSC) and the Office of the Auditor General, representatives of which have both attended the City this year. The PSC attended the City in August to conduct training with managers and other staff in relation to Fraud and Corruption Control.</p>	Adequate	Major	Rare	Low	<p>Paxon Group is currently undertaking an internal audit in relation to the City's Fraud and Corruption Control practice and the Governance Team will await the outcomes of that audit to address any gap areas.</p> <p>The Governance Team has developed a training calendar to support the rollout of training to staff on the Fraud and Misconduct Plan.</p> <p>The Ombudsman WA will be attending the City in November to conduct training with managers and coordinators in relation to the role and powers of the Ombudsman, the complaints handling process, how to strengthen good decision making and administrative practices.</p>	Manager Governance	June 2020

**10.5.1.4 Debtors Write-Off**

<b>Responsible Branch:</b>	Financial Services	
<b>Responsible Directorate:</b>	Corporate and Strategy	
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Information Purposes
<b>Voting Requirement:</b>	Simple Majority Required	
<b>Attachments:</b>	<i>Confidential Attachment(s)</i> 1. Infringement debtors list - for debts under \$500.00. 2. Recreation facilities debtors list - for debts under \$500.00 and greater than 150 days.	

***Confidential Attachment(s) in accordance with section 5.23(2)(b) of the Local Government Act 1995 which permits the meeting to be closed to the public for business relating to the following - the personal affairs of any person.***

**SUMMARY**

This report presents a list of bad debts to be written off in accordance with section 6.12(1) of the *Local Government Act 1995*.

**COUNCIL RESOLUTION****(MANAGEMENT COMMITTEE/OFFICER'S RECOMMENDATION)**

**That Council notes that an amount of \$4,294.53 of bad debts has been written off under delegated authority.**

**CR BARRY MCKENNA MOVED, CR STEPHANIE GRAY SECONDED  
CARRIED UNANIMOUSLY BY EXCEPTION (EN BLOC): 10/0**

**BACKGROUND**

This report provides an overview of bad debts that have been written off under delegated authority under the Sundry Debt Collection and Recovery Policy.

Australian Accounting Standards and the provisions of the *Local Government Act 1995* and Financial Management Regulations require, inter alia, ongoing assessment of the likelihood that debts recognised in the organisation's accounts will be collected.

A Sundry Debt Collection and Recovery Policy was introduced in 2014 (amended in 2019) and sundry debtors are managed accordingly. While all reasonable efforts are made to recover aged debts, there are also some that, for practical purposes, will have to be written off.

These can be monies due for user charges, infringements, fees and other services rendered, and the process for collection is dependent on the type of debt raised and the mechanisms available under various legislation for recovery. Section 6.12 (1) of the *Local Government Act 1995* allows for debts to be written off by Council, and the Sundry Debt and Recovery Policy gives delegated authority to the Chief Executive Officer to write off any uncollectable bad debts under \$500 per account, and advise Council accordingly.

Any amount in excess of \$500 requires approval from Council to write off.

**EXTERNAL CONSULTATION**

Not applicable.

**OFFICER'S COMMENTS****Infringement Debtors**

The infringement write-off list (**Attachment 1**) refers to current infringements where the City cannot acquire the offender's details from either the Department of Transport or from other states. The amount required to be written off and reversed is \$1,705.00.

**Recreation Facilities Debtors**

The bad debts have accrued from dishonoured direct debit health club membership transactions.

The customers have not returned to the facility to settle the payment (which is a condition of the cancellation procedure that was set out in the membership terms and conditions) and attempts to contact them regarding the dishonour have been unsuccessful. As a result, the debts incurred were unable to be recovered.

Following a documented recovery process, a number of debts accrued have been reviewed and require approval to be written off under delegated authority in accordance with Council's Sundry Debt Collection and Recovery. These write-offs total \$2,589.53 (**Attachment 2**).

**LEGISLATIVE COMPLIANCE**

The Sundry Debt Collection and Recovery Policy applies and section 6.12 (1) of *the Local Government Act 1995* states:

*"Subject to subsection (2) and any other written law, a local government may —  
...(c) write off any amount of money, which is owed to the local government."*

**OPTIONS**

Not applicable.

**FINANCIAL IMPLICATIONS**

Bad debts are reflected in the end-of-year operating result. The ongoing review of the City's revenue collection and debt recovery practices is an important feature of risk management and strengthening corporate governance.

**STRATEGIC IMPLICATIONS**

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Leadership and Governance.  
Aspiration: Open, accountable and responsive service.  
Outcome L1: Accountable and good governance.

This report informs Council of the City's debtors as at October 2019 and enables Council to meet its requirements for oversight of the City's finances.

**CONCLUSION**

It is recommended that Council notes an amount of \$4,294.53 of bad debts has been written off.

**10.5.2 Audit and Risk Management Committee Meeting 25 November 2019****10.5.2.1 City of Bayswater General Purpose Financial Statements**

<b>Responsible Branch:</b>	Financial Services	
<b>Responsible Directorate:</b>	Corporate and Strategy	
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
<b>Voting Requirement:</b>	Ordinary Meeting of Council <b><i>ABSOLUTE MAJORITY REQUIRED</i></b>	
<b>Attachments:</b>	1. General Purpose Financial Statements - City of Bayswater, including the Independent Auditor's Report. 2. Management letter. 3. Audit Findings Report.	

**SUMMARY**

For the Audit and Risk Management Committee to endorse to Council the General Purpose Financial Statements and to receive the Independent Auditor's Report for the 12-month period ended 30 June 2019.

This report presents the consolidated City of Bayswater General Purpose Financial Statements for the 12-month period ended 30 June 2019 and the Independent Auditor's Report in respect of those financial statements.

**COUNCIL RESOLUTION****(MANAGEMENT COMMITTEE RECOMMENDATION)****That Council:**

1. **Accepts the consolidated City of Bayswater General Purpose Financial Statements for the financial year ended 30 June 2019, including the Independent Auditor's Report Attachment 1 of this report.**
2. **In accordance with regulation 51(2) of the Local Government (Financial Management) Regulations 1996, submits a copy of the 2018/19 Annual Financial Report to the Department of Local Government, Sport and Cultural Industries, within 30 days of receipt by the Chief Executive Officer of the auditor's report on that financial report.**

**CR BARRY MCKENNA MOVED, CR STEPHANIE GRAY SECONDED**

**CARRIED UNANIMOUSLY BY EXCEPTION (EN BLOC): 10/0**

**BACKGROUND**

The *Local Government Act 1995* (the Act) requires the City to prepare an annual report for each financial year. Section 5.54 of the Act requires that the annual report (which includes the financial report for the year) be accepted by the local government no later than 31 December for the previous financial year.

The Council is required to accept the full annual financial statements as per section 6.4 of the Act.

The General Purpose Financial Statements include the financial information about the City's 'Residential Aged Care' and 'Independent Living Units' (refer Note 38 for segment reporting in relation to these services).

**EXTERNAL CONSULTATION**

Representatives from the Office of the Auditor General (OAG), the City's external auditors, and Grant Thornton, who have undertaken the audit on behalf of the OAG, have been invited to attend the Audit and Risk Management Committee meeting to discuss the City of Bayswater's Independent Auditor's Report.

**ANALYSIS**

For the full year ending 30 June 2019 the City recorded a Net deficit of \$1,483,204 and a Total Comprehensive Income deficit of \$19,105,694. This was the result of the sale of Mertome aged care facilities which required the bringing to account a \$7,617,079 expense relating to discontinued operations, primarily due to the recognition of a disposal loss of \$8,059,584 on the divestment of the Mertome which included buildings and furniture and equipment assets (refer to Note 39 of the financial statements), and a write-back in the asset revaluation reserve (refer Note 12 of the financial statements). Accounting treatment for the Mertome transaction requires recognition of this disposal loss in 2018/19 whilst the subsequent lease income is recognized over the 40 year lease term. The Mertome transaction are non-cash revenue and has no impact on the City's cash holdings or liquidity.

Operating Revenue of \$74,373,436 for the year is \$405,095 favourable to 2017/18. This variance is due to a positive outcome for rates income and interest earnings, partially offset by reduced operating grants, subsidies and contributions. Non-operating revenue has proven unfavourable to 2017/18 given reduction in non-operating grants, subsidies and contributions (\$10,768,089 vs. \$3,350,314), reflecting reduced developer contributed assets. These assets include infrastructure assets such as roads and drainage given to the City via subdivision.

Total Operating Expense of \$72,748,444 is \$2,289,908 greater than 2017/18 actual expenses. The variance is primarily due to an increase in material and contracts expenditure for items such as crossovers and street trees which were previously allocated to the capital budget plus the requirement to engaged additional contractor staff. Employee costs includes \$775,045 for the first time recognition of sick leave provision which is offset by staff vacancies. In addition, depreciation expense of non-current assets also increased compared to previous year as a result of growth in the City's fixed assets.

**Attachment 1** provides the City of Bayswater General Purpose Financial Statements for the 12-month period ended 30 June 2019 and includes the Independent Auditor's Report to the ratepayers of the City of Bayswater. The General Purpose Financial Statements also reveal:

1. Current Ratio or Liquidity: 1.13 (Target > 1) - Benchmark exceeded.
2. Operating Surplus Ratio - The City's ability to cover daily operational expenses and have revenue available for capital works: 0.04 (Target > 0.01) - Benchmark exceeded.
3. Asset Sustainability Ratio - Indicates whether the City is renewing or replacing assets at the same rate as they are wearing out: 0.68 (Target 0.90 to 1.10). In this instance the City has not achieved the benchmark which is partially due to capital works delays. To help mitigate, the City allocates 1% of the rates increase to reserves.
4. Asset Renewal Funding Ratio - The ability of the City to fund its projected asset renewal/replacement programmes: 1.25 (Target 0.75 to 0.95). - Benchmark exceeded
5. Unrestricted cash has increased from \$28,367,933 to \$34,549,969.
6. Total Equity for the City has decreased from \$805,682,146 to \$802,853,658 reflecting reduction in the asset revaluation reserve.

**LEGISLATIVE COMPLIANCE**

The annual financial statements have been prepared in accordance with all relevant statutory requirements and Australian Accounting Standards.

The audit is undertaken in accordance with Australian Auditing Standards and Auditing Guidance Statements adopted by the Australian Society of Certified Practising Accountants and the Institute of Chartered Accountants in Australia; the *Local Government Act 1995* and the Local Government (Audit) Regulations 1996.

Regulation 51(2) of the Local Government (Financial Management) Regulations 1996 requires that a copy of the 2018/19 annual financial report be submitted to the Department of Local Government, Sport and Cultural Industries, within 30 days of receipt by the Chief Executive Officer of the auditor's report on that financial report.

**OPTIONS**

Not applicable.

**FINANCIAL IMPLICATIONS**

The increased level of surplus achieved at the end of the 2018/19 financial year will have a positive impact on the opening balance for the next financial year. This surplus will be addressed when making the adjustments for carried forward capital projects and during the 2019/20 mid-year review.

**STRATEGIC IMPLICATIONS**

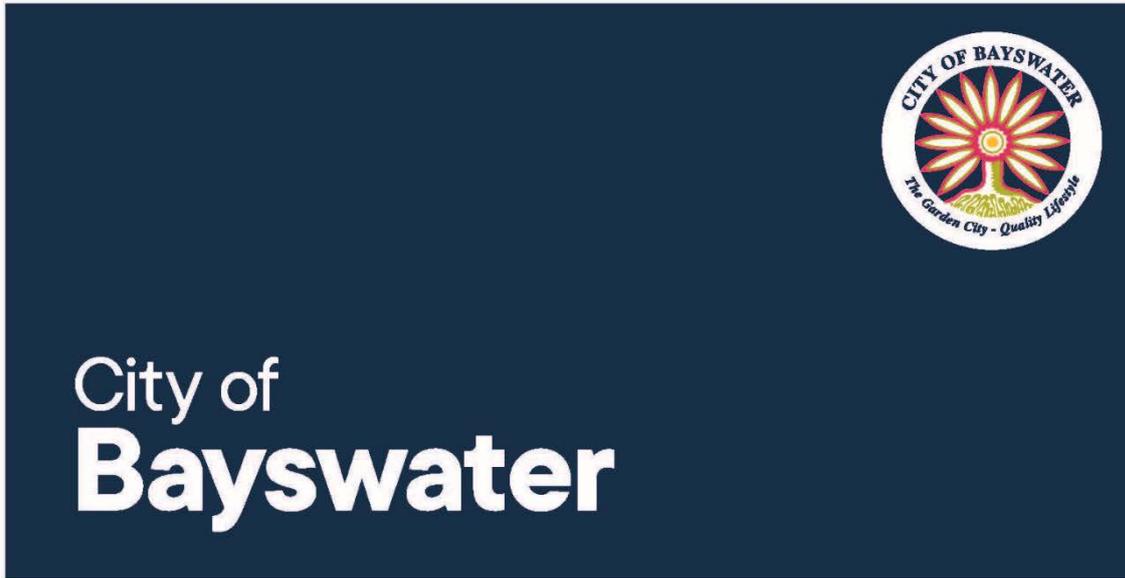
In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Leadership and Governance.  
Aspiration: Open, accountable and responsive service.  
Outcome L1: Accountable and good governance.

**CONCLUSION**

The 2018/19 annual financial statements have been completed and will be included in the City of Bayswater Annual Report 2018/19 and accessible on the City's website.

Attachment 1



**General Purpose  
Financial Statements**  
for the year ended 30 June 2019

**City of Bayswater**

**Financial Report**

**For the year ended 30 June 2019**

**Table of Contents**

Statement by Chief Executive Officer	1
Statement of Comprehensive Income by Nature or Type	2
Statement of Comprehensive Income by Program	3
Statement of Financial Position	4
Statement of Changes in Equity	5
Statement of Cash Flows	6
Rate Setting Statement	7
Notes to and forming part of the Financial Report	8
Independent Auditor's Report	61

Principal place of business:  
City of Bayswater Civic Centre  
61 Broun Avenue  
Morley WA 6062

ABN: 61 054 003 131  
NAPS: 1705

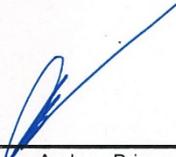
**City of Bayswater  
Financial Report  
For the year ended 30 June 2019**

*Local Government Act 1995  
Local Government (Financial Management) Regulations 1996*

**STATEMENT BY CHIEF EXECUTIVE OFFICER**

The attached financial report of the City of Bayswater for the financial year ended 30 June 2019 is based on proper accounts and records to present fairly the financial position of the City of Bayswater at 30 June 2019 and the results of the operations for the financial year then ended in accordance with the *Local Government Act 1995* and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards.

Signed on the 26<sup>th</sup> day of November 2019

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Andrew Brien  
Chief Executive Officer

**Statement of Comprehensive Income  
by Nature or Type  
for the year ended 30 June 2019**

NOTE	2019 Actual \$	2019 Budget \$	2018 Actual \$
<b>Revenue</b>			
Rates	29(a) 46,933,458	46,151,467	45,139,103
Operating grants, subsidies and contributions	2(a) 3,091,113	2,643,167	3,911,430
Fees and charges	2(a) 21,264,130	21,038,708	21,499,491
Interest earnings	2(a) 2,017,310	1,538,808	1,781,174
Other revenue	2(a) 1,067,425	319,426	1,001,143
	<b>74,373,436</b>	<b>71,691,576</b>	<b>73,332,341</b>
<b>Expenses</b>			
Employee costs	(32,491,801)	(32,581,231)	(32,798,816)
Materials and contracts	(24,418,058)	(24,464,822)	(21,472,142)
Utility charges	(3,428,550)	(3,619,560)	(3,056,136)
Depreciation on non-current assets	11(b) (11,085,818)	(12,166,559)	(10,572,973)
Interest expenses	2(b) (1,127)	(1,308)	(1,282)
Insurance expenses	(736,544)	(1,050,300)	(684,197)
Other expenditure	(586,546)	(553,164)	(1,872,990)
	<b>(72,748,444)</b>	<b>(74,436,944)</b>	<b>(70,458,536)</b>
Operating Surplus/(Loss)	1,624,992	(2,745,368)	2,873,805
Discontinued Operations	39 (7,617,079)	277,182	(506,450)
Non-operating grants, subsidies and contributions	2(a) 3,350,314	3,471,678	10,768,089
Profit on asset disposals	11(a) 19,664	18,669	63,763
Loss on asset disposals	11(a) (404,652)	(435,866)	(2,101,738)
Fair value adjustments to financial assets at fair value through profit or loss	8 20,503	0	(24,217)
Share of profit or loss of associates and joint ventures accounted for using the equity method	25 1,523,054	0	2,411,365
(Loss) on revaluation of infrastructure - park development	10(a) 0	0	(1,822,736)
	<b>(3,108,196)</b>	<b>3,331,663</b>	<b>8,788,076</b>
<b>Net result for the period</b>	<b>(1,483,204)</b>	<b>586,295</b>	<b>11,661,881</b>
<b>Other comprehensive income</b>			
<i>Items that will not be reclassified subsequently to profit or loss</i>			
Changes in asset revaluation surplus	12 (17,622,490)	0	5,245,227
<b>Total other comprehensive income for the period</b>	<b>(17,622,490)</b>	<b>0</b>	<b>5,245,227</b>
<b>Total comprehensive income for the period</b>	<b>(19,105,694)</b>	<b>586,295</b>	<b>16,907,108</b>

This statement is to be read in conjunction with the accompanying notes.

**Statement of Comprehensive Income  
by Program  
for the year ended 30 June 2019**

NOTE	2019 Actual \$	2019 Budget \$	2018 Actual \$
<b>Revenue</b>			
2(a)			
Governance	335,700	105,060	0
General purpose funding	51,502,920	50,125,311	49,558,655
Law, order, public safety	394,224	267,224	316,568
Health	350,965	262,102	402,057
Education and welfare	172,687	137,351	1,340,056
Housing	187,860	0	92,442
Community amenities	12,568,135	12,170,200	12,583,041
Recreation and culture	7,332,155	7,378,697	7,649,865
Transport	870,691	567,000	497,141
Economic services	493,247	490,235	566,522
Other property and services	164,852	188,396	325,994
	<b>74,373,436</b>	<b>71,691,576</b>	<b>73,332,341</b>
<b>Expenses</b>			
2(b)			
Governance	(6,784,246)	(6,512,510)	(6,508,038)
General purpose funding	(751,402)	(857,207)	(836,528)
Law, order, public safety	(2,948,857)	(2,965,423)	(3,061,716)
Health	(1,881,729)	(1,897,918)	(1,710,982)
Education and welfare	(1,804,584)	(1,768,306)	(2,863,744)
Housing	(102,729)	(96,933)	(105,066)
Community amenities	(15,162,559)	(16,113,025)	(15,543,460)
Recreation and culture	(27,370,856)	(28,125,809)	(25,649,126)
Transport	(14,601,086)	(14,548,091)	(12,129,174)
Economic services	(1,159,070)	(1,194,939)	(1,801,628)
Other property and services	(180,189)	(355,475)	(247,792)
	<b>(72,747,317)</b>	<b>(74,435,636)</b>	<b>(70,457,254)</b>
<b>Finance Costs</b>			
2(b)			
Recreation and culture	(1,127)	(1,308)	(1,282)
	<b>(1,127)</b>	<b>(1,308)</b>	<b>(1,282)</b>
Operating Surplus/(Loss)	1,624,992	(2,745,368)	2,873,805
Discontinued Operations	39	(7,617,079)	277,182
Non-operating grants, subsidies and contributions	2(a)	3,350,314	3,471,678
Profit on disposal of assets	11(a)	19,664	18,669
(Loss) on disposal of assets	11(a)	(404,652)	(435,866)
Fair value adjustments to financial assets at fair value through profit or loss	8	20,503	0
Share of net profit of associates and joint ventures accounted for using the equity method	25	1,523,054	0
(Loss) on revaluation of infrastructure - park development	10(a)	0	0
	<b>(3,108,196)</b>	<b>3,331,663</b>	<b>8,788,076</b>
<b>Net result for the period</b>	<b>(1,483,204)</b>	<b>586,295</b>	<b>11,661,881</b>
<b>Other comprehensive income</b>			
<i>Items that will not be reclassified subsequently to profit or loss</i>			
Changes in asset revaluation surplus	12	(17,622,490)	0
<b>Total other comprehensive income for the period</b>	<b>(17,622,490)</b>	<b>0</b>	<b>5,245,227</b>
<b>Total comprehensive income for the period</b>	<b>(19,105,694)</b>	<b>586,295</b>	<b>16,907,108</b>

This statement is to be read in conjunction with the accompanying notes.

**Statement of Financial Position  
as at 30 June 2019**

	NOTE	2019 \$	2018 \$
<b>Current assets</b>			
Cash and cash equivalents	3	78,632,835	70,006,604
Trade receivables	5	3,456,221	3,487,845
Other financial assets at amortised cost	8	4,484	0
Other loans and receivables	8	0	4,202
Inventories	6	141,945	145,962
Other current assets	7	1,508,293	1,382,259
<b>Total current assets</b>		<b>83,743,778</b>	<b>75,026,872</b>
<b>Non-current assets</b>			
Trade receivables	5	2,567,976	807,519
Other financial assets at amortised cost	8(b)	11,219	0
Financial assets at fair value through profit and loss	8(b)	175,171	0
Available for sale financial assets	8(b)	0	154,668
Other loans and receivables	8(b)	0	15,703
Assets Held for Sale	7	34,769,034	0
Investments accounted for using the equity method	25(a)	36,365,530	35,096,066
Property, plant and equipment	9	478,429,136	532,408,158
Infrastructure	10	199,823,408	199,874,463
Investment property	13	7,370,000	0
<b>Total non-current assets</b>		<b>759,511,474</b>	<b>768,356,577</b>
<b>Total assets</b>		<b>843,255,252</b>	<b>843,383,449</b>
<b>Current liabilities</b>			
Trade and other payables	14	7,119,187	32,107,253
Held for Sale Liabilities	15	23,381,081	0
Borrowings	16(b)	4,484	4,202
Employee-related provisions	17	6,288,760	5,079,680
<b>Total current liabilities</b>		<b>36,793,512</b>	<b>37,191,135</b>
<b>Non-current liabilities</b>			
Trade and other payables	14	0	100
Borrowings	16(b)	11,219	15,703
Employee-related provisions	17	353,362	494,365
Other financial liabilities at amortised cost	18	3,243,501	0
<b>Total non-current liabilities</b>		<b>3,608,082</b>	<b>510,168</b>
<b>Total liabilities</b>		<b>40,401,594</b>	<b>37,701,303</b>
<b>Net assets</b>		<b>802,853,658</b>	<b>805,682,146</b>
<b>Equity</b>			
Retained surplus		243,466,759	230,621,323
Reserves - cash backed	4	43,082,828	41,134,262
Revaluation surplus	12	516,304,071	533,926,561
<b>Total equity</b>		<b>802,853,658</b>	<b>805,682,146</b>

This statement is to be read in conjunction with the accompanying notes.

**Statement of Changes in Equity  
for the year ended 30 June 2019**

	NOTE	RETAINED SURPLUS	RESERVES CASH BACKED	REVALUATION SURPLUS	TOTAL EQUITY
		\$	\$	\$	\$
<b>Balance as at 1 July 2017</b>		213,105,837	44,417,329	528,681,334	786,204,500
Comprehensive income					
Net result for the period		11,661,881	0	0	11,661,881
Prior year revaluation adjustments		2,570,538	0	0	2,570,538
Other comprehensive income	12	0	0	5,245,227	5,245,227
Total comprehensive income		14,232,419	0	5,245,227	19,477,646
Transfers from/(to) reserves		3,283,067	(3,283,067)	0	0
<b>Balance as at 30 June 2018</b>		<b>230,621,323</b>	<b>41,134,262</b>	<b>533,926,561</b>	<b>805,682,146</b>
<b>Total equity at the beginning of the financial year</b>		<b>230,621,323</b>	<b>41,134,262</b>	<b>533,926,561</b>	<b>805,682,146</b>
Comprehensive income					
Net result for the period		(1,483,204)	0	0	(1,483,204)
Changes on revaluation of non- current assets	12	0	0	0	0
Disposal write-back revaluation adjustments	12	16,277,206	0	0	16,277,206
Other comprehensive income	12	0	0	(17,622,490)	(17,622,490)
Total comprehensive income		14,794,002	0	(17,622,490)	(2,828,488)
Transfers from/(to) reserves		(1,948,566)	1,948,566	0	0
<b>Balance as at 30 June 2019</b>		<b>243,466,759</b>	<b>43,082,828</b>	<b>516,304,071</b>	<b>802,853,658</b>

This statement is to be read in conjunction with the accompanying notes.

**Statement of Cash Flows**  
for the year ended 30 June 2019

NOTE	2019 Actual \$	2019 Budget \$	2018 Actual \$
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>			
<b>Receipts</b>			
Rates	46,793,950	45,151,467	44,231,297
Operating grants, subsidies and contributions	3,180,813	2,643,167	4,403,530
Fees and charges	19,569,161	21,088,708	21,499,491
Interest received	2,017,310	2,038,808	1,781,174
Goods and services tax received	2,222,073	3,590,000	2,565,123
Other revenue	1,067,425	319,426	1,001,143
	<u>74,850,732</u>	<u>74,831,576</u>	<u>75,481,758</u>
<b>Payments</b>			
Employee costs	(31,423,724)	(32,576,939)	(32,527,785)
Materials and contracts	(22,903,659)	(23,476,596)	(19,472,282)
Utility charges	(3,428,550)	(3,619,560)	(3,056,136)
Interest expenses	(1,127)	(1,308)	(1,290)
Insurance paid	(736,544)	(1,050,300)	(684,197)
Goods and services tax paid	(2,206,129)	(3,410,000)	(2,686,905)
Other expenditure	(586,546)	(557,456)	(1,872,990)
	<u>(61,286,279)</u>	<u>(64,692,159)</u>	<u>(60,301,585)</u>
Discontinued Operations	2,857,574	1,330,282	350,646
<b>Net cash provided by (used in) operating activities</b>	19 16,422,027	11,469,699	15,530,819
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>			
Payments for purchase of property, plant & equipment	(5,314,695)	(7,817,707)	(11,260,938)
Payments for construction of infrastructure	(5,221,680)	(11,595,559)	(7,566,146)
Non-operating grants, subsidies and contributions	2,360,619	3,471,678	3,257,089
Proceeds from self-supporting loans	4,202	4,200	5,977
Proceeds from sale of property, plant & equipment	379,960	685,600	810,353
<b>Net cash provided by (used in) investment activities</b>	(7,791,594)	(15,251,788)	(14,753,665)
<b>CASH FLOWS FROM FINANCING ACTIVITIES</b>			
Repayment of borrowings	(4,202)	(4,200)	(5,977)
<b>Net cash provided by (used in) financing activities</b>	(4,202)	(4,200)	(5,977)
<b>Net increase (decrease) in cash held</b>	8,626,231	(3,786,289)	771,177
Cash at beginning of year	70,006,604	69,067,225	69,235,427
<b>Cash and cash equivalents at the end of the year</b>	19 78,632,835	65,280,936	70,006,604

This statement is to be read in conjunction with the accompanying notes.

**Rate Setting Statement  
for the year ended 30 June 2019**

	NOTE	2019 Actual	2019 Budget	2018 Actual
		\$	\$	\$
<b>OPERATING ACTIVITIES</b>				
Net current assets at start of financial year - surplus/(deficit)	30 (b)	9,901,143	4,400,853	8,546,133
		9,901,143	4,400,853	8,546,133
<b>Revenue from operating activities (excluding rates)</b>				
Governance		335,700	105,060	0
General purpose funding		4,569,462	3,973,844	4,419,552
Law, order, public safety		394,224	267,224	317,540
Health		350,965	262,102	403,869
Education and welfare		172,687	137,351	1,340,056
Housing		187,860	0	92,442
Community amenities		12,568,135	12,170,200	12,583,041
Recreation and culture		7,332,155	7,378,697	7,650,117
Transport		870,691	585,669	497,141
Economic services		493,247	490,235	566,522
Other property and services		1,728,073	188,396	2,798,086
		29,003,199	25,558,778	30,668,366
<b>Expenditure from operating activities</b>				
Governance		(6,784,246)	(6,512,510)	(6,515,342)
General purpose funding		(751,402)	(857,207)	(836,528)
Law, order, public safety		(2,956,290)	(2,965,423)	(3,108,832)
Health		(1,884,380)	(1,897,918)	(1,714,300)
Education and welfare		(1,811,356)	(1,768,306)	(3,101,535)
Housing		(102,729)	(96,933)	(1,504,066)
Community amenities		(15,162,559)	(16,113,025)	(15,687,415)
Recreation and culture		(27,496,014)	(28,127,117)	(25,789,442)
Transport		(14,608,893)	(14,983,957)	(12,129,174)
Economic services		(1,159,070)	(1,194,939)	(1,835,009)
Other property and services		(436,157)	(355,475)	(338,631)
		(73,153,096)	(74,872,810)	(72,560,274)
Discontinued operations		2,857,574	1,330,282	350,646
Non-cash amounts excluded from operating activities	30(a)	7,331,220	12,340,258	9,233,744
<b>Amount attributable to operating activities</b>		(24,059,960)	(31,242,639)	(23,761,385)
<b>INVESTING ACTIVITIES</b>				
Non-operating grants, subsidies and contributions		3,350,314	3,471,678	10,768,089
Proceeds from disposal of assets	11(a)	379,960	685,600	810,353
Proceeds from self-supporting loans	16(b)	4,202	4,200	5,977
Purchase of property, plant and equipment	9(a)	(5,314,695)	(7,817,707)	(11,260,938)
Purchase and construction of infrastructure	10(a)	(6,211,375)	(11,595,559)	(15,077,146)
<b>Amount attributable to investing activities</b>		(7,791,594)	(15,251,788)	(14,753,665)
<b>FINANCING ACTIVITIES</b>				
Repayment of borrowings	16(b)	(4,202)	(4,200)	(5,977)
Transfers to reserves (restricted assets)	4	(4,125,194)	(1,129,892)	(1,641,959)
Transfers from reserves (restricted assets)	4	2,176,628	2,977,052	4,925,026
<b>Amount attributable to financing activities</b>		(1,952,768)	1,842,960	3,277,090
<b>Surplus/(deficit) before imposition of general rates</b>		(33,804,322)	(44,651,467)	(35,237,960)
<b>Total amount raised from general rates</b>	29	46,933,458	46,151,467	45,139,103
<b>Surplus/(deficit) after imposition of general rates</b>	30(b)	13,129,136	1,500,000	9,901,143

This statement is to be read in conjunction with the accompanying notes.

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

**1. BASIS OF PREPARATION**

The financial report comprises general purpose financial statements which have been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board and the *Local Government Act 1995* and accompanying regulations.

The *Local Government (Financial Management) Regulations 1996* take precedence over Australian Accounting Standards. Regulation 16 prohibits a local government from recognising as assets Crown land that is a public thoroughfare, such as land under roads, and land not owned by but under the control or management of the local government, unless it is a golf course, showground, racecourse or recreational facility of State or regional significance. Consequently, some assets, including land under roads acquired on or after 1 July 2008, have not been recognised in this financial report. This is not in accordance with the requirements of *AASB 1051 Land Under Roads paragraph 15* and *AASB 116 Property, Plant and Equipment paragraph 7*.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

**CRITICAL ACCOUNTING ESTIMATES**

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that affect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances, the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

**THE LOCAL GOVERNMENT REPORTING ENTITY**

All funds through which the City controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between funds) have been eliminated.

All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 32 to these financial statements.

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

**2. REVENUE AND EXPENSES**

**(a) Revenue**

**Grant Revenue**

Grants, subsidies and contributions are included as both operating and non-operating revenues in the Statement of Comprehensive Income:

	2019 Actual	2019 Budget	2018 Actual
	\$	\$	\$
<b>Operating grants, subsidies and contributions</b>			
Governance	4,685	2,860	0
General purpose funding	2,256,460	2,216,344	2,230,189
Law, order, public safety	62,132	55,825	70,880
Health	120,628	56,132	69,631
Education and welfare	16,500	10,000	1,086,430
Community amenities	189,162	64,000	102,364
Recreation and culture	50,599	102,450	203,798
Transport	331,399	74,900	34,358
Economic services	2,640	2,860	39,990
Other property and services	56,908	57,796	73,790
	<b>3,091,113</b>	<b>2,643,167</b>	<b>3,911,430</b>
<b>Non-operating grants, subsidies and contributions</b>			
Law, order, public safety	207,720	268,336	23,241
Health	0	0	70,999
Community amenities	462,763	10,000	607,420
Recreation and culture	394,113	1,683,020	626,224
Transport	2,285,718	1,510,322	8,946,990
Other property and services	0	0	493,215
	<b>3,350,314</b>	<b>3,471,678</b>	<b>10,768,089</b>
<b>Total grants, subsidies and contributions</b>	<b>6,441,427</b>	<b>6,114,845</b>	<b>14,679,519</b>

**SIGNIFICANT ACCOUNTING POLICIES**

**Grants, subsidies and contributions**

Grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions.

Where contributions recognised as revenues during the reporting period were obtained on the condition that they be expended in a particular manner or used over a particular

period, and those conditions were undischarged as at the reporting date, the nature of and amounts pertaining to those undischarged conditions are disclosed in Note 28.

That note also discloses the amount of contributions recognised as revenues in a previous reporting period which were obtained in respect of the local government's operations for the current reporting period.

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

**2. REVENUE AND EXPENSES (Continued)**

(a) Revenue (Continued)	2019 Actual	2019 Budget	2018 Actual
	\$	\$	\$
<b>Significant revenue</b>			
Changes in non-current assets revaluation	0	0	6,870,286
Increase in equity joint venture	1,224,899	0	2,387,148
<b>Other revenue</b>			
Reimbursements and recoveries	891,171	112,550	985,404
Other	176,254	206,893	15,739
	<b>1,067,425</b>	<b>319,443</b>	<b>1,001,143</b>
<b>Fees and Charges</b>			
Governance	34,836	77,200	1,303
General purpose funding	154,003	170,000	172,218
Law, order, public safety	304,172	186,399	223,844
Health	228,938	205,970	302,985
Education and welfare	70,327	53,125	146,921
Housing	177,333	0	80,019
Community amenities	12,338,661	12,095,700	12,403,078
Recreation and culture	6,942,918	7,220,222	7,155,802
Transport	528,064	492,100	445,588
Economic services	482,620	487,375	518,070
Other property and services	2,258	50,600	49,663
	<b>21,264,130</b>	<b>21,038,691</b>	<b>21,499,491</b>
There were no changes during the year to the amount of the fees or charges detailed in the original budget.			
<b>Interest earnings</b>			
Reserve accounts interest	1,138,563	1,061,500	1,129,507
Rates instalment and penalty interest (refer Note 29(b))	394,937	337,500	350,176
Other interest earnings	483,810	139,808	301,491
	<b>2,017,310</b>	<b>1,538,808</b>	<b>1,781,174</b>

**SIGNIFICANT ACCOUNTING POLICIES**

**Interest earnings**

Interest income is calculated by applying the effective interest rate to the gross carrying amount of a financial asset except for financial assets that subsequently become credit-impaired. For credit-impaired financial assets the effective interest rate is applied to the net carrying amount of the financial asset (after deduction of the loss allowance).

Interest income is presented as finance income where it is earned from financial assets that are held for cash management purposes.

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

**2. REVENUE AND EXPENSES (Continued)**

**(b) Expenses**

**Significant expense**

The significant expense relates to the reduction in the fair value of the Council's infrastructure through profit and loss.

1,417,257

**Auditors remuneration**

- Audit of the Annual Financial Report

80,535

87,500

30,866

80,535

87,500

30,866

**Interest expenses (finance costs)**

Long-term borrowings (refer Note 16(b))

1,127

1,308

1,282

1,127

1,308

1,282

**Bad & doubtful debts**

Rates

4,349

0

4,034

General debtors

5,133

0

2,065

9,482

0

6,099

**Depreciation & amortisation**

*Property, plant and equipment*

- Buildings

2,666,066

3,004,200

2,652,272

- Furniture and equipment

1,373,476

1,109,900

1,111,690

- Plant and equipment

783,846

734,459

749,803

4,823,388

4,848,559

4,513,765

*Infrastructure*

- Roads

3,478,964

3,700,000

3,400,883

- Drainage

330,671

338,000

329,227

- Footpaths

582,962

580,000

585,410

- Park development

1,393,586

2,333,000

1,310,176

- Other infrastructure

466,247

367,000

433,512

6,262,430

7,318,000

6,059,208

Total depreciation and amortisation

11,085,818

12,166,559

10,572,973

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

3. CASH AND CASH EQUIVALENTS	NOTE	2019 \$	2018 \$
Cash at bank and on hand		3,887,534	2,226,680
Term deposits		74,745,301	67,779,924
		<b>78,632,835</b>	<b>70,006,604</b>
<b>Comprises:</b>			
- Unrestricted cash and cash equivalents		34,549,969	28,367,933
- Restricted cash and cash equivalents		44,082,866	41,638,671
		<b>78,632,835</b>	<b>70,006,604</b>
The following restrictions have been imposed by regulations or other externally-imposed requirements:			
<b>Reserve accounts</b>			
Aged Persons Homes - General	4	15,595,609	16,206,268
Aged Persons Homes - Prudential Requirements	4	2,629,367	2,517,203
Bayswater Bowling Club - Capital Improvements	4	10,063	0
Bayswater Tennis Club	4	156,759	152,675
Bayswater Waves Aquatic Centre	4	86,724	84,465
Bore and Reticulation	4	659,389	642,212
Building Furniture and Equipment	4	670,397	652,933
City Buildings and Amenities	4	1,971,399	1,920,044
Civic Centre	4	596,219	580,687
Community Housing	4	0	33,221
Eric Singleton Bird Sanctuary	4	1,192,439	1,161,376
Footpath and Cycleway	4	329,457	320,875
General Waste Management	4	27,678	26,957
Golf Courses	4	1,088,932	1,066,866
Information Technology	4	392,454	307,823
Landfill Restoration	4	458,350	480,587
Les Hansman Centre Development	4	5,043,531	4,912,146
Long Service Leave and Entitlements	4	1,533,988	1,221,897
Major Capital Works	4	3,994,987	2,372,752
Maylands Lakes	4	128,306	0
Maylands Waterland	4	59,622	58,069
Morley City Centre	4	596,219	580,687
Morley Sport and Recreation Centre	4	596,219	580,687
Plant and Works Equipment	4	202,054	196,790
Playground and Parks	4	1,700,231	1,655,940
River Restoration	4	363,202	353,741
Roads and Drainage	4	513,086	499,720
Senior Citizens Buildings	4	357,731	348,412
Strategic Land Acquisition	4	46,073	44,873
Streetscapes	4	705,293	686,920
Sustainable Environment	4	170,282	292,105
The RISE	4	596,219	580,687
Workers Compensation	4	610,549	594,644
		<b>43,082,828</b>	<b>41,134,262</b>
<b>Other restricted cash and cash equivalents</b>			
Unspent grants/contributions	28	1,000,038	504,409
<b>Total restricted cash and cash equivalents</b>		<b>44,082,866</b>	<b>41,638,671</b>

**SIGNIFICANT ACCOUNTING POLICIES****Cash and cash equivalents**

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short-term highly-liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash

and which are subject to an insignificant risk of changes in value and bank overdrafts.

Notes to and forming part of the Financial Report for the year ended 30 June 2019

2019	2019	2019	2019	2019	2019	2019	2019	2019	2019	2018	2018	2018	2018
Opening	Transfer	Transfer	Transfer	Closing	Opening	Transfer	Transfer	Closing	Opening	Transfer	Transfer	Closing	Closing
Balance	to	(from)	(from)	Balance	Balance	to	(from)	Balance	Balance	to	(from)	Balance	Balance
\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
(e) Aged Persons Homes - General	16,206,288	677,043	(1,287,702)	15,595,629	17,229,653	240,492	(1,000,000)	16,470,145	17,272,240	464,552	(1,530,524)	16,206,288	
(b) Aged Persons Homes - Prudential Requirements	2,517,203	112,154	0	2,629,357	2,851,466	36,690	0	2,888,156	2,485,046	62,475	(30,318)	2,517,203	
(c) Bayswater Bowling Club - Capital Improvements	0	10,053	0	10,063	0	0	0	0	0	0	0	0	
(d) Bayswater Tennis Club	152,676	4,094	0	156,769	105,113	2,972	0	108,086	149,418	3,888	(631)	152,676	
(e) Bayswater Waves Aquatic Centre	84,465	2,259	0	86,724	91,616	2,590	0	94,206	349,430	8,352	(273,317)	84,465	
(f) Bore and Reticulation	642,212	17,177	0	659,389	642,008	18,161	0	660,169	625,918	16,294	0	642,212	
(g) Building Furniture and Equipment	652,933	17,464	0	670,397	652,725	18,454	0	671,179	636,367	15,566	0	652,933	
(h) City Buildings and Amenities	1,920,044	51,355	0	1,971,399	1,920,744	71,256	0	1,992,010	1,996,735	51,530	(126,321)	1,920,044	
(i) Civic Centre	560,687	15,532	0	576,219	580,502	16,412	0	596,914	565,954	14,733	0	560,687	
(j) Community Housing	33,221	0	(33,221)	0	33,210	0	(33,210)	0	32,378	843	0	33,221	
(k) Eric Singleton Bird Sanctuary	1,161,376	31,053	0	1,192,429	1,161,006	32,824	0	1,193,830	1,131,910	29,466	0	1,161,376	
(l) Footpath and Cycleway	320,875	8,582	0	329,457	320,773	9,069	0	329,842	312,734	8,141	0	320,875	
(m) General Waste Management	26,957	721	0	27,678	26,948	762	0	27,710	26,273	584	0	26,957	
(n) Golf Courses	1,066,866	28,454	(6,428)	1,088,892	1,082,420	16,262	(425,856)	675,126	1,085,204	28,147	(47,485)	1,066,866	
(o) Information Technology	307,823	108,331	(23,769)	392,385	312,792	8,090	(27,000)	393,882	190,314	117,509	0	307,823	
(p) Landfill Restoration	460,587	12,696	(4,923)	468,360	534,038	11,395	(130,975)	414,458	551,927	14,135	(85,475)	460,587	
(q) Les Hansman Centre Development	4,912,146	131,386	0	5,043,531	4,910,683	138,829	0	5,049,512	4,787,516	124,630	0	4,912,146	
(r) Long Service Leave and Entitlements	1,221,897	312,091	0	1,533,988	1,221,507	34,534	0	1,256,041	1,190,894	31,003	0	1,221,897	
(s) Major Capital Works	2,372,752	2,283,690	(661,455)	3,994,987	2,651,316	182,814	(739,001)	2,095,129	3,143,716	258,315	(1,028,278)	2,372,752	
(t) Maylands Lakes	0	128,306	0	128,306	0	131,105	0	131,105	0	0	0	0	
(u) Maylands Waterland	58,069	1,553	0	59,622	58,051	1,641	0	59,692	56,596	1,473	0	58,069	
(v) Morley City Centre	500,697	15,532	0	516,229	500,502	16,412	0	516,914	565,364	14,733	0	500,697	
(w) Morley Sport and Recreation Centre	560,687	15,532	0	576,219	580,502	14,774	(65,000)	530,276	565,364	14,733	0	560,687	
(x) Plant and Works Equipment	156,730	5,254	0	161,984	196,727	5,562	0	202,289	191,797	4,993	0	156,730	
(y) Playground and Parks	1,655,940	44,291	0	1,700,231	1,496,619	42,312	0	1,538,931	1,613,926	42,014	0	1,655,940	
(z) River Restoration	353,741	9,481	0	363,222	12,864	364	0	13,228	170,902	194,717	(11,878)	353,741	
(aa) Roads and Drainage	459,720	13,386	0	473,106	499,561	14,123	0	513,684	487,041	12,679	0	459,720	
(ab) Senior Citizens Buildings	348,412	9,319	0	357,731	348,201	9,847	0	358,148	339,572	9,840	0	348,412	
(ac) Strategic Land Acquisition	44,873	1,200	0	46,073	87,022	2,460	0	89,482	1,509,657	35,216	(1,500,000)	44,873	
(ad) Streetscapes	686,920	18,373	0	705,293	686,702	13,760	(200,000)	500,462	669,492	17,428	0	686,920	
(ae) Sustainable Environment	252,105	7,316	(129,139)	170,282	377,659	610	(356,010)	22,467	565,364	13,949	(207,798)	252,105	
(af) The RISE	560,687	15,532	0	576,219	580,502	16,412	0	596,914	565,954	14,733	0	560,687	
(ag) Workers Compensation	594,644	15,905	0	610,549	594,454	16,606	0	611,250	579,556	15,089	0	594,644	
	41,134,262	4,125,194	(2,116,626)	43,082,828	42,126,096	1,129,892	(2,917,052)	40,300,936	44,417,329	1,641,359	(4,925,026)	41,134,262	

All of the reserve accounts are supported by money held in financial institutions and match the amount shown as restricted cash in Note 3 to this financial report.

Notes to and forming part of the Financial Report for the year ended 30 June 2019

In accordance with Council resolutions in relation to each reserve account, the purpose for which the reserves are set aside and their anticipated date of use are as follows:

Name of Reserve	Anticipated date of use	Purpose of the reserve
(e) Aged Persons Homes - General	on-going	To restrict funds held for the Independent Living Units and Residential Care Facilities owned and controlled by the City. These funds are managed in accordance with the relevant statutory requirements and policies.
(b) Aged Persons Homes - Prudential Requirements	on-going	To provide a cash-backed prudential reserve to meet the accommodation obligations for Residential Care Facilities and Independent Living Units.
(c) Bayswater Bowling Club - Capital Improvements	on-going	To set aside funds for the future development of the Bayswater Bowling Club.
(d) Bayswater Tennis Club	on-going	To set aside funds for the future development of the Bayswater Tennis Club.
(e) Bayswater Waves Aquatic Centre	on-going	To fund asset management requirements of the Bayswater Waves Aquatic Centre.
(f) Bore and Reticulation	on-going	To set aside funds for the installation of new bores and reticulation, and the replacement of old bore and reticulation systems, due to wear and tear.
(g) Building Furniture and Equipment	on-going	To provide a cash-backed reserve for the purpose of furniture and equipment required in the City's buildings.
(h) City Buildings and Amenities	on-going	To set aside funds for the purpose of preserving and renewing the City's buildings.
(i) Civic Centre	on-going	To make provision for the asset management needs of the Civic Centre.
(j) Community Housing	30/06/2019	To set aside funds for the asset management requirements of Community Housing.
(k) Eric Singleton Bird Sanctuary	on-going	To set aside funds for the asset management requirements of the Eric Singleton Bird Sanctuary.
(l) Footpath and Cycleway	on-going	To set aside funds for the asset management requirements of the City's footpath and cycleways infrastructure.
(m) General Waste Management	on-going	To set aside funds for the future development of waste management.
(n) Golf Courses	on-going	To set aside funds for the asset management requirements of the City's golf courses.
(o) Information Technology	on-going	To provide for the maintenance of the City's information technology requirements including general computer replacements.
(p) Landfill Restoration	on-going	To provide funding for the review and any restoration requirements of the Swan River Foreshore.
(q) Les Hansman Centre Development	on-going	To set aside funds for the redevelopment of the Les Hansman Community Centre.
(r) Long Service Leave and Entitlements	on-going	To provide for the payment to employees of Long Service Leave and other approved entitlements.
(s) Major Capital Works	on-going	To finance the cost of major capital works programs as approved by Council.
(t) Maylands Lakes	on-going	To fund asset preservation and environmental requirements for Maylands Lakes.
(u) Maylands Waterland	on-going	To fund asset management requirements of the Maylands Waterland facility.
(v) Morley City Centre	on-going	To provide funds for the future development of the Morley City Centre.
(w) Morley Sport and Recreation Centre	on-going	To set aside funds for the asset management requirements of the Morley Sport & Recreation Centre.
(x) Plant and Works Equipment	on-going	To fund the cost of acquiring plant and equipment needed to provide for the day-to-day operational requirements of the City.
(y) Playground and Parks	on-going	To set aside funds for the asset management requirements of the City's playground and parks infrastructure.
(z) River Restoration	on-going	To set aside funds for the restoration of the river.
(aa) Roads and Drainage	on-going	To set aside funds for the asset management requirements of the City's road and drainage infrastructure.
(ab) Senior Citizens Buildings	on-going	To set aside funds for the asset management requirements of the City's senior citizens centres.
(ac) Strategic Land Acquisition	on-going	To provide funds for future land acquisition.
(ad) Streetscapes	on-going	To provide for the renewal of urban streetscapes.
(ae) Sustainable Environment	on-going	To provide funding for strategic environmental projects such as foreshore rehabilitation and the Eric Singleton Bird Sanctuary.
(af) The RISE	on-going	To fund asset management requirements of The RISE.
(ag) Workers Compensation	on-going	To finance Workers' Compensation costs in excess of premium deposits.

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

**5. TRADE RECEIVABLES**

	2019	2018
	\$	\$
<b>Current</b>		
Rates receivable	1,852,698	1,528,176
Sundry receivables	1,336,378	1,476,580
GST receivable	467,145	483,089
	<u>3,456,221</u>	<u>3,487,845</u>
<b>Non-current</b>		
Pensioners' rates and ESL, deferred	708,350	693,364
Other receivables	164,657	114,155
Deferred lease receivables	1,694,969	0
	<u>2,567,976</u>	<u>807,519</u>

**SIGNIFICANT ACCOUNTING POLICIES****Trade and other receivables**

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Trade receivables are recognised at original invoice amount less any allowances for uncollectible amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

**Impairment and risk exposure**

Information about the impairment of trade receivables and their exposure to credit risk and interest rate risk can be found in Note 31.

**Classification and subsequent measurement**

Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets.

Trade receivables are held with the objective to collect the contractual cashflows and therefore measures them subsequently at amortised cost using the effective interest rate method.

Due to the short-term nature of current receivables, their carrying amount is considered to be the same as their fair value. Non-current receivables are indexed to inflation, any difference between the face value and fair value is considered immaterial.

Notes to and forming part of the Financial Report  
for the year ended 30 June 2019

6. INVENTORIES

	2019	2018
	\$	\$
<b>Current</b>		
Inventories	141,945	145,962
	141,945	145,962

SIGNIFICANT ACCOUNTING POLICIES

General

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

7. OTHER ASSETS AND ASSETS CLASSIFIED AS HELD FOR SALE

	2019	2018
	\$	\$
<b>Other current assets</b>		
Prepayments	127,289	29,918
Accrued revenue	1,381,004	1,352,341
	1,508,293	1,382,259
<b>Non-current assets held for sale</b>		
Assets held for sale	34,789,034	0
	34,789,034	0

Assets held for sale are assets which the City is currently working towards divesting from the Aged Persons Homes.

SIGNIFICANT ACCOUNTING POLICIES

Other current assets

Other non-financial assets include prepayments which represent payments in advance of receipt of goods or services or that part of expenditure made in one accounting period covering a term extending beyond that period.

Non-current assets held for sale

Assets are classified as held for sale where the carrying amount will be recovered through a sale rather than continuing use and the asset is available for immediate sale with a sale being highly probable.

Non-current assets held for sale (Continued)

Non-current assets classified as held for sale are valued at the lower of the carrying amount and fair value less costs to sell.

The fair value of land and buildings was determined using the sales comparison approach using comparable properties in the area. This is a level 2 measurement as per the fair value hierarchy set out in Note 35(h).

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

8. OTHER FINANCIAL ASSETS	2019	2018
	\$	\$
<b>(a) Current assets</b>		
Other financial assets at amortised cost	4,484	0
Other loans and receivables	0	4,202
	<u>4,484</u>	<u>4,202</u>
<b>Other financial assets at amortised cost</b>		
- Financial assets at amortised cost - self-supporting loans	4,484	0
	<u>4,484</u>	<u>0</u>
<b>Financial assets previously classified as loans and receivables</b>		
- Loans receivable - clubs/institutions	0	4,202
	<u>0</u>	<u>4,202</u>
<b>(b) Non-current assets</b>		
Other financial assets at amortised cost	11,219	0
Financial assets at fair value through profit and loss	175,171	0
Available for sale financial assets	0	154,668
Other loans and receivables	0	15,703
	<u>196,390</u>	<u>170,371</u>
<b>Other financial assets at amortised cost</b>		
- Financial assets at amortised cost - self-supporting loans	11,219	0
	<u>11,219</u>	<u>0</u>
<b>Financial assets at fair value through profit and loss</b>		
- <i>Unlisted equity investments</i>		
Units in Local Government House Trust	175,171	0
	<u>175,171</u>	<u>0</u>

The City retains an equity interest with the Western Australian Local Government Association (WALGA) as a consequence of a contribution towards the cost of purchasing Local Government House.

The City currently holds 10 units with an estimated value of \$175,171.

<b>Financial assets previously classified as controlled entities, associated entities and interests in joint ventures</b>		
Units in Local Government House Trust	0	154,668
	<u>0</u>	<u>154,668</u>
<b>Financial assets previously classified as loans and receivables</b>		
- Loans receivable - clubs/institutions	0	15,703
	<u>0</u>	<u>15,703</u>

During the year, the following gains/(losses) were recognised in profit and loss:

Fair value gains/(losses) on equity investments at fair value through profit and loss are recognised in other gains/(losses) and classified as other property and services	20,503	(24,217)
	<u>20,503</u>	<u>(24,217)</u>

Loans receivable from clubs/institutions have the same terms and conditions as the related borrowing disclosed in Note 16(b) as self-supporting loans.

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

**SIGNIFICANT ACCOUNTING POLICIES**

**Other financial assets at amortised cost**

The City classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model the object of which is to collect the contractual cashflows; and
- the contractual terms give rise to cashflows that are solely payments of principal and interest.

**Financial assets at fair value through profit and loss**

The City classifies the following financial assets at fair value through profit and loss:

- debt investments which do not qualify for measurement at either amortised cost or fair value through other comprehensive income.
- equity investments which the City has not elected to recognise fair value gains and losses through other comprehensive income.

**Impairment and risk**

Information regarding impairment and exposure to risk can be found at Note 31.

**Previous accounting policy: available for sale financial assets**

Available-for-sale financial assets are non-derivative financial assets that are either not suitable to be classified as other categories of financial assets due to their nature, or they are designated as such by management. They comprise investments in the equity of other entities where there is neither a fixed maturity nor fixed or determinable payments.

**Previous accounting policy: Loans and receivables**

Non-derivative financial assets with fixed or determinable payments that were not quoted in an active market and are solely payments of principal and interest were classified as loans and receivables and are subsequently measured at amortised cost, using the effective interest rate method.

Refer to Note 34 for explanations regarding the change in accounting policy and reclassification of available-for-sale financial assets to financial assets at fair value through profit and loss.

Notes to and forming part of the Financial Report  
for the year ended 30 June 2019

9. PROPERTY, PLANT AND EQUIPMENT

(a) Movements in Carrying Amounts

Movement in the carrying amounts of each class of property, plant and equipment between the beginning and the end of the current financial year.

	Land - freehold land	Land - vested in and under the control of Council	Total land		Total land and buildings	Furniture and equipment	Plant and equipment	Total property, plant and equipment
	\$	\$	\$	\$	\$	\$	\$	\$
Balance at 1 July 2017	323,766,000	10,410,000	334,196,000	181,756,766	515,952,766	4,197,739	6,688,858	526,839,363
Additions	3,513,489	0	3,513,489	4,730,022	8,243,521	1,395,415	1,622,002	11,260,938
(Disposals)	(345,000)	0	(345,000)	(1,450,504)	(1,795,504)	(16,423)	(1,036,401)	(2,848,328)
Depreciation (expense)	0	0	0	(2,652,272)	(2,652,272)	(1,111,690)	(749,803)	(4,513,765)
Transfers	0	0	0	1,669,950	1,669,950	0	0	1,669,950
Carrying amount at 30 June 2018	326,954,499	10,410,000	337,364,499	184,053,962	521,418,461	4,465,041	6,524,656	532,408,158
<b>Comprises:</b>								
Gross carrying amount at 30 June 2018	327,269,499	10,410,000	337,709,499	234,335,092	572,044,591	6,834,235	7,830,095	596,708,921
Accumulated depreciation at 30 June 2018	(345,000)	0	(345,000)	(50,281,130)	(50,626,130)	(2,369,194)	(1,305,439)	(54,300,763)
Carrying amount at 30 June 2018	326,954,499	10,410,000	337,364,499	184,053,962	521,418,461	4,465,041	6,524,656	532,408,158
Additions	0	0	0	2,981,153	2,981,153	1,397,548	935,994	5,314,695
(Disposals)	0	0	0	0	0	(275,993)	(488,955)	(764,948)
Revaluation increments / (decrements) transferred to revaluation surplus	(1,255,000)	0	(1,255,000)	0	(1,255,000)	0	163,306	(1,091,694)
Depreciation (expense)	0	0	0	(2,666,066)	(2,666,066)	(1,373,476)	(783,846)	(4,823,388)
Discontinued Operations	0	0	0	(10,344,268)	(10,344,268)	(130,385)	0	(10,474,653)
Transfer to Investment Property	(7,370,000)	0	(7,370,000)	0	(7,370,000)	0	0	(7,370,000)
Transfer to Assets Held for Sale	(5,140,000)	0	(5,140,000)	(29,237,092)	(34,377,092)	(391,942)	0	(34,769,034)
Carrying amount at 30 June 2019	313,189,499	10,410,000	323,599,499	144,787,689	468,387,188	3,890,793	6,351,155	478,429,136
<b>Comprises:</b>								
Gross carrying amount at 30 June 2019	313,189,499	10,410,000	323,599,499	181,278,520	504,878,019	7,077,025	6,351,155	518,306,199
Accumulated depreciation at 30 June 2019	0	0	0	(36,490,831)	(36,490,831)	(3,386,232)	0	(39,877,063)
Carrying amount at 30 June 2019	313,189,499	10,410,000	323,599,499	144,787,689	468,387,188	3,890,793	6,351,155	478,429,136

CITY OF BAYSWATER | 19

Notes to and forming part of the Financial Report  
for the year ended 30 June 2019

9. PROPERTY, PLANT AND EQUIPMENT (Continued)

(b) Fair Value Measurements

Asset Class	Fair Value Hierarchy	Valuation Technique	Basis of Valuation	Date of Last Valuation	Inputs Used
<b>Land and buildings</b>					
Land - freehold land	2	Market approach using recent observable data for similar properties	Independent registered valuer	June 2017	Price per metre
Land - vested in and under the control of Council	2	Market approach using recent observable data for similar properties	Independent registered valuer	June 2017	Price per metre
Buildings	2	Market approach using recent observable data for similar properties e.g. residential properties and cost approach using depreciated replacement cost	Independent registered valuer	June 2017	Price per metre (Level 2) Construction cost based on current tender and market rates (Level 2) residual values and critical life assessments (Level 3)
Furniture and equipment	3	Cost approach using depreciated replacement cost	Independent registered valuer	June 2016	Market price per item (Level 2)
Plant and equipment	2	Market approach using recent observable data for similar items and cost approach using depreciated replacement cost	Independent registered valuer	June 2019	Market price per item Make, size, year of manufacture and condition.

Level 3 inputs are based on assumptions with regards to future values and patterns of consumption utilising current information. If the bases of these assumptions were varied, they have the potential to result in a significantly higher or lower fair value measurement.

During the period there were no changes in the valuation techniques used by the local government to determine the fair value of property, plant and equipment using either level 2 or level 3 inputs.

CITY OF BAYSWATER | 20

Notes to and forming part of the Financial Report  
for the year ended 30 June 2019

## 10. INFRASTRUCTURE

## (a) Movements in Carrying Amounts

Movement in the carrying amounts of each class of infrastructure between the beginning and the end of the current financial year.

	Infrastructure - roads	Infrastructure - drainage	Infrastructure - footpaths	Infrastructure - park development	Infrastructure - other	Total Infrastructure
	\$	\$	\$	\$	\$	\$
Balance at 1 July 2017	97,408,590	39,541,079	27,822,730	18,333,698	3,427,349	188,533,446
Additions	7,852,550	2,004,232	1,922,036	3,119,467	178,851	15,077,146
Revaluation increments / (decrements) transferred to revaluation surplus	7,145,283	(408,100)	278,225	0	799,364	7,815,772
Revaluation (loss) / reversals transferred to profit or loss	0	0	0	(1,822,736)	0	(1,822,736)
Depreciation (expense)	(3,400,883)	(329,227)	(585,410)	(1,310,176)	(433,512)	(6,059,208)
Transfers	0	0	0	(1,669,957)	0	(1,669,957)
Carrying amount at 30 June 2018	109,005,540	40,807,984	29,438,581	16,650,296	3,972,052	199,874,463
Comprises:						
Gross carrying amount at 30 June 2018	190,722,685	54,164,700	39,987,341	47,639,997	8,108,730	340,623,453
Accumulated depreciation at 30 June 2018	(81,717,145)	(13,356,716)	(10,548,760)	(30,989,701)	(4,136,668)	(140,748,580)
Carrying amount at 30 June 2018	109,005,540	40,807,984	29,438,581	16,650,296	3,972,052	199,874,463
Additions	2,836,809	351,796	725,983	1,953,473	343,514	6,211,375
Depreciation (expense)	(3,478,964)	(330,671)	(592,962)	(1,383,587)	(466,246)	(6,252,430)
Carrying amount at 30 June 2019	108,363,185	40,829,109	29,571,602	17,210,182	3,848,330	199,823,408
Comprises:						
Gross carrying amount at 30 June 2019	193,559,294	54,518,496	40,713,324	49,593,469	8,452,245	346,834,828
Accumulated depreciation at 30 June 2019	(85,196,109)	(13,687,387)	(11,141,722)	(32,383,287)	(4,603,915)	(147,011,420)
Carrying amount at 30 June 2019	108,363,185	40,829,109	29,571,602	17,210,182	3,848,330	199,823,408

CITY OF BAYSWATER | 21

Notes to and forming part of the Financial Report  
for the year ended 30 June 2019

## 10. INFRASTRUCTURE (Continued)

## (b) Fair Value Measurements

Asset Class	Fair Value Hierarchy	Valuation Technique	Basis of Valuation	Date of Last Valuation	Inputs Used
Infrastructure - roads	3	Cost approach using depreciated replacement cost	Management valuation	June 2018	Construction cost based on current tender and market rates (Level 2), residual values and critical life assessments (Level 3)
Infrastructure - drainage	3	Cost approach using depreciated replacement cost	Management valuation	June 2018	Construction cost based on current tender and market rates (Level 2), residual values and critical life assessments (Level 3)
Infrastructure - footpaths	3	Cost approach using depreciated replacement cost	Management valuation	June 2018	Construction cost based on current tender and market rates (Level 2), residual values and critical life assessments (Level 3)
Infrastructure - park development	3	Cost approach using depreciated replacement cost	Management valuation	June 2018	Construction cost based on current tender and market rates (Level 2), residual values and critical life assessments (Level 3)
Infrastructure - other	3	Cost approach using depreciated replacement cost	Management valuation	June 2018	Construction cost based on current tender and market rates (Level 2), residual values and critical life assessments (Level 3)

Level 3 inputs are based on assumptions with regards to future values and patterns of consumption utilising current information. If the bases of these assumptions were varied, they have the potential to result in a significantly-higher or lower fair value measurement.

During the period there were no changes in the valuation techniques used to determine the fair value of infrastructure using level 3 inputs.

The "Critical Life" is the lowest calculated value of longevity in years between "Condition Assessed Life" and "Design Assessed Life". The Condition Assessed Life is conditioned based measure (Rating scale of 1 to 10) of economic life in number of years remaining before intervention is required and the Design Assessed Life is designed base measure of economic life in number of years remaining before intervention is required. (i.e. Design Life - Construction Date (Age)).

CITY OF BAYSWATER | 22

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

**11. PROPERTY, PLANT AND EQUIPMENT (INCLUDING INFRASTRUCTURE)**

**SIGNIFICANT ACCOUNTING POLICIES**

**Fixed assets**

Each class of fixed assets within either plant and equipment or infrastructure, is carried at cost or fair value as indicated, less, where applicable, any accumulated depreciation and impairment losses.

**Initial recognition and measurement between mandatory revaluation dates**

All assets are initially recognised at cost where the fair value of the asset at date of acquisition is equal to or above \$5,000. All assets are subsequently revalued in accordance with the mandatory measurement framework.

In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration, plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the City includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Individual assets acquired between initial recognition and the next revaluation of the asset class in accordance with the mandatory measurement framework, are recognised at cost and disclosed as being at fair value as management believes cost approximates fair value. They are subject to subsequent revaluation at the next anniversary date in accordance with the mandatory measurement framework.

**Revaluation**

The fair value of fixed assets is determined at least every three years and no more than five years in accordance with the regulatory framework. At the end of each period the valuation is reviewed and, where appropriate, the fair value is updated to reflect current market conditions. This process is considered to be in accordance with *Local Government (Financial Management) Regulation 17A (2)* which requires property, plant and equipment to be shown at fair value.

Increases in the carrying amount arising on revaluation of assets are credited to a revaluation surplus in equity. Decreases that offset previous increases of the same class of asset are recognised against revaluation surplus directly in equity. All other decreases are recognised in profit or loss.

**AUSTRALIAN ACCOUNTING STANDARDS - INCONSISTENCY**

**Land under control**

In accordance with *Local Government (Financial Management) Regulation 16(a)(ii)*, the City was required to include as an asset Crown Land operated by the local government as a golf course, showground, racecourse or other sporting or recreational facility of State or Regional significance.

Upon initial recognition, these assets were recorded at cost in accordance with AASB 116. They were then classified as Land and revalued along with other land in accordance with the other policies detailed in this Note.

**Land under roads**

In Western Australia, all land under roads is Crown Land, the responsibility for managing which, is vested in the local government.

Effective as at 1 July 2008, Council elected not to recognise any value for land under roads acquired on or before 30 June 2008. This accords with the treatment available in *Australian Accounting Standard AASB 1051 Land Under Roads* and the fact *Local Government (Financial Management) Regulation 16(a)(i)* prohibits local governments from recognising such land as an asset.

In respect of land under roads acquired on or after 1 July 2008, as detailed above, *Local Government (Financial Management) Regulation 16(a)(i)* prohibits local governments from recognising such land as an asset.

Whilst such treatment is inconsistent with the requirements of AASB 1051, *Local Government (Financial Management) Regulation 4(2)* provides, in the event of such an inconsistency, the *Local Government (Financial Management) Regulations* prevail.

Consequently, any land under roads acquired on or after 1 July 2008 is not included as an asset of the City.

Notes to and forming part of the Financial Report  
for the year ended 30 June 2019

11. PROPERTY, PLANT AND EQUIPMENT (INCLUDING INFRASTRUCTURE) (Continued)

(a) Disposal of Assets

	2019	2019	2019	2019	2019	2019	2019	2018	2018	2018	2018	
	Actual Net Book Value	Actual Sale Proceeds	Actual Profit	Actual Loss	Budget Net Book Value	Budget Sale Proceeds	Budget Profit	Budget Loss	Actual Net Book Value	Actual Sale Proceeds	Actual Profit	Actual Loss
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Land - freehold land	0	0	0	0	0	0	0	0	345,000	201,045	0	(143,955)
Buildings	0	0	0	0	0	0	0	0	1,450,504	0	0	(1,450,504)
Furniture and equipment	275,993	10,000	6,306	(272,299)	0	0	0	0	16,423	3,530	0	(12,893)
Plant and equipment	486,955	369,860	13,358	(132,353)	1,102,797	665,600	18,669	(435,866)	1,036,401	605,778	0	(430,623)
	764,948	379,860	19,664	(404,652)	1,102,797	665,600	18,669	(435,866)	2,848,328	810,353	0	(2,037,975)

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

**11. PROPERTY, PLANT AND EQUIPMENT (INCLUDING INFRASTRUCTURE) (Continued)**

(b) Depreciation	2019	2019	2018
	Actual	Budget	Actual
	\$	\$	\$
Buildings	2,666,066	3,004,200	2,652,272
Furniture and equipment	1,373,476	1,109,900	1,111,690
Plant and equipment	783,846	734,459	749,803
Infrastructure - roads	3,478,964	3,700,000	3,400,883
Infrastructure - drainage	330,671	338,000	329,227
Infrastructure - footpaths	592,962	580,000	585,410
Infrastructure - park development	1,393,587	2,333,000	1,310,176
Infrastructure - other	466,246	367,000	433,512
	<u>11,085,818</u>	<u>12,166,559</u>	<u>10,572,973</u>

**SIGNIFICANT ACCOUNTING POLICIES**

**Depreciation**

The depreciable amount of all fixed assets including buildings but excluding freehold land and vested land, is determined on a straight-line basis over the individual asset's useful life from the time the asset is held ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful life of the improvements.

The assets' residual values and useful lives are reviewed, and adjusted if appropriate, at the end of each reporting period.

An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount.

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains and losses are included in the statement of comprehensive income in the period in which they arise.

**Depreciation rates**

Typical estimated useful lives for the different asset classes for the current and prior years are included in the table below:

Asset Class	Useful life	Asset Class	Useful life
<b>Roads and Footpaths</b>		<b>Park Development</b>	
Road seal	15 to 30 years	Play Equipment	10 to 15 years
Pavement	99 years	Sporting Structures	5 to 50 years
Kerbing	75 years	Irrigation	10 to 25 years
Footpaths	30 to 75 years	Other Park Structures	15 to 50 years
<b>Drainage</b>	30 to 200 years	<b>Buildings</b>	10 to 75 years
<b>Other Infrastructure</b>		<b>Furniture and Equipment</b>	3 to 10 years
Bus Shelters	35 to 40 years	<b>Plant and Equipment</b>	5 to 15 years
Lighting	20 to 30 years		
Park and Street Furniture	10 to 50 years		
Signage	4 to 30 years		
Fencing	10 to 99 years		

**Depreciation (Continued)**

When an item of property, plant and equipment is revalued, any accumulated depreciation at the date of the revaluation is treated in one of the following ways:

(a) The gross carrying amount is adjusted in a manner that is consistent with the revaluation of the carrying amount of the asset. For example, the gross carrying amount may be restated by reference to observable market data or it may be restated proportionately to the change in the carrying amount. The accumulated depreciation at the date of the revaluation is adjusted to equal the difference between the gross carrying amount and the carrying amount of the asset after taking into account accumulated impairment losses; or

(b) Eliminated against the gross carrying amount of the asset and the net amount restated to the revalued amount of the asset.

Notes to and forming part of the Financial Report  
for the year ended 30 June 2019

12. REVALUATION SURPLUS

	2019 Opening Balance	2019 Revaluation Increment	2019 Revaluation (Decrement)	2019 Disposal write-back	Total Movement on Revaluation	2019 Closing Balance	2018 Opening Balance	2018 Revaluation Increment	2018 Disposal write-back	Total Movement on Revaluation	2018 Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Land - freehold land	319,650,217	0	(1,255,000)	0	(1,255,000)	318,395,217	319,995,217	0	(345,000)	(345,000)	319,650,217
Buildings	116,701,466	0	0	(16,206,554)	(16,206,554)	100,494,912	118,887,727	0	(2,186,261)	(2,186,261)	116,701,466
Furniture and equipment	1,379,852	0	0	(24,584)	(24,584)	1,355,268	1,391,443	0	(11,591)	(11,591)	1,379,852
Plant and equipment	47,670	163,306	0	(46,068)	117,238	164,908	75,383	0	(27,663)	(27,663)	47,670
Infrastructure - roads	50,628,820	0	0	0	0	50,628,820	43,481,537	7,145,283	0	7,145,283	50,628,820
Infrastructure - drainage	15,432,101	0	0	0	0	15,432,101	15,840,201	0	(408,100)	(408,100)	15,432,101
Infrastructure - footpaths	17,731,077	0	0	0	0	17,731,077	17,451,852	279,225	0	279,225	17,731,077
Infrastructure - other infrastructure	4,431,811	0	0	0	0	4,431,811	3,632,447	799,364	0	799,364	4,431,811
Eastern Metropolitan Regional Council	7,925,547	0	(253,590)	0	(253,590)	7,671,957	7,925,547	0	0	0	7,925,547
	533,926,561	163,306	(1,508,590)	(16,277,206)	(17,622,490)	516,304,071	528,881,334	8,223,872	(2,978,645)	5,245,227	533,926,561

Movements on revaluation of property, plant and equipment (including infrastructure) are not able to be reliably attributed to a program as the assets were revalued by class as provided for by AASB 116 Property Plant and Equipment Aus 40.1.

Notes to and forming part of the Financial Report  
for the year ended 30 June 2019

13. INVESTMENT PROPERTIES

	2019 Actual \$	2019 Budget \$	2018 Actual \$
<b>Non-current assets - at fair value</b>			
Re-classified as investment properties	7,370,000	0	0
Closing balance at 30 June	7,370,000	0	0

**SIGNIFICANT ACCOUNTING POLICIES**

**Investment properties**

Investment properties are principally freehold buildings, held for long-term rental yields and not occupied by the City. They are carried at fair value. Changes in the fair values are presented in profit or loss as a part of other revenue.

**Fair value of investment properties**

A management valuation was performed to determine the fair value of investment properties. The main Level 3 inputs used in the valuation were discount rates, terminal yields, expected vacancy rates and rental growth rates estimated by management based on comparable transactions and industry data.

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

<b>14. TRADE AND OTHER PAYABLES</b>	<b>2019</b>	<b>2018</b>
	<b>\$</b>	<b>\$</b>
<b>Current</b>		
Trade Creditors	4,521,780	6,912,921
Refundable contributions	0	23,897,370
Prepaid revenue	2,597,407	1,296,962
	<b>7,119,187</b>	<b>32,107,253</b>
<b>Non-current</b>		
Sundry creditors	0	100
	<b>0</b>	<b>100</b>

**SIGNIFICANT ACCOUNTING POLICIES**

**Trade and other payables**

Trade and other payables represent liabilities for goods and services provided to the City prior to the end of the financial year that are unpaid and arise when the City becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

<b>15. HELD FOR SALE LIABILITIES</b>	<b>2019</b>	<b>2018</b>
	<b>\$</b>	<b>\$</b>
<b>Current</b>		
Trade Creditors	107,578	0
Refundable Contributions	23,273,503	0
	<b>23,381,081</b>	<b>0</b>

Refer to note 39 - Discontinued Operations

Notes to and forming part of the Financial Report  
for the year ended 30 June 2019

16. INFORMATION ON BORROWINGS

(a) Borrowings

	2019	2018
	\$	\$
Current	4,484	4,202
Non-current	11,219	15,703
	15,703	19,905

(b) Repayments - Borrowings

Particulars	Loan Number	Institution	Interest Rate	30 June 2019				30 June 2019				30 June 2019					
				Actual Principal 1 July 2018	Actual Principal Repayments	Actual Interest Repayments	Actual Principal Outstanding	Budget Principal 1 July 2018	Budget Principal Repayments	Budget Interest Repayments	Budget Principal Outstanding	Actual Principal 1 July 2017	Actual Principal Repayments	Actual Interest Repayments	Actual Principal Outstanding		
<b>Self-supporting Loans</b>																	
<b>Recreation and culture</b>																	
Football West	214	WATC*	6.45%	19,905	4,202	1,127	15,703	19,905	4,200	1,308	15,705	23,842	3,937	1,241	19,905		
Morley/Noranda Recreation Club Inc	222	WATC*	7.15%	0	0	0	0	0	0	0	0	2,040	2,040	38	0		
				19,905	4,202	1,127	15,703	19,905	4,200	1,308	15,705	25,882	5,977	1,282	19,905		
				19,905	4,202	1,127	15,703	19,905	4,200	1,308	15,705	25,882	5,977	1,282	19,905		

All loans are self-supporting and financed by payments from third parties. These are shown in Note 8 as other financial assets at amortised cost.

\* WA Treasury Corporation

Notes to and forming part of the Financial Report  
for the year ended 30 June 2019

16. INFORMATION ON BORROWINGS (Continued)

The City did not undertake any new borrowing for the year ended 30 June 2019.  
The City has no unspent loan funds for the year ended 30 June 2019.

	2019	2018
	\$	\$
<b>(c) Undrawn Borrowing Facilities</b>		
<b>Credit Standby Arrangements</b>		
Credit card limit	30,000	50,000
Credit card balance at balance date	14,033	12,720
<b>Total amount of credit unused</b>	<b>44,033</b>	<b>62,720</b>
<b>Loan facilities</b>		
Loan facilities - current	4,484	4,202
Loan facilities - non-current	11,219	15,703
<b>Total facilities in use at balance date</b>	<b>15,703</b>	<b>19,905</b>

**SIGNIFICANT ACCOUNTING POLICIES**

**Financial liabilities**

Financial liabilities are recognised at fair value when the City becomes a party to the contractual provisions to the instrument.

Non-derivative financial liabilities (excluding financial guarantees) are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.

Financial liabilities are derecognised where the related obligations are discharged, cancelled or expired. The difference between the carrying amount of the financial liability extinguished or transferred to another party and the fair value of the consideration paid, including the transfer of non-cash assets or liabilities assumed, is recognised in profit or loss.

**Borrowing costs**

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset until such time as the asset is substantially ready for its intended use or sale.

**Risk**

Information regarding exposure to risk can be found at Note 31.

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

**17. EMPLOYEE RELATED PROVISIONS**

Employee Related Provisions	Provision for	Provision for	Provision for	Total
	Annual Leave	Sick Leave	Long Service Leave	
	\$	\$	\$	\$
<b>Opening balance at 1 July 2018</b>				
Current provisions	2,589,007	0	2,490,673	5,079,680
Non-current provisions	0	0	494,365	494,365
	<u>2,589,007</u>	<u>0</u>	<u>2,985,038</u>	<u>5,574,045</u>
<b>Additional provision</b>				
Amounts used	(2,344,131)	775,045	(144,030)	(1,713,116)
Increase in the discounted amount arising because of time and the effect of any change in the discounted rate	(17,409)	0	(100,311)	(117,719)
<b>Balance at 30 June 2019</b>	<u>2,570,572</u>	<u>775,045</u>	<u>3,296,505</u>	<u>6,642,122</u>
<b>Comprises</b>				
Current	2,570,572	775,045	2,943,143	6,288,760
Non-current	0	0	353,362	353,362
	<u>2,570,572</u>	<u>775,045</u>	<u>3,296,505</u>	<u>6,642,122</u>
<b>Amounts are expected to be settled on the following basis:</b>	<b>2019</b>	<b>2018</b>		
	\$	\$		
Less than 12 months after the reporting date	3,458,818	5,079,680		
More than 12 months from reporting date	3,084,737	494,365		
Expected reimbursements from other WA local governments	98,567	0		
	<u>6,642,122</u>	<u>5,574,045</u>		

Timing of the payment of current leave liabilities is difficult to determine as it is dependent on future decisions of employees. Expected settlement timings are based on information obtained from employees and historical leave trends and assumes no events will occur to impact on these historical trends.

**SIGNIFICANT ACCOUNTING POLICIES****Employee benefits****Short-term employee benefits**

Provision is made for the City's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The City's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the statement of financial position.

**Other long-term employee benefits**

The City's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures, and are discounted at

rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur.

The City's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the City does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

**Provisions**

Provisions are recognised when the City has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

Notes to and forming part of the Financial Report  
for the year ended 30 June 2019

18. OTHER FINANCIAL LIABILITIES

	2019	2018
	\$	\$
Deferred lease liability	3,243,501	0
	3,243,501	0

Refer to note 26 - Major Land Transactions

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

**19. NOTES TO THE STATEMENT OF CASH FLOWS**

**Reconciliation of Cash**

For the purposes of the Statement of Cash Flows, cash includes cash and cash equivalents, net of outstanding bank overdrafts. Cash at the end of the reporting period is reconciled to the related items in the Statement of Financial Position as follows:

	2019 Actual \$	2019 Budget \$	2018 Actual \$
Cash and cash equivalents	78,632,835	65,280,936	70,006,604
<b>Reconciliation of Net Cash Provided By Operating Activities to Net Result</b>			
Net result	(1,483,204)	586,295	11,661,881
<b>Non-cash flows in net result:</b>			
Adjustments to fair value of financial assets	(20,503)	0	24,217
Adjustments to fair value of fixed assets through profit or loss	0	0	1,822,736
Depreciation	11,085,818	12,166,559	10,572,973
(Profit)/loss on sale of asset	384,988	417,197	2,037,975
Share of profits of associates and joint ventures	(1,523,054)	0	(2,411,365)
Discontinued Operations	10,474,653	1,053,100	857,095
<b>Changes in assets and liabilities:</b>			
(Increase)/decrease in receivables	(1,728,833)	(360,000)	(618,095)
(Increase)/decrease in other assets	(126,034)	0	80,608
(Increase)/decrease in inventories	4,017	0	(47,191)
Increase/(decrease) in payables	(1,607,085)	1,078,226	2,047,043
Increase/(decrease) in provisions	4,311,578	0	271,031
Grants contributions for the development of assets	(3,350,314)	(3,471,678)	(10,768,089)
Net cash from operating activities	16,422,027	11,469,699	15,530,819

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

**20. TOTAL ASSETS CLASSIFIED BY FUNCTION AND ACTIVITY**

	2019	2018
	\$	\$
Governance	1,520,162	1,309,297
General purpose funding	2,606,103	0
Law, order, public safety	3,299,017	3,198,536
Health	967,976	1,063,165
Education and welfare	10,862,138	50,257,803
Housing	65,498,083	355,606
Community amenities	381,698,339	340,437,206
Recreation and culture	147,708,208	142,348,370
Transport	138,042,821	185,970,886
Economic services	409,113	372,105
Other property and services	43,479,686	6,969,647
Unallocated	47,163,606	111,100,828
	<b>843,255,252</b>	<b>843,383,449</b>

Notes to and forming part of the Financial Report  
for the year ended 30 June 2019

**21. CONTINGENT LIABILITIES**

There were no contingent liabilities as at 30 June 2019.

Notes to and forming part of the Financial Report  
for the year ended 30 June 2019

22. CAPITAL AND LEASING COMMITMENTS

(a) Capital Expenditure Commitments

	2019	2018
	\$	\$
Contracted for:		
- capital expenditure projects	2,510,119	4,276,247
	<u>2,510,119</u>	<u>4,276,247</u>
Payable:		
- not later than one year	2,510,119	4,276,247

(b) Operating Lease Commitments

Non-cancellable operating leases contracted for but not capitalised in the accounts.

	2019	2018
	\$	\$
Payable:		
- not later than one year	46,082	116,273
- later than one year but not later than five years	7,086	116,777
	<u>53,168</u>	<u>233,050</u>

SIGNIFICANT ACCOUNTING POLICIES

Leases

Leases of fixed assets where substantially all the risks and benefits incidental to the ownership of the asset, but not legal ownership, are transferred to the City and are classified as finance leases.

Finance leases are capitalised recording an asset and a liability at the lower of the fair value of the leased property or the present value of the minimum lease payments, including any guaranteed residual values. Lease payments are allocated between the reduction of the lease liability and the lease interest expense for the period.

Leased assets are depreciated on a straight-line basis over the shorter of their estimated useful lives or the lease term.

Lease payments for operating leases, where substantially all the risks and benefits remain with the lessor, are charged as expenses on a straight-line basis over the lease term.

Lease incentives under operating leases are recognised as a liability and amortised on a straight-line basis over the life of the lease term.

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

**23. RELATED PARTY TRANSACTIONS**

**Elected Members Remuneration**

The following fees, expenses and allowances were paid to council members and/or the Mayor.

	2019 Actual	2019 Budget	2018 Actual
	\$	\$	\$
Meeting fees	353,894	360,686	284,742
Mayor's allowance	88,864	88,864	99,102
Deputy Mayor's allowance	22,216	22,216	26,387
Telecommunications allowance	37,264	37,400	29,177
	502,238	509,166	439,408

**Key Management Personnel (KMP) Compensation Disclosure**

The total of remuneration paid to KMP of the City during the year are as follows:

	2019 Actual	2018 Actual
	\$	\$
Short-term employee benefits	919,663	1,048,285
Post-employment benefits	98,563	117,180
Other long-term benefits	20,942	24,741
Termination benefits	68,065	0
	1,107,233	1,190,206

*Short-term employee benefits*

These amounts include all salary, fringe benefits and cash bonuses awarded to KMP except for details in respect to fees and benefits paid to elected members which may be found above.

*Post-employment benefits*

These amounts are the current-year's estimated cost of providing for the City's superannuation contributions made during the year.

*Other long-term benefits*

These amounts represent long service benefits accruing during the year.

*Termination benefits*

These amounts represent termination benefits paid to KMP (Note: may or may not be applicable in any given year).

Notes to and forming part of the Financial Report  
for the year ended 30 June 2019

24. JOINT ARRANGEMENTS

The City has joint venture arrangements with:

(a) City of Swan

The City shares the operation cost with the City of Swan on a 50/50 basis for maintenance of Altone Park.

The City contributed \$137,252 toward the operational costs for 2018/19

It is anticipated the Altone Park joint arrangement between the Cities of Bayswater and Swan will be dissolved in 2019/20. No contribution are expected to be paid in 2019/20.

**SIGNIFICANT ACCOUNTING POLICIES**

**Interests in joint arrangements**

Joint arrangements represent the contractual sharing of control between parties in a business venture where unanimous decisions about relevant activities are required.

Separate joint arrangements providing joint ventures with an interest to net assets are classified as a joint venture and accounted for using the equity method. The equity method of accounting, whereby the investment is initially recognised at cost and adjusted thereafter for the post-acquisition change in the City's share of net assets of the associate. In addition, the City's share of the profit or loss of the associate is included in the City's profit or loss.

Joint operations represent arrangements whereby joint operators maintain direct interests in each asset and exposure to each liability of the arrangement. The City's interests in the assets, liabilities, revenue and expenses of joint operations are included in the respective line items of the financial statements.

CITY/TOWN/SHIRE OF SOMEWHERE  
STATEMENT OF COMPREHENSIVE INCOME  
BY PROGRAM  
**25. INVESTMENT IN ASSOCIATES**  
FOR THE YEAR ENDED 30TH JUNE 2019

The City has a share in Eastern Metropolitan Regional Council (EMRC).

The EMRC, comprises of six member councils, is primarily concerned with refuse removal and provision of safety services.

The principal place of business:  
226 Great Eastern Highway, Belmont WA 6104

<b>Total Equity share in EMRC (Estimated)</b>	<b>2019</b>	<b>2018</b>
	Share	Share
	%	%
City of Bayswater	18.60	18.86

<b>Investments accounted for using the equity method</b>	<b>2019</b>	<b>2018</b>
	\$	\$
Current Assets	20,035,244	18,767,058
Non-Current Assets	18,500,776	17,475,093
	<u>38,536,021</u>	<u>36,242,152</u>
Current Liabilities	1,334,715	957,190
Non-Current Liabilities	835,776	664,746
	<u>2,170,491</u>	<u>1,621,936</u>
	<u><u>36,365,530</u></u>	<u><u>35,096,066</u></u>

**Share of profit or loss of associates and joint ventures accounted for using the equity method**

Total Comprehensive Income	1,533,033	2,460,611
Write-back on disposals	(9,979)	(49,245)
	<u>1,523,054</u>	<u>2,411,366</u>

**SIGNIFICANT ACCOUNTING POLICIES**

**Investment in associates**

An associate is an entity over which the City has significant influence. Significant influence is the power to participate in the financial operating policy decisions of that entity but is not control or joint control of those policies. Investments in associates are accounted for in the financial statements by applying the equity method of accounting, whereby the investment is initially recognised at cost and adjusted thereafter for the post-acquisition change in the City's share of net assets of the associate. In addition, the City's share of the profit or loss of the associate is included in the City's profit or loss.

The carrying amount of the investment includes, where applicable, goodwill relating to the associate. Any discount on acquisition, whereby the City's share of the net fair value of the associate exceeds the cost of investment, is recognised in profit or loss in the period in which the investment is acquired.

Profits and losses resulting from transactions between the City and the associate are eliminated to the extent of the City's interest in the associate. When the City's share of losses in an associate equals or exceeds its interest in the associate, the City discontinues recognising its share of further losses unless it has incurred legal or constructive obligations or made payments on behalf of the associate. When the associate subsequently makes profits, the City will resume recognising its share of those profits once its share of the profits equals the share of the losses not recognised.

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

**26. MAJOR LAND TRANSACTIONS**

**(a) Details**

Mertome Village is an Independent Living Unit (ILU) site in Bayswater which operates in accordance with the *Retirement Villages Act 1999* and subordinate legislations. Mertome Village, at the time of the disposition via long-term lease, was managed by Uniting Church Homes (Juniper) under a Management Agreement between the City of Bayswater and Juniper.

At the Council Meeting on 2 August 2016 Council supported the disposal of Land (via long-term lease arrangement) and subsequently advertised a Business Plan in December 2016.

On 1 April 2019, Hall & Prior (Fresh Fields Management (Mertome Village) Pty Ltd) entered into a long-term lease with a maximum term of 99 years with the City and acquired the business and assets associated with Mertome Village.

**(b) Current year transactions**

	2019 Actual \$	2019 Budget \$	2018 Actual \$
<b>Fees and Charges</b>			
Lease Income	85,368	0	0

**(c) Expected future cash flows**

Cash flows are expected until year 15 of the lease to the end of the lease term.

**(d) Assets and liabilities**

	2019 \$	2018 \$
<b>Trade Receivables</b>		
Deferred lease asset - non-current	1,694,969	0
	1,694,969	0
<b>Other financial liabilities</b>		
Deferred lease liability - non-current	3,243,501	0
	3,243,501	0

**27. TRADING UNDERTAKINGS AND MAJOR TRADING UNDERTAKINGS**

There was no trading undertaking conducted during the financial year ended 30 June 2019.

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

**28. CONDITIONS OVER GRANTS/CONTRIBUTIONS**

Grant/Contribution	Opening	Received <sup>(2)</sup>	Expended <sup>(3)</sup>	Closing	Received <sup>(2)</sup>	Expended <sup>(3)</sup>	Closing
	Balance <sup>(1)</sup> 1/07/17	2017/18	2017/18	Balance <sup>(1)</sup> 30/06/18	2018/19	2018/19	Balance 30/06/19
	\$	\$	\$	\$	\$	\$	\$
<b>General purpose funding</b>							
Grant/Contribution/Subsidy - Various	97,438	0	(4,496)	92,942	0	0	92,942
<b>Law, order, public safety</b>							
Safer Communities Grant	120,000	12,321	(132,321)	0	0	0	0
Safer Communities Grant - Riverside Car Park	0	0	0	0	189,715	(11,712)	178,003
<b>Community amenities</b>							
Department of Biodiversity Conservation and Attractions - Eric Singleton Bird Sanctuary	5,114	0	0	5,114	0	0	5,114
Department of Biodiversity Conservation and Attractions - Clarkson Reserve	166,750	0	0	166,750	0	0	166,750
Department of Biodiversity Conservation and Attractions - Catchment Management	0	34,000	0	34,000	68,000	(68,000)	34,000
Main Roads Western Australia - Lightning Swamp Rehabilitation	0	80,000	0	80,000	0	(21,698)	58,302
Department of Biodiversity Conservation and Attractions - Bardon Park Environmental Restoration Works.	0	19,545	0	19,545	0	(19,545)	0
Department of Industry Innovation and Science - Landscaping of Bardon Park	0	9,775	(2,767)	7,008	0	(7,008)	0
Department of Biodiversity Conservation and Attractions - Cloughton Reserve Rivercare Program	0	7,875	0	7,875	0	(7,875)	0
Department of Health - East Swan River CLAG Contribution	0	70,999	(33,662)	37,337	23,632	(28,781)	32,188
Department of Biodiversity Conservation and Attractions - Russell Street Park	0	53,838	0	53,838	0	(53,838)	0
Water Corporation - Water Wise Verge Incentive Scheme	0	0	0	0	5,000	0	5,000
Water Corporation - Living Stream Project Contribution	0	0	0	0	20,000	0	20,000
Water Corporation - Peters Place Living Stream	0	0	0	0	270,000	(47,406)	222,594
Department of Local Government, Sport, and Cultural Industries - Maylands Town Centre Toilet Block	0	0	0	0	140,000	0	140,000
<b>Recreation and culture</b>							
Department Prime Minister and Cabinet - Naidoc Week	0	0	0	0	1,000	0	1,000
<b>Transport</b>							
Main Roads Western Australia - Wellington Road/Walter Road Intersection Upgrade	0	0	0	0	45,000	(9,355)	35,645
Right-of-Way widening - Milne Street	0	0	0	0	8,500	0	8,500
<b>Total</b>	<b>389,302</b>	<b>288,353</b>	<b>(173,246)</b>	<b>504,409</b>	<b>770,847</b>	<b>(275,218)</b>	<b>1,000,038</b>

**Notes:**

- (1) - Grants/contributions recognised as revenue in a previous reporting period which were not expended at the close of the previous reporting period.
- (2) - New grants/contributions which were recognised as revenues during the reporting period and which had not yet been fully expended in the manner specified by the contributor
- (3) - Grants/contributions which had been recognised as revenues in a previous reporting period or received in the current reporting period and which were expended in the current reporting period in the manner specified by the contributor.

Notes to and forming part of the Financial Report  
for the year ended 30 June 2019

29. RATING INFORMATION

(a) Rates

RATE TYPE	Rate in \$	Number of Properties	2018/19 Actual Rateable Value \$	2018/19 Actual Rate Revenue \$	2018/19 Actual Interim Rates \$	2018/19 Actual Total Revenue \$	2018/19 Budget Rate Revenue \$	2018/19 Budget Total Revenue \$	2017/18 Actual Total Revenue \$
<b>General rate</b>									
<b>Gross rental valuations</b>									
General GRV	0.0621	26,762	674,196,891	41,045,513	667,229	41,712,742	41,867,627	41,867,627	40,874,653
<b>Sub-Total</b>		26,762	674,196,891	41,045,513	667,229	41,712,742	41,867,627	41,867,627	40,874,653
<b>Minimum payment</b>									
<b>Gross rental valuations</b>									
General GRV	880	4,868	60,671,266	4,283,640	0	4,283,640	4,283,640	4,283,640	4,264,450
<b>Sub-Total</b>		4,868	60,671,266	4,283,640	0	4,283,640	4,283,640	4,283,640	4,264,450
<b>Total amount raised from general rate</b>		31,630	734,868,177	45,329,353	667,229	45,996,582	46,151,467	46,151,467	45,139,103
Rates paid in advance						45,996,582	46,151,467	46,151,467	45,139,103
<b>Totals</b>						936,876	0	0	0
						46,933,458	46,151,467	46,151,467	45,139,103

SIGNIFICANT ACCOUNTING POLICIES

Rates

Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

Notes to and forming part of the Financial Report  
for the year ended 30 June 2019

29. RATING INFORMATION (Continued)

(b) Interest Charges & Instalments

Instalment Options	Date Due	Instalment Plan	Instalment Plan	Unpaid Rates
		Admin Charge	Interest Rate	Interest Rate
		\$	%	%
<b>Option One</b>				
Single full payment	17-Aug-18	0	0.00%	9.00%
<b>Option Two</b>				
First instalment	17-Aug-18	0	0.00%	9.00%
Second instalment	19-Oct-18	5	5.50%	9.00%
<b>Option Three</b>				
First instalment	17-Aug-18	0	0.00%	9.00%
Second instalment	19-Oct-18	5	5.50%	9.00%
Third instalment	21-Dec-18	5	5.50%	9.00%
Fourth instalment	22-Feb-19	5	5.50%	9.00%

	2019 Actual	2019 Budget	2018 Actual
	\$	\$	\$
Interest on unpaid rates	206,243	165,500	181,284
Interest on instalment plan	188,694	172,000	168,892
Charges on instalment plan	125,982	140,000	137,382
	<b>520,819</b>	<b>477,500</b>	<b>487,558</b>

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

**30. RATE SETTING STATEMENT INFORMATION**

Note	2018/19	2018/19	2018/19		
	(30 June 2019 Carried Forward)	Budget (30 June 2019 Carried Forward)	(1 July 2018 Brought Forward)		
	\$	\$	\$		
<b>(a) Non-cash amounts excluded from operating activities</b>					
The following non-cash revenue or expenditure has been excluded from amounts attributable to operating activities within the Rate Setting Statement in accordance with <i>Financial Management Regulation 32</i> .					
<b>Adjustments to operating activities</b>					
	Less: Profit on asset disposals	11(a)	(19,664)	(18,669)	(63,763)
	Less: Movement in liabilities associated with restricted cash		(3,937,970)	0	(1,014,480)
	Less: Fair value adjustments to financial assets at amortised cost		(11,219)	0	0
	Less: Share of profit or loss of associates and joint ventures accounted for using the equity method	25	(1,523,054)	0	(2,411,366)
	Movement in other assets (non-current)		(1,785,257)	0	(15,084)
	Movement in employee benefit provisions (non-current)		(141,003)	(243,498)	63,726
	Movement in liabilities (non-current)		3,238,917	0	0
	Add: Loss on disposal of assets	11(a)	404,652	435,866	2,101,738
	Add: Depreciation on assets	11(b)	11,085,818	12,166,559	10,572,973
	<b>Non cash amounts excluded from operating activities</b>		<b>7,331,220</b>	<b>12,340,258</b>	<b>9,233,744</b>
<b>(b) Surplus/(deficit) after imposition of general rates</b>					
The following current assets and liabilities have been excluded from the net current assets used in the Rate Setting Statement in accordance with <i>Financial Management Regulation 32</i> to agree to the surplus/(deficit) after imposition of general rates.					
<b>Adjustments to net current assets</b>					
	Less: Reserves - restricted cash	3	(43,082,828)	(40,280,936)	(41,134,262)
	Less: - Financial assets at amortised cost - self-supporting loans	8(a)	(4,484)	0	(4,202)
	Less: Cash-backed employee provisions		1,533,988	0	1,221,896
	Less: Aged Persons Homes - restricted		7,727,710	14,500,000	11,977,772
	Add: Borrowings	16(a)	4,484	0	4,202
	<b>Total adjustments to net current assets</b>		<b>(33,821,130)</b>	<b>(25,780,936)</b>	<b>(27,934,594)</b>
<b>Net current assets used in the Rate Setting Statement</b>					
	<b>Total current assets</b>		<b>83,743,778</b>	<b>69,070,936</b>	<b>75,026,872</b>
	Less: Total current liabilities		(36,793,512)	(41,790,000)	(37,191,135)
	Less: Total adjustments to net current assets		(33,821,130)	(25,780,936)	(27,934,594)
	<b>Net current assets used in the Rate Setting Statement</b>		<b>13,129,136</b>	<b>1,500,000</b>	<b>9,901,143</b>

Notes to and forming part of the Financial Report  
for the year ended 30 June 2019

31. FINANCIAL RISK MANAGEMENT

This note explains the City's exposure to financial risks and how these risks could affect the City's future financial performance.

Risk	Exposure arising from	Measurement	Management
Market risk - interest rate	Long-term borrowings at variable rates	Sensitivity analysis	Utilise fixed interest rate borrowings
Credit risk	Cash and cash equivalents, trade receivables, financial	Aging analysis Credit analysis	Diversification of bank deposits, credit limits. Investment policy
Liquidity risk	Borrowings and other liabilities	Rolling cash flow forecasts	Availability of committed credit lines and borrowing facilities

The City does not engage in transactions expressed in foreign currencies and is therefore not subject to foreign currency risk.

Financial risk management is carried out by the finance branch under policies approved by the Council. The finance branch identifies, evaluates and manages financial risks in close co-operation with the operating divisions. Council has approved the overall risk management policy and provides policies on specific areas such as investment policy.

(a) Interest rate risk

Cash and cash equivalents

The City's main interest rate risk arises from cash and cash equivalents with variable interest rates, which exposes the City to cash flow interest rate risk.

Excess cash and cash equivalents are invested in fixed interest rate term deposits which do not expose the City to cash flow interest rate risk. Cash and cash equivalents required for working capital are held in variable interest rate accounts or held as cash. Carrying amounts of cash and cash equivalents at the 30 June and the weighted average interest rate across all cash and cash equivalents and term deposits held, disclosed as financial assets at amortised cost, are reflected in the table below.

	Weighted Average Interest Rate	Carrying Amounts	Fixed Interest Rate	Variable Interest Rate	Cash
	%	\$	\$	\$	\$
<b>2019</b>					
Cash and cash equivalents		4,097,563	0	4,084,173	13,390
Financial assets at amortised cost - term deposits	2.67%	74,745,301	2,345,103	0	0
<b>2018</b>					
Cash and cash equivalents		2,226,680	0	26,291	12,700
Financial assets at amortised cost	2.49%	67,779,924	2,116,252	0	0

Sensitivity

Profit or loss is sensitive to higher/lower interest income from cash and cash equivalents as a result of changes in interest rates.

	2019	2018
	\$	\$
Impact of a 1% movement in interest rates on profit and loss and equity*	40,976	25,571

\* Holding all other variables constant

Borrowings

Borrowings are subject to interest rate risk - the risk that movements in interest rates could adversely affect funding costs.

The City does not consider there to be any interest rate risk in relation to borrowings.

Details of interest rates applicable to each borrowing may be found at Note 16(b).

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

**31. FINANCIAL RISK MANAGEMENT (Continued)**

**(b) Credit risk**

**Trade Receivables**

The City's major receivables comprise rates annual charges and user fees and charges. The major risk associated with these receivables is credit risk – the risk that the debts may not be repaid. The City manages this risk by monitoring outstanding debt and employing debt recovery policies. It also encourages ratepayers to pay rates by the due date through incentives.

Credit risk on rates and annual charges is minimised by the ability of the City to recover these debts as a secured charge over the land, that is, the land can be sold to recover the debt. The City also charges interest on overdue rates (excluding entitled pensioners or eligible seniors) and annual charges at higher than market rates, which further encourages payment.

The level of outstanding receivables for rates and sundry debtors is reported to Council monthly.

The City applies the AASB 9 Financial Instruments simplified approach to measuring expected credit losses using a lifetime expected loss allowance for all trade receivables. To measure the expected credit losses, rates receivable are separated from other trade receivables due to the difference in payment terms and security for rates receivable.

The loss allowance as at 30 June 2019 and 1 July 2019 (on adoption of AASB 9) was deemed insignificant, therefore no loss allowance was recognised. No expected credit loss was forecast on 1 July 2018 or 30 June 2019 for rates receivable as penalty interest applies to unpaid rates, and properties associated with unpaid rates may be disposed of to recover unpaid rates.

	Current	More than 1 year past due date	More than 2 years past due date	More than 3 years past due date	Total
	\$	\$	\$	\$	\$
<b>Rates Receivable - not subject to impairment</b>					
1 July 2018	1,054,385	307,933	114,419	51,439	1,528,176
30 June 2019	1,139,499	333,545	123,936	55,718	1,652,698
	Current	More than 30 days past due date	More than 60 days past due date	More than 90 days past due date	Total
	\$	\$	\$	\$	\$
<b>Sundry Receivables</b>					
1 July 2018	1,026,346	107,262	28,201	314,771	1,476,580
30 June 2019	954,188	62,209	15,629	304,352	1,336,378

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

**31. FINANCIAL RISK MANAGEMENT (Continued)**

**(c) Liquidity risk**

**Payables and borrowings**

Payables and borrowings are both subject to liquidity risk – that is the risk that insufficient funds may be on hand to meet payment obligations as and when they fall due. The City manages this risk by monitoring its cash flow requirements and liquidity levels, and maintaining an adequate cash buffer.

The contractual undiscounted cash flows of the City's payables and borrowings are set out in the liquidity table below. Balances due within 12 months equal their carrying balances, as the impact of discounting is not significant.

	Due within 1 year	Due between 1 & 5 years	Due after 5 years	Total contractual cash flows	Carrying values
	\$	\$	\$	\$	\$
<b>2019</b>					
Payables	30,500,268	0	0	30,500,268	30,500,268
Borrowings	5,389	12,144	0	17,533	15,703
	<u>30,505,657</u>	<u>12,144</u>	<u>0</u>	<u>30,517,801</u>	<u>30,515,971</u>
<b>2018</b>					
Payables	32,107,353	0	0	32,107,353	32,107,253
Borrowings	5,385	17,534	0	22,919	19,905
	<u>32,112,738</u>	<u>17,534</u>	<u>0</u>	<u>32,130,272</u>	<u>32,127,158</u>

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

**32. TRUST FUNDS**

Funds held at balance date which are required to be held in trust and which are not included in the financial statements are as follows:

	1 July 2018	Amounts Received	Amounts Paid	30 June 2019
	\$	\$	\$	\$
Building Service Levy	75,928	262,137	(273,154)	64,911
Cash in Lieu - Art	48,000	60,264	0	108,264
Cash in Lieu - Car Parking	365,888	12,029	(900)	377,017
Cash in Lieu - Public Open Space	3,379,219	362,057	(6,710)	3,734,566
Construction Training Fund	2,153	268,546	(270,699)	0
TPS 17	118,708	3,259	0	121,967
Unclaimed money	56,759	10,056	(18,567)	48,248
Trust - Other	9,312	20,146	(26,466)	2,992
Bonds	1,474,429	0	(1,474,429)	0
	<u>5,530,396</u>	<u>998,494</u>	<u>(2,070,925)</u>	<u>4,457,965</u>

**SIGNIFICANT ACCOUNTING POLICIES****Trust Funds**

During 2018/19, Trust Funds totaling \$1,548,575 was transferred to the Municipal Fund as an asset (Cash and Cash Equivalents) with a corresponding current liability (Trade and Other Payables). These funds represent money owed to developers/hires for bonds.

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

**33. EVENTS OCCURRING AFTER THE END OF THE REPORTING PERIOD**

No events after the reporting date were identified by management that would significantly affect the operations of Council or the results of Council.

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

### 34. INITIAL APPLICATION OF AUSTRALIAN ACCOUNTING STANDARDS

During the current year, the City adopted the new and revised Australian Accounting Standards and Interpretations which were compiled, became mandatory, and which were applicable to its operations.

Whilst many reflected consequential changes associated with the amendment of existing standards, the only new standard with material application is AASB 9 *Financial Instruments*.

#### AASB 9 Financial Instruments

AASB 9 *Financial Instruments* replaces AASB 139 *Financial Instruments: Recognition and Measurement* for annual reporting periods beginning on or after 1 January 2018, bringing together all three aspects of the accounting for financial instruments: classification and measurement; impairment; and hedge accounting.

The City applied AASB 9 prospectively, with an initial application date of 1 July 2018. The adoption of AASB 9 has resulted in changes in accounting policies and adjustments to the amounts recognised in the financial statements. In accordance with AASB 9 Financial Instruments 7.2.15, the City has not restated the comparative information which continues to be reported under AASB 139 Financial Instruments: Recognition and Measurement.

#### (a) Classification and measurement

Under AASB 9, financial assets are subsequently measured at amortised cost, fair value through other comprehensive income (fair value through Other Comprehensive Income) or fair value through profit or loss (fair value through Profit and Loss). The classification is based on two criteria: the City's business model for managing the assets; and whether the assets' contractual cash flows represent 'solely payments of principal and interest' on the principal amount outstanding.

The assessment of the City's business model was made as of the date of initial application, 1 July 2018. The assessment of whether contractual cash flows on financial assets are solely comprised of principal and interest was made based on the facts and circumstances as at the initial recognition of the assets.

The classification and measurement requirements of AASB 9 did not have a significant impact on the City. The following are the changes in the classification of the City's financial assets:

- Trade receivables and loans and advances (i.e. Other debtors) classified as loans and receivables as at 30 June 2018 are held to collect contractual cash flows and give rise to cash flows representing solely payments of principal and interest. These are classified and measured as financial assets at amortised cost beginning 1 July 2018.

- The City did not designate any financial assets as at fair value through profit and loss.

In summary, upon the adoption of AASB 9, the City had the following required (or elected) reclassifications as at 1 July 2018:

AASB 139 category	AASB 139 value	AASB 9 category amortised cost	Fair value through OCI	Fair value through P/L
	\$	\$	\$	\$
<b>Loans and receivables</b>				
Trade receivables	3,456,221	3,456,221	0	0
Other financial assets at amortised cost	4,484	4,484	0	0
	<u>3,460,705</u>	<u>3,460,705</u>	<u>0</u>	<u>0</u>

#### (b) Impairment

The adoption of AASB 9 has changed the City's accounting for impairment losses for financial assets by replacing AASB 139's incurred loss approach with a forward-looking expected credit loss (ECL) approach. AASB 9 requires the City to recognise an allowance for ECLs for all financial assets not held at fair value through P/L. No expected credit loss was recognised as it was deemed immaterial.

Notes to and forming part of the Financial Report  
for the year ended 30 June 2019

35. NEW ACCOUNTING STANDARDS AND INTERPRETATIONS FOR APPLICATION IN FUTURE YEARS

The AASB has issued a number of new and amended Accounting Standards and Interpretations that have mandatory application dates for future reporting periods, some of which are relevant to the City.

This note explains Management's assessment of the new and amended pronouncements that are relevant to the City, the impact of the adoption of AASB 15 *Revenue from Contracts with Customers*, AASB 16 *Leases* and AASB 1058 *Income for Not-for-Profit Entities*. These standards are applicable to future reporting periods and have not yet been adopted.

(a) Revenue from Contracts with Customers

The City will adopt AASB 15 *Revenue from Contracts with Customers* (issued December 2014) on 1 July 2019 resulting in changes in accounting policies. In accordance with the transition provisions AASB 15, the City will adopt the new rules retrospectively with the cumulative effect of initially applying these rules recognised on 1 July 2019. In summary the following adjustments are expected to be made to the amounts recognised in the Statement of Financial Position at the date of initial application (1 July 2019):

Note	AASB 118 carrying amount		AASB 15 carrying amount	
	30 June 2019	Reclassification	1 July 2019	
	\$	\$	\$	
<b>Contract liabilities - current</b>				
Unspent grants, contributions and reimbursements		0	(1,000,038)	(1,000,038)
Adjustment to retained surplus from adoption of AASB 15	35(d)	0	(1,000,038)	(1,000,038)

(b) Leases

The City has not retrospectively adopted AASB 16 due to materiality.

On adoption of AASB 16, the City will recognise a right-of-use asset in relation to a lease which had previously been classified as an 'operating lease' applying AASB 117. This right-of-use asset is to be measured as if AASB 16 had been applied since its commencement date by the carrying amount but discounted using the lessee's incremental borrowing rate as on 1 July 2019. Property, plant and equipment increases by \$20,000 on 1 July 2019 resulting in no impact on retained earnings on 1 July 2019.

On adoption of AASB 16 *Leases* (issued February 2016), for leases which had previously been classified as an 'operating lease' when applying AASB 117, the City is not required to make any adjustments on transition for leases for which the underlying asset is of low value. Assets for which the fair value as at the date of acquisition is under \$5,000 are not recognised as an asset in accordance with Financial Management Regulation 17A (5).

In applying AASB 16 for the first time, the City will use the following practical expedient permitted by the standard.  
- The exclusion of initial direct costs from the measurement of the right-of-use asset at the date of initial application.

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

**35. NEW ACCOUNTING STANDARDS AND INTERPRETATIONS FOR APPLICATION IN FUTURE YEARS  
(Continued)**

**(c) Income for Not-For-Profit Entities**

The City will adopt AASB 1058 *Income for Not-for-Profit Entities* (issued December 2016) on 1 July 2019 which will result in changes in accounting policies. In accordance with the transition provisions AASB 1058, the City will adopt the new rules retrospectively with the cumulative effect of initially applying AASB 1058 recognised at 1 July 2019. Comparative information for prior reporting periods shall not be restated in accordance with AASB 1058 transition requirements.

In applying AASB 1058 retrospectively with the cumulative effect of initially applying the Standard on 1 July 2019 changes will occur to the following financial statement line items by application of AASB 1058 as compared to AASB 1004 Contributions before the change:

	AASB 1004 carrying amount	Reclassification	AASB 1058 carrying amount
Note	30 June 2019		01 July 2019
	\$	\$	\$
Trade and other payables	32,107,253	936,876	33,044,129
Adjustment to retained surplus from adoption of AASB 1058	35(d) (32,107,253)	(936,876)	(33,044,129)

Prepaid rates are, until the taxable event for the rates has occurred, refundable at the request of the ratepayer. Therefore the rates received in advance give rise to a financial liability that is within the scope of AASB 9. On 1 July 2019 the prepaid rates will be recognised as a financial asset and a related amount recognised as a financial liability and no income recognised by the City. When the taxable event occurs the financial liability will be extinguished and the City will recognise income for the prepaid rates that have not been refunded.

Assets that were acquired for consideration, that were significantly less than fair value principally to enable the City to further its objectives, may have been measured on initial recognition under other Australian Accounting Standards at a cost that was significantly less than fair value. Such assets are not required to be remeasured at fair value.

**(d) Impact of changes to Retained Surplus**

The impact on the City of the changes as at 1 July 2019 is as follows:

	Note	Adjustments	2019
			\$
Retained surplus - 30 June 2019		0	243,466,759
Adjustment to retained surplus from adoption of AASB 15	35(a)	(1,000,038)	0
Adjustment to retained surplus from adoption of AASB 1058	35(c)	(936,876)	(1,936,914)
Retained surplus - 1 July 2019		(1,936,914)	241,529,845

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

**35 OTHER SIGNIFICANT ACCOUNTING POLICIES**

**a) Goods and services tax (GST)**

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position.

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

**b) Current and non-current classification**

The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the City's operational cycle. In the case of liabilities where the City does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current or non-current based on the City's intentions to release for sale.

**c) Rounding off figures**

All figures shown in this annual financial report, other than a rate in the dollar, are rounded to the nearest dollar. Amounts are presented in Australian Dollars.

**d) Comparative figures**

Where required, comparative figures have been adjusted to conform with changes in presentation for the current financial year.

When the City applies an accounting policy retrospectively, makes a retrospective restatement or reclassifies items in its financial statements that has a material effect on the statement of financial position, an additional (third) statement of financial position as at the beginning of the preceding period in addition to the minimum comparative financial statements is presented.

Effective 1 July 2018, management implemented a new chart of accounts and a review of the Program and Nature or Type classification was undertaken. The 2018/19 actual comparative figures have been amended to reflect management's classification of Program and Nature or Type.

The significant changes were:

Program

The Federal Government decision to fund services through the National Disability Insurance Scheme has resulted in these services being provided by specialist private organisations. The City's Home and Community Care Services (HACC) are no longer being funded by the Federal Government. This arrangement has provided our previous HACC clients with services tailored to meet their needs.

Nature and type

Employee Costs now includes items such as FBT and training which was previously classified as Material and Contracts.

Material and Contracts now includes telephone expenses which was previously classified as Utilities.

Insurance Expenses now includes insurance for plant and equipment which was previously classified as Materials and Contracts.

Other Expenses now includes members' expenses which were previously classified as Materials and Contracts.

The 2017/18 actual figures have been amended to reflect changes to the accounts resulting from discontinued operations includes Aged Persons Homes - refer to Note 39.

**e) Budget comparative figures**

Unless otherwise stated, the budget comparative figures shown in this annual financial report relate to the original budget estimate for the relevant item of disclosure.

The 2018/19 budget figures have been amended to reflect changes to the accounts resulting from discontinued operations includes Aged Persons Homes - refer to Note 39.

**f) Superannuation**

The City contributes to a number of Superannuation Funds on behalf of employees. All funds to which the City contributes are defined contribution plans.

**g) Fair value of assets and liabilities**

Fair value is the price that the City would receive to sell the asset or would have to pay to transfer a liability, in an orderly (i.e. unforced) transaction between independent, knowledgeable and willing market participants at the measurement date.

As fair value is a market-based measure, the closest equivalent observable market pricing information is used to determine fair value. Adjustments to market values may be made having regard to the characteristics of the specific asset or liability. The fair values of assets that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data.

To the extent possible, market information is extracted from either the principal market for the asset or liability (i.e. the market with the greatest volume and level of activity for the asset or liability) or, in the absence of such a market, the most advantageous market available to the entity at the end of the reporting period (i.e. the market that maximises the receipts from the sale of the asset after taking into account transaction costs and transport costs).

For non-financial assets, the fair value measurement also takes into account a market participant's ability to use the asset in its highest and best use or to sell it to another market participant that would use the asset in its highest and best use.

**h) Fair value hierarchy**

AASB 13 requires the disclosure of fair value information by level of the fair value hierarchy, which categorises fair value measurement into one of three possible levels based on the lowest level that an input that is significant to the measurement can be categorised into as follows:

**Level 1**

Measurements based on quoted prices (unadjusted) in active markets for identical assets or liabilities that the entity can access at the measurement date.

**Level 2**

Measurements based on inputs other than quoted prices included in Level 1 that are observable for the asset or liability, either directly or indirectly.

**Level 3**

Measurements based on unobservable inputs for the asset or liability.

The fair values of assets and liabilities that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data. If all significant inputs required to measure fair value are observable, the asset or liability is included in Level 2. If one or more significant inputs are not based on observable market data, the asset or liability is included in Level 3.

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

**35 OTHER SIGNIFICANT ACCOUNTING POLICIES (Continued)**

**Valuation techniques**

The City selects a valuation technique that is appropriate in the circumstances and for which sufficient data is available to measure fair value. The availability of sufficient and relevant data primarily depends on the specific characteristics of the asset or liability being measured. The valuation techniques selected by the City are consistent with one or more of the following valuation approaches:

**- Market approach**

Valuation techniques that use prices and other relevant information generated by market transactions for identical or similar assets or liabilities.

**- Income approach**

Valuation techniques that convert estimated future cash flows or income and expenses into a single discounted present value.

**- Cost approach**

Valuation techniques that reflect the current replacement cost of the service capacity of an asset.

Each valuation technique requires inputs that reflect the assumptions that buyers and sellers would use when pricing the asset or liability, including assumptions about risks. When selecting a valuation technique, the City gives priority to those techniques that maximise the use of observable inputs and minimise the use of unobservable inputs. Inputs that are developed using market data (such as publicly available information on actual transactions) and reflect the assumptions that buyers and sellers would generally use when pricing the asset or liability are considered observable, whereas inputs for which market data is not available and therefore are developed using the best information available about such assumptions are considered unobservable.

**i) Impairment of assets**

In accordance with Australian Accounting Standards the City's cash generating non-specialised assets, other than inventories, are assessed at each reporting date to determine whether there is any indication they may be impaired.

Where such an indication exists, an impairment test is carried out on the asset by comparing the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, to the asset's carrying amount.

Any excess of the asset's carrying amount over its recoverable amount is recognised immediately in profit or loss, unless the asset is carried at a revalued amount in accordance with another Standard (e.g. AASB 116) whereby any impairment loss of a revalued asset is treated as a revaluation decrease in accordance with that other Standard.

For non-cash generating specialised assets that are measured under the revaluation model, such as roads, drains, public buildings and the like, no annual assessment of impairment is required. Rather AASB 116.31 applies, and revaluations need only be made with sufficient regularity to ensure the carrying value does not differ materially from that which would be determined using fair value at the ends of the reporting period.

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

**36. ACTIVITIES/PROGRAMS**

In order to discharge its responsibilities to the community, the City has developed a set of operational and financial objectives. These objectives have been established on an overall basis, reflected by the City's Community Vision, and for each of its broad activities/programs.

**Program name**

**GOVERNANCE**

The administration and operation of facilities and services to Elected Members of Council. It includes costs for assisting elected members and ratepayers with matters which do not concern specific council services.

**GENERAL PURPOSE FUNDING**

Revenue from rates including interim rates, interest and fees on instalment arrangements and interest on arrears. It includes amounts receivable from the Western Australian Local Government Grants Commission, such as Financial Assistance Grants.

**LAW, ORDER, PUBLIC SAFETY**

Administration and operation of funds received from the Department of Fire and Emergency Services for the Bayswater SES. It covers the cost of providing community safety programs and Ranger Services including animal control, parking, impounding of vehicles, fire prevention, and 24/7 security services.

**HEALTH**

Administration, inspection and operation of programs concerned with the general health of the community. These services include infant health centres, immunisation programs, food sampling and inspection of food premises, noise and pest control.

**EDUCATION AND WELFARE**

Funding for welfare services for families, children and the aged. It includes the administration of senior citizens centres, and programs for youth and the aged.

**HOUSING**

Administration, provision and operation of housing programs for aged persons.

**COMMUNITY AMENITIES**

General refuse collection, sanitation and disposal services. The management of sewerage and urban stormwater drainage and protection of the environment. It also covers town planning and regional development services.

**RECREATION AND CULTURE**

Funding for public halls, civic centres and recreation facilities, including Morley Sport and Recreation Centre, Les Hansman Centre, Bayswater Waves, Maylands Waterland and The RISE. It includes the maintenance of recreation facilities, public parks, gardens and reserves, and also funds community programs including the Avon Descent, Art Awards, Multicultural Community Concert and Carols by Candlelight.

**TRANSPORT**

Construction and maintenance of roads, drainage works, footpaths, parking facilities, and the maintenance of bus shelters, street cleaning and street lighting.

**ECONOMIC SERVICES**

Providing and regulating services including tourism, area promotion, and building control. It includes place management and support for local economic development.

**OTHER PROPERTY AND SERVICES**

Administration, inspection, and operation of work carried out on property or services not under the care, control or management of the City. These include private works, public works overheads, plant operation and other unclassified activities.

Notes to and forming part of the Financial Report  
for the year ended 30 June 2019

37. FINANCIAL RATIOS

	2019 Actual	Benchmark	2018 Actual	2017 Actual
Current ratio <i>Measures the ability to meet current commitments.</i>	1.13	1.00	0.93	2.04
Asset consumption ratio <i>Extent to which assets have been consumed.</i>	0.78	0.50	0.79	0.67
Asset renewal funding ratio <i>Measures the ability to fund asset renewal as required.</i>	1.25	0.75	0.97	0.99
Asset sustainability ratio <i>Measures the extent to which assets are replaced at the end of their useful lives.</i>	0.68	0.90	1.26	1.10
Debt service cover ratio <i>Measures capacity to meet annual debt commitments.</i>	2,602.84	2.00	1,579.84	1,003.11
Operating surplus ratio <i>Measure of Council's financial performance.</i>	0.04	0.01	0.01	0.01
Own source revenue coverage ratio <i>Ability to cover costs through Council's own revenue.</i>	0.98	0.40	0.96	0.82

The above ratios are calculated as follows:

Current ratio	$\frac{\text{current assets minus restricted assets}}{\text{current liabilities minus liabilities associated with restricted assets}}$
Asset consumption ratio	$\frac{\text{depreciated replacement costs of depreciable assets}}{\text{current replacement cost of depreciable assets}}$
Asset renewal funding ratio	$\frac{\text{NPV of planned capital renewal over 10 years}}{\text{NPV of required capital expenditure over 10 years}}$
Asset sustainability ratio	$\frac{\text{capital renewal and replacement expenditure}}{\text{depreciation}}$
Debt service cover ratio	$\frac{\text{annual operating surplus before interest and depreciation}}{\text{principal and interest}}$
Operating surplus ratio	$\frac{\text{operating revenue minus operating expenses}}{\text{own source operating revenue}}$
Own source revenue coverage ratio	$\frac{\text{own source operating revenue}}{\text{operating expense}}$

Amounts relating to discontinued operations have been excluded.

The asset sustainability ratio is an indication the capital works program for the year was not completed. If the capital works program was completed, the benchmark most likely would have been met. The 2019/20 budget 1% of rates to be transferred to reserve.

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

**38. SEGMENT REPORTING**

In accordance with the *Aged Care Act 1997* and the Residential Care Subsidy Principles provided under this Act, Council provides the following segment reporting relating to Residential Aged Care in relation to its services conducted at the City of Bayswater Aged Persons Homes.

Current year information for City of Bayswater

	Prudential compliance information	Discontinued Operations			Continued Operations Other segments 2019	Total 2019
		Residential aged care 2019	Independent living units 2019	Total 2019		
	\$	\$	\$	\$	\$	\$
<b>Segment revenues</b>						
Rate		0	0	0	46,933,458	46,933,458
Fees and charges		353,060	319,433	672,493	21,264,130	22,609,116
- Accommodation charges	344,809					
- Bond retentions	9,251					
- Other operating revenue	1,129,817					
Operating grants, subsidiaries & contributions		7,906,361	46,356	7,952,717	3,091,113	18,996,547
Interest earnings		356,442	444,116	800,558	2,017,310	3,619,428
Other revenue		1,129,817	216,782	1,346,599	1,067,425	3,758,623
		9,744,680	1,026,687	10,771,367	74,373,436	95,916,170
<b>Segment expenses</b>						
Employee costs		(340)	(2,969)	(3,309)	(32,491,901)	(32,499,417)
Materials & contracts		(591,512)	(950,434)	(1,441,946)	(24,418,059)	(27,301,950)
Utilities		0	(903)	(903)	(3,428,550)	(3,430,356)
Depreciation & amortisation		(295,960)	(499,108)	(795,068)	(11,085,818)	(12,855,954)
Interest expenses		0	0	0	(1,127)	(1,127)
Insurance		(63,180)	(114,489)	(177,669)	(736,544)	(1,091,890)
Other expenditure		(7,906,361)	(13,608)	(7,919,969)	(586,546)	(16,426,484)
		(8,857,353)	(1,471,509)	(10,328,862)	(72,748,444)	(83,406,168)
<b>Non-operating revenue and expenses</b>						
Non-operating grants, subsidiaries and contributions		0	0	0	3,350,314	3,350,314
Profit on asset disposals		0	0	0	19,664	19,664
(Loss) on asset disposals		(1,490)	(8,058,094)	(8,059,584)	(404,652)	(16,523,820)
Fair value adjustments to financial assets at fair value through profit or loss		0	0	0	20,503	20,503
Share of profit or loss of associates and joint ventures accounted for using the equity method		0	0	0	1,523,054	1,523,054
		(1,490)	(8,058,094)	(8,059,584)	4,508,893	(11,610,295)
<b>Segment result</b>		895,837	(8,502,916)	(7,617,079)	6,133,875	(9,100,293)
<b>Segment assets</b>						
Current assets		15,998,782	17,912,533	33,911,315	49,832,463	83,743,778
Non-current assets		15,231,261	28,162,772	43,394,033	716,117,441	759,511,474
		31,230,043	46,075,305	77,305,348	765,949,904	843,255,252
<b>Segment liabilities</b>						
Current liabilities		13,387,606	9,993,475	23,381,081	13,412,431	36,793,512
- Refundable accommodation bonds	13,393,609					
Non-current liabilities		0	0	0	3,608,082	3,608,082
		13,387,606	9,993,475	23,381,081	17,020,513	40,401,594
<b>Net assets for segment</b>		17,842,437	36,081,830	53,924,267	748,929,391	802,853,658

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

**38. Segment reporting (continued)**

Prior year information for City of Bayswater

	Prudential compliance information	Discontinued Operations			Continued Operations	Total 2018
		Residential aged care 2018	Independent living units 2018	Total 2018	Other segments 2018	
		\$	\$	\$	\$	\$
<b>Segment revenues</b>						
Rate		0	0	0	45,139,103	45,139,103
Fees and charges		531,478	304,277	835,755	21,499,491	23,171,001
- Accommodation charges	343,340					
- Bond retentions	24,878					
- Other operating revenue	1,002,885					
Operating grants, subsidies and contributions		7,368,967	49,650	7,417,617	3,911,430	18,746,664
Interest earnings		354,628	438,420	793,049	1,781,174	3,367,272
Other revenue		1,002,886	33,720	1,036,606	1,001,143	3,074,355
		9,257,960	825,067	10,083,027	73,332,341	83,498,385
<b>Segment expenses</b>						
Employee costs		0	0	0	(32,798,816)	(32,798,816)
Materials and contracts		(889,213)	(1,474,201)	(2,363,414)	(21,472,142)	(26,188,970)
Utilities		0	0	0	(3,056,136)	(3,056,136)
Depreciation and amortisation		(266,291)	(590,804)	(857,095)	(10,572,973)	(12,287,163)
Interest expenses		0	0	0	(1,282)	(1,282)
Insurance		0	0	0	(684,197)	(684,197)
Other expenditure		(7,368,968)		(7,368,968)	(1,872,980)	(16,610,926)
		(8,524,472)	(2,065,005)	(10,589,477)	(70,458,536)	(91,637,490)
<b>Non-Operating Revenue</b>						
Non-operating grants, subsidiaries and contributions		0	0	0	10,768,089	10,768,089
Profit on asset disposals		0	0	0	63,763	63,763
(Loss) on asset disposals		0	0	0	(2,101,738)	(2,101,738)
Fair value adjustments to financial assets at fair value through profit or loss		0	0	0	(24,217)	(24,217)
Share of profit or loss of associates and joint ventures accounted for using the equity method		0	0	0	2,411,365	2,411,365
(Loss) on revaluation of infrastructure - park development		0	0	0	(1,822,736)	(1,822,736)
		0	0	0	9,294,526	8,705,897
<b>Segment result</b>		733,488	(1,239,938)	(506,450)	12,168,331	10,566,802
<b>Segment assets</b>						
Current assets		14,325,822	17,870,307	32,196,129	42,830,743	75,026,872
Non-current assets		14,663,440	38,317,615	52,981,055	715,375,522	768,356,577
		28,989,262	56,187,922	85,177,184	758,206,265	843,383,449
<b>Segment liabilities</b>						
Current liabilities		10,879,234	14,571,295	25,450,529	11,740,606	37,191,135
- Refundable accommodation bonds	10,286,403					
Non-current liabilities		0	0	0	510,168	510,168
		10,879,234	14,571,295	25,450,529	12,250,774	37,701,303
<b>Net assets for segment</b>		18,110,028	41,616,627	59,726,655	745,955,491	805,682,146

**Notes to and forming part of the Financial Report  
for the year ended 30 June 2019**

**39. DISCONTINUED OPERATIONS**

At the Council meeting on 2 August 2016, Council resolved to divest from Aged Persons Homes.

Mertome Retirement Village was the first portion of the Aged Person Homes segment to be sold.

The site currently contains 102 independent living units and a 70 bed residential aged care facility. Despite Mertome Village undergoing several refurbishments throughout the years, it has now reached the end of its operating life.

On 1 April 2019, Hall & Prior (Fresh Fields Management (Mertome Village) Pty Ltd) entered into a long-term lease with the City and acquired the business and assets associated with Mertome Village. Hall & Prior operates Mertome Village and the Hostel. In relation to the Mertome Retirement Village, most of the assets and all of the liabilities have been disposed of in these transactions.

Management expects to sell the remaining assets in the coming years.

	2019	2018
	\$	\$
<b>Income Statement</b>		
Operating income	10,771,367	10,083,027
Operating expenditure	<u>(10,328,862)</u>	<u>(10,589,477)</u>
	442,505	(506,450)
(Loss) on asset disposals	<u>(8,059,584)</u>	<u>0</u>
	(7,617,079)	(506,450)

The carrying amount of the assets and liabilities in the disposal group is summarised as follows:

<b>Financial Position*</b>		
Assets	34,769,034	53,724,060
Liabilities	<u>23,381,081</u>	<u>25,450,529</u>
	11,387,953	28,273,531

\* The net position differs from Note 38 - Segment reporting as the cash and cash equivalents (35.17m) and investment properties (7.37m) will remain with the Council following divestment.

Cash flows generated by the Aged Person Homes disposal group are as follows:

<b>Cash Flows</b>		
Net cash inflows from operating activities	2,857,574	350,646
Net cash inflow/(outflows) from discontinued operations	<u>2,857,574</u>	<u>350,646</u>

**SIGNIFICANT ACCOUNTING POLICIES**

A discontinued operation is a component of the Municipal Fund that has been either disposed of, or is held for sale and;

- (a) represents a separate major line of business or geographical area of operations; and
- (b) is part of a single co-ordinated plan to dispose of a separate major line of business or geographical area of operations.



## Auditor General

### INDEPENDENT AUDITOR'S REPORT

#### To the Councillors of the City of Bayswater

#### Report on the Audit of the Financial Report

##### **Opinion**

I have audited the annual financial report of the City of Bayswater which comprises the Statement of Financial Position as at 30 June 2019, the Statement of Comprehensive Income by Nature or Type, Statement of Comprehensive Income by Program, Statement of Changes in Equity, Statement of Cash Flows and Rate Setting Statement for the year then ended, and notes comprising a summary of significant accounting policies and other explanatory information, and the Statement by the Chief Executive Officer.

In my opinion the annual financial report of the City of Bayswater:

- (i) is based on proper accounts and records; and
- (ii) fairly represents, in all material respects, the results of the operations of the City for the year ended 30 June 2019 and its financial position at the end of that period in accordance with the *Local Government Act 1995* (the Act) and, to the extent that they are not inconsistent with the Act, Australian Accounting Standards.

##### **Basis for Opinion**

I conducted my audit in accordance with Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of my report. I am independent of the City in accordance with the *Auditor General Act 2006* and the relevant ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code) that are relevant to my audit of the annual financial report. I have also fulfilled my other ethical responsibilities in accordance with the Code. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

##### **Emphasis of Matter – Basis of Accounting**

I draw attention to Note 1 to the annual financial report, which describes the basis of accounting. The annual financial report has been prepared for the purpose of fulfilling the City's annual financial reporting responsibilities under the Act. Regulation 16 of the Local Government (Financial Management) Regulations 1996, does not allow a local government to recognise some categories of land, including land under roads, as assets in the annual financial report. My opinion is not modified in respect of this matter.

##### **Responsibilities of the Chief Executive Officer and Council for the Financial Report**

The Chief Executive Officer (CEO) of the City is responsible for the preparation and fair presentation of the annual financial report in accordance with the requirements of the Act, the Regulations and, to the extent that they are not inconsistent with the Act, Australian Accounting Standards. The CEO is also responsible for such internal control as the CEO determines is necessary to enable the preparation of an annual financial report that is free from material misstatement, whether due to fraud or error.

In preparing the annual financial report, the CEO is responsible for assessing the City's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the State government has made decisions affecting the continued existence of the City.

The Council is responsible for overseeing the City's financial reporting process.

**Auditor's Responsibilities for the Audit of the Financial Report**

The objectives of my audit are to obtain reasonable assurance about whether the annual financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the annual financial report.

As part of an audit in accordance with Australian Auditing Standards, I exercise professional judgment and maintain professional scepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the annual financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the CEO.
- Conclude on the appropriateness of the CEO's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the City's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the annual financial report or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report, as we cannot predict future events or conditions that may have an impact.
- Evaluate the overall presentation, structure and content of the annual financial report, including the disclosures, and whether the annual financial report represents the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Council and the CEO regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

**Report on Other Legal and Regulatory Requirements**

In accordance with the Local Government (Audit) Regulations 1996 I report that:

- (i) All required information and explanations were obtained by me.
- (ii) All audit procedures were satisfactorily completed.
- (iii) In my opinion, the Asset Consumption Ratio and the Asset Renewal Funding Ratio included in the annual financial report were supported by verifiable information and reasonable assumptions.

**Other Matter**

The annual financial report of the City for the year ended 30 June 2018 was audited by another auditor who expressed an unmodified opinion on that annual financial report. The financial ratios for 2017 and 2018 in Note 37 of the audited annual financial report were included in the supplementary information and/or audited annual financial report for those years.

**Matters Relating to the Electronic Publication of the Audited Financial Report**

This auditor's report relates to the annual financial report of the City of Bayswater for the year ended 30 June 2019 included on the City's website. The City's management is responsible for the integrity of the City's website. This audit does not provide assurance on the integrity of the City's website. The auditor's report refers only to the annual financial report described above. It does not provide an opinion on any other information which may have been hyperlinked to/from this annual financial report. If users of the annual financial report are concerned with the inherent risks arising from publication on a website, they are advised to refer to the hard copy of the audited annual financial report to confirm the information contained in this website version of the annual financial report.



SANDRA LABUSCHAGNE  
DEPUTY AUDITOR GENERAL  
Delegate of the Auditor General for Western Australia  
Perth, Western Australia  
27 November 2019

**Attachment 2****CITY OF BAYSWATER**

PERIOD OF AUDIT: YEAR ENDED 30 JUNE 2019

FINDINGS IDENTIFIED DURING THE AUDIT

INDEX OF FINDINGS	RATING		
	Significant	Moderate	Minor
1. Absence of a user access matrix			✓
2. Informal user access reviews			✓
3. Inconsistent user access termination procedures			✓
4. Undocumented change implementation sign-off			✓
5. Documentation inconsistencies in IT policies			✓

**KEY TO RATINGS**

The ratings in this management letter are based on the audit team's assessment of risks and concerns with respect to the probability and/or consequence of adverse outcomes if action is not taken. We give consideration to these potential adverse outcomes in the context of both quantitative impact (for example financial loss) and qualitative impact (for example inefficiency, non-compliance, poor service to the public or loss of public confidence).

- Significant** - Those findings where there is potentially a significant risk to the entity should the finding not be addressed by the entity promptly.
- Moderate** - Those findings which are of sufficient concern to warrant action being taken by the entity as soon as practicable.
- Minor** - Those findings that are not of primary concern but still warrant action being taken.

**CITY OF BAYSWATER****PERIOD OF AUDIT: YEAR ENDED 30 JUNE 2019****FINDINGS IDENTIFIED DURING THE AUDIT****1. Absence of a user access matrix****Finding**

Users are assigned to roles, and permissions are assigned to roles, including delegation. However, we confirmed that there is no formal definition of access rights and level of privilege to be attributed based on job responsibilities.

**Rating:** *Minor*

**Recommendation**

Consider the implementation of an instrument to define formal assignment of user access privileges to key applications in alignment with business responsibilities. Access rights should be granted based on the principle of least privilege.

**Management comment**

The least privilege principle will be adopted and any function access that is deemed as non-essential to the employee's job responsibilities will be removed.

**Responsible person:** Manager Information Services

**Completion date:** February 2020

**2. Informal user access reviews****Finding**

We understand that management performs user access reviews of user accounts at TechnologyOne, but the result of this exercise is not documented. These reviews are performed every quarter.

Notwithstanding the above, we understand that all access changes require Manager sign off. In addition, a monthly review of the currency of users at the network level is carried out.

**Rating:** *Minor*

**Recommendation**

We recommend management to finalise implementation of a formal user access review in order to re-confirm currency of users and perform validation of individual user account privileges or roles at key systems. Results of this review should be communicated and documented

**Management comment**

Acknowledged – no further comment.

**Responsible person:** Manager Information Services

**Completion date:** December 2019

**3. Inconsistent user access termination procedures****Finding**

For a sample of 6 terminated users, we noted that in one instance no notification to terminate access was submitted. However, user access for this staff member was terminated as of time of our testing procedures.

**CITY OF BAYSWATER**

PERIOD OF AUDIT: YEAR ENDED 30 JUNE 2019

**FINDINGS IDENTIFIED DURING THE AUDIT****Rating:** *Minor***Recommendation**

We recommend management to apply consistently the requirement to retain user termination records. This allows traceability of the implemented termination process and assurance over its execution.

**Management comment**

All user access requests within the IT Service Desk will be registered, starting immediately. This registration would include the creation, modification and termination of accounts.

**Responsible Person:** Manager Information Services**Completion Date:** November 2019**4. Undocumented change implementation sign-off****Finding**

For a sample of TechnologyOne finance system upgrades, we noted that no evidence of implementation sign off was available. We were informed that implementation of these changes were confirmed verbally.

Notwithstanding the above, we obtained evidence of authorisation and testing for selected samples.

**Rating:** *Minor***Recommendation**

We recommend management to enhance existing change management process in order to ensure that implementation sign off of system upgrades / changes is documented.

**Management comment**

The service desk is to be modified to accept financial system upgrades as change requests.

In addition a sign-off form will be created that requires Manager Information Services approval prior to actioning which will be attached to the change management request within the IT service desk.

**Responsible person:** Manager Information Services**Completion date:** February 2020**5. Documentation inconsistencies in IT policies****Finding**

We have observed instances where policies and procedures were not documented consistently:

- a) Password management practice document was still in draft form.
- b) Policies lacked evidence to ascertain if document was recently reviewed and updated in the current financial year

**CITY OF BAYSWATER****PERIOD OF AUDIT: YEAR ENDED 30 JUNE 2019****FINDINGS IDENTIFIED DURING THE AUDIT**

- c) Do not contain detailed document history (including a document owner, version number, etc.)
- d) Do not display an endorsement or appropriate authorisation from management. While a space is provided within the documents, this was not filled out consistently.

**Rating: *Minor*****Recommendation**

We recommend management revise listed policies in order to clarify or add missing documentation elements consistent with other IT policies at the organisation.

**Management comment**

All IT security management practices are to be physically signed off by the CEO. Although all management practices have been approved in principle by ELT, they require CEO signature, approval date and next review date to be included at the end of each management practice.

**Responsible person:** Manager Information Services**Completion date:** December 2019

**Attachment 3**



# Audit Findings Report (AFR)

City of Bayswater

Audit Committee: Year ended 30 June 2019



Financial Audit



Audit Findings Report

**City of Bayswater**



**Members of the Audit Committee**

City of Bayswater  
61 Broun Avenue  
Morley WA 6943

Dear Committee Members

**AUDIT FINDINGS REPORT FOR THE YEAR ENDED 30 JUNE 2019**

Please find attached our Report to the Audit Committee for the year ended 30 June 2019.

We have substantially completed our audit work, with only the following matters outstanding:

- subsequent events review;
- receipt of management's representation letter; and
- receipt of signed Chief Executive Officer's Statement.

We recommend the OAG to sign an unqualified audit report. Additional matters will be noted in our report in relation to land under roads.

We take this opportunity to extend our appreciation to the finance team for their assistance and cooperation during the course of the audit.

This report has been prepared for the Audit Committee and Management of the City of Bayswater only. It should not be quoted or referred to, in whole or in part, without our prior written consent. No warranty is given to, and no liability will be accepted from, any party other than the City of Bayswater.

This report should be read in conjunction with formal correspondence addressed to the Audit Committee regarding this year's audit.

We strive for a high level of client satisfaction, and our business is built around the relationships we maintain with our clients. We want to hear feedback from our clients, both positive and negative, to ensure the services we provide exceed expectations.

We trust that you find this report informative and we appreciate the opportunity to be of service to you.

Grant Thornton  
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152 - 158 St Georges Terrace  
Perth WA 6000

[www.grantthornton.com.au](http://www.grantthornton.com.au)

If you have any queries or wish to discuss any issues further, please do not hesitate to contact either Mitch Tolman or myself.

Yours faithfully  
GRANT THORNTON AUDIT PTY LTD

M J Hillgrove  
Partner

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# Contents

	Audit focus areas	04
	Current year recommendations	12
	Prior year recommendations	14
	Fraud risk	15
	Communication of audit matters with those charged with governance	16
	Schedule of corrected misstatements	18
	Developments in financial reporting	19

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## Audit focus areas: summary

\* Risk refers to Significant Risk or Other Risk (per ISA 315)

Focus area	Risk*	Management judgement	Material adjustment	Control recommendation	Control deficiency classification	Pending matters
Revenue Recognition	Significant risk	Yes	-	-	-	-
Capital Assets	Other risk	Yes	-	-	-	-
Operating Expenses	Other risk	Yes	-	-	-	-
Employee Compensation	Other risk	Yes	-	-	-	-
Mertome Transaction & Discontinued Operations	Other risk	Yes	-	-	-	-
Financial Ratios	Other risk	-	-	-	-	-
Management override of controls	Significant risk	Yes	-	-	-	-

### Audit materiality

Materiality is the magnitude of a misstatement or omission from the financial report or related disclosures that the audit team believes would make it probable that the judgement of a reasonable person relying on the information would have been changed or influenced by the misstatement or omission.

Our audit has been conducted based on a quantitative materiality.

Materiality benchmarks are selected to represent the measure which is more relevant to users of the financial report.

<b>Basis</b>
Total Expenses

<p><b>Material weakness</b> A material weakness is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the company's annual or interim financial statements will not be prevented or detected on a timely basis.</p>	<p><b>Significant deficiency</b> A significant deficiency is a deficiency, or combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those responsible for oversight of the company's financial reporting.</p>	<p><b>Deficiency</b> A deficiency in internal control exists when the design or operation of the a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect, misstatements on a timely basis.</p>	<p><b>Management recommendation</b> Represents priority recommendations identified from our prior areas which are not categorised as control gaps.</p>
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# Revenue

Account description	Type	2019 \$000	2018 \$000	Risk	Management judgement	ASIC focus area
Revenue	Revenue	74,373	73,332	Significant Risk	No	No
Trade and Other Receivables	Asset	2,568	807	Other Risk		

**Details of risk**

Revenue relates to the following:

- Rates
- Operating Grants, Subsidies and Contributions
- Fees and Charges
- Interest Earnings
- Other Operating Revenue

Each of the main streams of revenue has a different recognition criteria and this increases the complexity of accounting and the likelihood of errors.

**How our audit addressed the focus area**

Our procedures included, amongst others:

- Analytical procedures over significant revenue streams to identify variances from expectations and obtain explanation/corroboration from management where appropriate;
- Substantive procedures on significant grants revenue received during the period and ensure that the amounts received (agreed to receipts in bank statement) were in line with the funding agreements;
- Recalculation of interest revenue received on the basis of average monthly cash and investment balances held and the interest rates achieved as per third party confirmation letters;
- Sampling operating revenue fees and charges to ensure that revenue recognised is valid, and
- Reviewing subsequent receipts, to determine whether receivables were fairly stated and recoverable; and
- Assessing collectability of debtors and adequacy of doubtful debts provisions.

**Conclusions**

The substantive procedures did not detect any material misstatement of rates, grants and subsidies revenue balances and receivables.

**Material control deficiencies**

Prior year: no material deficiencies noted.  
Current year: no material deficiencies noted.

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# Capital Assets

Account description	Type	2019 \$000	2018 \$000	Risk	Management judgement
Property, Plant and Equipment	Asset	478,429	532,408	Other risk	Yes
Infrastructure	Asset	199,823	199,874	Other risk	Yes

**Details of risk**

Property, Plant and Equipment transactions and balances are considered a risk due to the judgement applied in determining capitalisation, appropriate useful economic lives and depreciation rates and whether an impairment ought to be applied to carrying values.

**How our audit addressed the focus area**

Our procedures included, amongst others:

- Obtain the fixed asset register and reconciled to the general ledger;
- Substantively verified a sample of additions and disposals within the year to supporting documentation;
- Performed depreciation recalculation.
- Obtained third party valuation reports for fleet and furniture and equipment and tied out to the 30 June 2019 balances

**Conclusions**

Per audit work performed, capital assets do not appear materially misstated.

**Material control deficiencies**

Prior year: GT noted that the internal asset team could not adequately support their valuation. This resulted in a recalculation, which lead to a material adjustment to the asset valuation as a result of our audit procedures. Refer to prior period control deficiencies for additional information  
Current year: No control deficiencies noted.

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## Operating Expenses

Account description	Type	2019 \$000	2018 \$000	Risk	Management judgement
Expenses from continuing operations (excl employee comp)	Expense	40,247	37,660	Other risk	No
Trade and Other Payables	Liability	7,119	6,657	Other risk	No

### Details of risk

Operating expenses are material amounts, and accruals represent an area of management judgment that may increase the likelihood of errors due to the complexity of the supporting calculations. As a result, payables related to core activities understated or not recorded in the correct period has been identified as an audit risk area.

### How our audit addressed the audit focus area

- Our procedures included, amongst others:
- Reviewing the trade creditor account to determine if any positive debtor amounts required reclassification to prepayments;
  - Performing a search for unrecorded liabilities by scanning payments made and invoices received post year-end to ensure they were recorded in the correct period;
  - Reviewing period end accrual balances to ensure the accrual balances are not materially misstated;
  - Reviewing disbursement out-off by obtaining the last cheque issued at period-end and first cheque issued in the new period;
  - Holding discussions with management and staff in relation to how unprocessed invoices were treated;
  - Selecting a sample of expense transactions to agree to supplier invoice to determine if the expense amount was appropriate;
  - Performing analytical procedures over operating expenses, comparing expenditures to both the prior year and our expectations through minute reviews and discussions with management.

### Conclusions

We have not noted any material misstatements while performing our review of operating expenses and the related payables.

### Material control deficiencies

Prior year: no material deficiencies noted.  
Current year: no material deficiencies noted.

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## Employee Compensation

Account description	Type	2019 \$000	2018 \$000	Risk	Management judgement
Employee Costs	Expense	32,492	32,799	Other risk	-
Employee entitlement provisions	Liability	6,642	5,574	Other risk	Yes

### Details of risk

Given the nature of employee expenses and the volume of transactions, it is important to ensure that transactions are accounted for correctly and in line with accounting standards.

It is important to ensure that the liability relating to employee entitlements is accurate and assumptions utilised are reasonable.

### How our audit addressed the focus area

- Our procedures included, amongst others:
- Perform detailed analytical review of the wages and salaries expenses;
  - Perform superannuation reasonableness to determine whether superannuation expense is in line with expectations;
  - Recalculate the Annual Leave ('AL') and Long Service Leave ('LSL') provision and ensure:
    - All employees entitled to AL or LSL are correctly included;
    - Calculations are free of material misstatement;
    - Current and non-current classification is correct.
  - Selected a sample of employees and performed the following:
    - agreed the pay rate to employee contracts;
    - agreed leave taken to authorised leave application forms; and
    - recalculated the leave earned.

### Conclusions

We have not noted any material misstatements while performing our review of employee expenses and employee entitlement provisions.

### Material control deficiencies

Prior year: The LSL listing was not providing for all City of Bayswater employees. This resulted in an understatement of the LSL liability.  
Current year: no material deficiencies noted.

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# Mertome Transaction and Discontinued Operations

Account description	Type	2019 \$000	2018 \$000	Risk	Management judgement
Assets Held For Sale	Asset	34,769	-	Other risk	Yes
Held for Sale	Liability	23,381	-	Other risk	Yes
Investment Property	Asset	7,370	-	Other risk	Yes
Deferred Receivable	Asset	1,695	-	Other risk	Yes
Deferred Lease Premium	Liability	3,243	-	Other risk	Yes
Discontinued Operations	Expense	7,617	506,450	Other risk	Yes

**Details of risk**

There was significant accounting complexity involved across two unique events in the period;

- The sale of the Mertome Village
- The resolve of the City to sell all remaining aged-care facilities and treats the assets and liabilities as "held-for-sale"

Accounting for the events required detailed knowledge of AASB 116, 140 and 5 and comprehensive valuations performed for the fair value of the lease payments, the market value of the lease agreement and the value of the assets and liabilities classified as held for sale.

The council did seek independent advice to certain components of the Mertome transaction but was limited in scope considering the complexity of the transaction.

It was also noted during the audit that the terms of the lease include that payment will not be made on the lease until the 15<sup>th</sup> year.

**How our audit addressed the focus area**

Our procedures included, amongst others:

- Review of the independent technical paper for reasonableness and compliance with accounting standards
- Comprehensive review of all details of the Mertome sale for compliance with accounting standards
- Review of the APV and Colliers valuations performed over the Mertome lease and land and the remaining assets-held-for-sale respectively.
- Tie out of discontinued operations and assets-held-for-sale balances to supporting trial balance for 18/19 and 17/18 financial years
- Review of NPV calculation surrounding the Mertome ground lease.
- Identification of the deferred consideration within the Mertome transaction.

**Conclusions**

Though the final financial statements reflect the correct treatment, significant efforts were incurred to reach this position.

Though not material for this years financial statements, the Council will need to consider the full impact of the deferred lease payments in future years with regards to the split between principal and interest components given that cash will not be received until the 15<sup>th</sup> year

**Material control deficiencies**

Prior year: None noted  
Current year: None noted

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# Financial Ratios

Account description	Risk	Key audit matter	Management judgement	ASIC focus area
Financial ratios	Other risk	-	-	-

**Details of risk**

Councils are required to report on certain financial ratios to provide an overview of the operations for the current year, including:

- Current ratio;
- Debt service ratio;
- Own source revenue coverage ratio;
- Operating surplus ratio;
- Asset consumption ratio;
- Asset sustainability ratio; and
- Asset renewal funding ratio.

**How our audit addressed the key audit matter**

Our procedures included, amongst others:

- Obtaining management's calculation for each of the ratios;
- Reviewing and analysing the inputs for each ratio for consistency; and
- Determining the accuracy and reasonableness of each ratio reported.

**Conclusions**

Based on our procedures, no adverse trends were noted.

**Material control deficiencies**

Prior year: no material deficiencies noted  
Current year: no material deficiencies noted.

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# Management Override of Control

Account description	Risk	Key audit matter	Management judgement	ASIC focus area
Management override of controls	Significant risk	-	-	-

**Details of risk**

Risk of fraudulent financial reporting in place due to management's ability to override transactional controls, which is assumed as noted within ASA 240 "The Auditor's Responsibilities Relating to Fraud in an Audit of a Financial Report."  
 Management override could manifest itself in journals and reporting results that are in-line with market expectations.

**How our audit addressed the key audit matter**

Our procedures included, amongst others:

- enquiring of individuals involved in the financial reporting process about inappropriate or unusual activity relating to the processing of journal entries and other adjustments;
- testing the appropriateness of journal entries recorded in the general ledger and other adjustments made in the preparation of the financial report; and
- evaluating whether judgements and decisions made by management, especially those that may have impact on compensation arrangements, in making accounting estimates that are included in the financial report, indicate a possible bias and when evaluated, represent a risk of material misstatement due to fraud.

**Conclusions**

Based on our procedures, no indication of management override of controls was noted.  
**Material control deficiencies**  
 Prior year: no material deficiencies noted.  
 Current year: no material deficiencies noted.

11 Grant Thornton Australia



# Current Year Recommendations

The following recommendations have been made which identified potential control weakness for consideration but also identified opportunities for future efficiencies and strengthening of controls.

Area	Control deficiency classification	Observation and implication	Recommendation	Management response
Absence of a User-Access Matrix	Minor	Users are assigned to roles, and permissions are assigned to roles, including delegation. However, we confirmed that there is no formal definition of access rights and level of privilege to be attributed based on job responsibilities.	Consider the implementation of an instrument to define formal assignment of user access privileges to key applications in alignment with business responsibilities. Access rights should be granted based on the principle of least privilege.	The least privilege principle will be adopted and any function access that is deemed as non-essential to the employee's job responsibilities will be removed.
Informal User Access Reviews	Minor	We understand that management performs user access reviews of user accounts at TechnologyOne, but the result of this exercise is not documented. These reviews are performed every quarter.  Notwithstanding the above, we understand that all access changes require Manager sign off. In addition, a monthly review of the currency of users at the network level is carried out.	We recommend management to finalise implementation of a formal user access review in order to re-confirm currency of users and perform validation of individual user account privileges or roles at key systems. Results of this review should be communicated and documented	Acknowledged
Inconsistent User Access Termination Procedures	Minor	For a sample of 6 terminated users, we noted that in one instance no notification to terminate access was submitted. However, user access for this staff member was terminated as of time of our testing procedures.	We recommend management to apply consistently the requirement to retain user termination records. This allows traceability of the implemented termination process and assurance over its execution.	All user access requests within the IT Service Desk will be registered, starting immediately. This registration would include the creation, modification and termination of accounts.

**Legend**

- Material weakness** A material weakness is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the company's annual or interim financial statements will not be prevented or detected on a timely basis.
- Significant deficiency** A significant deficiency is a deficiency, or combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those responsible for oversight of the company's financial reporting.
- Deficiency** A deficiency in internal control exists when the design or operation of the a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect, misstatements on a timely basis.
- Management recommendation** Represents process recommendations identified from our procedures which are not categorised as control gaps.

12 Grant Thornton Australia



# Current Year Recommendations - Continued

The following recommendations have been made which identified potential control weakness for consideration but also identified opportunities for future efficiencies and strengthening of controls.

Area	Control deficiency classification	Observation and implication	Recommendation	Management response
Undocumented Change Implementation Sign-Off	Minor	For a sample of TechnologyOne finance system upgrades, we noted that no evidence of implementation sign off was available. We were informed that implementation of these changes were confirmed verbally.  Notwithstanding the above, we obtained evidence of authorisation and testing for selected samples.	We recommend management to enhance existing change management process in order to ensure that implementation sign off of system upgrades / changes is documented.	The service desk is to be modified to accept Financial system upgrades as change requests.  In addition a sign-off form will be created that requires Manager Information Services approval prior to actioning which will be attached to the change management request within the IT service desk.
Documentation Inconsistencies in IT Policies	Minor	We have observed instances where policies and procedures were not documented consistently:  a) Password Management Practice document was still in draft form. b) Policies lacked evidence to ascertain if document was recently reviewed and updated in the current financial year c) Do not contain detailed document history (including a document owner, version number, etc.) d) Do not display an endorsement or appropriate authorisation from management. While a space is provided within the documents, this was not filled out consistently.	We recommend management revise listed policies in order to clarify or add missing documentation elements consistent with other IT policies at the organisation.	All IT security management practices are to be physically signed off by the CEO. Although all management practices have been approved in principle by ELT, they require CEO signature, approval date and next review date to be included at the end of each management practice.

Legend			
<span style="color: red;">■</span> <b>Material weakness</b> A material weakness is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the company's annual or interim financial statements will not be prevented or detected on a timely basis.	<span style="color: orange;">■</span> <b>Significant deficiency</b> A significant deficiency is a deficiency, or combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those responsible for oversight of the company's financial reporting.	<span style="color: green;">■</span> <b>Deficiency</b> A deficiency in internal control exists when the design or operation of the control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect, misstatements on a timely basis.	<span style="color: blue;">■</span> <b>Management recommendation</b> Represents process recommendations identified from our procedures which are not categorised as control gaps.

13 Grant Thornton Australia



# Prior Year Recommendations

Area	Control deficiency classification	Prior observation & recommendation	Current year update	Status
Asset Revaluation	Significant deficiency	GT noted that the internal asset team could not adequately support their valuation. This resulted in a recalculation, which led to a material adjustment to the asset valuation as a result of our audit procedures.  The City should have record retention policy in place that supports the work performed by the asset team. Additionally, there should be increased communication between the asset team and the finance team. This should include procedures performed by the finance team to ensure comfort over the valuation adjustments.	Management engaged an external evaluator to revalue the City's fleet and furniture and equipment with no issues noted.	As the council used an external valuer this year, we are yet to conclude as to whether the matter has been resolved – Ongoing until next scheduled internal revaluation
Long Service Leave	Deficiency	GT notes that the clients payroll was not including certain employees within the calculation. This resulted in an understatement of the employee liability.  Adjust calculation to include all employees existing as of 30 June.	No issues were noted with regards to completeness of the employee leave schedules	Resolved

Legend			
<span style="color: red;">■</span> <b>Material weakness</b> A material weakness is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the company's annual or interim financial statements will not be prevented or detected on a timely basis.	<span style="color: orange;">■</span> <b>Significant deficiency</b> A significant deficiency is a deficiency, or combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those responsible for oversight of the company's financial reporting.	<span style="color: green;">■</span> <b>Deficiency</b> A deficiency in internal control exists when the design or operation of the control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect, misstatements on a timely basis.	<span style="color: blue;">■</span> <b>Management recommendation</b> Represents process recommendations identified from our procedures which are not categorised as control gaps.

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# Fraud risk

### Scope of audit services regarding fraud

In accordance with Auditing Standard ASA 240, our required objectives with regards to fraud are:

- to identify and assess the risks of material misstatement of the financial report due to fraud;
- to obtain sufficient appropriate audit evidence regarding the assessed risks of material misstatement due to fraud, through designing and implementing appropriate responses; and
- to respond appropriately to fraud or suspected fraud identified during the audit.

### Risk of management override of controls

Although the level of risk of management override of controls may vary from entity to entity, the risk is nevertheless present in all entities. Due to the unpredictable way in which such override could occur, it is a risk of material misstatement due to fraud and thus a significant risk.

### Responsibility of the Directors and management

The Directors and management are required to consider the risk of fraud within the Company, and are responsible for maintaining a system of internal control to prevent, or detect material misstatements to the financial statements arising from instances of fraud.

### How serious are risks of fraud?

The 2018 Global Fraud Survey conducted by the Association of Certified Fraud Examiners demonstrates the risk and impact of fraud:



### What have we done in our audit to address the risk of fraud?

- Considered conditions present that increase the risk of fraud.
- Conducted planning discussions with management regarding the risk or existence of fraud, policies and procedures in place to prevent and detect fraud.
- Planned the nature and extent of our audit tests having regard to the risk of fraud, noting revenue recognition is required to be an assumed fraud risk.
- Reviewed accounting estimates for management bias.
- Evaluated the business rationale for unusual transactions.
- Maintained professional scepticism throughout the audit.
- Reviewed the appropriateness of journal entries and year-end accounting adjustments.
- Evaluated if any identified audit misstatements are indicative of fraud.
- Incorporated unpredictable audit procedures into our audit plan and testing.

### Conclusion

Management confirmed that to the best of its knowledge and belief there have been no instances of fraud during the period, and our procedures did not uncover any matters to report.

# Communication of Audit Matters with Those Charged with Governance

In accordance with Auditing Standards, we are required to communicate a number of matters with those charged with governance which is covered by our Audit Planning Report, within this Audit Findings Report, and in the table below:

\*Reference to "material" implies the exception would cause the financial report to be materially misstated

Matters for Grant Thornton to consider	Description	Exceptions
Irregularities and illegal acts	We have not become aware of any material irregularities or illegal acts	No
Non-compliance with laws and regulations	We have not become aware of any material non-compliance with laws and regulations	No
Access to books and records, and conduct of audit	We have been presented with all the necessary books and records and explanations requested of management	No
Appropriateness of accounting policies	We have not detected any material deficiencies in the accounting policies disclosed. There have been no significant changes in significant accounting policies or their application during the year.	No
Material uncertainties and going concern	We have not detected any material deficiencies in management's assessment of the going concern assumption	No
Disagreements with management	We have had no disagreements with management. No exceptions	No
Difficulties encountered during the audit	There were no difficulties encountered during the audit	No
Consultation with other accountants	Consultation was sought with regards to the treatment of the Mertome ground leasing arrangement. Refer to Mertome transaction slide	Yes
Expected modifications / exceptions to the audit report	Refer below for details on the Emphasis of Matter	Yes

Matters raised as an exception	Description	Impact
Expected exception to the audit report	EOM has been raised in regard to land under roads.	We draw attention to Note 1 to the financial report, which describes the basis of accounting. Regulation 16 of the Local Government (Financial Management) Regulations 1996 (Regulations), does not allow a local government to recognise some categories of land, including land under roads, as assets in the annual financial report. My opinion is not modified in respect of this matter.



## Communication of Audit Matters with Those Charged with Governance

### Independence and the provision of non-audit services

We confirm that the engagement team and others in the firm, as appropriate, the firm, and when applicable, network firms have complied with the relevant ethical requirements regarding independence. All relationships and other matters between the firm, network firms and City of Bayswater that in the auditor's professional judgement, may reasonably be thought to bear on independence are on the right.

Although we, the firm and our network firms, have provided no other services during the year, City of Bayswater has access to our firm's wide ranging suite of services. All other services will be pre approved by the Office of the Auditor and those charged with governance as appropriate.

The relevant rules and regulations regarding independence include:

- Section 307C of the *Corporations Act 2001*
- APES 110 *Code of Ethics for Professional Accountants*

Description of non-audit services	Approximate fees \$000		Safeguards and independence considerations
	DR	CR	
Grant acquittals		\$3	The audit of grant acquittals is performed separately from the audit procedures and under different agreements and engagement letters.

17 Grant Thornton Australia



## Schedule of Corrected Misstatements

No.	Description	Asset \$000		Liability \$000		Equity \$000		Net Profit \$000	
		DR	CR	DR	CR	DR	CR	DR	CR
1	Adjustment to bring the share of associate balances in line with the EMRC signed accounts	-	190	-	-	190	-	-	-
2	Adjustment to recognise the long service leave of employees with who have for the City for 6 years as current	-	-	211	211	-	-	-	-
3	Adjustment to recognise the lease of the land over 40 years per the terms of the leasing arrangement	12	-	-	-	-	-	-	12
4	Adjustment to recognise the deferred consideration portion of the Mertome sale and lease of land	1,630	-	-	-	-	-	-	1,630
Total differences		1,630	190	211	211	190	-	-	1,642
Total balance per financials		843,255		40,402		802,854		1,483	
Percentage difference of total balance		0%		0%		0%		%110%	

18 Grant Thornton Australia



## Developments in Financial Reporting

Listed below are new accounting standards that may impact on Juniper in future reporting periods.

Standard	Application from annual periods	Links for further information
AASB 15 Revenue from Contracts with Customers	Not-for-profit entities 1 January 2019	<a href="#">IFRS Newsletter (October 2016) – Special Edition on Revenue</a>
AASB 16 Leases	Commencing 1 January 2019	<a href="#">TA Alert 2016-01 IFRS News – Special Edition on Leases</a>
AASB 1058 Income of Not-for-Profit Entities	Commencing 1 January 2019	<a href="#">TA Alert 2016-18</a> <a href="#">TA Alert 2017-12</a>

### Technical Accounting (TA) Alerts and other technical resources

We understand the task of keeping up with changes can be daunting, particularly given the length of some of the new standards, to assist you with this we publish TA Alerts on our website: [www.grantthornton.com.au](http://www.grantthornton.com.au).

TA Alerts also cover some contentious / difficult accounting concepts which the technical teams of both Grant Thornton International and Grant Thornton Australia have received a number of queries requiring guidance or clarification.

In addition, there are a range of other IFRS / technical resources available on our website, including:

- [Impairment of Assets - A guide to applying IAS 36 in practice](#)
- [Under control? A Practical guide to applying IFRS 10 consolidated Financial Statements](#)
- [Navigating the accounting for business combinations: Applying IFRS 3 in practice](#)
- [Deferred tax: A Chief Financial Officer's guide to avoiding the pitfalls](#)
- [AASB 107, Statement of Cash Flows – A guide to avoiding common pitfalls and application issues](#)
- [AASB 132, Financial Instruments Presentation – Liability or equity?](#)
- [Intangible Assets in a Business Combination – Identifying and Valuing Intangibles under IFRS/AASB 3, Business Combinations](#)
- [Example financial statements](#)
- [Insights into IFRS 15](#)

Grant Thornton also has dedicated technical resources / National Assurance Quality which you can get in touch with via your local audit contact or directly by email: [NationalAssuranceQuality@au.gt.com](mailto:NationalAssuranceQuality@au.gt.com)

19 Grant Thornton Australia

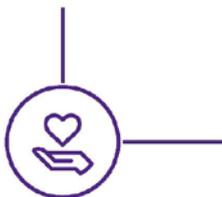


## Income of Not-for-Profit Entities

On 20 December 2016, the Australian Accounting Standards Board (AASB) released its new income recognition requirements for not-for-profit (NFP) entities following the completion of its long-running project 'Income of NFP Entities' which was initiated by the AASB nearly a decade ago.

The new requirements, which present a significant change for the NFP sector, are contained in the following three (3) standards:

- AASB 1058 *Income of Not-for-Profit Entities*
- AASB 2016-7 *Amendments to Australian Accounting Standards – Deferral of AASB 15 for Not-for-Profit Entities*
- AASB 2016-8 *Amendments to Australian Accounting Standards – Australian Implementation Guidance for Not-for-Profit Entities*



20 Grant Thornton Australia

### AASB 1058

AASB 1058 clarifies and simplifies the income recognition requirements that apply to NFP entities, in conjunction with AASB 15 *Revenue from Contracts with Customers*. These standards supersede all the income recognition requirements relating to private sector NFP entities, and the majority of income recognition requirements relating to public sector NFP entities, previously in AASB 1004 *Contributions*.

Under AASB 1058, the timing of income recognition depends on whether a NFP transaction gives rise to a liability or other performance obligation (a promise to transfer a good or service), or a contribution by owners, related to an asset (such as cash or another asset) received by an entity.

This standard applies when a NFP entity enters into transactions where the consideration to acquire an asset is significantly less than the fair value of the asset principally to enable the entity to further its objectives. In this case, the entity will recognise and measure the asset at fair value in accordance with the applicable Australian Accounting Standard (e.g. AASB 116 *Property, Plant and Equipment*).

Upon initial recognition of the asset, AASB 1058 requires the entity to consider whether any other financial statement elements (called 'related amounts') should be recognised, such as: contributions by owners; revenue; or a contract liability arising from a contract with a customer; a lease liability; a financial instrument; or a provision.

These related amounts will be accounted for in accordance with the applicable Australian Accounting Standard.

### AASB 2016-7

AASB 2016-7 amends the mandatory effective date of AASB 15 for not-for-profit entities so that AASB 15 is required to be applied by such entities for annual reporting periods beginning on or after 1 January 2019 instead of 1 January 2018.

### AASB 2016-8

AASB 2016-8 inserts Australian requirements and authoritative implementation guidance for not-for-profit entities into AASB 9 *Financial Instruments (2014)* and AASB 15. This guidance assists not-for-profit entities in applying those standards.

The amendments to AASB 9 address the initial measurement and recognition of non-contractual receivables (such as taxes, rates and fines) arising from statutory requirements. The amendments to AASB 15 address a number of aspects of accounting for contracts with customers, namely:

- identifying a contract with a customer; identifying performance obligations; and
- allocating the transaction price to performance obligations.

### Effective date

AASB 1058 and AASB 2016-8 apply to annual periods beginning on or after 1 January 2019, whereas

AASB 2016-7 applies to annual periods beginning on or after 1 January 2017.



# AASB 16: Leases

## A snapshot of changes

Item	Development
Non-current assets	Recognition of a right-of-use asset
Current and non-current liabilities	Recognition of a lease liability (PV of future payments)
Depreciation expense	Right-of-use assets will be depreciated
Interest expense	Interest expense on the lease liability
Lease expense	Lease expense will no longer be recognised

• Click here for further information:

[IFRS News Special Edition on IFRS 16](#)

## Considerations and implications

Consideration	Implication
Lessees vs lessors?	<ul style="list-style-type: none"> <li>• Lessees affected, and only minor changes for lessors. The distinction between finance and operating leases is retained for lessors</li> </ul>
Other considerations?	<ul style="list-style-type: none"> <li>• Interest expense will typically be 'front-loaded'</li> <li>• Lease liability will exclude:                             <ul style="list-style-type: none"> <li>– option periods unless exercise is reasonably certain</li> <li>– contingent payments that are linked to sales/usage</li> </ul> </li> <li>• New definition of a lease may result in some arrangements previously classified as leases ceasing to be so, and vice versa</li> <li>• New guidance on sale and leaseback accounting</li> <li>• New and different disclosures</li> </ul>
Relief / transition?	<ul style="list-style-type: none"> <li>• Short-term leases (lease term &lt; 12 months)</li> <li>• Low-value asset leases (&lt; US\$5,000 approximately)</li> <li>• Option of modified retrospective vs full retrospective and an array of practical expedients for modified retrospective</li> </ul>

## Strategic planning

Entities must consider the financial reporting implications, including a impacts on certain asset and liability ratios, and changes to EBITDA.

These adjusted ratios could be important for financial covenants in funding arrangements or for how stakeholders analyse the performance of the business.

21 Grant Thornton Australia

# Relief from Fair Valuing Peppercorn Leases



## Peppercorn leases

The term "peppercorn lease" is generally used to describe a lease that has nil or nominal lease payments. However, this also includes leases that have significantly below-market terms and conditions principally to enable the entity to further its objectives.

## AASB 1058 and AASB 16

AASB 1058 *Income of Not-for-Profit Entities* and AASB 16 *Leases* are effective for annual reporting periods on or after 1 January 2019. These standards prior to amendments required NFP entities to measure right-of-use assets at initial recognition at fair value in respect of leases that have significantly below-market terms and conditions principally to enable the entity to further its objectives.



22 Grant Thornton Australia

## AASB 2018-8

The Australian Accounting Standards Board (AASB) issued AASB 2018-8 *Amendments to Australian Accounting Standards – Right-of-Use Assets of Not-for-Profit Entities* on 24 December 2018.

## Application

This amending Standard amends AASB 1058 and AASB16 and introduces a relief allowing NFP entities to not measure peppercorn leases at fair value for initial measurement purposes when transitioning to AASB 1058 *Income of Not-for-Profit Entities* and AASB 16 *Leases* in annual periods beginning on or after 1 January 2019. The amendments allow NFP entities to measure peppercorn leases initially either at cost or fair value.

## Disclosures

When an entity elects to apply the option to measure the right-of-use asset at cost, it will need to provide additional disclosures in the financial statements (e.g. entity's dependence on peppercorn leases, the nature and terms of such leases) to assist users in understanding the effects on the financial position, financial performance and cash flows of the entity arising from these leases.

## Effective date and transition

The amendment is effective for annual periods beginning on or after 1 January 2019. Earlier application is permitted provided that AASB 1056 is also applied at the same time.

## Future development

It is expected that AASB will reassess the proposed optional measurement approach when further guidance has been developed to assist NFP entities in fair valuing right-of-use assets and the final reporting requirements for private not-for-profit entities have been finalised.

## Further information

For further information, please get in touch with your Grant Thornton Relationship Partner.

Accounting Alert

2018-12-24

[AASB 2018-8: Amendments to Australian Accounting Standards – Right-of-Use Assets of Not-for-Profit Entities](#)

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**10.5.2.2 Internal Audit Program - Future Direction and Funding**

<b>Responsible Branch:</b>	Governance	
<b>Responsible Directorate:</b>	Corporate and Strategy	
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
<b>Voting Requirement:</b>	<b>Parts 1, 2 and 3 - Simple Majority Required</b> <b>Part 4 - ABSOLUTE MAJORITY REQUIRED</b>	
<b>Attachments:</b>	1. Summary of sector internal audit topics 2. LGIS surplus distribution advice	
<b>Refer:</b>	Item 10.5.3.3: OCM 03.09.2019 Item 10.5.2.4: OCM 14.05.2019	

**SUMMARY**

The City's internal audit program was developed in 2017/18 in anticipation of the financial and performance audits of the local government sector by the Office of Auditor General (OAG). The Internal Audit program is a risk-based plan designed to add value and improve upon the efficiency and effectiveness of the City's systems, programs and operations.

The internal audit program was to be trialled for three years, and reviewed thereafter. This was to provide the opportunity for consideration of an enhanced program, and a driver for further work in this area to meet the OAG audit standards. An initial budget of \$28,000 was provided (2019/20) of which \$15,680 has been spent year-to-date. This figure includes commitments for work not yet invoiced.

The OAG has had a long-standing audit program in place for state government agencies, and recent legislative amendments have brought local governments under that program as an agency of state government. The change brings Western Australia in line with most other Australian jurisdictions.

The OAG mandate extends to financial reports and performance audits of local government, and it also has the powers to perform supplementary audits requested by the Minister for Local Government Sport and Cultural Industries and report these results to Parliament. Parliament expects that this will raise the standards of accountability to a level more consistent with state government entities.

While internal audit programs are not a legislative requirement, they provide an effective framework for early identification of issues and are seen as part of good stewardship and governance. A key requirement for an effective internal audit program is independent and unbiased testing, either through specifically appointed internal specialist roles, or those sourced externally.

There are specific legislative requirements for reporting of systems and procedures in relation to risk management, internal controls and legislative compliance, and assistance with those reporting requirements could be included in the scope of work for the independent auditors if that funding opportunity can be realised.

In addition, the OAG take comfort when a robust internal audit and oversight process via an Audit and Risk Committee is in place.

As the City's Workforce Plan does not currently consider additional internal roles, external sourcing of specialist audit and compliance firms is the appropriate avenue to follow. To fund that work, an opportunity has presented itself through the LGIS surplus distribution of \$145,682.

**COUNCIL RESOLUTION**  
**(MANAGEMENT COMMITTEE/OFFICER'S RECOMMENDATION)**

That Council:

1. Endorses the next phase of the City's internal audit plan for 2020/21 through to 2022/23, with independent auditors to be engaged through the terms of reference of the Audit and Risk Management Committee.
2. Endorses the inclusion of assistance to the Chief Executive Officer in the preparation of the three-yearly report under regulation 17 of the *Local Government (Audit) Regulations 1996* in the scope of work for the independent auditors.
3. Approves the funding of items 1 and 2 above by retaining the LGIS surplus distribution under the scheme provisions for risk mitigation strategies, as per Option 1, and approves an adjustment to the 2019/20 operating budget accordingly, as per the table below:
4. **APPROVES, BY ABSOLUTE MAJORITY** the following changes to the 2019/20 Operating Budget:

Account	Type	Description	Current Budget	Revised Budget
5800-14700-6200	Increase Expenditure	Risk Management – internal audit	28,000	173,682
6000-14900-4580	Increase Income	General Purpose Revenue – Other Income	0	(145,682)
Reason: Allocation of the insurance rebate from 2018/19 to the three-year internal audit program.				

**CR BARRY MCKENNA MOVED, CR STEPHANIE GRAY SECONDED**  
**CARRIED UNANIMOUSLY BY EXCEPTION (EN BLOC): 10/0**

**BACKGROUND**

The *Local Government Amendment (Auditing) Act* was enacted in October 2017 and allows the Office of Auditor General (OAG) to conduct all financial and performance audits of the local government sector.

In addition, the OAG now also conducts performance audits of the sector. These are essentially narrow-focus examinations of public sector programs and activities, and local governments are randomly selected for each program.

The OAG local government performance audit topics for 2018 included credit card controls, payment of suppliers and procurement, and the program for 2019 included building approval processes, record keeping and fraud controls.

In choosing topics, the OAG considers factors such as risk, materiality and impact, which may lead to some local governments being involved in multiple audit topics while others will be rarely involved. Importantly, the findings and recommendations of performance audits will often be applicable across the sector, and not just to those subject to the audit.

While it is not a legislative requirement, many local governments have an internal audit program; either outsourced to specialist audit firms or conducted in-house or a combination of the two. The independent internal audit function provides a level of assurance that the organisation's risk management, internal control, and governance processes are effective, and also provides information to senior management on improvement requirements. Key to the role is that there is independence of the internal audit function from the day-to-day operations so that assessments are unbiased. The terms of reference for the Audit and Risk Management Committee include considering recommendations for appointment of auditors.

The emerging role of the OAG in local government was the key driver for the development of the City's own internal audit program. A suggested program was presented to the Audit and Risk Management Committee at its meeting of 28 March 2017, for the period 2017/18 through to 2019/20 covering the following themes:

2017/2018	2018/2019	2019/2020
<ul style="list-style-type: none"> <li>• Corporate record keeping</li> <li>• Performance reporting</li> </ul>	<ul style="list-style-type: none"> <li>• Cyber security</li> <li>• Fraud and Misconduct</li> </ul>	<ul style="list-style-type: none"> <li>• Procurement and tendering</li> <li>• Financial sustainability</li> </ul>

Contract internal auditors were sourced through the WA Local Government Association panel agreement for audit and compliance services in 2018, and Paxon Group was appointed.

**1. Corporate Record Keeping and Performance Reporting**

To review the appropriateness and effectiveness of the City's systems and procedures in relation to *Corporate Record Keeping* and *Performance Reporting*. The brief was to establish whether proper processes, procedures and safeguards were in place to minimise the risk of non-compliance and provide recommendations for improvement or enhancement of the City's systems.

An initial report was provided to the committee at its meeting of 4 December 2018, and a follow-up report was provided to the committee at its meeting of 21 August 2019.

**2. Cyber Security**

Deloitte was commissioned to conduct the cyber security audit in December 2018 and the CEO's summary of the recommendations was reported to the Audit and Risk Management Committee at its meeting of 30 April 2019.

**3. Fraud and Misconduct**

The Fraud and Misconduct internal audit was conducted in August 2019. The overall intent of this audit was to assess the City's present strategy and state of preparation for resisting, detecting and reporting fraud and corruption. The audit placed particular focus on human resources and recruitment practices. The draft report is currently being considered before presenting to the Audit and Risk Management Committee.

**4. Procurement and Tendering**

This audit has been deferred as the OAG selected the City for a performance audit on these topics in July 2019, and the City is still waiting on the results of that audit.

**5. Financial Sustainability**

This audit has also not yet been done.

The current internal audit budget allocation of \$28,000 has limited the amount of work that has been done so far, however there is an opportunity to fund additional internal audit work through the City's membership of the mutual scheme set up by the WA Local Government Association (WALGA) in 1995 as the Local Government Insurance Scheme (LGIS).

As the scheme is member-owned, surpluses are distributed to members. As these surpluses are based on the number of claims across the sector, investment performance and capital requirements for the scheme, vary from year to year. The surplus distribution to the City of Bayswater for 2018/19 is \$145,682 (refer **Attachment 2**).

**EXTERNAL CONSULTATION**

The Department of Local Government, Sport and Cultural Industries has confirmed that internal audits will remain the responsibility of the respective local governments.

**OFFICER'S COMMENTS**

The inaugural internal audit program in 2017/18 was developed to assist the City in proactively identifying any gaps in documentation or opportunities for practice improvement, both for assurance purposes and in preparation for the OAG audits. The report of 28 March 2017 suggested that two of each of the topics could be realistically managed annually within the budget limits, and the committee endorsed the program. It is worth noting that the City has since developed internal frameworks to support the program including the Fraud and Corruption Control Plan.

The reporting cycle for the regulatory requirement for the Chief Executive Officer to review the appropriateness and effectiveness of a local government's systems and procedures in relation to risk management, internal controls and legislative compliance under regulation 17 of the audit regulations was originally every two years, however that has since been changed to every three years. The last such report was provided to the Audit and Risk Management Committee at its meeting of 19 December 2016 (Item 13.3.1 OCM 31.01.2017) and was done internally due to funding constraints. While the regulations are not specific on the approach, an external party review would better reflect the expectations of the OAG, and that is proposed as the course of action for the forthcoming review. Quotes are currently being sought to undertake this audit in December 2019.

The separate requirement for reporting by the Chief Executive Officer of the results of reviews of the financial management systems and procedures under regulation 5 of the *Local Government (Financial Management) Regulations 1996* was last conducted by independent auditors, Grant Thornton, in 2018. This only identified one issue with separation of authority for generating and approving self-generated journals, and appropriate procedural changes have since been made. Accordingly, no immediate action is required.

On the specific issue of the internal audit program, the inaugural three-year program was developed in 2017/18 and the intention was to determine its effectiveness to inform future budget requirements. As that program is now in its latter stages, a comparison of local governments (refer **Attachment 1**) has identified some common risk topics and emerging sector issues. Issues have also been identified through the City's risk assurance program and have been collectively considered in the proposed internal audit program for the next three years as below:

2020/21	2021/22	2022/2023
<ul style="list-style-type: none"> <li>• Aquatic and recreation centre stock control, payroll, cash handling and point of sale procedures, debt management and staff training performance reporting.</li> <li>• Lease renewal, lease agreement reviews and rent collection.</li> <li>• Tender evaluation and awarding of procurement contracts.</li> <li>• Payroll master file reconciliation.</li> </ul>	<ul style="list-style-type: none"> <li>• Swimming pool inspections, application processing, adequacy of policies and reporting and recording of incidents, compliance with regulations.</li> <li>• Statutory compliance – general systems for complying with acts, regulations and local laws.</li> <li>• Building licence application and approval process.</li> <li>• Management of leave liabilities.</li> </ul>	<ul style="list-style-type: none"> <li>• Infrastructure asset maintenance and replacement – strategies and inspection programs.</li> <li>• Customer complaint handling, escalation and resolution.</li> <li>• Privacy and managing of confidential information.</li> <li>• Managing of infringement revenue, fines enforcement and write-offs.</li> </ul>

## LEGISLATIVE COMPLIANCE

The legislative changes were introduced by way of the *Local Government Amendment (Auditing) Bill 2017*.

The requirements for the Chief Executive Officer to review the appropriateness and effectiveness of a local government's systems and procedures in relation to risk management, internal controls and legislative compliance are dealt with under regulation 17 of the *Local Government (Audit) Regulations 1996*.

There is also a separate requirement for reporting by the Chief Executive Officer of the results of reviews of the financial management systems and procedures under regulation 5 of the *Local Government (Financial Management) Regulations 1996*.

The terms of reference of the Audit and Risk Management Committee include liaising with the Chief Executive Officer to ensure the effective and efficient management of the City's functions and compliance with legislation - in particular, Part 6 (Financial Management) and Part 7 (Audit) of the *Local Government Act 1995* ('the Act').

The terms of reference also covers the requirements under Part 16 of the audit regulations which cover the appointment of auditors and determining the scope of audits, as well as Part 17 of the audit regulations which cover the consideration by the committee of the Chief Executive Officer's periodic reviews of the City's financial management systems under Regulation 5 (2) of the financial management regulations.

While internal audit is not a legislative requirement for local governments, the Department of Local Government, Sport and Cultural Industries has recognised the relationship between audit committees and internal audit in its *Local Government Operational Guidelines Number 9 - Audit in Local Government - The appointment, function and responsibilities of Audit Committees*.

The OAG also recognises the role of internal audit as a key component of an organisation's governance, and state agencies must comply with the Treasurer's Instruction (TI) 1201 *Structure of the Internal Audit Function* which requires the accountable authority to establish and maintain an effective internal audit function. The TI is mandatory for agencies that fall under the *Financial Management Act 2006*, and its principles are also relevant to most other organisations.

The OAG position on local government internal audits was articulated in the *Audit Results Report – Annual 2017-18 Financial Audits of Local Government Entities*:

"Only 11 of the 42 LGs we surveyed had an internal audit function. An effective internal audit function is important for ongoing maintenance and improvement of risk management, internal control and governance processes. The internal audit function acts as the independent eyes and ears for council on LG administration in key areas of risk. While recognising the difficulties for regional LGs to maintain an effective, independent internal audit function, we encourage LGs to collaborate with a view to effective internal audit assurance. We propose to cover this topic further in future performance audits." **(Attachment 1)**.

## OPTIONS

In respect to the LGIS surplus distribution, the scheme rules provide for three options:

Option 1	That Council approves the retaining of the surplus distribution for further development of the internal audit program, under the scheme provisions for risk mitigation activities.		
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>		<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate		Moderate
Reputation	Low		Low

Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	Option 1 is recommended as a well-developed internal audit program will provide the appropriate level of assurance to Council of the City's systems and its ability to meet the OAG's audit requirements for the foreseeable future.	

<b>Option 2</b>	<b>That Council applies the distribution to offsetting the 2020/21 insurance contribution.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Moderate
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	The annual insurance contribution is \$1.15m, so the surplus distribution would represent a 12.5 percent offset of next year's insurance costs.	

<b>Option 3</b>	<b>That Council applies the distribution to the mid-year budget review for purposes to be determined at the time.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Moderate
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	The surplus distribution could be applied to adjustments yet to be determined in the mid-year budget review.	

## FINANCIAL IMPLICATIONS

Nil.

## STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Leadership and Governance  
 Aspiration: Open, accountable and responsive service.  
 Outcome L1: Accountable and good governance.

## CONCLUSION

Recent changes to the audit regulations have given the OAG oversight powers over the local government sector for financial and performance audits. To prepare the City, an inaugural internal audit program was developed in 2017/18 and has operated within the limits of the funding allocated in the annual budget.

Whilst it is recognised that the funding opportunity presented through the LGIS surplus distribution would allow for offsetting of next year's insurance costs or to fund other requirements in the mid-year budget review, further work on the internal audit program is considered essential to build the City's ability to meet the OAG requirements. That funding opportunity would also provide for independent audit support for the CEO's report on the appropriateness and effectiveness of the City's systems and procedures in relation to risk management; internal controls and legislative compliance.

**Attachment 1**

**This table references the three-year audit programs of various local government organisations ranging from 2017/2019 through to 2019/2021.**

Topic area:	Armadale	Augusta Margaret River	Bayswater	Kalamunda	Kwinana	Perth	South Perth	Subiaco	Wanneroo
Accounts payable – controls for invoice approval, changing supplier details, avoiding duplicated payments									
Aquatic and recreation centre stock control, payroll, cash handling and point of sale procedures, debt management and staff training									
Asset management – inspection and maintenance, condition rating, verification reification strategies for replacement									
Audit regulation 17 (CEO review of internal controls, risk management and legislative compliance, now 3 yearly)									
Business continuity and disaster recovery									
Cash handling and revenue collection									
Customer services, community access to information and services, complaint handling, review of program effectiveness, frontline contact, escalation of service requests									
Compliance Audit Return (independent check of responses)									
Confidential information and privacy									
Contract execution									
Contract management – currency/value for money, contract register, extensions and variations, price variations, contractor performance									
Credit cards									
Culture and corporate values									
Cyber security, disaster recovery, backup systems, cloud migration									
Delegations									
Depot operations – outcomes, deployment of resources, program efficiency and effectiveness									
Development applications – compliance with policy and legislation, compliance with conditions, processing efficiency									
Emergency management, security threats									
Emergency service levy									

Topic area:	Armadale	Augusta Margaret River	Bayswater	Kalamunda	Kwinana	Perth	South Perth	Subiaco	Wanneroo
Engineering project delivery – risk management, risk managements, variations, budget management, contractor management and post-handover reviews									
Event management, including traffic control and parking management									
Financial management systems – appropriateness and effectiveness, segregation of duties									
Financial sustainability and long term financial planning									
Fleet management – vehicle private usage, accident reporting, vehicle identification and tracking, running costs, repair and maintenance, acquisition and disposal									
Fraud and misconduct risk mitigation									
Gift register policies and reporting processes									
Governance – adequacy of policies, delegations and assurance reporting									
Grants management – acquittal processes									
Human resources – recruitment processes and approvals, inductions, performance management, entitlements, training, payroll master file reconciliation									
Infrastructure asset maintenance – strategies and inspection programs									
Information security - access to confidential information									
Insurance coverage and value for money									
Integrated Planning and Reporting Framework – performance indicators, alignment of documents									
Investment strategies and compliance with policies									
Land development and contributions									
Lease renewal, lease agreement reviews, rent collection									
Marketing, communications and social media – programs and effectiveness of policies and procedures									
Occupational Health and Safety Systems – responsibilities and accountabilities, legislative compliance									

Topic area:	Armadale	Augusta Margaret River	Bayswater	Kalamunda	Kwinana	Perth	South Perth	Subiaco	Wanneroo
Parking control, revenue, fines enforcement, withdrawal and write offs									
Playground inspections and condition assessment									
Policy framework – currency and review processes									
Project management, project development, approvals, risk management, budget control and review processes									
Procurement – segregation of duties, compliance with policy and legislation									
Procurement strategies and planning									
Rates and charges – integrity of data, valuations and fees and charges									
Records management									
Risk management									
Statutory compliance – general systems for complying with acts, regulations and local laws									
Swimming pool inspections, application processing, adequacy of policies, recording and reporting of incidents, compliance with regulations, enforcement									

**Attachment 2**

24 October 2019

Mr Andrew Brien  
 Chief Executive Officer  
 City of Bayswater  
 PO Box 467  
 MORLEY WA 6943

CITY OF BAYSWATER DOCUMENT REGISTRATION			
HWM		SBC	
CEO	CF	MEH	
DCS		LCS	
COM		MRSS	
FIN		REC	
RAT		SPP	
GOV		DWI	
IS		APS	
OS		MBW	
PCS		MES	
DCD		MEW	
CD		DEP	
EVCO		PS	
MDA		SE	
30 OCT 2019			
ATT:			



Dear Andrew

**LGIS 2019 Surplus Distribution**

Further to my previous correspondence in August, I am pleased to advise that the LGIS 2018/19 results have now been finalised and a surplus distribution is available to Member Local Governments.

For the City of Bayswater, your share of the surplus is \$145,682.

Your Local Government can choose to receive its surplus distribution: as an immediate refund via electronic transfer; opt for LGIS to retain the funds to offset your contribution next year; or for LGIS to hold the amounts in trust for risk mitigation activities.

LGIS is a WALGA service, for which we partner with JLT, and which is governed by a sub-board to State Council. It was the decision of the LGIS board, endorsed by State Council, that each Local Government decide on how they wished to apply their surplus share by determination of Council to ensure that all Elected Members were involved in the process.

As such, please advise WALGA or your LGIS account manager once your Council decision has been formalised.

To revisit my previous advice, the surplus this year is a consequence of a lower than anticipated number of claims in Property and WorkCare; a better than expected performance in investments; and a reduced requirement of the capital needed to be carried by the Scheme.

As part of the surplus distribution process, LGIS representatives will meet with your executive team to further discuss the options. This meeting is also an opportunity to discuss how your Local Government can get the most out of your membership, including access to risk mitigation services.

In addition, representatives from WALGA and LGIS are also available to present to a meeting of your Council for a general briefing on your mutual scheme and how it works, which may be of particular interest to Elected Members who are new to the sector.

In closing, I would again take the opportunity to thank you for your continued support of this WALGA service and encourage all Elected Members to seek to have an understanding of this significant investment by their Council and the benefits delivered by the mutual scheme model.

Yours sincerely

**Cr Lynne Craigie OAM  
 President**

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 LV1, 170 Railway Parade, West Leederville, WA 6007  
 PO Box 1544, West Perth, WA 6872  
 T: (08) 9213 2000 F: (08) 9213 2077 info@walga.asn.au  
[www.walga.asn.au](http://www.walga.asn.au)

**10.5.2.3 Strategic Budget Policy**

<b>Responsible Branch:</b>	Finance	
<b>Responsible Directorate:</b>	Corporate and Strategy	
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
<b>Voting Requirement:</b>	Simple Majority Required	
<b>Attachments:</b>	1. Draft Strategic Budget policy	

**SUMMARY**

The Strategic Budget Policy will be used by staff in the development of the City's budget and to assist Council in adopting the budget. It will also help inform the community on the approach the City takes in budget preparation.

**COUNCIL RESOLUTION****(MANAGEMENT COMMITTEE RECOMMENDATION)**

That this item be deferred to the next meeting of the Audit and Risk Management Committee.

**CR BARRY MCKENNA MOVED, CR STEPHANIE GRAY SECONDED**

**CARRIED UNANIMOUSLY BY EXCEPTION (EN BLOC): 10/0**

**BACKGROUND**

The City develops its annual budget as part of the Integrated Planning and Reporting Framework. The document discloses all expenditure, revenue and income, and the amount required to make up any deficiency through general rates. Seven guiding principles for budget development were considered and supported by Council at its workshop of 5 March 2019.

Given the complexity, size and financial requirements of the City, it is prudent that these principles are expanded and defined in the form of a policy. This will ensure greater transparency in budget composition and help in its development and ultimate adoption by Council.

**EXTERNAL CONSULTATION**

No consultation has yet occurred with the public or other agencies on this matter.

**OFFICER'S COMMENTS**

The Strategic Budget Policy (**Attachment 1**) has been designed to provide clarity on the key elements that influence budget preparation. It expands upon the seven Council-endorsed principles and will be used by City staff when developing the budget. It is an important document that will promote good corporate governance and prudent financial management. It will also provide Council and external stakeholders with clarity in budget composition and can be seen as an improvement in the City's approach to budget preparation.

**LEGISLATIVE COMPLIANCE**

There is no legislative requirement for the City to have a budget policy. However local government regulations require a Chief Executive Officer to establish efficient systems and procedures with respect to financial management. The Strategic Budget Policy will, in part, help fulfil this requirement.

**OPTIONS**

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

<b>Option 1</b>	<b>Council endorses the Strategic Budget Policy to provide guidance to City staff in preparing the annual budget, and for Elected Members in adopting the budget.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	N/A
<b>Conclusion</b>	The strategic budget policy is an important part of improving overall financial management and will assist Council in its governance role. While there is already Council support for the seven budget principles, the policy will expand and define them for improved financial management.	

<b>Option 2</b>	<b>Council continues to manage the budget process through reference to the seven principles considered and supported at the Council workshop of 5 March 2019.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Moderate
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	N/A
<b>Conclusion</b>	The budget principles are already applied in practice, and they provide a broad framework in budget preparation.	

**FINANCIAL IMPLICATIONS**

Nil.

**STRATEGIC IMPLICATIONS**

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Leadership and Governance.

Aspiration: Open, accountable and responsive service.

Outcome L1: Accountable and good governance.

**CONCLUSION**

The Strategic Budget Policy can be seen as further improvement in the City's financial management and will be used as a reference point by the City's management in producing the budget and Elected Members in endorsing the budget.

**Attachment 1****STRATEGIC BUDGET POLICY:**

Responsible Division	Corporate and Strategy
Responsible Business Unit/s	Finance
Responsible Officer	Director Corporate and Strategy
Affected Business Unit/s	All

**PURPOSE:**

To establish clear principles and guidelines for the City of Bayswater (the City) that will deliver:

- Elected Members strategic financial management directives;
- Community engagement;
- Robust and transparent long-term financial planning;
- Intergenerational equity;
- Good stewardship of the City's assets;
- Sustainable, fully costed fees, charges for services and goods sold;
- Asset sustainability (maintenance, renewal, replacement and new);
- Prudent rates setting that reflects the community's needs and aspirations;
- Sustainability in non-rates and non-fees & charges income.

**POLICY STATEMENT:**

The City acknowledges that it must plan for the current and future needs of the community in a socially, culturally, environmentally and financially sustainable manner. This will be achieved through Council's Strategic Community Plan (SCP), Corporate Business Plan (CBP) and operationally via Branch Plans. The City also acknowledges that the budget must be embraced by all stakeholders and with this in mind must be developed in a collaborative fashion.

The Policy is founded on the following Principles:

- Principle 1:** Recurring income must exceed recurring expenditure.
- Principle 2:** Each of the City's service delivery activities is to be cost and quality competitive whilst controlling City operating costs.
- Principle 3:** Asset renewal must have higher priority than the creation of new assets.
- Principle 4:** Reserves are to be accumulated and allocated in accordance with Council resolution (OCM August 2017).
- Principle 5:** New income-producing opportunities are to be identified and returns on Council commercial property holdings are to be optimized.
- Principle 6:** The uses of debt, internal borrowing and private financing are to be considered where appropriate.
- Principle 7:** The Department of Local Government, Sport and Cultural Industries' key performance indicators are to be met (refer [mycouncil.wa.gov.au](http://mycouncil.wa.gov.au)).

The budget is to be presented to Council for adoption by the end of June each year.

**SCOPE**

This Policy applies in the development of the City's budgets and to assist Council in adopting the budget.

The City acknowledges the importance of financial integrity and community engagement.

Where appropriate this Policy is supported by relevant Management Procedures.

#### **1. Annual Budgeting Strategy**

In order to achieve long-term financial sustainability the City will deliver a balanced or surplus budget and achieve the key performance indicators documented on mycouncil (mycouncil.wa.gov.au). The budget will be produced using the principles of zero-based budgeting.

#### **2. Participatory Budgeting**

The budget will be prepared in a two-yearly participatory cycle where year one will involve full community engagement and consultation, and year two will be informed from the data collected during the year one engagement and consultation process.

#### **3. Long-Term Financial Planning (LTFP)**

The LTFP will be formulated to address the strategies and deployment objectives outlined in the City's SCP, CBP, Asset Management Strategic Plan (AMSP), Workforce Management Plan and relevant informing strategies and resourcing plans.

#### **4. Management of City's Reserves**

Cash-backed specific purpose reserve accounts will be established to help mitigate financial risk. The purpose for each reserve will be documented to ensure the use of funds is transparent.

#### **5. Capacity to Pay**

Council will consider ratepayers' capacity to pay as part of budget development with influencing factors such as the prevailing economic climate being taken into account.

#### **6. Intergenerational Equity**

- (a) The City will engage with the community, State and Federal governments to ensure the full cost of infrastructure and service delivery are equitably met by all generations of ratepayers.
- (b) Intergenerational equity will be achieved through the City's LTFP and Annual Budgeting processes.

#### **7. New Initiatives**

- (a) All operational or capital projects will be evaluated against Council's SCP and AMSP, supported by the funding priority (Section 9 of this Policy).
- (b) Project proposals must be supported by a business case, including a cost-benefit analysis, risk analysis and whole-of-life costing to clearly demonstrate the fulfilment of financial policy objectives.
- (c) The City will advocate for grants and partnership opportunities and, where possible, collaborate with neighbouring councils.

#### **8. Funding Strategy**

- (a) Borrowings
  - (i) Borrowings may be considered in accordance with Council's adopted Borrowing Policy as a valid funding source for projects that contribute towards or achieve strategic goals identified in the City's SCP and have an identified source of revenue or utility;

- (ii) The criteria for borrowing will be driven by the economic climate and the City's balance sheet capacity; and
  - (iii) Cost/benefit analysis of borrowings will be required to be undertaken alongside assessment and alignment to the City's strategic asset management plans and strategies.
- (b) Sale of Assets

Proceeds from the sale of assets (Capital Revenue) will be applied to:

  - (i) Reduce any debt associated with the asset acquisition or upgrade since the original purchase or construction;
  - (ii) Offset the cost of replacement of similar classes of assets required for the City's operations arising from identified asset sale; and/or
  - (iii) Municipal Funds or specific Cash-Backed Reserves.

Reflecting responsible financial management and stewardship, the proceeds from the sale of assets are not to be used to offset operating costs.
- (c) Levels of Service

Services levels will be assessed and reviewed to achieve the best value for money and appropriate quality.
- (d) Fees & Charges
  - (i) The City acknowledges the requirements of the National Competition Policy and ensures compliance by regularly reviewing its fees, charges and services to ensure that they do not create or have the potential to create unfair competition with the private sector.
  - (ii) The City adopts a "user-contributes" approach considering community expectation of the level of services and capacity to pay.
  - (iii) Additional factors that are considered when reviewing fees and charges include:
    - I. Regulatory provisions – Sections 6.17 and 6.38 of the *Local Government Act 1995*;
    - II. Full cost of the provision of the goods and services;
    - III. Benchmarking against other Local Governments' pricing;
    - IV. Market rates;
    - V. Optimisation of return on Council commercial property;
    - VI. Perth CPI; and
    - VII. Level of the City's subsidy.
- (e) Rate Setting
  - (i) The City's rating strategy will be developed on a general rate (rate in the dollar) increase of Perth CPI and an additional amount based on meeting community service levels and expectations as identified and approved through the LTFP process;
  - (ii) Where applicable differential rates and specified area rates will be exercised by Council to ensure fairness, consistency, transparency, efficiency and equity for the community.

- (f) Cash-in-Lieu Funding  
Cash received in-lieu for public open space and car parking is to be used to fund capital projects relevant to that district.
- 9. Funding Priority**
- (a) The City recognises the competing demands for limited financial resources and will endeavor to allocate resources in compliance with the objectives of this Policy;
- (b) Prioritisation of funding allocation will be based on the following:
- (i) Activities requiring compliance with new statutory obligations or standards;
  - (ii) Risk mitigation activities or projects that are required to reduce extreme or high-level risks to as far as practicable, an acceptable level;
  - (iii) Renewal, upgrade or maintenance of existing infrastructure assets as supported by the Strategic Asset Management Plans and related projects prioritisation processes;
  - (iv) Current operational funding for programs, unless the operational need for any of those programs has been superseded;
  - (v) New programs or assets as supported by the Strategic Asset Management Plans and related projects prioritisation processes; and
  - (vi) Council decisions for programs and projects based on the current service levels required by the community or advised by City staff.

**DEFINITIONS:**

*DEFINITIONS: Any definitions listed in the following table apply to this document only.*

***Intergenerational Equity***

The equitable allocation of responsibility for funding the provision and maintenance of assets and facilities throughout their useful life (more evenly spreading the financial burden against current and future ratepayers who will enjoy the benefits).

***Financial Sustainability***

The financial capacity to deliver the current and forecasted level of services demanded by the community.

***Whole of Life Cost***

Refers to the total net cost incurred when acquiring goods or services and is made up of all initial procurement costs, operating and maintenance costs, disposal costs and termination

**RELATED LEGISLATION:**

- The *Local Government Act 1995*;
- The *Local Government (Financial Management) Regulations 1996*;
- Australian Accounting Standards Board (AASB) Standards;
- Western Australian Local Government Accounting Manual;
- Department of Local Government and Communities Rating Policy Differential Rates (s.6.33) August 2013; and
- National Competition Policy.

**RELATED DOCUMENTATION:**

This Policy is supported by the following policies, procedures, documents and delegations:

1. Loan Borrowing Policy
2. Investment Policy
3. Asset Management Strategic Plan 2019-2029
4. Workforce Plan 2017-27
5. Strategic Community Plan
6. Corporate Business Plan
7. Long-Term Financial Plan

<b>Adopted by Council:</b>	
<b>Reviewed:</b>	
<b>Strategic Link:</b>	Governance and Leadership

**COUNCIL RESOLUTION - ADOPTION BY EXCEPTION**

That the recommendations relating to items: 10.2.1, 10.2.4, 10.3.3, 10.3.4, 10.4.2, 10.4.4, 10.4.5, 10.4.6, 10.5.1.1, 10.5.1.2, 10.5.1.3, 10.5.1.4, 10.5.2.1, 10.5.2.2, and 10.5.2.3 contained in the agenda be adopted by exception as per section 5.5 of the *City of Bayswater Standing Orders Local Law 2018*.

**CR BARRY MCKENNA MOVED, CR STEPHANIE GRAY SECONDED  
CARRIED UNANIMOUSLY: 10/0**

**11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

**12. QUESTIONS FROM MEMBERS WITHOUT NOTICE**

Nil.

**13. NEW BUSINESS OF AN URGENT NATURE**

Nil.

**14. MEETING CLOSED TO THE PUBLIC**

**COUNCIL RESOLUTION**

That the meeting be closed to the public and the doors closed.

**CR STEPHANIE GRAY MOVED, CR MICHELLE SUTHERLAND SECONDED  
CARRIED UNANIMOUSLY: 10/0**

*At 9:49pm, the doors were closed to the public and those present in the public gallery left the meeting. Items 10.4.8 and 14.1.1 were discussed behind closed doors.*

**14.1 Matters for Which the Meeting May be Closed****14.1.1 Potential Land Acquisition in Morley**

<b>Owner:</b>	Department of Lands, Planning and Heritage	
<b>Responsible Branch:</b>	Strategic Planning and Place	
<b>Responsible Directorate:</b>	Community and Development	
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
<b>Voting Requirement:</b>	Simple Majority Required	
<b>Attachments:</b>	<b>Confidential Attachment(s)</b> 1. Letter dated 8 May 2019 2. Valuation dated 20 May 2019	
<b>Refer:</b>	Item 13.3: OCM 3.09.2019 Item 12.1: PDSC 11.09.2018	

**REASON FOR CONFIDENTIALITY**

This report is **CONFIDENTIAL** in accordance with section 5.23(2) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

(e) *a matter that if disclosed, would reveal —*

(ii) *information that has a commercial value to a person;*

*where the trade secret or information is held by, or is about, a person other than the local government.*

**COUNCIL RESOLUTION  
(OFFICER'S RECOMMENDATION)**

That the recommendation as contained in the attached 'Confidential' Report be adopted and remain confidential.

**CR BARRY MCKENNA MOVED, CR FILOMENA PIFFARETTI, DEPUTY MAYOR SECONDED  
CARRIED: 6/4**

**For:** *Cr Dan Bull, Mayor, Cr Filomena Piffaretti, Deputy Mayor,  
Cr Barry McKenna, Cr Sally Palmer, Cr Stephanie Gray,  
and Cr Giorgia Johnson.*

**Against:** *Cr Michelle Sutherland, Cr Catherine Ehrhardt, Cr Elli Petersen-Pik,  
and Cr Lorna Clarke.*

**COUNCIL RESOLUTION**

**That the meeting be re-opened to the public and the doors re-opened.**

**CR MICHELLE SUTHERLAND MOVED, CR GIORGIA JOHNSON SECONDED**

**CARRIED UNANIMOUSLY: 10/0**

*At 10.47pm, the doors were re-opened to the public and any members of the public gallery were invited to return to the meeting however no members of the public returned.*

**14.2 Public Reading of Resolutions That May be Made Public**

Nil.

**15. CLOSURE**

There being no further business to discuss, the Chairperson, Cr Dan Bull, Mayor, declared the meeting closed at 10:47pm.