

8.2 INFORMATION BULLETIN

- Attachments:**
1. **Unconfirmed Minutes of the Catalina Regional Council Meeting held on 15 February 2024**
 2. **Unconfirmed Minutes of the MIndarie Regional Council Meeting 28 March 2024**
 3. **Statistics for Development Services Applications as at the end of March 2024**
 4. **Register of Legal Action and Prosecutions Monthly - Confidential**
 5. **Register of State Administrative Tribunal (SAT) Appeals - Progress Report as at 4 April 2024**
 6. **Register of Applications Referred to the Metro Inner-North Joint Development Assessment Panel - Current**
 7. **Register of Applications Referred to the Design Review Panel - Current**
 8. **Register of Petitions - Progress Report - April 2024**
 9. **Register of Notices of Motion - Progress Report - April 2024**
 10. **Register of Reports to be Actioned - Progress Report - April 2024**
 11. **Council Meeting Statistics - March 2024**
 12. **Council Workshop Items since 5 March 2024**
 13. **Council Briefing Notes - 12 March 2024**

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated April 2024.



Ordinary Meeting of Council

Thursday 15 February 2024

MINUTES

City of Stirling
25 Cedric Street, Stirling WA, 6021

These Minutes were confirmed as a true and correct record of proceedings at a meeting held on 18 April 2024.

Signature:
Chair

Constituent Members:
Cities of Perth, Joondalup, Stirling, Vincent and Wanneroo
Towns of Cambridge and Victoria Park

Minutes CRC Council Meeting – 15 February 2024

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MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Cr Jane Cutler	Cr Michael Le Page
City of Joondalup	Cr John Chester Cr Lewis Hutton	Cr Phillip Vinciullo Cr Adrian Hill
City of Perth	Cr Brent Fleeton	Cr Viktor Ko
City of Stirling	Cr Tony Krsticevic Cr Suzanne Migdale Cr David Lagan Cr Karlo Perkov	Cr Teresa Olow Cr Rob Paparde
Town of Victoria Park	Cr Claire Anderson	Cr Bronwyn Ife
City of Vincent	Cr Ashley Wallace	Cr Suzanne Worner
City of Wanneroo	Cr Helen Berry Cr Sonet Coetzee	Cr Phil Bedworth Cr Vinh Nguyen

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PRESENT

Councillors	Cr Helen Berry Cr John Chester Cr Sonet Coetzee Cr Jane Cutler Cr Brent Fleeton Cr Tony Krsticevic (Chair) Cr Suzanne Migdale Cr Karlo Perkov Cr Ashley Wallace
Alternate Members	Cr Phillip Vinciullo
Staff	Mr Chris Adams (Chief Executive Officer) Mr Simon O'Sullivan (Manager Project Coordination) Mr Daniel Govus (Senior Governance Advisor – City of Stirling)
Apologies Councillors	Cr Claire Anderson Cr Lewis Hutton Cr David Lagan
Leave of Absence	Nil
Consultants	Mr Drew Tomkins (Satterley Property Group)
Apologies Participant Councils' Advisers	Mr Mark Dickson (City of Wanneroo) Mr David MacLennan (City of Vincent) Mr Bill Parker (City of Wanneroo) Mr James Pearson (City of Joondalup) Ms Michelle Reynolds (City of Perth) Mr Gary Tuffin (Town of Cambridge) Mr Anthony Vuleta (Town of Victoria Park)
In Attendance Participant Councils' Advisers	Mr Stevan Rodic (City of Stirling)
Members of the Public	Nil
Press	Nil

Minutes CRC Council Meeting – 15 February 2024

1. OFFICIAL OPENING

The Chair declared the meeting open at 6:02pm.

2. APOLOGIES AND LEAVE OF ABSENCE

Apologies: Cr Claire Anderson
Cr Lewis Hutton (*Cr Phillip Vinciullo present as Alternate Member*)
Cr David Lagan

3. DISCLOSURE OF INTERESTS

Nil

4. PUBLIC STATEMENT/QUESTION TIME

Nil

5. ANNOUNCEMENTS BY CHAIR (WITHOUT DISCUSSION)

Nil

6. PETITIONS

Nil

7. CONFIRMATION OF MINUTES

Moved Cr Migdale, Seconded Cr Perkov.

That the Council CONFIRMS and the Chair signs the minutes from the Ordinary Meeting of Council held 7 December 2023 and the Special Meeting of Council held 20 December 2023 as true and accurate records of proceedings.

The Motion was put and declared CARRIED (10/0).

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Migdale, Perkov, Vinciullo and Wallace.

Against: Nil.

8. BUSINESS ARISING FROM MINUTES

Nil.

9. ADMINISTRATION REPORTS AS PRESENTED

Minutes CRC Council Meeting – 15 February 2024

9.1 BUSINESS REPORT – AS AT 31 JANUARY 2024

Moved Cr Migdale, Seconded Cr Cutler.

That the Council RECEIVES the Business Report as at 31 January 2024.

The Motion was put and declared CARRIED (10/0) by exception resolution.

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Migdale, Perkov, Vinciullo and Wallace.

Against: Nil.

9.2 STATEMENT OF FINANCIAL ACTIVITY – DECEMBER 2023

Moved Cr Migdale, Seconded Cr Cutler.

That the Council RECEIVES and NOTES the Statement of Financial Activity for the month ending 31 December 2023.

The Motion was put and declared CARRIED (10/0) by exception resolution.

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Migdale, Perkov, Vinciullo and Wallace.

Against: Nil.

9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED - DECEMBER 2023

Moved Cr Migdale, Seconded Cr Cutler.

That the Council:

1. **RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for December 2023 - \$17,823,681.24**
2. **APPROVES the CRC Credit Card Statement for December 2023.**

The Motion was put and declared CARRIED (10/0) by exception resolution.

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Migdale, Perkov, Vinciullo and Wallace.

Against: Nil.

9.4 SALES AND SETTLEMENT REPORT – PERIOD ENDING 31 OCTOBER 2023

Moved Cr Chester, Seconded Cr Fleeton.

That the Council RECEIVES the Sales and Settlement Report for the period ending 31 October 2023.

Minutes CRC Council Meeting – 15 February 2024

The Motion was put and declared CARRIED (10/0).

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Migdale, Perkov, Vinciullo and Wallace.

Against: Nil.

9.5 PROJECT FINANCIAL REPORT – OCTOBER 2023

Moved Cr Migdale, Seconded Cr Cutler.

That the Council RECEIVES the Project Financial Report (October 2023) submitted by the Satterley Property Group.

The Motion was put and declared CARRIED (10/0) by exception resolution.

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Migdale, Perkov, Vinciullo and Wallace.

Against: Nil.

9.6 PROJECT FINANCIAL REPORT – NOVEMBER 2023

Moved Cr Migdale, Seconded Cr Cutler.

That the Council RECEIVES the Project Financial Report (November 2023) submitted by the Satterley Property Group.

The Motion was put and declared CARRIED (10/0) by exception resolution.

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Migdale, Perkov, Vinciullo and Wallace.

Against: Nil.

9.7 PROJECT FINANCIAL REPORT – DECEMBER 2023

Moved Cr Migdale, Seconded Cr Cutler.

That the Council RECEIVES the Project Financial Report (December 2023) submitted by the Satterley Property Group.

The Motion was put and declared CARRIED (10/0) by exception resolution.

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Migdale, Perkov, Vinciullo and Wallace.

Against: Nil.

Minutes CRC Council Meeting – 15 February 2024

9.8 STATEMENT OF FINANCIAL ACTIVITY FOR JANUARY 2024

Moved Cr Migdale, Seconded Cr Cutler.

That the Council RECEIVES and NOTES the Statement of Financial Activity for the month ending 31 January 2024.

The Motion was put and declared CARRIED (10/0) by exception resolution.

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Migdale, Perkov, Vinciullo and Wallace.

Against: Nil.

9.9 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR JANUARY 2024

Moved Cr Migdale, Seconded Cr Cutler.

That the Council

1. RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for January 2024:

January 2024 - \$1,467,271.83

2. APPROVES the Credit Card Statement for January 2024.

The Motion was put and declared CARRIED (10/0) by exception resolution.

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Migdale, Perkov, Vinciullo and Wallace.

Against: Nil.

10. COMMITTEE REPORTS

AUDIT AND RISK COMMITTEE (8 FEBRUARY 2024)

10.1 CRC FYE 2024 BUDGET REVIEW

Moved Cr Migdale, Seconded Cr Cutler.

That the Council ADOPTS the Budget Review with the variations for the period 1 July 2023 to 30 June 2024, as detailed in the Budget Analysis Worksheet attached.

The Motion was put and declared CARRIED (10/0) by ABSOLUTE MAJORITY.

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Migdale, Perkov, Vinciullo and Wallace.

Against: Nil.

Minutes CRC Council Meeting – 15 February 2024

10.2 COMPLIANCE AUDIT RETURN 2023

Moved Cr Cutler, Seconded Cr Wallace.

That the Council recommends the Compliance Audit Return for the Catalina Regional Council for the year ended 31 December 2023 be ADOPTED, RECORDED in the minutes, CERTIFIED and SENT to the Director General of the Department of Local Government, Sport and Cultural Industries, in accordance with the *Local Government Act and Regulations*.

The Motion was put and declared CARRIED (10/0).

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Migdale, Perkov, Vinciullo and Wallace.

Against: Nil.

11. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

12. QUESTIONS BY ELECTED MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

13. URGENT BUSINESS APPROVED BY THE CHAIR

Nil

14. GENERAL BUSINESS

Nil

15. DECISION TO MOVE INTO CONFIDENTIAL SESSION

Moved Cr Migdale, Seconded Cr Cutler.

That:

1. **Item 15.1 – CATALINA CENTRAL COMMERCIAL SITE (LOT 800 AVIATOR BOULEVARD) - DEVELOPMENT UPDATE** be **CONSIDERED** Behind Closed Doors in accordance with Sections 5.23(2)(C) and (e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:
 - c) *A contract entered into, or which may be entered into, by the CRC and which relates to a matter to be discussed at a meeting (section 5.23(2)(c)); and*
 - e) *a matter if disclosed would reveal –*

 Minutes CRC Council Meeting – 15 February 2024

- i. Information that has a commercial value to a person; or*
 - ii. Information about the business, professional, commercial, or financial affairs of a person where the information is held by, or is about, a person other than the CRC (section 5.23(2)(e)).*
2. **Item 15.2 – EXPRESSION OF INTEREST - DESIGN AND CONSTRUCTION OF THE CATALINA GREEN SUSTAINABILITY DEMONSTRATION HOME (EOI01/2024) be CONSIDERED Behind Closed Doors in accordance with Sections 5.23(2)(c) and (e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:**
- c) ***A contract entered into, or which may be entered into, by the CRC and which relates to a matter to be discussed at a meeting (section 5.23(2)(c)); and***
 - e) ***A matter that if disclosed, would reveal –***
 - i. Information that has a commercial value to a person; or*
 - ii. Information about the business, professional, commercial, or financial affairs of a person where the information is held by, or is about, a person other than the CRC (section 5.23(2)(e)).*

The Motion was put and declared CARRIED (10/0).

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Migdale, Perkov, Vinciullo and Wallace.

Against: Nil.

At 6:12pm the meeting was closed to the public, and all attendees who were not required left the meeting prior to consideration of Item 15.1.

15.1 CATALINA CENTRAL COMMERCIAL SITE (LOT 800 AVIATOR BOULEVARD) - DEVELOPMENT UPDATE

Moved Cr Chester, Seconded Cr Wallace.

That the Council:

1. **PROCEEDS with the confidential recommendation as outlined in the Confidential Agenda.**
2. **RESOLVES that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(c) and (e) of the *Local Government Act 1995*.**

The Motion was put and declared CARRIED (8/2).

For: Councillors Chester, Coetzee, Cutler, Fleeton, Krsticevic, Perkov, Vinciullo and Wallace.

Against: Councillors Berry and Migdale.

Minutes CRC Council Meeting – 15 February 2024

15.2 EXPRESSION OF INTEREST - DESIGN AND CONSTRUCTION OF THE CATALINA GREEN SUSTAINABILITY DEMONSTRATION HOME (EOI01/2024)

Moved Cr Chester, Seconded Cr Fleeton.

That the Council:

1. **PROCEEDS** with the confidential recommendation as outlined in the Confidential Agenda.
2. **RESOLVES** that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(c) and (e) of the *Local Government Act 1995*.

The Motion was put and declared CARRIED (8/2).

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Vinciullo and Wallace.

Against: Councillors Migdale and Perkov.

Moved Cr Cutler, Seconded Cr Fleeton.

That the meeting be REOPENED to the public.

The Motion was put and declared CARRIED (10/0).

For: Councillors Berry, Chester, Coetzee, Cutler, Fleeton, Krsticevic, Migdale, Perkov, Vinciullo and Wallace.

Against: Nil.

At 6:42pm the meeting was reopened to the public.

16. FORMAL CLOSURE OF MEETING

The Chair declared the meeting closed at 6:43pm.



MINUTES

ORDINARY COUNCIL MEETING

TIME: 6.30 PM

28 MARCH 2024
CITY OF WANNEROO

*Constituent Members: Cities of Perth, Joondalup, Stirling, Vincent and Wanneroo
Towns of Cambridge and Victoria Park*



MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
28 March 2024

**MINDARIE REGIONAL COUNCIL
NOTICE OF MEETING**

15 March 2024

Councillors of the Mindarie Regional Council are advised that an Ordinary Meeting of the Council will be held at the City of Wanneroo at 6.30 pm on 28 March 2024.

The agenda pertaining to the meeting follows.

Your attendance is respectfully requested.



**SCOTT CAIRNS
CHIEF EXECUTIVE OFFICER**

MINDARIE REGIONAL COUNCIL - MEMBERSHIP

Cr P Miles (Paul) - Chair	City of Wanneroo
Cr S Proud, JP (Stephanie) - Deputy Chair	City of Stirling
Cr A Jacob, JP (Albert)	City of Joondalup
Cr C May (Christopher)	City of Joondalup
Cr L Gobbert, JP (Liam)	City of Perth
Cr A Creado (Andrea)	City of Stirling
Cr J Ferrante (Joe)	City of Stirling
Cr C Hatton (Chris)	City of Stirling
Cr A Castle (Alex)	City of Vincent
Cr J Wright (Jordan)	City of Wanneroo
Cr G Mack (Gary)	Town of Cambridge
Cr K Vernon (Karen)	Town of Victoria Park

NB: Although some Councils have nominated alternate members, it is a requirement that a Council carries a specific resolution for each occasion that the alternate member is to act.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
28 March 2024

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MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
28 March 2024

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chair declared the meeting open at 6.35 pm.

2 ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

MRC COUNCILLORS

Cr P Miles (Paul) - Chair	City of Wanneroo
Cr S Proud, JP (Stephanie) - Deputy Chair	City of Stirling
Cr A Jacob, JP (Albert) <i>via ZOOM</i>	City of Joondalup
Cr L Gobbert (Liam)	City of Perth
Cr A Creado (Andrea)	City of Stirling
Cr J Ferrante (Joe)	City of Stirling
Cr C Hatton (Chris) <i>arrived 6.36 pm</i>	City of Stirling
Cr A Castle (Alex)	City of Vincent
Cr J Wright (Jordan)	City of Wanneroo
Cr G Mack (Gary)	Town of Cambridge
Cr K Vernon (Karen) <i>arrived 6.39 pm</i>	Town of Victoria Park

Apologies

Cr C May (Christopher)	City of Joondalup
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MRC Officers

Mr S Cairns (Chief Executive Officer)
Ms A Arapovic (Executive Manager Corporate Services)
Mr M Hattingh (Executive Manager Operations)
Ms S Cherico (Human Resources Manager)
Ms D Toward (Executive Assistant)

Approved leave of absence

Nil

Member Council Observers

Mr M Pennington	City of Joondalup
Mr A Murphy	City of Stirling
Ms Y Plimbley	City of Stirling
Mr P Varris	City of Vincent
Mr H Singh	City of Wanneroo
Mr J Gault	City of Wanneroo

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
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3 DECLARATION OF INTERESTS

Nil

4 PUBLIC QUESTION TIME

Nil

5 ANNOUNCEMENT BY THE PRESIDING PERSON

Nil

6 APPLICATION FOR LEAVE OF ABSENCE

Cr Gary Mack requested Leave of Absence from Council duties covering the period 8 September 2024 to 2 October 2024 inclusive.

Moved Cr Mack, seconded Cr Gobbert

That Council approves the request for Leave of Absence from Council duties for Cr Mack covering the period 8 September 2024 to 2 October 2024 inclusive.

(CARRIED UNANIMOUSLY 9/0)

For: Crs Castle, Creado, Ferrante, Gobbert, Jacob, Mack, Miles, Proud and Wright

Against: Nil

Cr Jordan Wright requested Leave of Absence from Council duties covering the period 02 June 2024 to 30 June 2024 inclusive.

Moved Cr Wright, seconded Cr Castle

That Council approves the request for Leave of Absence from Council duties for Cr Wright covering the period 02 June 2024 to 30 June 2024 inclusive.

(CARRIED UNANIMOUSLY 9/0)

For: Crs Castle, Creado, Ferrante, Gobbert, Jacob, Mack, Miles, Proud and Wright

Against: Nil

7 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

8 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

8.1 ORDINARY COUNCIL MEETING – 29 February 2024

The Minutes of the Ordinary Council Meeting held on 29 February 2024 have been printed and circulated to members of the Council.

RESPONSIBLE OFFICER RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 29 February 2024 be confirmed as a true record of the proceedings.

Moved Cr Gobbert, seconded Cr Creado

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 9/0)

For: Crs Castle, Creado, Ferrante, Gobbert, Jacob, Mack, Miles, Proud and Wright

Against: Nil

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
28 March 2024

9 CHIEF EXECUTIVE OFFICER REPORTS

9.1	FINANCIAL STATEMENT FOR THE PERIOD ENDED 29 FEBRUARY 2024
Reference:	GF-23-000000019
Appendix(s):	Attachment 1
Date:	12 March 2024
Responsible Officer:	Executive Manager Corporate Services

SUMMARY

The purpose of this report is to provide Council with a set of financial reports in line with statutory requirements, which provides information on the financial performance of the Mindarie Regional Council (MRC).

BACKGROUND

Financial Management Regulations 34 of the Local Government (Financial Management) Regulations 1996 defines reporting requirements.

The financial statements presented for each month consist of:

- Statement by Comprehensive Income by Nature and Type
- Operating Income Statement by Program
- Statement of Financial Position
- Statement of Cashflows
- Statement of Financial Activity
- Statement of Reserves
- Statement of Investing Activity
- Cash and Cash Equivalents and Schedule of Investments
- Tonnage Report

DETAIL

The attached reports provide an overview of the MRC's financial performance for the period ending 29 February 2024, and have been prepared in accordance with the Local Government Act 1995, the Local Government (Financial Management) Regulations 1996 and the Australian Accounting Standards. The report fairly represent, in all material respects, the results of the MRC's operations for the month being reported.

The Financial Report for the period ended 29 February 2024 is attached at **Attachment 1** to this Item. The Schedule of Investments and Tonnage Report up to 29 February 2024 are also contained within the Attachment 1.

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MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
28 March 2024

Summary of results for the year to date period ended 29 February 2024

	YTD Budget	YTD Actual	Variance
	t	t	t
Tonnes – Members	118,355	119,123	770
Tonnes – Others	19,048	16,582	(2,466)
TOTAL TONNES	137,403	135,705	(1,696)
	\$	\$	\$
Revenue – Fees & Charges	21,933,449	21,891,245	(42,204)
Revenue – Other	4,372,062	5,122,507	750,445
TOTAL REVENUE	26,305,511	27,013,752	708,241
Expenses	(22,341,994)	(21,726,459)	615,535
Net profit	3,963,517	5,287,293	1,323,776
Net profit on sales of assets	1,000	287,682	286,682
NET SURPLUS	3,964,517	5,574,975	1,610,458

Variations Year to Date

Mindarie Regional Council's financial result for the period ending 29 February 2024 reflects its performance from 1 July 2023 to 29 February 2024. Council's operations have been conducted in line with the adopted budget. As per the MRC's 2023/2024 budget approved at the OCM 13 July 2023 and in line with materiality adopted by the Council, variances below \$50k do not attract comments.

MRC recorded net profit of \$5.6m for the period ended 29 February 2024 against a budgeted profit of \$3.9m resulting in a favourable variance of 41% or \$1.6m.

This overall positive position came as a result of interest earning, materials and contracts, insurance, other expenses and profit on sale of assets.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
28 March 2024

REVENUE

User Charges

Total actual tonnage is aligned closely to budget year to date. Actual tonnage of 119,122 tonnes is slightly higher than the tonnage at the same time last year of 117,231 tonnes.

Casual and Trade revenue continue to show a negative variance of \$188k resulting from 2,466 less tonnage delivered to date. This is a permanent variance and addressed at mid-year budget review.

Interest Earnings

Interest earning continues to outperform current budget. Period ended 29 February 2024 closed at \$715k higher than budgeted, which is mainly attributed to raising RBA interest rate. The RBA cash rate has moved from 4.10% to 4.35%. Expected weighted average interest rate of the current investment portfolio is 5.04%. As term deposits mature, MRC has and will continue to secure improved rates on new term deposits, improving interest returns.

Profit on sale of asset

A positive variance of \$287k, which is a direct result of profit arising from disposal of assets for the period up to 29 February 2024.

EXPENDITURE

Materials and Contracts

Materials and Contracts expenditure shows a positive variance of \$419k compared to the budget.

This variance is driven by a combination of several factors, lower-than-anticipated costs in DWER landfill levy (\$247k lower) being the major reason. DWER landfill levy is payable to the Department of Water and Environment Regulation and has a direct relationship to tonnage collected.

Utilities

Utilities recorded a positive variance of \$81k due to the fact that Synergy incorrectly recorded lower consumption and invoiced lower fees. Synergy is expected to rectify this error in March 2024.

Insurance

Insurance expenses performed \$65k better than budget year to date. This position is a result of lower property insurance and public liability insurance, \$42k and 26k respectively.

Other expenses

Other expenses are \$98k lower than budgeted reflecting Elected Members expenses timing variance of \$71k.

STATEMENT OF FINANCIAL POSITION

End of February 2024 the MRC's cash position is solid due to collection of fees and charges and positive earnings from the investments. Capital expenditure timing and increases to the RBA rate have improved both the rate of investments and the amount reinvested.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
28 March 2024

Current Liabilities

Current Liabilities as of 29 February 2024 is \$1m higher compared to the previous month. Trade payables (Mainly DWER levy payable) contributed towards this increase.

Capital Expenditure

Leachate treatment project continues to progress with a further \$122k movement since the last reporting period.

Reserve Accounts

Increase in the reserve accounts for the period ended 29 February 2024 is \$1.95m. This reflects the proportionate transfers to reserves including interest earned on the investments.

STATUTORY IMPLICATIONS

Section 6.4 of the Local Government Act 1995 and regulation 34(1) of the Local Government (Financial Management) Regulations 1996.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION**That Council:**

Receive the Financial Statements set out in Attachment 1 for the month ended 29 February 2024.

Moved Cr Gobbert, seconded Cr Creado**RESOLVED****That the recommendation be adopted**

(CARRIED UNANIMOUSLY 9/0)

For: Crs Castle, Creado, Ferrante, Gobbert, Jacob, Mack, Miles, Proud, and Wright

Against: Nil

Cr Hatton entered the Chambers at 6.36 pm

Financial Report for the period ended 29 February 2024

Item 9.1	ATTACHMENT 1	Item 9.1
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**Financial Report
for the period ending
29 February 2024**

Mindarie Regional Council

Authorised by: Adnana Arapovic
Executive Manager Corporate Services



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1.0 Financial Summary
For the period 29 February 2024

STATEMENT OF COMPREHENSIVE INCOME						
	Original Budget	Budget Year to Date	Actual Year to Date	Variance	Variance %	Status
Fees and Charges Revenue	\$ 32,832,723	\$ 21,933,449	\$ 21,891,245	\$ (42,204)	(0%)	↔
Other Revenue	\$ 6,411,318	\$ 4,372,062	\$ 5,122,507	\$ 750,445	17%	↑
Total Operating Revenue	\$ 39,244,041	\$ 26,305,511	\$ 27,013,752	\$ 708,241	3%	↑
Operating Expenditure	\$ 37,492,999	\$ 22,341,994	\$ 21,726,459	\$ 615,535	3%	↑
Net profit	\$ 1,751,042	\$ 3,963,517	\$ 5,287,293	\$ 1,323,776	33%	↑
Capital Grants and Subsidies	\$ 50,000	-	-	-	-	↔
Net profit/(loss) on sale of assets	(349,756)	1,000	287,682	286,682	28668%	↑
Net Result	\$ 1,451,286	\$ 3,964,517	\$ 5,574,975	\$ 1,610,458	41%	↑

Year to Date Net Result Cumulative

TONNAGE CUMULATIVE

STATEMENT OF FINANCIAL POSITION			
	Original Budget	Actual Year to Date	Actual 30 June 2023
Current Assets	\$ 66,430,359	\$ 75,017,453	\$ 64,273,412
Non Current Assets	\$ 84,486,833	\$ 94,194,537	\$ 100,324,693
Total Assets	\$ 150,917,192	\$ 169,211,990	\$ 164,598,105
Current Liabilities	\$ 6,141,310	\$ 3,984,453	\$ 5,528,381
Non Current Liabilities	\$ 25,018,563	\$ 26,937,750	\$ 26,354,914
Total Liabilities	\$ 31,159,873	\$ 30,922,203	\$ 31,883,295
Equity	\$ 119,757,319	\$ 138,289,787	\$ 132,714,810

CAPITAL EXPENDITURE				
	Original Budget	Year to Date Actual	Variance %	Variance \$
Capital Expenditure	10,052,000	404,041	96.0%	9,647,959



2.1 Statement of Comprehensive Income by nature and type For the period ended 29 February 2024

	Original Budget	Year to Date				Previous Actual YTD
	2023/24 \$	Budget \$	Actual \$	Variance \$	Variance %	28-Feb-23 \$
REVENUE						
Member User Charges						
User Charges - City of Perth	1,884,782	1,273,818	1,319,765	45,947	4%	1,109,346
User Charges - City of Wanneroo	8,757,751	5,485,210	5,457,067	(28,143)	(1%)	4,611,316
User Charges - City of Joondalup	5,073,600	3,374,841	3,333,184	(41,657)	(1%)	2,821,410
User Charges - City of Stirling	7,974,008	5,548,420	5,601,188	52,768	1%	4,809,049
User Charges - Town of Cambridge	787,616	560,202	596,456	36,254	6%	505,913
User Charges - City of Vincent	830,500	548,423	578,777	30,354	6%	464,788
User Charges - Town of Victoria Park	1,268,400	1,080,554	1,083,758	3,204	0%	943,669
Total Member User Charges	26,576,657	17,871,468	17,970,195	98,727	1%	15,265,491
Other User Charges						
User Charges - Casual Tipping Fees	5,401,066	3,465,871	3,277,550	(188,321)	(5%)	4,793,866
Total User Charges	31,977,723	21,337,339	21,247,745	(89,994)	(0%)	20,059,357
Other fees and charges						
Mattresses Charges	55,000	48,664	67,448	18,784	39%	63,677
Gas Power Generation Sales	800,000	547,446	576,052	28,606	5%	130,458
Total Other Fees and Charges	855,000	596,110	643,500	47,390	8%	194,135
Total Fees and Charges	32,832,723	21,933,449	21,891,245	(42,204)	(0%)	20,253,492
Interest Earnings	1,659,800	1,215,217	1,930,575	715,358	59%	637,018
Grants, Subsidies and Contributions						
Reimb. of Admin/Governance Expenses	4,656,518	3,104,345	3,104,345	-	-	2,461,516
Other Revenue						
Other Revenue	95,000	52,500	87,587	35,087	67%	128,098
Total Other Revenue	6,411,318	4,372,062	5,122,507	750,445	17%	3,226,632
Total Revenue	39,244,041	26,305,511	27,013,752	708,241	3%	23,480,124
EXPENSES						
Employee Costs	5,536,680	3,584,466	3,601,686	(17,220)	0%	2,538,785
Materials and Contracts	18,348,818	11,508,574	11,089,517	419,057	4%	10,706,844
Utilities	718,250	468,832	386,968	81,864	17%	399,783
Depreciation	5,896,783	4,177,619	4,209,343	(31,724)	(1%)	3,224,451
Amortisation	4,954,195	1,412,802	1,412,802	-	-	3,110,870
Finance Costs	1,097,123	734,290	731,612	2,678	0%	617,191
Insurances	620,200	243,504	181,428	62,076	25%	556,960
Other Expenses	320,950	211,907	113,103	98,804	47%	156,695
Total Expenses	37,492,999	22,341,994	21,726,459	615,535	3%	21,311,579
Net profit from ordinary activities	1,751,042	3,963,517	5,287,293	1,323,776	33%	2,168,545
Capital Grants, Subsidies and Contributions						
Capital Grants and Subsidies	50,000	-	-	-	-	-
	50,000	-	-	-	-	-
Profit/(loss) from ordinary activities						
Profit on Sale of Assets	1,000	1,000	287,682	286,682	28668%	-
Loss on Sale of Assets	(350,756)	-	-	-	-	-
	(349,756)	1,000	287,682	286,682	28668%	-
Net result for the period	1,451,286	3,964,517	5,574,975	1,610,458	41%	2,168,545
Other Comprehensive income for the period						
Changes in asset revaluation	-	-	-	-	-	-
TOTAL COMPREHENSIVE INCOME	1,451,286	3,964,517	5,574,975	1,610,458	41%	2,168,545



2.2 Statement of Comprehensive Income by program
For the period ended 29 February 2024

	Original Budget	Budget YTD	Actual YTD	Variance	Variance
	\$	\$	\$	\$	%
Revenue from Ordinary Activities					
Community Amenities	32,927,723	21,985,949	21,978,832	(7,117)	(0%)
General Revenue	1,659,800	1,215,217	1,930,575	715,358	59%
Governance	4,656,518	3,104,345	3,104,345	-	0%
	39,244,041	26,305,511	27,013,752	708,241	3%
Expenses from Ordinary Activities					
Governance	(4,617,177)	(2,841,160)	(2,591,588)	249,572	9%
Community Amenities	(31,779,699)	(18,766,544)	(18,403,260)	363,284	2%
Total operating expenses	(36,396,876)	(21,607,704)	(20,994,848)	612,856	3%
Finance costs					
Governance	(328,288)	(221,738)	(219,060)	(2,678)	1%
Community Amenities	(768,835)	(512,552)	(512,552)	-	0%
Total Finance costs	(1,097,123)	(734,290)	(731,612)	(2,678)	0%
Net result for the period	1,750,042	3,963,517	5,287,293	1,323,776	33%
Non-operating grants					
Community Amenities	50,000	-	-	-	-
Profit on sale of assets					
Community Amenities	1,000	1,000	287,682	286,682	28668%
	1,000	1,000	287,682	286,682	28668%
Loss on sale of assets					
Governance	(384)	-	-	-	-
Community Amenities	(350,372)	-	-	-	-
Total profit /(loss) on sale of assets	(349,756)	1,000	287,682	286,682	28668%
Other comprehensive income for the period					
Changes in asset revaluation	-	-	-	-	-
TOTAL COMPREHENSIVE INCOME	1,451,286	3,964,517	5,574,975	1,610,458	41%



2.3 Statement of Financial Position
As at 29 February 2024

	Actual 29 February 2024	Actual 30 June 2023
CURRENT ASSETS		
Cash and cash equivalents	24,048,946	20,262,141
Other Financial Assets	47,656,845	40,495,910
Debtors and other receivables	3,289,380	2,273,228
Inventories	22,282	15,792
Other Current Assets	-	1,226,341
TOTAL CURRENT ASSETS	75,017,453	64,273,412
NON-CURRENT ASSETS		
Property, plant and equipment	29,473,012	31,577,144
Right of Use - Asset	5,685,621	6,203,572
Infrastructure	47,432,774	49,828,762
Excavation and Rehabilitation Asset	11,603,130	12,715,215
TOTAL NON-CURRENT ASSETS	94,194,537	100,324,693
TOTAL ASSETS	169,211,990	164,598,105
CURRENT LIABILITIES		
Trade and other payables	3,033,717	4,144,896
Employee related provisions	731,454	754,925
Right of Use - Liabilities	219,282	628,560
TOTAL CURRENT LIABILITIES	3,984,453	5,528,381
NON CURRENT LIABILITIES		
Employee related provisions	211,284	141,000
Rehabilitation provision	20,565,246	20,052,694
Right of Use - Liabilities	6,161,220	6,161,220
TOTAL NON CURRENT LIABILITIES	26,937,750	26,354,914
TOTAL LIABILITIES	30,922,203	31,883,295
NET ASSETS	138,289,787	132,714,810
EQUITY		
Retained Losses	(26,271,434)	(29,893,807)
Reserves Accounts	21,445,973	19,493,371
Revaluation Surplus	54,029,522	54,029,520
Council Contribution	89,085,726	89,085,726
TOTAL EQUITY	138,289,787	132,714,810



2.4 Statement of Cash Flow
For the period ended 29 February 2024

	Original Budget 2023/2024	Actual YTD 29-Feb-24	Actual 30-Jun-23
	\$	\$	\$
Cash flows from operating activities			
Receipts			
Contributions, re-imburements and donations	4,656,518	3,104,345	4,224,742
Gas generation services	800,000	576,052	816,100
Fees and charges	32,032,723	24,000,650	32,839,129
Interest earnings	1,659,800	1,404,352	939,304
Other revenue	95,000	87,587	271,044
GST received	-	527,867	2,782,222
	39,244,041	29,700,853	41,872,541
Payments			
Employee costs	(5,102,945)	(3,217,191)	(4,776,643)
Materials and contracts	(18,348,818)	(12,453,515)	(17,328,430)
Utilities	(718,250)	(386,968)	(632,002)
Insurance	(620,200)	(181,428)	(684,880)
Other Expenditure	(320,950)	(113,103)	(798,699)
GST Paid	-	(2,631,221)	(2,785,569)
	(25,111,163)	(18,983,428)	(27,006,223)
Net cash provided by operating activities	14,132,878	10,717,425	14,866,318
Cash flows from investing activities			
Grants and subsidiaries	50,000	38,000	-
Payments for purchases of property, plant and equipment and infrastructure	(10,052,000)	(404,040)	(107,549)
Investments in term deposits	(2,315,904)	(7,160,936)	(1,075,500)
Proceeds from Sale of assets	576,000	1,199,361	-
Net cash used in investing activities	(11,741,904)	(6,327,615)	(1,183,049)
Cash flows from financing activity			
Lease payments	(559,266)	(603,006)	(566,483)
Net cash used in financing activities	(559,266)	(603,006)	(566,483)
Net increase in cash and cash equivalents	1,831,708	3,786,805	13,116,786
Cash and cash equivalents 30 June 2023	15,250,254	20,262,141	7,145,355
Cash and cash equivalents 29 February 2024	17,258,130	24,048,946	20,262,141



2.5 Statement of Financial Activity For the period ended 29 February 2024

Actual 30 June 2023		Original Budget 2023/2024	Budget YTD 29-Feb-24	Actual YTD 29-Feb-24	Variance \$	Variance (%)
		\$	\$	\$		\$
	Revenue from operating activities					
4,224,742	Contributions and reimbursements	4,656,518	3,104,345	3,104,345	-	-
33,102,536	Fees and charges	32,832,723	21,933,449	21,891,245	(42,204)	(0%)
1,512,800	Interest revenue	1,659,800	1,215,217	1,930,575	715,358	59%
271,044	Other revenue	95,000	52,500	87,587	35,087	67%
-	Profit on asset disposals	1,000	1,000	287,682	286,682	28668%
39,111,122		39,245,041	26,306,511	27,301,434	994,923	4%
	Expenditure from operating activities					
(4,707,843)	Employee costs	(5,536,680)	(3,584,466)	(3,601,686)	17,220	(0%)
(17,508,295)	Materials and contracts	(18,348,818)	(11,508,574)	(11,089,517)	(419,057)	4%
(632,002)	Utility charges	(718,250)	(468,832)	(386,968)	(81,864)	17%
(7,606,255)	Depreciation & amortisation	(10,850,978)	(5,590,421)	(5,622,145)	31,724	(1%)
(1,074,941)	Finance costs	(1,097,123)	(734,290)	(731,612)	(2,678)	0%
(684,881)	Insurance	(620,200)	(243,504)	(181,428)	(62,076)	25%
-	Loss on disposal of assets	(350,756)	-	-	-	0%
(466,879)	Other expenditure	(320,950)	(211,907)	(113,103)	(98,804)	47%
(32,681,096)		(37,843,755)	(22,341,994)	(21,726,459)	(615,535)	3%
	Add/less: Non - cash items					
-	Profit on asset disposals	(1,000)	(1,000)	(287,682)	286,682	(28668%)
-	Loss on disposal of assets	350,756	-	-	-	0%
7,606,255	Depreciation & amortisation	10,850,978	5,590,421	5,622,145	(31,724)	(1%)
60,245	Employee benefit provisions	542,735	354,841	398,588	(43,747)	(12%)
743,120	Rehabilitation - unwinding of interest	768,835	480,522	412,552	67,970	14%
8,409,620		12,512,304	6,424,784	6,145,603	279,181	4%
14,839,646	Amount attributable to operating activities	13,913,590	10,389,301	11,720,578	1,331,277	13%
	Inflows from investing activities					
-	Proceeds from disposal of assets	576,000	545,000	1,199,361	(654,361)	0%
-	Capital Grants and Subsidies	50,000	50,000	38,000	-	0%
-		626,000	545,000	1,199,361	-	0%
	Outflows from investing activities					
(54,835)	Purchase of plant and equipment	(618,000)	(88,155)	(88,155)	-	0%
(25,279)	Purchase of land and buildings	(310,000)	-	-	-	0%
(17,101)	Purchase of computer equipment	(105,000)	(15,169)	(15,169)	-	0%
(10,334)	Purchase and construction of infrastructure	(9,019,000)	(300,717)	(300,717)	-	0%
(107,549)		(10,052,000)	(404,041)	(404,041)	-	0%
(107,549)	Amount attributable to investing activities	(9,426,000)	140,959	795,320	-	0%
	Inflows from financing activity					
98,550	Transfers from reserve accounts	1,215,000	404,041	404,041	-	0%
98,550		1,215,000	404,041	404,041	-	0%
	Outflows from financing activities					
(566,483)	Payments for principal portion of lease liabilities	(293,526)	(420,494)	(427,278)	6,784	(2%)
(824,831)	Transfers to reserve accounts	(2,493,835)	(1,662,557)	(2,552,042)	889,485	(54%)
(1,391,314)		(2,787,361)	(2,083,051)	(2,979,320)	896,269	(43%)
(1,292,764)	Amount attributable to financing activities	(1,572,361)	(1,679,010)	(2,575,279)	(896,269)	53%
27,195,812	Operating Net Current Assets at the start of the financial year	32,849,526	32,849,526	40,635,145	(7,785,619)	(24%)
14,839,646	Amount attributable to operating activities	13,913,590	10,389,301	11,720,578	(1,331,277)	(13%)
(107,549)	Amount attributable to investing activities	(9,426,000)	140,959	795,320	(654,361)	(464%)
(1,292,764)	Amount attributable to financing activities	(1,572,361)	(1,679,010)	(2,575,279)	896,269	(53%)
40,635,145	Closing Net Current Assets	35,764,755	41,700,776	50,575,764	8,874,988	21%



2.5 Statement of Financial Activity (Continued)
Net current assets reconciled to Statement of Financial Activity
For the period ended 29 February 2024

	Actual As at 29 February 2024	Actual 30 June 2023
CURRENT ASSETS		
Cash and cash equivalents	24,048,946	20,262,141
Other Financial Assets	47,656,846	40,495,910
Debtors and other receivables	3,289,380	2,273,228
Inventories	22,282	15,792
Other Current Assets	-	1,226,341
TOTAL CURRENT ASSETS	75,017,454	64,273,412
CURRENT LIABILITIES		
Trade and other payables	3,033,717	4,144,896
Employee related provisions	731,454	754,925
Right of Use - Liabilities	219,282	628,560
TOTAL CURRENT LIABILITIES	3,984,453	5,528,381
Net Current assets	71,033,001	58,745,031
Add back Restricted Liabilities		
Employee related provisions	731,454	754,925
Right of Use - Liabilities	219,282	628,560
E-Waste Infrastructure grants	38,000	-
Adjusted net current assets	72,021,737	60,128,516
Less : Net current financial assets that back reserves		
Reserves Accounts	(21,445,973)	(19,493,371)
	50,575,764	40,635,145



2.6 Statement of Reserves
For the period ended 29 February 2024

Description	Actual As at 29 February 2024
	\$
<u>Site Rehabilitation</u>	
Opening balance	17,056,658
Interest income	605,254
Transfer to reserves	512,552
Transfer from reserves	-
Closing Balance	18,174,464
<u>Capital Expenditure</u>	
Opening balance	1,945,637
Interest income	71,667
Transfer to reserves	1,150,000
Transfer from reserves	(404,041)
Closing Balance	2,763,263
<u>Carbon Abatement</u>	
Opening balance	491,076
Interest income	17,170
Transfer to reserves	-
Transfer from reserves	-
Closing Balance	508,246
RESERVES SUMMARY	
Opening Balance as at 1 July 2023	19,493,371
Interest income	694,090
Transfer to reserves	1,662,553
Transfer from reserves	(404,041)
Closing Balance	21,445,973



2.7 Statement of Investing Activity
For the period ended 29 February 2024


	Original Budget 2023/24	Actual As at 29 February 2024
LANDFILL INFRASTRUCTURE		
Stage2 - Phase2 capping work	6,987,000	91,092
Leachate Processing Infrastructure	1,850,000	209,626
	8,837,000	300,717
INFRASTRUCTURE TAMALA PARK		
RRF 2x new additional Monitoring Bores to be installed	28,500	-
4x new Monitoring Bores Install - Marmion Ave	55,000	-
Facility Signage Upgrade	14,000	-
Transfer Station Line Marking	18,000	-
Modifications at Drop-off bays & Reticulation	15,500	-
Workshop Hotwash - Wash-downbay	10,000	-
15Amp Power Supply Installation to Green Waste bunker	16,000	-
Transfer Station chain drop Access Control unit	25,000	-
	182,000	-
BUILDING		
Recycling E-Waste Storage and Bulk Up Facility	135,000	-
Workshop building Roller doors and Rood upgrade for tyre	25,000	-
Weighbridge roof modification	150,000	-
	310,000	-
COMPUTING EQUIPMENT		
Replacement of Desktops/Laptops	20,000	10,417
CCTV install for Tip Face, Quarry and Transfer	85,000	4,752
	105,000	15,169
EQUIPMENT		
Odour monitoring units / control	70,000	-
Point to point Telemetry & Data System Installation	16,500	-
Workshop Hotwash Machine	8,000	-
2x New Air well Leachate Extraction Pumps for Stage 2	8,500	-
Generator & Compressor	15,000	-
	118,000	-
PLANT AND VEHICLES		
Replacement of Hyundai	80,000	82,323
Replacement of Skid Steer Loader	175,000	5,832
New 16t Vibrating Roller at Tip face	245,000	-
	500,000	88,155
TOTAL CAPITAL EXPENDITURE	10,052,000	404,041



3.0 Cash & Cash Equivalents and Schedule of Investments As at 29 February 2024

Institutions with Standard & Poors Rating AA- or better

Institution	S&P Rating	Achieved
CBA	AA-	✓
NAB	AA-	✓
ANZ	AA-	✓




Where Tenor > 90 Days, maximum 50% held in one Institution
Investments > 90 days tenor

Institution	Amount Held \$m	% of Total Funds	Maximum	Achieved
CBA	\$ 20.24	42%	50%	✓
NAB	\$ 16.87	35%	50%	✓
ANZ	\$ 10.54	22%	50%	✓
<90 Days	\$ -			
	\$ 47.66			

Where possible give preference to institutions that do not finance the fossil fuel industry and consider ethical, social and environmental aspects.


Monthly Interest and Rates



Month	Interest (\$k)	Weighted Average Rate MRC Portfolio (%)	Cash Rate (%)
Jul	220k	4.5%	4.5%
Aug	208k	4.5%	4.5%
Sep	226k	4.5%	4.5%
Oct	226k	4.5%	4.5%
Nov	243k	4.5%	4.5%
Dec	257k	4.5%	4.5%
Jan	281k	4.5%	4.5%
Feb	271k	4.5%	4.5%

As of February 2024, MRC's interest earnings are \$715k above budget year-to-date. In February 2024, the Reserve Bank held the cash rate at 4.35%

Cash and Investments



Month	ESG Term Deposits (\$m)	Ordinary Term Deposits (\$m)	Cash and Investments (\$m)
Jul	14.2m	26.3m	58.6m
Aug	10.2m	31.3m	61.2m
Sep	8.1m	31.4m	62.4m
Oct	8.1m	31.5m	63.3m
Nov	0.0m	41.9m	65.3m
Dec	0.0m	47.2m	68.9m
Jan	0.0m	47.3m	68.0m
Feb	0.0m	47.7m	71.7m

As of February 29, 2024, MRC's total cash and investments amounted to \$71.7 million. \$47.6 million was invested in term deposits and \$15.8m invested in the CBA saver account. It should be noted that MRC had its ESG term deposits with CBA who have withdrawn those products in December as MRC ESG term deposit matured. MRC is looking for replacements with other financial institutions.

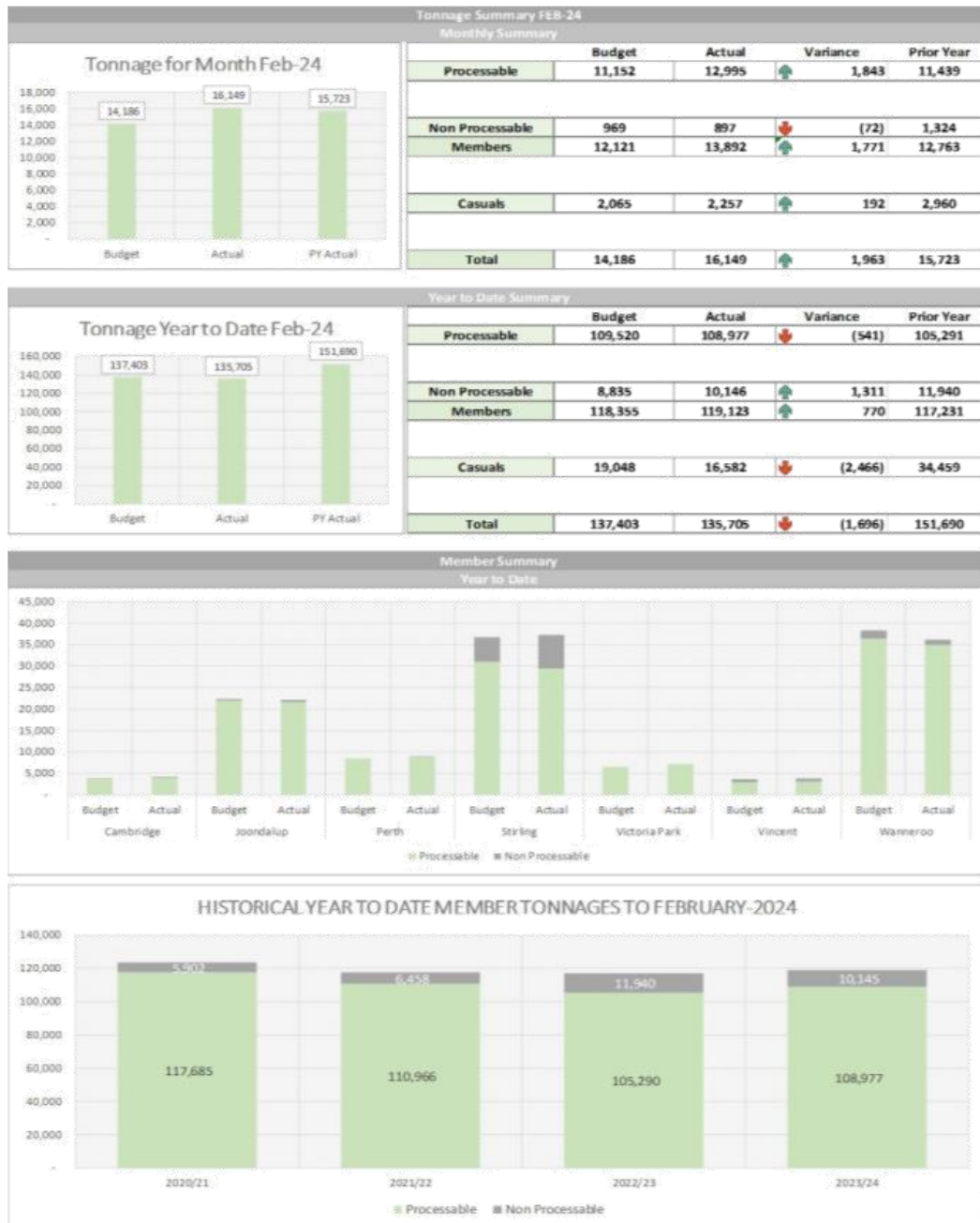


3.0 Cash & Cash Equivalents and Schedule of Investments As at 29 February 2024 (Continued)

SCHEDULE OF INVESTMENTS							
Bank	Investment Date	Tenor (Days)	Investment Amt \$	Interest Rate %	Maturity Date	Gross Interest \$	Maturity Amt \$
ORDINARY TERM DEPOSITS							
CBA 37309509 C	15/11/2023	121	5,000,000	5.08%	15/03/2024	84,203	5,084,203
ANZ 9131-43719	15/12/2023	93	2,088,173	4.78%	17/03/2024	25,432	2,113,605
NAB 36-705-5358	18/09/2023	183	2,095,696	5.04%	19/03/2024	52,956	2,148,652
CBA 37309509 D	21/12/2023	91	5,000,000	4.85%	21/03/2024	60,459	5,060,459
CBA 37309509 A	15/08/2023	244	5,000,000	5.50%	15/04/2024	183,836	5,183,836
NAB 23-472-8432	15/01/2024	92	2,112,054	5.05%	16/04/2024	26,884	2,138,938
NAB 78-452-4637	14/12/2023	125	2,108,105	5.05%	17/04/2024	36,459	2,144,564
CBA 37309509 B	16/01/2024	94	5,240,631	4.83%	19/04/2024	65,188	5,305,819
ANZ 9130-47954	15/02/2024	91	4,260,465	4.87%	16/05/2024	51,729	4,312,194
NAB 78-463-0288	27/10/2023	207	2,105,319	5.20%	21/05/2024	62,087	2,167,406
NAB 71-624-4449	1/12/2023	193	3,153,000	5.15%	11/06/2024	85,861	3,238,861
ANZ 9796-92171	1/12/2023	195	2,082,976	4.88%	13/06/2024	54,306	2,137,282
ANZ 9797-07193	1/02/2024	182	2,110,333	4.88%	1/08/2024	51,351	2,161,684
NAB 21-233-4933	23/02/2024	182	2,132,690	5.10%	23/08/2024	54,235	2,186,924
NAB new	26/02/2024	179	199,000	5.10%	23/08/2024	4,977	203,977
NAB 41-562-4966	4/10/2023	341	2,968,402	5.25%	9/09/2024	145,594	3,113,996
Total Term Deposits			47,656,845	5.04%		1,045,555	48,702,400
Cash & Cash Equivalents as of 29 February 2024							
CBA Saver			15,848,416		Principal		
NAB Balance			1,269		NAB	35.4%	16,874,266
CBA Business			8,196,176		CBA	42.5%	20,240,631
ANZ Balance			85		ANZ	22.1%	10,541,948
Petty Cash			1,500		Invested		47,656,845
Floats			1,500				
					Principal plus interest		
					NAB	36.4%	17,343,318
					CBA	43.3%	20,634,316
					ANZ	22.5%	10,724,766
					Total		48,702,400
Total Cash & Cash Equivalents			24,048,946				
Total			71,705,791				



4.0 Tonnage Report for the period ended 29 February 2024



MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
28 March 2024

9.2 LIST OF ACCOUNTS PAID – FOR THE PERIOD ENDED 29 FEBRUARY 2024	
File No:	GF-23-000019
Appendix(s):	Attachment 1
Date:	12 MARCH 2024
Responsible Officer:	Executive Manager Corporate Services

SUMMARY

The purpose of these reports is to provide details of payments made during the period identified above. This is in line with the requirement under the delegated authority to the Chief Executive Officer (CEO), that a list of payments made from the Municipal Fund since the last Ordinary Council meeting be presented to Council.

DETAILS

In accordance with section 13(1) of the Local Government Financial Management Regulations 1996, Council has delegated to the Chief Executive Officer (CEO) the exercise of its power to make payments from its Municipal and Trust Funds. A list of accounts paid by the CEO is to be prepared each month (Fin Reg 13(2)) and be presented to the next Ordinary Council Meeting following such payments (Fin Reg 13(3)). The lists of accounts paid for the month ended 29 February 2024 are attached at Appendix 2 to this Item.

A new regulation 13A has been added to the Local Government Financial Management Regulations 1996 to increase transparency and accountability in local government through greater oversight of incidental spending. Regulation covers purchasing cards such as Bunnings and Fuel cards issued by local government to their employees. Under the new regulation, a transaction listing is included for the MRC's fuel cards and Bunnings Power Pass cards.

Month Ended	Account	Vouchers	Amount
29 February 2024	General Municipal	Cheques	\$610.00
		EFT	\$881,414.18
		DP	\$489,418.69
		Inter account transfers	-
		Total	\$1,371,442.87

STATUTORY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
28 March 2024

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Note the list of accounts paid under delegated authority to the Chief Executive Officer for the month ended 29 February 2024, in accordance with regulation 13(1) of the Local Government (Financial Management) Regulation 1996.

Moved Cr Proud, seconded Cr Ferrante

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 10/0)

For: Crs Castle, Creado, Ferrante, Gobbert, Hatton, Jacob, Mack, Miles, Proud, and Wright

Against: Nil

List of Payments for the month ended 29 February 2024

Item 9.2 ATTACHMENT 1 Item 9.2

Schedule of Payments for February 2024
Council Meeting - 28th March 2024

Date	Document No.	Vendor Name	Description	Amount
9/02/2024	00882	Cash	Staff Lotto	\$ 310.00
23/02/2024	00883	Cash	Staff Lotto	\$ 300.00
Total CBA cheques				\$ 610.00

Date	Document No.	Vendor Name	Description	Amount
5/02/2024	DP-02332	Jamie Waterfield	Advances to Employee	\$ 500.00
9/02/2024	DP-02333	Easi Salary Pty Ltd	Staff Salary Sacrifice	\$ 2,798.30
9/02/2024	DP-02334	Australian Taxation Office	PAYG Payment	\$ 46,127.00
9/02/2024	DP-02335	Australian Taxation Office	BAS Payment Jan 24	\$ 285,504.00
2/02/2024	DP-02336	Commonwealth Bank	Merchant fees	\$ 114.42
2/02/2024	DP-02337	Commonwealth Bank	Merchant fees	\$ 1,834.47
23/02/2024	DP-02340	Easi Salary Pty Ltd	Staff Salary Sacrifice	\$ 3,466.44
23/02/2024	DP-02341	Australian Taxation Office	PAYG Payment	\$ 60,350.85
23/02/2024	DP-02342	SuperChoice	Staff Superannuation	\$ 70,372.16
27/02/2024	DP-02343	MRC Credit Card	See Schedule Attached	\$ 18,240.58
9/02/2024	DP-02344	Trident Signs	workshop supplies	\$ 50.00
15/02/2024	DP-02345	Commonwealth Bank	Acct. Service Fees	\$ 12.35
15/02/2024	DP-02345	Commonwealth Bank	CommBiz Fees	\$ 38.12
29/02/2024	DP-02346	NAB Bank	Account Fee	\$ 10.00
Total Direct Payments & Fees				\$ 489,418.69

Total Inter account Transfers

Date	Document No.	Vendor Name	Description	Amount
9/02/2024	EFT-02373	A1 Locksmiths	Lock changes fees including spare keys, boom gate fobs	\$ 193.00
9/02/2024	EFT-02373	A & G Wines Plumbing	Backflow prevention device testing and other plumbing works	\$ 874.50
9/02/2024	EFT-02373	Alance Newspaper & Magazine Delivery	Newspaper Delivery	\$ 229.60
9/02/2024	EFT-02373	All 4 People Pty Ltd	Contract Labour for Jan 24	\$ 7,387.27
9/02/2024	EFT-02373	All Fence U Rent P/L	Temporary Fencing - RRF	\$ 165.00
9/02/2024	EFT-02373	Alliance Surveying Pty Ltd	Landfill Surveys - Drone Flight full site - Dec 23	\$ 2,860.00
9/02/2024	EFT-02373	ANRI Instruments & Controls Pty Ltd	Calibration and Service of GMF436	\$ 1,738.00
9/02/2024	EFT-02373	Aussie Natural Spring Water	Bottled Water delivered	\$ 107.50
9/02/2024	EFT-02373	Australian Training Management	Dump Truck Training course 15 Jan 24	\$ 1,150.00
9/02/2024	EFT-02373	Banhams WA Pty Ltd	RRF Monthly Fire System Maintenance Jan 24	\$ 578.79
9/02/2024	EFT-02373	Blackwoods & Alkins	Nylon Insert nuts and Hex bolts for workshop	\$ 413.78
9/02/2024	EFT-02373	Brooks Hire	Hire Skidsteer - replace damaged windscreen and aerial	\$ 2,036.62
9/02/2024	EFT-02373	Brooks Hire	Demobilisation of previously hired CAT 259d	\$ 1,034.00
9/02/2024	EFT-02373	City of Perth	TP Lease - Feb 24	\$ 7,135.49
9/02/2024	EFT-02373	City of Stirling	TP Rates 23/24	\$ 24,153.27
9/02/2024	EFT-02373	City of Vincent	TP Lease - Feb 24	\$ 7,135.49
9/02/2024	EFT-02373	City of Wanneroo	TP Lease - Feb 24	\$ 14,270.97
9/02/2024	EFT-02373	Critical Fire Protection and Training Pty Ltd	Pit135 - Yearly Insp Fire Equip. & Special Hazard Systems	\$ 2,657.77
9/02/2024	EFT-02373	Department of Transport	Disclosure of Information Fees	\$ 8.80
9/02/2024	EFT-02373	Ecolo WA	Odour pods monthly service	\$ 1,859.00
9/02/2024	EFT-02373	ELO Digital Office AU/NA Pty Ltd	ELO Support License - Bronze - Dec 23 to Jan 24	\$ 5,610.00
9/02/2024	EFT-02373	Fennell Tyres International Pty Ltd	Tyres repair for Pit148 & Pit133	\$ 3,115.96
9/02/2024	EFT-02373	Flick Anticimex P/L	Cockroach and rodent control	\$ 527.95
9/02/2024	EFT-02373	GHD Pty Ltd	Monthly FOGO Consultancy Charges	\$ 795.58
9/02/2024	EFT-02373	Great Southern Fuel Supplies	Diesel - Jan 24	\$ 42,655.59
9/02/2024	EFT-02373	Iron Mountain Australia Pty Ltd	Archive IT Storage - cartridge	\$ 47.47
9/02/2024	EFT-02373	Jedi Auto Worx	Pit145 & Workshop jumper cables	\$ 952.20
9/02/2024	EFT-02373	Komatsu Australia	Komatsu CK-4 oil -1000ltrs & coolant 410 litres	\$ 12,097.04
9/02/2024	EFT-02373	Major Motors Pty Ltd	Pit 83 vehicle maintenance	\$ 11,496.58
9/02/2024	EFT-02373	MRP Pest Control	Pest Control Jan 24	\$ 866.25
9/02/2024	EFT-02373	NAPA Parts	Pit 131 filters & maintenance supplies	\$ 222.76
9/02/2024	EFT-02373	Natural Area Management & Services	Phytophthora survey with additional area	\$ 7,425.00
9/02/2024	EFT-02373	North Star Security	Service call to Admin Bldg.	\$ 235.95
9/02/2024	EFT-02373	Nutrien Ag Solutions	Kangaroo Muesli - Jan 24	\$ 218.46
9/02/2024	EFT-02373	Office National Canning Vale	Planners, note books & pens	\$ 153.28
9/02/2024	EFT-02373	Plants & Garden Rentals	Office plants - Feb 23	\$ 330.00
9/02/2024	EFT-02373	Robert Walters Pty Ltd	Contract Labour week Jan 24	\$ 4,670.00
9/02/2024	EFT-02373	Run Energy Pty Limited	Sleeve pipe	\$ 39,149.92
9/02/2024	EFT-02373	SafeWork Laboratories Pty Ltd	D & A testing 17 Jan 24 labour & mileage	\$ 2,382.54
9/02/2024	EFT-02373	SAI Global Australia Pty Ltd	AS 4000-1997 Contract	\$ 1,006.23
9/02/2024	EFT-02373	Spectur Ltd	Neerabup Portable CCTV - 17 Jan 24 to 16 Feb 24	\$ 3,630.00
9/02/2024	EFT-02373	St John Ambulance	First Aid Kits - Face Shields & Cold Packs	\$ 352.10
9/02/2024	EFT-02373	Super Choice Services Pty Ltd	Monthly Single Touch Payroll	\$ 14.94

Date	Document No.	Vendor Name	Description	Amount
9/02/2024	EFT-02373	Town of Victoria Park	TP Lease - Dec 23	\$ 7,135.48
9/02/2024	EFT-02373	Trade West Industrial Supplies	Safety uniform and equipment	\$ 2,781.50
9/02/2024	EFT-02373	Tutt Bryant Equipment WA	Plt 135 motor vehicle service	\$ 4,577.87
9/02/2024	EFT-02373	Tyrecycle P/L	Disposal of Tyres Jan 24	\$ 3,703.78
9/02/2024	EFT-02373	Veraison WA Pty Ltd	Leadership Team Culture assessment and debrief	\$ 2,794.00
9/02/2024	EFT-02373	Water Corporation	TP Water Rates 22 Nov 23 to 22 Jan 24	\$ 3,765.63
9/02/2024	EFT-02373	Winc Australia P/L	Stationery and printing	\$ 1,777.72
9/02/2024	EFT-02373	Wren Oil	Oil Waste Disposal	\$ 66.00
9/02/2024	EFT-02374	Airefrig Australia Pty Ltd	Degassing Cylinder Service fee Jan 24	\$ 37.13
9/02/2024	EFT-02374	All 4 People Pty Ltd	Contract Labour Jan 24	\$ 401.28
9/02/2024	EFT-02374	Australia Post	Postage & Freight for the month	\$ 163.75
9/02/2024	EFT-02374	Australian Institute of Management	Leadership Development leading others	\$ 1,966.00
9/02/2024	EFT-02374	Bale Data Services	Register Rolls for Weighbridge (6) cartons	\$ 281.03
9/02/2024	EFT-02374	BOC Limited	Dissolved acetylene 29 Dec 23 to 28 Jan 24	\$ 12.93
9/02/2024	EFT-02374	BOO Finance (Aust) Limited	Monthly Printer Rental	\$ 421.53
9/02/2024	EFT-02374	Bunnings	Workshop and Mtce - payment (Purchased via Power Pass)	\$ 2,274.95
9/02/2024	EFT-02374	ChekRite Asia Pacific Pty Ltd	Prof services for Process def & Heavy Equip pre-start plan	\$ 2,187.90
9/02/2024	EFT-02374	Command A Com	Telephone Expenses Jan 24	\$ 1,294.77
9/02/2024	EFT-02374	Damian Wilson Design	DAIP Plan design	\$ 420.00
9/02/2024	EFT-02374	Data#3	Wifi Access Points	\$ 2,347.08
9/02/2024	EFT-02374	Digrite	Pl151 - filters and radiator mount	\$ 322.00
9/02/2024	EFT-02374	Fennell Tyres International Pty Ltd	Plt 63 Tyre repair	\$ 176.00
9/02/2024	EFT-02374	Herbert Smith Freehills	Legal fees for Waste Services Procurement Project	\$ 18,378.97
9/02/2024	EFT-02374	Major Motors Pty Ltd	Plt83 & Plt120 Vehicle maintenance	\$ 5,508.21
9/02/2024	EFT-02374	NAPA Parts	Plt151 air filter and gear oil	\$ 468.93
9/02/2024	EFT-02374	Nutrien Ag Solutions	Kangaroo Muesli Feb 24	\$ 218.46
9/02/2024	EFT-02374	Oceanside Power & Communications	Electrical works in washbay, pump and workshop	\$ 953.30
9/02/2024	EFT-02374	Olivers Lawn & Landscaping Pty Ltd	Monthly lawn mowing service	\$ 225.00
9/02/2024	EFT-02374	Paxon Consulting Group Pty Ltd	TP Void Space Model Review	\$ 20,867.00
9/02/2024	EFT-02374	Pirtek (Malaga) Pty Ltd	PL131 Compactor New hoses	\$ 455.66
9/02/2024	EFT-02374	SafeWork Laboratories Pty Ltd	D & A Testing Jan 24	\$ 849.86
9/02/2024	EFT-02374	Security Specialists Australia Pty Ltd	Monthly Cash Collection Dec 23	\$ 139.66
9/02/2024	EFT-02374	Synergy	TP & RRF Electricity Jan 24	\$ 41,364.09
9/02/2024	EFT-02374	Total Green Recycling Pty Ltd	E-waste Recycling Jan 24	\$ 4,039.69
9/02/2024	EFT-02374	Trade West Industrial Supplies	Safety boots, ear plugs, gloves, safety glasses	\$ 5,064.59
9/02/2024	EFT-02374	Tudor House	Flags for Tipface and Transfer	\$ 918.00
9/02/2024	EFT-02374	Volco Minerals Pty Ltd	5 tonnes Zeolite	\$ 2,585.00
9/02/2024	EFT-02374	WA Local Government Association	Procurement and Contracts trainings	\$ 1,518.00
26/02/2024	EFT-02375	All 4 People Pty Ltd	Contract Labour week ending 28 Jan 24	\$ 1,176.25
26/02/2024	EFT-02375	Allwest Plant Hire Australia	Excavator and Plate Compactor Hire	\$ 1,598.92
26/02/2024	EFT-02375	Ampol Australia Petroleum Pty Ltd	Fuel - Jan 24	\$ 1,278.11
26/02/2024	EFT-02375	Australian Services Union	Union Fees	\$ 53.00
26/02/2024	EFT-02375	Brooks Hire	CAT259 Skid Steer Hire for Transfer Jan 24	\$ 7,133.70
26/02/2024	EFT-02375	Castledine Gregory	Legal Fees scoping exercise for CRC MRC	\$ 3,036.00
26/02/2024	EFT-02375	Cleanaway Operations Pty Ltd	Co Mingled Waste Jan 24	\$ 394.68
26/02/2024	EFT-02375	Coates Hire Operations Pty Ltd	Hire of 25T Excavator 20 Jan 23 to 25 Jan 23	\$ 11,694.14
26/02/2024	EFT-02375	Command A Com	Telephone Expenses Feb 24	\$ 38.50
26/02/2024	EFT-02375	Datacom Systems (AU) Pty Ltd	MRC Phone Headsets x 22	\$ 5,482.49
26/02/2024	EFT-02375	Herbert Smith Freehills	WTE Legal Fees to 15 Dec 23	\$ 25,959.45
26/02/2024	EFT-02375	Instant Products Group	Toilet hire/clean/restock Jan 24	\$ 313.30
26/02/2024	EFT-02375	MHA Products	Trolleys for Transfer	\$ 1,160.49
26/02/2024	EFT-02375	Probiotics & Soil Nutrition Australia	Biowish x 72 bags inc freight	\$ 6,547.37
26/02/2024	EFT-02375	Robert Walters Pty Ltd	Contract Labour week ending 01 Jan 24	\$ 1,295.55
26/02/2024	EFT-02375	Run Energy Pty Limited	1 Leachate well and sleeving inc installation	\$ 63,186.75
26/02/2024	EFT-02375	SafeWork Laboratories Pty Ltd	D & A testing Jan 24	\$ 30.80
26/02/2024	EFT-02375	Services Australia	Child Support	\$ 280.00
26/02/2024	EFT-02375	Soft Landing	CoW Mattresses	\$ 1,982.20
26/02/2024	EFT-02375	Soft Landing	COS On Demand Mattresses	\$ 28,084.10
26/02/2024	EFT-02375	Soft Landing	COS RCB Mattresses	\$ 32,802.00
26/02/2024	EFT-02375	Soft Landing	MRC Monthly Mattress Collection	\$ 15,147.00
26/02/2024	EFT-02375	Specialized Cleaning Group Pty Ltd	Monthly TP Road Sweeping Service	\$ 1,950.00
26/02/2024	EFT-02375	Talis Consultants P/L	Ground Water Monitoring & Other Consultancy works	\$ 30,828.01
26/02/2024	EFT-02375	Think Water Wanneroo	Service for two pole saws	\$ 226.12
26/02/2024	EFT-02375	Total Green Recycling Pty Ltd	E-waste Recycling	\$ 4,738.69
26/02/2024	EFT-02375	Western Tree Recyclers	CoJ Greens Handling	\$ 4,313.82
26/02/2024	EFT-02375	Western Tree Recyclers	CoP Greens Handling	\$ 720.19
26/02/2024	EFT-02375	Workpower Incorporated	Battery Rescue	\$ 1,373.63
26/02/2024	EFT-02375	Wren Oil	Disposal of Oil	\$ 16.50
26/02/2024	EFT-02375	Zircodata Pty Ltd	Recall boxes (records) from offsite storage	\$ 110.04
9/02/2024	70	Payroll	Staff Payroll	\$ 125,216.39
23/02/2024	71	Payroll	Staff Payroll	\$ 146,838.59
				\$ 881,414.18

Date	Document No.	Vendor Name	Description	Amount
			CBA Cheque No. 882-83	\$ 610.00
			Electronic Payments:	
			DP-02332 to DP-02346	\$ 489,418.69
			Inter-Account Transfers	\$ -
			EFT-02373 to EFT-02375	\$ 881,414.18
			Grand Total	<u>\$ 1,371,442.87</u>
<p>CERTIFICATE OF CHIEF EXECUTIVE OFFICER</p> <p>This schedule of accounts which was passed for payment, covering vouchers as above which was submitted to each member of Council on 28th March, 2024 has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendered services and as to prices, computations, and costing and the amounts due for payment.</p>				

Schedule of Payments for February 2024 Council Meeting - 28th March 2024 CBA Credit Card			
Date	Payment to	Description	Amount
25/01/2024	CPP Parking	Business meeting parking	10.10
29/01/2024	IPAA	IPAA Training	458.00
31/01/2024	CPP Convention Centre	Business meeting parking	24.23
1/02/2024	Leapfrogs	Business meeting coffee	11.00
3/02/2024	Basil's Fine Foods	MRC/CRC Joint Workshop food	196.87
15/02/2024	Dome Butler	Business lunch	22.35
22/02/2024	JB Hifi	Mobile phone accessories	99.99
	Total CBA Credit Card ending 7336		822.54
25/01/2024	Coles	Staff Amenities	250.90
25/01/2024	ASIC	ASIC Report for new vendor application fee	19.00
1/02/2024	Whiteheaden	Improved Landfill Mgt Training	8,573.15
2/02/2024	Microsoftstore	Office 365 subscription	11.00
5/02/2024	ASIC	ASIC Report for new vendor application fee	19.00
5/02/2024	ASIC	ASIC Report for new vendor application fee	19.00
13/02/2024	Coles	Staff Amenities	271.50
15/02/2024	WA Advanced Training	Forklift Training & License	480.00
20/02/2024	ASIC	ASIC Report for new vendor application fee	19.00
20/02/2024	ASIC	ASIC Report for new vendor application fee	19.00
20/02/2024	ASIC	ASIC Report for new vendor application fee	19.00
20/02/2024	ASIC	ASIC Report for new vendor application fee	19.00
	Total CBA Credit Card ending 1546		9,719.55
25/01/2024	The Beach House	Operations Team Christmas Lunch	695.71
25/01/2024	Alkimos Autocare	Car Wash	715.00
29/01/2024	Mining & Civil Geotest	Limestone Testing	266.26
31/01/2024	Seabreeze Landscape	Mulch for Admin garden	227.00
6/02/2024	Quillbot	Online software for rewriting	154.55
6/02/2024	CBA	Transaction fee	3.86
7/02/2024	Alkimos Autocare	Car Wash	635.00
8/02/2024	Elite Office Furniture	Furniture for Weighbridge	592.00
8/02/2024	Australian Land & Groundwater Assoc.	"What's in Store for 2024" Seminar	100.00
11/02/2024	Emirates	Site visit for procurement of telescopic riser shafts	2,886.85
17/02/2024	Mach 1 Auto Parts	Tyre Repair kit	177.45
17/02/2024	Smartdraw	Drawing Software for maps	202.22
17/02/2024	CBA	Transaction fee	5.06
20/02/2024	Intertek Inform	Internet Download for Standards	222.86
22/02/2024	Kmart	Employee amenities	134.00
23/02/2024	Bergero Hydra Tarp	Remote for auto tarp	529.52
25/02/2024	Perth Airport	Airport parking for Site Visit	151.15
	Total CBA Credit Card ending 2225		7,698.49
Total CBA Credit Card Payments			18,240.58

Schedule of Payments for February 2024 Council Meeting - 28th March 2024 Ampol Purchasing card			
Date	Document No.	Description	Amount
4/01/2024	EFT-02375	Fuel	144.26
10/01/2024	EFT-02375	Fuel	148.68
15/01/2024	EFT-02375	Car Wash	25.00
15/01/2024	EFT-02375	Fuel	44.47
25/01/2024	EFT-02375	Fuel	108.63
25/01/2024	EFT-02375	Car Wash	25.00
Total Ampol Card for Rego 1938			496.04
4/01/2024	EFT-02375	Fuel	82.87
13/01/2024	EFT-02375	Fuel	99.11
19/01/2024	EFT-02375	Fuel	99.82
28/01/2024	EFT-02375	Fuel	98.97
Total Ampol Card for Rego 9808			380.77
5/01/2024	EFT-02375	Fuel	37.08
7/01/2024	EFT-02375	Fuel	135.07
8/01/2024	EFT-02375	Fuel	130.92
23/01/2024	EFT-02375	Fuel	98.23
Total Ampol Card for Rego 2010			401.30
Total Ampol Purchase Card Payments			1,278.11

Schedule of Payments for February 2024 Council Meeting - 28th March 2024 Bunnings Power Pass
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Date	Document No.	Description	Amount
16/01/2024	EFT-02374	Workshop supplies	37.22
16/01/2024	EFT-02374	Workshop supplies	24.04
16/01/2024	EFT-02374	Transfer supplies	60.54
17/01/2024	EFT-02374	Gazebo semi permanent	1,248.00
Total for Card ending 614			1,369.80
11/01/2024	EFT-02374	Landfill supplies	287.36
20/01/2024	EFT-02374	Workshop supplies	145.38
24/01/2024	EFT-02374	Weighbridge supplies	354.27
18/01/2024	EFT-02374	Workshop supplies	53.92
Total for Card ending 584			840.93
17/01/2024	EFT-02374	Irrigation Fittings	11.74
18/01/2024	EFT-02374	Buckets for limestone sampling	52.48
Total for Card ending 400			64.22
Total Bunnings Power Pass Payments			2,274.95

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
28 March 2024

9.3	ADOPTION OF 2023 COMPLIANCE AUDIT RETURN
File No:	GF-23-0000142
Appendix(s):	Attachment 1 Compliance Audit Return
Date:	11 March 2023
Responsible Officer:	Chief Executive Officer

SUMMARY

The purpose of this report is to provide Council with information on the completed Compliance Audit Return (1 January 2023 – 31 December 2023).

BACKGROUND

The Compliance Audit Return was placed on the agenda for the Audit and Risk Committee meeting held on 06 March 2024.

The Audit and Risk Committee considered the Return and resolved the following:

That the Audit and Risk Committee recommends that Council endorse the Compliance Audit return for the 2023 calendar year, as presented.

Moved Cr Ferrante, seconded Cr Hatton

RESOLVED

That the recommendation be adopted.

(CARRIED UNANIMOUSLY 3/0)

For: Crs Hatton, Ferrante and Mr Kumar

Against: Nil

The 2022 Local Government Compliance Audit Return (CAR) covers the calendar year from 1 January to 31 December 2023.

The Return should be lodged with the Department of Local Government before 31st March, 2024

The 2023 Compliance Audit Return is mandatory pursuant to the *Local Government (Audit) Regulations 1996* which requires all local governments to complete a Compliance Audit Return annually.

Local governments not only have to explain or qualify cases of non-compliance, but also provide details of any remedial action taken or proposed to be taken in regard to instances of non-compliance. The Administration has completed the Return.

DETAIL

The Compliance Audit covers a range of matters that require specific actions to be completed by Local Government authorities in performing their functions.

The Compliance Audit Return requires the responsible officer to indicate against each item whether the required action is relevant to Mindarie Regional Council (MRC) and if it has been completed by either answering;

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- (a) Yes; or
- (b) No; or
- (c) N/A – Not applicable

Local Governments are required to provide feedback or comments on areas of non-compliance. This assists the Department of Local Government to have a better understanding of any problems or issues relating to a Local Government's inability to achieve full compliance in a particular area.

The Compliance Audit Return for calendar year 2023 is at **Attachment 1**.

The Local Government is to submit the Compliance Audit Return to its Audit and Risk Committee for consideration so that it has the opportunity to examine the Return and report to council the results of that review.

A joint certification is also required to be completed by the Chairperson and Chief Executive Officer to the effect that the information contained in the Return is true and correct to the best of their knowledge. Several other requirements must be met in the Return process and these include: -

- The particulars of all matters of concern raised by Council should be recorded in the minutes of the meeting and a copy of the relevant page(s) attached to the Compliance Audit Return as an appendix; and
- The completed Compliance Audit Return and appendices should be forwarded to the Director General of the Department of Local Government by 31 March 2024.

The Section dealing with the Joint Certification by the Chairperson and Chief Executive Officer requires inter alia that:

- each Councillor has had the opportunity to review the return and to make comment to the Council;
- particulars of any matters of concern relating to the return have been recorded in the minutes of the meeting; and
- a true and correct copy of the relevant sections of the minutes covering Council's consideration of the return must be attached to it.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Regional Councils are required to carry out a Return in accordance with the Local Government (Audit) Regulations 1996. The requirements set for the Return are contained in s.14 and 15 of the Regulations, which read as follows:

"14. Compliance audits by local governments

- (1) *A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
-

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- (2) *After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
- (3A) *The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.*
- (3) *After the audit committee has reported to the council under sub regulation (3A), the compliance audit return is to be —*
 - (a) *presented to the council at a meeting of the council; and*
 - (b) *adopted by the council; and*
 - (c) *recorded in the minutes of the meeting at which it is adopted.*

15. Certified copy of compliance audit return and other documents to be given to Departmental CEO

- (1) *After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —*
 - (a) *a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and*
 - (b) *any additional information explaining or qualifying the compliance audit,**is to be submitted to the Departmental CEO by 31 March next following the period to which the return relates.*
- (2) *In this regulation —*

certified *in relation to a compliance audit return means signed by —*

 - (a) *the mayor or president; and*
 - (b) *the CEO.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

COMMENT

In order to comply with Regulations 14 and 15 of the *Local Government (Audit) Regulations 1996* it is necessary for the MRC to complete the Local Government Compliance Audit Return in the form approved by the Minister.

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The results contained in the Compliance Audit Return required by the Department of Local Government for the period 1 January to 31 December 2023 indicates that the Council is continuing to operate within the Local Government Legislative requirements.

The Audit and Risk Committee, at its meeting held on 06 March 2024, recommended that the Council adopts the Compliance Audit Return.

It is recommended that the Return be adopted by the Council and that the component comprising the form approved by the Minister be certified by the Chairperson and Chief Executive Officer and be forwarded to the Director General, Department of Local Government.

VOTING REQUIREMENT

Simple Majority

Cr Vernon entered the Chambers at 6.39 pm

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

1. **adopt the Local Government Compliance Audit Return in the form approved by the Minister for the period 1 January to 31 December 2023 as contained within the Attachment in accordance with the provisions of Regulation 14(3) of the Local Government (Audit) Regulations 1996 and in line with the recommendation from the Audit and Risk Committee;**
2. **authorise the Chairperson and the Chief Executive Officer to complete the Joint Certification contained in the adopted Return detailed in (1) above; and**
3. **authorise the Chief Executive Officer to submit the adopted Return detailed in (1) to the Director General, Department of Local Government.**

Moved Cr Hatton, seconded Cr Ferrante

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

For: Crs Castle, Creado, Ferrante, Gobbert, Hatton, Jacob, Mack, Miles, Proud, Vernon and Wright

Against: Nil

2023 COMPLIANCE AUDIT RETURN

Item 9.3 ATTACHMENT 1 Item 9.3

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return - Mindarie Regional Council

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Mindarie Regional Council – Compliance Audit Return

Commercial Enterprises by Local Governments				
No	Reference	Question	Response	Comments
1	s3.59(2)(a) F&G Regs 7,9,10	Has the local government prepared a business plan for each major trading undertaking that was not exempt in 2023?	No	
2	s3.59(2)(b) F&G Regs 7,8A, 8, 10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2023?	N/A	
3	s3.59(2)(c) F&G Regs 7,8A, 8,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2023?	N/A	
4	s3.59(4)	Has the local government complied with public notice and publishing requirements for each proposal to commence a major trading undertaking or enter into a major land transaction or a land transaction that is preparatory to a major land transaction for 2023?	N/A	
5	s3.59(5)	During 2022, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	N/A	

Delegation of Power/Duty				
No	Reference	Question	Response	Comments
1	s5.16 (1)	Were all delegations to committees resolved by absolute majority?	N/A	The Committees do not have delegated authority
2	s5.16 (2)	Were all delegations to committees in writing?	N/A	
3	s5.17	Were all delegations to committees within the limits specified in section 5.17 of the Local Government Act 1995?	N/A	
4	s5.18	Were all delegations to committees recorded in a register of delegations?	N/A	
5	s5.18	Has council reviewed delegations to its committees in the 2022/2023 financial year?	N/A	

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6	s5.42(1) & s5.43 Admin Reg 18G	Did the powers and duties delegated to the CEO exclude those listed in section 5.43 of the Local Government Act 1995?	Yes	
7	s5.42(1)	Were all delegations to the CEO resolved by an absolute majority?	Yes	
8	s5.42(2)	Were all delegations to the CEO in writing?	Yes	
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	Yes	
10	s5.16(3)(b) & s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority?	Yes	
11	s5.46(1)	Has the CEO kept a register of all delegations made under Division 4 of the Act to the CEO and to employees?	Yes	
12	s5.46(2)	Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2022/2023 financial year?	Yes	
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record in accordance with Local Government (Administration) Regulations 1996, regulation 19?	Yes	

Disclosure of Interest				
No	Reference	Question	Response	Comments
1	s5.67	Where a council member disclosed an interest in a matter and did not have participation approval under sections 5.68 or 5.69 of the Local Government Act 1995, did the council member ensure that they did not remain present to participate in discussion or decision making relating to the matter?	Yes	
2	s5.68(2) & s5.69(5) Admin Reg 21A	Were all decisions regarding participation approval, including the extent of participation allowed and, where relevant, the information required by the Local Government (Administration) Regulations 1996 regulation 21A, recorded in the minutes of the relevant council or committee meeting?	N/A	
3	s5.73	Were disclosures under sections 5.65, 5.70 or 5.71A(3) of the Local Government Act 1995 recorded in the minutes of the meeting at which the disclosures were made?	Yes	
4	s5.75 Admin Reg 22, Form 2	Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day?	Yes	
5	s5.76 Admin Reg 23, Form 3	Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2022?	Yes	

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6	s5.77	On receipt of a primary or annual return, did the CEO, or the Mayor/President, give written acknowledgment of having received the return?	Yes	
7	s5.88(1) & (2)(a)	Did the CEO keep a register of financial interests which contained the returns lodged under sections 5.75 and 5.76 of the Local Government Act 1995?	Yes	
8	s5.88(1) & (2)(b) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70, 5.71 and 5.71A of the Local Government Act 1995, in the form prescribed in the Local Government (Administration) Regulations 1996, regulation 28?	Yes	
9	s5.88(3)	When a person ceased to be a person required to lodge a return under sections 5.75 and 5.76 of the Local Government Act 1995, did the CEO remove from the register all returns relating to that person?	Yes	
10	s5.88(4)	Have all returns removed from the register in accordance with section 5.88(3) of the Local Government Act 1995 been kept for a period of at least five years after the person who lodged the return(s) ceased to be a person required to lodge a return?	Yes	
11	s5.89A(1), (2) & (3) Admin Reg 28A	Did the CEO keep a register of gifts which contained a record of disclosures made under sections 5.87A and 5.87B of the Local Government Act 1995, in the form prescribed in the Local Government (Administration) Regulations 1996, regulation 28A?	Yes	
12	s5.89A(5) & (5A)	Did the CEO publish an up-to-date version of the gift register on the local government's website?	Yes	
13	s5.89A(6)	When people cease to be a person who is required to make a disclosure under section 5.87A or 5.87B of the Local Government Act 1995, did the CEO remove from the register all records relating to those people?	N/A	
14	s5.89A(7)	Have copies of all records removed from the register under section 5.89A(6) of the Local Government Act 1995 been kept for a period of at least five years after the person ceases to be a person required to make a disclosure?	Yes	
15	s5.70(2) & (3)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to council or a committee, did that person disclose the nature and extent of that interest when giving the advice or report?	N/A	

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16	s5.71A & s5.71B(5)	Where council applied to the Minister to allow the CEO to provide advice or a report to which a disclosure under section 5.71A(1) of the Local Government Act 1995 relates, did the application include details of the nature of the interest disclosed and any other information required by the Minister for the purposes of the application?	N/A	
17	s5.71B(6) & s5.71B(7)	Was any decision made by the Minister under section 5.71B(6) of the Local Government Act 1995, recorded in the minutes of the council meeting at which the decision was considered?	N/A	
18	s5.104(1)	Did the local government prepare and adopt, by absolute majority, a code of conduct to be observed by council members, committee members candidates that incorporates the model code of conduct?	Yes	
19	s5.104(3) & (4)	Did the local government adopt additional requirements in addition to the model code of conduct? If yes, does it comply with section 5.104(3) and (4) of the Local Government Act 1995?	No	
20	s5.104(7)	Has the CEO published an up-to-date version of the code of conduct for council members, committee members and candidates on the local government's website?	Yes	
21	s5.51A(1) & (3)	Has the CEO prepared and implemented a code of conduct to be observed by employees of the local government? If yes, has the CEO published an up-to-date version of the code of conduct for employees on the local government's website?	Yes	

Disposal of Property				
No	Reference	Question	Response	Comments
1	s3.58(3)	Where the local government disposed of property other than by public auction or tender, did it dispose of the property in accordance with section 3.58(3) of the Local Government Act 1995 (unless section 3.58(5) applies)?	N/A	
2	s3.58(4)	Where the local government disposed of property under section 3.58(3) of the Local Government Act 1995, did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property?	N/A	

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Elections				
No	Reference	Question	Response	Comments
1	Elect Regs 30G(1) & (2)	Did the CEO establish and maintain an electoral gift register and ensure that all disclosure of gifts forms completed by candidates and donors and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the forms relating to each candidate in accordance with regulations 30G(1) and 30G(2) of the Local Government (Elections) Regulations 1997?	N/A	
2	Elect Regs 30G(3) & (4)	Did the CEO remove any disclosure of gifts forms relating to an unsuccessful candidate, or a successful candidate that completed their term of office, from the electoral gift register, and retain those forms separately for a period of at least two years in accordance with regulation 30G(4) of the Local Government (Elections) Regulations 1997?	N/A	
3	Elect Regs 30G(5) & (6)	Did the CEO publish an up-to-date version of the electoral gift register on the local government's official website in accordance with regulation 30G(5) of the Local Government (Elections) Regulations 1997?	N/A	

Finance				
No	Reference	Question	Response	Comments
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Local Government Act 1995?	Yes	
2	s7.1B	Where the council delegated to its audit committee any powers or duties under Part 7 of the Local Government Act 1995, did it do so by absolute majority?	N/A	

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3	s7.9(1)	Was the auditor's report for the financial year ended 30 June 2023 received by the local government by 31 December 2023?	Yes	
4	s7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under section 7.9(1) of the Local Government Act 1995 required action to be taken, did the local government ensure that appropriate action was undertaken in respect of those matters?	Yes	
5	s7.12A(4)(a) & (4)(b)	Where matters identified as significant were reported in the auditor's report, did the local government prepare a report that stated what action the local government had taken or intended to take with respect to each of those matters? Was a copy of the report given to the Minister within three months of the audit report being received by the local government?	N/A	
6	s7.12A(5)	Within 14 days after the local government gave a report to the Minister under section 7.12A(4)(b) of the Local Government Act 1995, did the CEO publish a copy of the report on the local government's official website?	Yes	
7	Audit Reg 10(1)	Was the auditor's report for the financial year ending 30 June 2023 received by the local government within 30 days of completion of the audit?	Yes	

Local Government Employees				
No	Reference	Question	Response	Comments
1	s5.36(4) & s5.37(3) Admin Reg 18A	Were all CEO and/or senior employee vacancies advertised in accordance with Local Government (Administration) Regulations 1996, regulation 18A?	N/A	The MRC does not have any designated Senior Employees
2	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	N/A	
3	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position under section 5.36(4) of the Local Government Act 1995?	N/A	
4	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	N/A	The MRC does not have any designated Senior Employees
5	s5.37(2)	Where council rejected a CEO's recommendation to employ or dismiss a senior employee, did it inform the CEO of the reasons for doing so?	N/A	

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Official Conduct				
No	Reference	Question	Response	Comments
1	s5.120	Has the local government designated an employee to be its complaints officer?	Yes	
2	s5.121(1) & (2)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that resulted in a finding under section 5.110(2)(a) of the Local Government Act 1995?	Yes	We have a register - Nil complaints received
3	S5.121(2)	Does the complaints register include all information required by section 5.121(2) of the Local Government Act 1995?	Yes	
4	s5.121(3)	Has the CEO published an up-to-date version of the register of the complaints on the local government's official website?	Yes	

Tenders for Providing Goods and Services				
No	Reference	Question	Response	Comments
1	F&G Reg 11A(1) & (3)	Did the local government comply with its current purchasing policy, adopted under the Local Government (Functions and General) Regulations 1996, regulations 11A(1) and (3) in relation to the supply of goods or services where the consideration under the contract was, or was expected to be, \$250,000 or less or worth \$250,000 or less?	Yes	
2	s3.57 F&G Reg 11	Subject to Local Government (Functions and General) Regulations 1996, regulation 11(2), did the local government invite tenders for all contracts for the supply of goods or services where the consideration under the contract was, or was expected to be, worth more than the consideration stated in regulation 11(1) of the Regulations?	Yes	
3	F&G Regs 11(1), 12(2), 13, & 14(1), (3), and (4)	When regulations 11(1), 12(2) or 13 of the Local Government Functions and General) Regulations 1996, required tenders to be publicly invited, did the local government invite tenders via Statewide public notice in accordance with Regulation 14(3) and (4)?	Yes	

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4	F&G Reg 12	Did the local government comply with Local Government (Functions and General) Regulations 1996, Regulation 12 when deciding to enter into multiple contracts rather than a single contract?	Yes	
5	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents, or each acceptable tenderer notice of the variation?	Yes	
6	F&G Regs 15 & 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 15 and 16?	Yes	
7	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of the Local Government (Functions and General) Regulations 1996, Regulation 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website?	Yes	
8	F&G Reg 18(1)	Did the local government reject any tenders that were not submitted at the place, and within the time, specified in the invitation to tender?	No	
9	F&G Reg 18(4)	Were all tenders that were not rejected assessed by the local government via a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept?	Yes	
10	F&G Reg 19	Did the CEO give each tenderer written notice containing particulars of the successful tender or advising that no tender was accepted?	Yes	
11	F&G Regs 21 & 22	Did the local government's advertising and expression of interest processes comply with the requirements of the Local Government (Functions and General) Regulations 1996, Regulations 21 and 22?	Yes	
12	F&G Reg 23(1) & (2)	Did the local government reject any expressions of interest that were not submitted at the place, and within the time, specified in the notice or that failed to comply with any other requirement specified in the notice?	N/A	
13	F&G Reg 23(3) & (4)	Were all expressions of interest that were not rejected under the Local Government (Functions and General) Regulations 1996, Regulation 23(1) & (2) assessed by the local government? Did the CEO list each person as an acceptable tenderer?	N/A	

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14	F&G Reg 24	Did the CEO give each person who submitted an expression of interest a notice in writing of the outcome in accordance with Local Government (Functions and General) Regulations 1996, Regulation 24?	N/A	
15	F&G Regs 24AD(2) & (4) and 24AE	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice in accordance with Local Government (Functions & General) Regulations 1996 regulations 24AD(4) and 24AE?	N/A	
16	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application notice of the variation?	N/A	
17	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 16, as if the reference in that regulation to a tender were a reference to a pre-qualified supplier panel application?	N/A	
18	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 24AG?	N/A	
19	F&G Reg 24AH(1)	Did the local government reject any applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time, specified in the invitation for applications?	N/A	
20	F&G Reg 24AH(3)	Were all applications that were not rejected assessed by the local government via a written evaluation of the extent to which each application satisfies the criteria for deciding which application to accept?	N/A	
21	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome of their application?	N/A	
22	F&G Regs 24E & 24F	Where the local government gave regional price preference, did the local government comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 24E and 24F?	N/A	

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Integrated Planning and Reporting				
No	Reference	Question	Response	Comments
1	Admin Reg 19C	Has the local government adopted by absolute majority a strategic community plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	27/04/2023
2	Admin Reg 19DA(1) & (4)	Has the local government adopted by absolute majority a corporate business plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	22/06/2023
3	Admin Reg 19DA(2) & (3)	Does the corporate business plan comply with the requirements of Local Government (Administration) Regulations 1996 19DA(2) & (3)?	Yes	

Optional Questions				
No	Reference	Question	Response	Comments
1	Financial Management Reg 5(2)(c)	Did the CEO review the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with the Local Government (Financial Management) Regulations 1996 regulations 5(2)(c) within the three financial years prior to 31 December 2023? If yes, please provide the date of council's resolution to accept the report.	Yes	12/08/2021 Tabled at Audit Committee on 22 July 2021 and presented to Council via the Members Information Bulletin on 12.08.2021
2	Audit Reg 17	Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with Local Government (Audit) Regulations 1996 regulation 17 within the three financial years prior to 31 December 2023? If yes, please provide date of council's resolution to accept the report.	Yes	23/02/2023
3	s5.87C	Where a disclosure was made under sections 5.87A or 5.87B of the Local Government Act 1995, were the disclosures made within 10 days after receipt	N/A	

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		of the gift? Did the disclosure include the information required by section 5.87C of the Act?		
4	s5.90A(2) & (5)	Did the local government prepare, adopt by absolute majority and publish an up-to-date version on the local government’s website, a policy dealing with the attendance of council members and the CEO at events?	Yes	
5	s5.96A(1), (2), (3) & (4)	Did the CEO publish information on the local government’s website in accordance with sections 5.96A(1), (2), (3), and (4) of the Local Government Act 1995?	Yes	Yes, except for 5.96A(1)(a) and (g) which do not apply to Regional Councils
6	s5.128(1)	Did the local government prepare and adopt (by absolute majority) a policy in relation to the continuing professional development of council members?	Yes	The policy, training and reporting requirement of MRC Councillors as required under the Act are fulfilled by their respective Local Governments (our Member Councils)
7	s5.127	Did the local government prepare a report on the training completed by council members in the 2022/2023 financial year and publish it on the local government’s official website by 31 July 2023?	No	The policy, training and reporting requirement of MRC Councillors as required under the Act are fulfilled by their respective Local Governments (our Member Councils)
8	s6.4(3)	By 30 September 2023, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2023?	Yes	
9	s.6.2(3)	When adopting the annual budget, did the local government take into account all its expenditure, revenue and income?	Yes	

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Department of
Local Government, Sport
and Cultural Industries

Chief Executive Officer

Date

Mayor/President

Date

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
28 March 2024

9.4	MINDARIE REGIONAL COUNCIL INTERNAL AUDIT FUNCTION
File No:	GF-23-0000142
Appendix(s):	Nil
Date:	12 March 2023
Responsible Officer:	Chief Executive Officer

SUMMARY

The purpose of this report is to advise Council of the proposal to extend the internal audit function.

The proposal was placed on the Agenda for the Audit and Risk Committee meeting held on 06 March 2024.

The Committee considered the proposal and resolved the following:

That the Audit and Risk committee recommends to Council:

That Council:

1. *Endorse the CEO's proposed internal audit function for Mindarie Regional Council.*
2. *Request the CEO to provide a further report detailing the three-year work plan that will be the basis of a contract for the Internal Audit service.*

Moved Cr Hatton, Seconded Cr Ferrante

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 3/0)

For: Crs Hatton, Ferrante and Mr Kumar

Against: Nil

BACKGROUND

The WA Auditor General recognises that there are four lines of defence which underpin a strong governance framework. Internal audit is the third line of defence; see below:

- First line of defence – internal controls, policies, procedures, information systems and culture and ethics
- Second line of defence – Internal oversight, monitoring and reporting, risk management and compliance, financial reporting and certification
- Third line of defence – Internal Audit CEO financial and non-financial reviews
- Fourth line of defence – Auditor General external audits

The Local Government (Audit) Regulations 1996 regulation 17 (Audit Regulation 17) requires the CEO to undertake a review of the appropriateness and effectiveness of systems and procedures in relation to risk management, internal control and legislative compliance once in every 3 years and report to the audit committee the result of that review. The last review was undertaken in February 2024 by an external consultant, Civic Legal.

In addition, the Local Government (Financial Management) Regulations 1996, regulation 5 (FM Regulation 5) requires the CEO to undertake a review of the appropriateness and effectiveness

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of the financial management systems and procedures regularly (and not less than once in every three financial years) and report to the local government the results of that review. The last review was undertaken in May 2021 and a review has been scheduled for March 2024 by an external consultant, Macri Partners.

The four lines of defence model assists local governments to understand if there are any gaps in assurance activities that manage key risks or whether they are a duplication of effort, this helps inform the internal audit program, improve efficiencies and assists the Audit and Risk Committee and Council in their oversight responsibilities.

The MRC propose integrating and expanding the existing Internal Audit function of FM Regulation 5 and Audit Regulation 17 to provide a 3 year plan, of independent and objective assurance provided by external consultants, to achieve a continuous audit cycle that is regularly reviewed.

Local governments can use different models for their internal audit services; these can be in-house, co-sourced or fully outsourced. Establishing an in-house audit department is unlikely due to the relatively small size of the MRC, therefore the engagement of internal audit services from an experienced, qualified and reputed accounting professional firm in Western Australia is sought.

The three-year plan will be developed following an analysis of FM Reg 5 and Audit Reg 17 audits and identifying the higher order risks within the risk register. The development of a three-year plan provides assurance that key risks are identified and controlled effectively.

Through this initiative, the MRC seeks to establish a robust internal audit framework that aligns with its commitment to transparency and accountability to provide a richer understanding of financial management, compliance, risk management and internal controls.

The business improvements that result from an effective internal audit function will ultimately add value to the way the MRC runs its business.

This report, in the first instance seeks to gain in principle support for integrating and extending the internal audit function on a three-year rolling plan.

DETAIL

The internal audit function is independent from operational functions, systems and processes.

To be most effective the function must be free from management control that may adversely impact on this independence and the auditing and reporting function.

For local government, responsibility for the internal audit function rests with the CEO, who also reports to the Audit and Risk committee and Council.

The internal audit function will report directly to the CEO to eliminate undue influence on audit activities, findings and reporting. It is good practice for the internal auditor to also have a direct line of communication to the audit and risk committee (a functional reporting relationship). Through the scope, it is proposed that the external auditor will have the ability to liaise directly with the Chair of the Audit and Risk Committee to discuss reports included in Committee agendas, and will be able to communicate with the wider Committee through attendance at Committee meetings.

The Local Government (Financial Management) Regulations 1996 prohibits an employee, to whom responsibility for the day-to-day accounting or financial management operations of a local government is delegated, to also be delegated the responsibility for conducting an internal audit.

The use of independent internal audit provides the following important benefits to the MRC:

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- Independent assurance for management, Council and the Office of the Auditor General that internal controls in place are working effectively.
- Provision of advisory information on areas that may need further strengthening.
- Independent review of the efficiency and effectiveness of financial and non-financial controls
- Independent review the MRC's compliance with legislative requirements.

The objectives of the internal audit function are to ensure that MRC attains:

- **Increased Operational Efficiency:** Regular internal audits can identify inefficiencies in processes and recommend improvements, leading to cost savings and resource optimisation.
- **Strengthened Compliance:** Internal audit ensures compliance with applicable laws, regulations, and policies, reducing the likelihood of legal and regulatory penalties. Further, demonstrating a commitment to compliance fosters stakeholders' trust and confidence.
- **Improved Financial Accountability:** Internal audit ensures that financial transactions are conducted in accordance with established policies and procedures, minimising the risk of mismanagement or fraud. By regularly reviewing financial records and internal controls, we can identify and rectify potential issues before they escalate, ensuring the responsible use of public funds.
- **Enhanced Risk Management:** Internal audit helps identify and assess risks associated with various operations, allowing proactive measures to mitigate these risks.
- **Accountability and Transparency:** Internal audit provides an independent and objective evaluation of effective design of internal controls activities, promoting transparency and accountability.
- **Continuous Improvement:** Internal audit fosters a culture of continuous improvement by providing constructive feedback and recommendations for better governance.

Process

The CEO will present to the Audit and Risk Committee, with a subsequent recommendation to Council, a three year internal audit plan which sets out the recommended scope of the internal audit for the period.

The CEO is responsible for the contract management and facilitating the audit and ensuring that staff and resources are available to implement and monitor Internal Audit recommendations.

Reporting and Communication

The internal auditor will provide the CEO with comprehensive audited reports detailing their key observations and findings.

The CEO will provide the reports and a recommended action plan to the Audit and Risk Committee.

The Audit and Risk Committee will receive the reports of the Internal Auditor, consider the CEOs recommendations arising from the reports, and monitor the implementation of agreed recommendations, making recommendations to Council.

Contractual Term

Contract terms will be considered and further advice provided to ensure flexibility in the term of appointment to ensure contract performance can be monitored and managed.

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STATUTORY ENVIRONMENT

Local Government Act 1995
Local Government (Audit) Regulations 1996
Local Government (Financial Management) Regulations 1996

POLICY IMPLICATIONS

CP06 – Purchasing Policy
Risk Register

FINANCIAL IMPLICATIONS

Budget for Regulation 5 and 17 is available in 2023/2024 budget, proposed internal audit function if endorsed by Council will form a part of 24/25 budget.

STRATEGIC IMPLICATIONS

STRATEGIC COMMUNITY PLAN 2023 – 2032

Strategic Objective 3 : Deliver best practice governance processes and structures

COMMENT

During the Audit and Risk Committee meeting held on 06 March 2024, the Committee noted that there be feedback from MRC Councillors regarding the direction of future closure and expenditure on infrastructure and assets.

Administration will provide a further report to the Audit and Risk Committee for subsequent endorsement by Council detailing the proposed three-year work plan.

VOTING REQUIREMENT

Simple Majority

OFFICER AND COMMITTEE RECOMMENDATION

That Council:

1. Endorse the CEO's proposed internal audit function for Mindarie Regional Council.
2. Request the CEO to provide a further report detailing the three-year work plan that will be the basis of a contract for the Internal Audit service.

Moved Cr Hatton, seconded Cr Creado

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

For: Crs Castle, Creado, Ferrante, Gobbert, Hatton, Jacob, Mack, Miles, Proud, Vernon and Wright
Against: Nil

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9.5	CORPORATE BUSINESS PLAN PERIODICAL REPORTING
File No:	GF-23-0000310
Attachment (s)	Nil
Date:	29 February 2024
Responsible Officer:	Chief Executive Officer

PURPOSE

The purpose of this report is to provide Council a periodical reporting overview of the Corporate Business Plan performance, for endorsement.

The Corporate Business Plan progress report was placed on the Agenda for the Audit and Risk Committee meeting held on 06 March 2024.

The Committee considered the report and resolved the following:

*That the Audit and Risk Committee recommends that Council:
Endorse the Corporate Business Plan progress report, as presented.
Moved Cr Kumar, seconded Cr Hatton*

RESOLVED

*That the recommendation be adopted
(CARRIED UNANIMOUSLY 3/0)
For: Crs Hatton, Ferrante and Mr Kumar
Against: Nil*

The report provides information on achievements and performance against the milestones outlined in the MRC's 4-year Corporate Business Plan 2023-2027 (CBP). The CBP is the MRC's medium-term planning document which contains the services, projects and activities which have been developed in response to the Vision, Mission and Objectives of the organisation's 10-year Strategic Community Plan 2023-2032.

BACKGROUND

The MRC's CBP 2023-2027 (CBP) was adopted by Council at its meeting on 22 June 2023. The CBP is required to be reviewed every four years under the requirements of the *Local Government (Administration) Regulations 1996*.

On 27 April 2023 Council adopted the Strategic Community Plan 2023-2032 (SCP) providing the MRC with its long term strategy which informed the CBP together with the informing plans: Long Term Financial Plan, Asset Management Plan and Workforce Plan.

The CBP Strategic Objective 3.1.2, Ensure compliance with all legislative probity and regulatory requirements, requires the introduction of CBP periodical reporting to the Audit and Risk Committee.

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DETAIL

The MRC Leadership Team completed a periodical review of the CBP at a meeting held on 30 January 2024. This review tracks the status of individual key actions to ensure activities are in progress to meet the planned timeframes.

Performance is ranked using the following coloured traffic lights status:

Completed	Action completed, with no further action required.
In progress – on track	Action commenced and on track to be completed within timeframe.
In progress – belated	Action commenced and belated, risk of not meeting timeframe.
Not Commenced	Action due not commenced, risk of not meeting timeframe.
Scheduled 2024/25	Action not due in the reporting period.

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The following table provides the full CBP review as at 30 January 2024

Key Actions	Status	Planned Actions				Comments
		23/24	24/25	25/26	26/27	
Review completed 30 January 2024						
1.1 Operate waste management activities effectively						
1.1.1 Operate activities in line with licence conditions, as a minimum						
Review landfill cell fill sequence plans quarterly, reported annual basis	In progress - on track	√	√	√	√	Reviewed fortnightly with Ops team.
Review Surface Water Management Plans quarterly, reported annual basis	In progress - on track	√	√	√	√	Reviewed fortnightly with Ops team.
Review fit for purpose landfill leachate management plans quarterly, reported annual basis	In progress - on track	√	√	√	√	Reviewed fortnightly with Ops team.
Establish an Odour Management Key Stakeholder (OMKS) working group.	Completed	√				Established and operating.
1.1.2 Ensure infrastructure meets future needs and invest in emerging technologies						
Establishment of a fit for purpose Strategic Fleet Management Plan (SFMP), solution	Not commenced	√	√			Planned for Financial Year (FY) Quarter 3 delivery Quarter 4.
1.2 Utilise the best practice waste diversion and resource recovery solutions						
1.2.1 Continually assess solutions used						
Investigated opportunities to increase landfill airspace utilisation	In progress - on track	√	√	√	√	E-waste contract renewed in line with legislative changes. Landfill roller has been acquired to reduce cover material utilisation.
Identify and access the highest resource recovery solutions for member councils key waste streams	Scheduled 2024/25		√	√		
Identify and develop processes and procedures to improve waste to landfill diversion rates	In progress - on track	√	√			E-waste and HHW contracts renewed alongside ongoing upgrades of Ewaste reception services on site.

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Implement a quarterly fleet and plant utilisation and maintenance reporting system	In progress - on track	√				Checkrite software developed, program for implementation FY Quarter 4.
Monitor and continuously update quarterly fleet and plant utilisation and maintenance reports	Scheduled 2024/25		√	√	√	
Develop internal systems, which are consistent with the WA Government Fleet Policy and Guidelines, to document MRC's fleet related procedures and practices	Scheduled 2024/25		√			
Key Actions	Status	Planned Actions				Comments
		23/24	24/25	25/26	26/27	
Review completed 30 January 2024						
1.3 Maintain responsive business practices and systems						
1.3.1 Evaluate the effectiveness of systems and procedures in light of changing business requirements						
Review market options for a facility management software system which integrates with Weighbridge functions	In progress - on track	√	√			Operational review undertaken FY Quarter 1 IT requirements reviewed (options presented to the Leadership team Feb 24 identifying system options).
Implementation a facility management software system which integrates with Weighbridge functions	Scheduled 2024/25	√	√			
1.3.2 Ensure quality value proposition for members						
Establish member's key metrics for Tamala Park services.	Scheduled 2024/25			√		
Survey members views on Tamala Park services and develop recommendations report	Scheduled 2024/25		√	√	√	Operations managers' forum to commence as referenced at SWG.
1.4 Promote the organisation's profile with external stakeholders						
1.4.1 Engage through formal industry memberships						
Maintain relevant industry memberships to keep up with the trends in Waste Management	In progress - on track	√	√	√	√	The MRC maintains memberships with the Waste Management and Resource Recovery Association of Australia (WMRR), Australian Landfill Owners Association, Australian

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						Organics Recycling Association and the Green Deal Alliance. MRC representatives sit on the WMRR WA State Branch, WA FOGO Working Group and Green Deal Alliance Leadership Team.
1.4.2 Broaden the MRC's wider industry profile through collaboration and partnership						
Actively participate in the wider industry committees, advisory groups, workshops and seminars	In progress - on track	√	√	√	√	Review of communication and media presence commenced, included in the Midyear budget review.
Promote MRC and member council waste achievements / key activities / website links	In progress - on track	√	√	√	√	Review of communication and media presence commenced, included in the Midyear budget review
Promote state waste reduction initiatives	Not commenced	√	√	√	√	
Key Actions	Status	Planned Actions				Comments
		23/24	24/25	25/26	26/27	
Review completed 30 January 2024						
1.4.3 Neighbourhood stakeholder engagement						
Establish a Neighbourhood stakeholder communication plan	Scheduled 2024/25			√		
1.5 Enhance organisational environmental sustainability						
1.5.1 Measure the MRC's environmental impact including carbon footprint						
Develop report on the MRC's environmental impact and provide recommendation for improvement	Scheduled 2024/25		√			Business case under development 24/25 budget.
1.5.2 Develop an implementation action plan to reduce the MRC's environmental impact						
Develop an environmental sustainability action plan	Scheduled 2024/25		√			Business case under development 24/25 budget.

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1.5.3 Allocate budget to address implementation plan						
Deliver environmental sustainable recommendations endorsed by Council	Scheduled 2024/25			√	√	Business case under development 24/25 budget.
2.1 Identify and access infrastructure for the resource recovery of member councils' materials in alignment with the state waste strategy						
2.1.1 Assess processing facilities within the district for the following streams (FOGO, Residual Waste, and Commingled Recyclables)						
Research and identify alternative waste processing opportunities within the district (FOGO)	In progress - on track	√	√			FOGO on track, tender released closing March 2024. Evaluation Quarter 4.
Research and identify alternative waste processing opportunities within the district (District Residual WtE Solution)	In progress - belated	√	√			WtE preferred tenderer nominated, contract negotiations on going for completion Quarter 4.
Research and identify alternative waste processing opportunities within the district (District Commingled Recyclables)	Scheduled 2024/25			√	√	
2.1.2 Deliver opportunities above, as resolved by Council						
Deliver recommendations endorsed by Council	Scheduled 2024/25		√	√	√	Pending above outcomes FOGO, WtE
Key Actions	Status	Planned Actions				Comments
		23/24	24/25	25/26	26/27	
						Review completed 30 January 2024
2.2 Build the circular economy within the district						
2.2.1 Investigate potential and feasibility of other revenue generating resource recovery facilities within the district (Tamala Park, MRC Neerabup site, etc.)						
Develop a waste resource flow model for MRC and its member councils	Scheduled 2024/25		√	√		Business case under development 24/25 budget. Waste Audit considered Quarter 4 / Quarter 1 2025

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Develop Circular Economy Options Report for Tamala Park	Scheduled 2024/25		√	√		Business case under development 24/25 budget
Develop Circular Economy Options Report for Neerabup Site	Scheduled 2024/25		√	√		Business case under development 24/25 budget
Develop a Circular Economy Master Plan	Scheduled 2024/25			√		Business case under development 24/25 Budget
2.2.2 Deliver opportunities above, as resolved by Council						
Deliver circular economy Master Plan as endorsed by Council	Scheduled 2024/25			√	√	Pending above
2.2.3 MRC to advocate for the establishment of a circular economy						
Support the member Councils advocacy for their circular economy objectives through digital platforms	In progress - on track	√	√	√	√	Review of communication and media presence commenced, included in the Midyear budget review
2.2.4 Collaborate with external stakeholders including federal and state government, private sector, and not-for-profit sector						
Utilise CEO forums to actively participate in the circular economy establishment within the wider industry	In progress - on track	√	√	√	√	LG Professionals & CEO connections forums. CEO attends WALGA Regional Council Working Group with all other Perth and Peel Regional Council CEOs.
2.3 Maximise use of MRC's assets and technical capabilities						
2.3.1 Future options appraisal of the Tamala Park site						
Develop Future Use Feasibility Study for Tamala Park	In progress - on track	√	√			Void space model completed, Critical Infrastructure Plan (CIP) 50%, service review underway.

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Key Actions	Status	Planned Actions				Comments
		23/24	24/25	25/26	26/27	
2.3.2 Develop and agree a post-closure plan for the Tamala Park site						
Develop and agree a post-closure plan for the Tamala Park site	In progress - on track	√				Post Closure master plan pending CIP. Presentation to Leadership Team mid Feb 24
2.3.3 Identify and deliver highest value outcome for the MRC's Neerabup site						
Develop future use options report for Neerabup site	Scheduled 2024/25		√	√		
Deliver Neerabup future use recommendations endorsed by Council	Scheduled 2024/25			√	√	
3.1 Maintain efficient and equitable governance						
3.1.1 New Establishment Agreement						
Review of MRC Services and desired outcomes	Not commenced	√	√			Discussions to commence at the Councillor Workshop Feb 24
Assessment of stakeholder arrangements	Not commenced		√	√		
3.1.2 Ensure compliance with all legislative, probity, and regulatory requirements						
Review and deliver Integrated planning framework	In progress - on track	√	√			Framework to be finalised
Deliver External Reporting and Regulatory Audit Programs	In progress - on track	√	√	√	√	
Review the Risk Management Plan and Appetite Statement and maintain reporting systems	In progress - on track	√	√	√	√	
Introduce Corporate Business Plan periodical reporting to the Audit and Risk Committee	In progress - on track	√	√			
Introduce a Fraud and Misconduct Control and Resilience Policy	Completed		√			

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Key Actions	Status	Planned Actions				Comments
		23/24	24/25	25/26	26/27	
3.2 Ensure responsible use of organisational resources						
3.2.1 Resources will be deployed in line with the objectives of the Strategic Community Plan						
Develop project management framework.	In progress - on track	√				Implementation awaiting Business case details to be submitted to Projects team.
Implement the contract management system	In progress - on track	√	√	√	√	Investigation of an INX replacement system underway including a Contract Management System with WHS modules.
Review future infrastructure needs and emerging technologies	In progress - on track	√	√	√	√	Pending Post closure management plan
Strategically plan and manage MRC plant and equipment and fleet to gain the best value and efficiencies	In progress - on track	√	√	√	√	Checkrite software developed, program for implementation Quarter 4
Review and consolidate Tamala Park Waste management facility plans into one single master plan.	In progress - on track	√	√		√	Pending Post closure management plan
Implement a Pollution Incident Response Management Plan (PIRMP) and update the plan on an annual basis.	Not commenced	√				Consultancy pack under development, to include a spill kit response plan.
Review and update the Workforce Plan, Asset Management and Long Term Financial Plan	Not commenced	√	√	√	√	Review to commence Quarter 3

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3.3 Retain financial sustainability with a commercial focus						
3.3.1 Operate in alignment with the organisation's Long Term Financial Plan						
Review of MRC Services and desired outcomes	Not commenced	√	√	√	√	Discussions to commence Councillor Workshop Feb 24.
Review of previous Draft Establishment Agreement with consideration given to a regional authority model						
Develop New Establishment Agreement for Council endorsement	Scheduled 2024/25		√	√		
3.3.2 Explore opportunities for alternative revenue generation and return to members						
Based on endorsed circular economy / commercial opportunities, maintaining positive unrestricted cash and investment balance	Not commenced	√	√	√	√	Planning commenced with purchase of shredder in consideration budget 24/25
Key Actions	Status	Planned Actions				Comments
		23/24	24/25	25/26	26/27	
Review completed 30 January 2024						
3.3.3 Promote and support greener supply chains						
Review and deliver procurement processes that support sustainable procurement objectives	In progress - on track	√	√	√	√	Updated policy to include more sustainable procurement activity. Implemented issues register to monitor performance of contracts with a KPI for greener supply chains. Update to the vehicle policy includes the consideration for electric vehicles.

STATUTORY ENVIRONMENT

The SCP is a requirement of the Local Government Act 1995 and the Local Government (Administration) Regulations 1996

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The CBP 2023-2027 details the services, projects and capital programs to be delivered, and is informed by the Long Term Financial Plan and annual budgets covering the period of the plan.

STRATEGIC IMPLICATIONS

Strategic Community Plan:

Objective 3.1 Maintain efficient and equitable governance

3.1.2 Ensure compliance with all legislative, probity, and regulatory requirements

- Introduce Corporate Business Plan periodical reporting to the Audit and Risk Committee

COMMENT

During the Audit and Risk Committee meeting held on 06 March 2024, the Committee noted that there was an opportunity to review the Corporate Business Plan reporting methodology to gain greater clarity on progress against individual targets. Administration will investigate reporting methodology prior to the next scheduled review.

OFFICER AND AUDIT AND RISK COMMITTEE RECOMMENDATION

That Council endorse the Corporate Business Plan progress report, as presented.

Moved Cr Wright, seconded Cr Hatton

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

For: Crs Castle, Creado, Ferrante, Gobbert, Hatton, Jacob, Mack, Miles, Proud, Vernon and Wright

Against: Nil

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9.6	Critical Infrastructure Plan
File No:	GF-22-0000442
Appendix(s):	Nil
Date:	12 March 2024
Responsible Officer:	Executive Manager Operations

SUMMARY

This report aims to present a concise overview of the strategic workshop session on the Critical Infrastructure Plan (CIP) conducted with the Mindarie Regional Council (MRC) on February 29, 2024.

BACKGROUND

The MRC's Tamala Park Landfill cells are likely to reach capacity within the term of the current Strategic Community Plan, which will significantly affect the current landfill operations across the Tamala Park Waste Management Facility (TPWMF). As a result, the MRC is currently involved in a forward planning exercise to determine what decisions and steps are necessary to determine how the TPWMF operates now and into the future.

One of the Planned Actions outlined in the MRC's Corporate Business Plan (CBP) is the development of a Tamala Park Master Plan within the 2023/24 financial year. The Master Plan is a strategic document designed to outline future goals for site assets utilisation and to inform Council of future land use planning choices.

During the recent strategic workshop, Council acknowledged the significance of establishing a distinct strategy for the future advancement of infrastructure situated at Tamala Park. A number of key pieces of infrastructure were discussed with Council during the workshop session which the Administration sought feedback upon, to better inform how best to move forward with future planning. Discussion on these points with Council highlighted that the potential exists for substantial capital to be deployed in the near future to meet the MRC's and Member Councils' needs.

DETAIL

The foundation of a Master Plan lies in comprehending the significance of waste disposal assurance for the local economy and the environmental consequences of rehabilitating a landfill site. Hence, it is crucial to have a thorough comprehension of the development, execution, and management of the Tamala Park Landfill infrastructure.

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The Tamala Park Master Plan has five separate phases, as illustrated in the diagram below:



Master Plan Development Process

The initial phase of the program entails creating a model of the void area in a landfill (referred to as Item #1 in the above diagram). The landfill void space model is utilised to forecast the point at which the landfill airspace and cover material in Tamala Park will be exhausted. The Landfill Void Space model is influenced by numerous elements, with the potential for a future Waste to Energy contract being the most significant consideration. Negotiations are currently in progress with a preferred tenderer and representatives from all member councils are well informed. The details of any future WTE contract are likely to define the rates at which landfill airspace will be consumed in the future.

The second stage in the development of the Master Plan involves completing a Critical Infrastructure Plan (CIP), which was the subject of the recent strategic workshop and which the Administration proposes be brought before Council for endorsement when complete.

Endorsement, if received, will allow the administration to proceed with the next step in the sequence, which is the development of the Landfill Closure Plan. Following this step, the Post Closure Management Plan (PCMP) outlines the specific assets, infrastructure, and services after the closing of the landfill. The last element of the Master Plan is the impact of all of the variables highlighted in the previously steps and any changes required to the MRC’s Asset Management Plan and Long Term Financial Plan.

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Critical Infrastructure Plan Development

The infrastructure on site plays a crucial role in planning of the following essential functions of Tamala Park:

- MRC Services to Community and Local Economy
- Leachate Management
- Landfill Gas Management
- Waste Volume Intake and Processing Capabilities
- MRC Services to Member Councils
- Landfill Licence Compliance (DWER)
- MRC Administrative Functions
- Landfill Cover Material Management
- Site Rehabilitation
- Tamala Park Future Use Options

An evaluation of the existing site uses, including their location and layout, has been conducted in order to produce the CIP. Metrics considered throughout the assessment process were:

- Infrastructure Effectiveness
- Infrastructure Location
- Infrastructure Useful life
- Asset Renewal/ Upgrade
- Service Delivery Requirements
- Regulatory Requirements
- Legislative requirements
- Upkeep Costs
- Social Impact
- Environmental Impact
- Legal Requirements

The assessment's findings helps to determine the prospective locations and spatial needs for future use at the site. A significant number of the site's 17 assets were built or acquired during the 1990s, well in advance of any future planning for landfill closure. Some of these assets are now inappropriately positioned, in terms of current operations and their ability to contribute value future operations.

The Administration has evaluated all Assets and Infrastructure using the same criteria and ranked them in order of their level of importance, ranging from Critical to Negligible. The following 6 items were classified as high risk and necessitated a discussion with Council at the recent strategic workshop:

1. Leachate Processing Infrastructure
 2. Transfer Station Requirements, Post-Closure
 3. Location of Workshop and Crib Rooms
 4. Reuse Shop Requirements, Post-Closure
 5. Limestone Requirements
 6. Landfill Gas Management
-

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During those discussions, it became evident that each of the issues mentioned above necessitates additional research and inquiries before Council is able to make a decision on how to approach these assets in the future. Concise summaries of the outcomes of each item's discussion are listed below:

1. *Leachate Processing Infrastructure*
 - Finalise the external technical assessment of potential leachate treatment options
 - Finalise the external assessment of the necessary approvals process for any future leachate processing solution. Once the above actions are completed, prepare an options report for Council that summarises the available choices and the financial implications of each alternative.
 2. *Transfer Station Requirements, Post-Closure*
 - Assess the present and projected future use and expenses associated with the asset's operation.
 - Conduct a risk assessment of the Asset in its current condition.
 - Conduct a comprehensive capital cost evaluation for a potential enhancement of the asset.
 - Identify the geographical split of individuals or entities utilising the facility and quantify the volume of waste generated by the asset.
 - Decide on the strategy for a Community Consultation plan in the event that the closure of the Asset and/or its improvement is being considered.
 3. *Location of Workshop and Crib Rooms*
 - Prepare high level cost assessment for a potential asset relocation.
 - Determine future use options for any legacy asset following relocation.
 4. *Reuse Shop Requirements, Post-Closure*
 - Assess the present and projected future use and expenses associated with the Asset's operation.
 - Conduct a risk assessment of the Asset in its current condition.
 - Conduct a comprehensive cost evaluation for a potential enhancement of the asset.
 - Identify the geographical split of individuals or entities utilising the facility and quantify the volume of waste generated by the asset.
 - Decide on the strategy for a Community Consultation plan in the event that the closure of the Asset and/or its improvement is being considered.
 5. *Limestone Requirements*
 - Create a model to illustrate the amount of the existing stockpile acting as a buffer screen that will remain after extraction of any necessary materials.
 - Conduct a cost analysis comparing the expenses of imported cover material with those of on-site material.
 - Undertake a review to assess and plan for any issues associated with the site leasing agreement and any regulatory factors.
 - Develop a strategy for community consultation to manage the effects of a reduction in the limestone stockpile.
-

MINDARIE REGIONAL COUNCIL
 ORDINARY COUNCIL MEETING MINUTES
 28 March 2024

6. *Landfill Gas Management*

- Conduct a high-level evaluation of the condition of the current site assets to identify which components require upgrade or renewal as the current landfill gas management contract in place expires.
- Verify the validity of all existing agreements and contracts.
- Consider leasing arrangements to offset the required capital investment at the end of the contract
- Model scenario based on the assumptions on revenue and costs.
- Consider future use requirements pertaining to behind the meter power supply and other revenue generating considerations

It is proposed that the Critical Infrastructure Plan will be presented to Council at its ordinary Council meeting held in May 2024, for resolution.

CONSULTATION

A strategic workshop was held with Council on 29 February. The Strategic Working Group was consulted prior to the workshop held with Council.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The financial implications of any future Master Plan will be tabled at a future Ordinary Council Meetings.

STRATEGIC IMPLICATIONS

STRATEGIC COMMUNITY PLAN 2023 - 2032	
Strategic Objective 1: Deliver best practice services	
Strategy 1.1	Operate waste management activities effectively
Strategy 1.2	Utilise best practice waste diversion and resource recovery solutions
Strategic Objective 2: Position MRC to provide world class waste management options	
Strategy 2.3	Maximise use of the MRC's assets and technical capabilities

MINDARIE REGIONAL COUNCIL
 ORDINARY COUNCIL MEETING MINUTES
 28 March 2024

Strategic Objective 3: Deliver best practice governance processes and structures	
Strategy 3.2	Ensure responsible use of organisational resources
Strategy 3.3	Retain financial sustainability with a commercial focus

COMMENT

The Administration notes the consensus view expressed during the workshop regarding the significance of the CIP and its timely completion in order to move to the next phase in the development of the MRC Master Plan.

In light of the outcomes of the strategic workshop, the Administration expects that the Critical Infrastructure Plan will be formally i tabled to Council at the May 2024 OCM, for consideration.

VOTING REQUIREMENT

Nil

RESPONSIBLE OFFICER RECOMMENDATION

1. That Council note the details contained within the report.

Moved Cr Hatton, seconded Cr Vernon

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

For: Crs Castle, Creado, Ferrante, Gobbert, Hatton, Jacob, Mack, Miles, Proud, Vernon and Wright
Against: Nil

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MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
28 March 2024

10 MEMBERS INFORMATION BULLETIN – ISSUE NO. 82**RESPONSIBLE OFFICER RECOMMENDATION**

That the Members Information Bulletin Issue No. 82 be received.

Moved Cr Gobbert, seconded Cr Wright

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

For: Crs Castle, Creado, Ferrante, Gobbert, Hatton, Jacob, Mack, Miles, Proud, Vernon and Wright

Against: Nil

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 URGENT BUSINESS

Nil

13 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

MINDARIE REGIONAL COUNCIL
 ORDINARY COUNCIL MEETING MINUTES
 28 March 2024

14 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

The CEO has not released the reports for items 14.1 and 14.2 for public viewing.

Moved Cr Proud, seconded Cr Hatton

Procedural motion:

That Council:

1. Closes the meeting to the members of the public at 6.50 pm to consider items 14.1 and 14.2 in accordance with section 5.23 of the Local Government Act 1995.
2. Permits the MRC Chief Executive Officer and MRC staff to remain in the chamber during discussion for item 14.1 and 14.2.

Doors closed at 6.50 pm.

Member Council Officers left the gallery, there were no members of the public present in the gallery.

(CARRIED UNANIMOUSLY 11/0)

*For: Crs Castle, Creado, Ferrante, Gobbert, Hatton, Jacob, Mack, Miles, Proud, Vernon and Wright
 Against: Nil*

This Report is Confidential and dealt with in a Confidential Session, under section 5.23 (2)(f)(ii) of the Local Government Act 1995 as the report deals with matters concerning risk	
14.1	HIGH RISK REGISTER
File No:	GF-22-0000442
Attachment(s):	Attachment 1 – High Risk Register Attachment 2 – Risk Assessment and Acceptance Criteria V3 Attachment 3 – Risk Management Plan and Appetite Statement
Date:	13 March 2024
Responsible Officer:	Chief Executive Officer

OFFICER AND COMMITTEE RECOMMENDATION

That Council notes the high risk register as presented.

Moved Cr Hatton, seconded Cr Ferrante

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

*For: Crs Castle, Creado, Ferrante, Gobbert, Hatton, Jacob, Mack, Miles, Proud, Vernon and Wright
 Against: Nil*

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
28 March 2024

This Report is Confidential and dealt with in a Confidential Session, under section 5.23 (2)(f)(ii) of the Local Government Act 1995 as the report deals with matters concerning risk	
14.2	CEO's REVIEW OF RISK MANAGEMENT, INTERNAL CONTROLS AND LEGISLATIVE COMPLIANCE
File No:	GF-22-0000089
Attachment(s):	Attachment 1 – Civic and Legal Systems Procedure Review
Date:	13 March 2024
Responsible Officer:	Chief Executive Officer

OFFICER AND COMMITTEE RECOMMENDATION

That Council:
Endorses the CEO's Review of Risk Management, Internal Controls and Legislative Compliance completed 16 February 2024.

Moved Cr Wright, seconded Cr Hatton RESOLVED

That the recommendation be adopted
(CARRIED UNANIMOUSLY 11/0)

*For: Crs Castle, Creado, Ferrante, Gobbert, Hatton, Jacob, Mack, Miles, Proud, Vernon and Wright
Against: Nil*

Moved Cr Creado, seconded Cr Proud Procedural Motion:

That Council:

- Reopen the meeting to members of the public at 6.53pm

To re-open the meeting to the public.

(CARRIED UNANIMOUSLY 11/0)

*For: Crs Castle, Creado, Ferrante, Gobbert, Hatton, Jacob, Mack, Miles, Proud, Vernon and Wright
Against: Nil*

Doors re-opened at 6.54 pm, the Chair declared the meeting re-opened. As there were no members of the public present, the Chair noted the resolutions passed behind closed doors.

15 NEXT MEETING

The next Ordinary Council meeting is to be held on Thursday 30 May 2024 at the City of Stirling commencing at 6.30 pm.

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MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
28 March 2024

16 CLOSURE

The Chair closed the meeting at 6.55 pm and thanked the City of Wanneroo for their hospitality and use of their meeting facilities.

Signed.....Chair

Dated.....day of2024

Statistics for Development Applications As at the end of March 2024

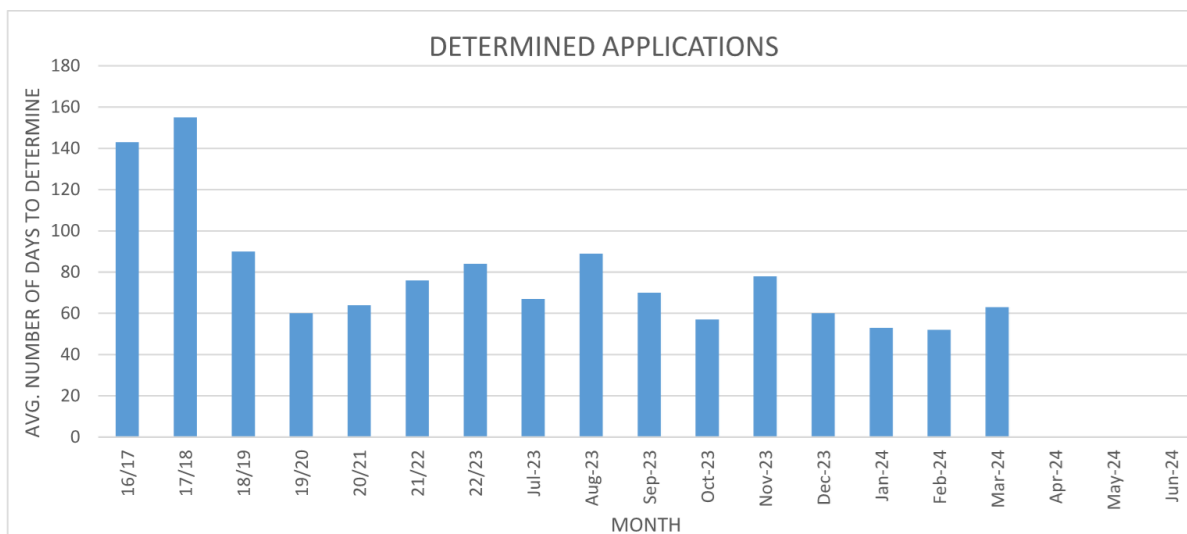
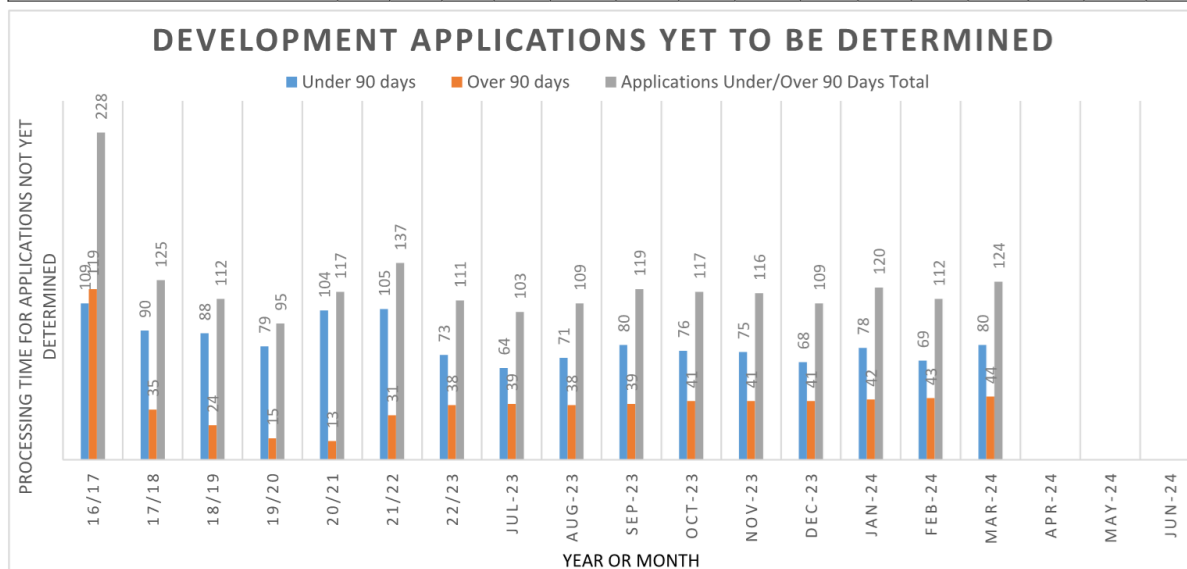


Table 1: Minimum, Average and Maximum Processing Timeframes for determined applications in each financial year since 2016/17 and each month since July 2022.

Processing Days	16/17	17/18	18/19	19/20	20/21	21/22	22/23	Jul-23	Aug-23	Sept-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24
Minimum	7	1	0	0	0	1	0	8	14	31	7	14	7	5	6	1			
Average	143	155	85	60	64	76	84	67	89	70	57	78	60	53	52	63			
Maximum	924	1008	787	499	268	298	280	301	362	89	89	159	89	89	165	88			

	20/21	21/22	22/23	Jul-23	Aug-23	Sept-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24
DA's Determined (excludes exempt from approval or cancelled)	403	385	281	37	18	15	28	18	31	15	29	22			
Value of Determined DA's (in millions)	217	143	417	12.1	66.42	3.43	10.3	237.3	9.85	6.2	7.8	4.48			



	Jul-23	Aug-23	Sept-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24
DA's lodged	16	30	33	27	24	27	25	22	36			
DA's to be Determined	103	109	119	117	116	109	120	112	124			
Value of DA's to be Determined (in millions)	268.68	252.92	257.1	260.5	78.1	76.2	78.5	78.1	84.9			

REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS
AS AT 4 APRIL 2024

NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
1.	Nos. 212-214 Lake Street, Perth (DR 223 of 2021)	19 October 2021	Hanoze Park Pty Ltd	<p>Application for review of notice issued in accordance with the <i>Health (Miscellaneous Provisions) Act 1911</i> to address odour nuisance at 7 Grams Chicken Café. Hanoze Park Pty Ltd believes the notice to be invalid.</p> <p>*****</p> <p>SAT Directions Hearings were held on 5 and 11 November 2021, and a further directions hearing held 1 March 2022. The presiding member heard submissions from the City and from the Applicant. On 20 April 2022, the Tribunal handed down their decision, affirming the decision of the City that a Notice can be given under S.184 of the <i>Health (Miscellaneous Provisions) Act 1911</i> (for a nuisance not specifically mentioned in Section 182 of that Act). The matter proceeded to confidential mediation on 5 July 2022. The session centred on a practical solution proposed by the business. The business agreed to present plans for this solution to the City to review by 2 August 2022 with a further mediation hearing scheduled for 9 August 2022. SAT agreed to further adjournment to 21 September 2022. Applicant required to submit mechanical drawings prior to the next SAT Hearing. Matter further adjourned to 17 November 2022 as the consultant contracted by Hanoze Park Pty Ltd passed away. Mechanical drawings have been submitted and it has been identified that a development application and building application would be required. Mediation listed for 17 November 2022 was vacated, and matter is listed for hearing on 3 March 2023. A development approval has been issued for external fixtures, and the City is awaiting submission of a building application for solution.</p> <p>The SAT mediation hearing that was schedule for 3 March 2023, was adjourned, with the matter relisted for a Directions Hearing on 14 April 2023. The City is advised the installation of the new exhaust system at the premises is imminent.</p> <p>The SAT hearing that as schedule for 14 April 2023, was adjourned, with the matter relisted for 12 May 2023. The City is advised the installation of the new exhaust system will be completed by 2 May 2023.</p> <p>The two parties will return to SAT on 23 June 2023. At this time, the matter will either be resolved to the satisfaction of both parties, adjourned to a later mediation or programmed for a Hearing by the SAT Member.</p> <p>29 June 2023. The SAT Directions hearing set for 23 June was adjourned and relisted for 21 July 2023. At this time, the matter will either be resolved to the satisfaction of both parties, or it will likely be programmed for a Hearing by the SAT Member.</p> <p>The matter was heard by the Senior Member at SAT on 21 July 2023. The matter was listed for a directions hearing on 29 September 2023. Within the timeframe specified by the Order, the City and the Applicant lodged their statements of issues, facts and contentions.</p> <p>As at 30 October 2023 – matter has been listed for a final hearing, commencing 18 March 2024. SAT hearing took place between 18 – 21 March 2024. Matter has been adjourned, for a decision. Decision not expected for 2 – 3 months.</p> <p><i>Representation by: McLeods</i></p>

REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS
AS AT 4 APRIL 2024

NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
2.	Nos. 41-43 & 45 Angove Street, North Perth (DR 81 of 2023)	1 June 2023	Hidding Urban Planning/Lavan	<p>Application for review of a Joint Development Assessment Panel decision to refuse an application for a Service Station on 3 May 2023.</p> <p>*****</p> <p>Directions hearing held on 16 June 2023. Mediation held on 4 July 2023, with Mayor Cole and interested community members in attendance to make a presentation. A second mediation was scheduled for 14 August 2023 and was vacated. Mediation was rescheduled to 10 October 2023 and was subsequently vacated. The matter was listed for a directions hearing on 10 November 2023 to schedule a new date for mediation. This was vacated. The matter has been listed for a directions hearing on 2 February 2024 with the applicant to provide additional information by 11 January 2024. The applicant has yet to provide any additional information and the matter is still proceeding to the directions hearing on 2 February 2024. The directions hearing has been vacated and the matter has been listed to a further mediation on 27 February 2024. This mediation been scheduled for 6 May 2024.</p> <p><i>Representation by: JDAP Presiding Member</i></p>
3.	Nos. 334-336 Beaufort Street, Perth (DR 87 of 2023)	9 June 2023	Dark Knight Retail Pty Ltd t/as Evolution Bikes Australia	<p>Application for review of Council decision to refuse an application for Proposed Alterations and Additions to Shop (Roller Shutters) (Unauthorised Existing Development) on 16 May 2023.</p> <p>*****</p> <p>Directions hearing held on 23 June 2023. Mediation held on 13 July 2023 and 3 November 2023. Further Directions hearings held on 17 November 2023, 24 November 2023 and 11 December 2023 to program the matter for a final hearing. The SAT issued Orders on 11 December 2023 with the following key dates for final hearing:</p> <ul style="list-style-type: none"> • 12 January 2024 – Respondent Statement of Issues, Facts and Contentions due to SAT. • 2 February 2024 – Applicant Statement of Issues, Facts and Contentions due to SAT. • 23 February 2024 – Applicant and Respondent witness statement's due to SAT. • 8 March 2024 – Respondent without prejudice draft conditions due to SAT. • 15 March 2024 – Applicant response to without prejudice conditions due to SAT. • 3 April 2024 – SAT final hearing. <p>The decision of this matter is expected up to 90 days after the final hearing.</p> <p><i>Representation by: Altus Planning</i></p>
4.	Nos. 37-43 Stuart Street, Perth (DR184 of 2023)	20 December 2023	Planning Solutions/Lavan	<p>Application for review of conditions of a Joint Development Assessment Panel decision to approve an application for an Unlisted Use (Community Purpose) and Alterations and Additions on 10 November 2023.</p> <p>*****</p> <p>Directions hearing vacated and mediation scheduled for 14 February 2024. Mediation held on 14 February 2024. Matter listed for a further mediation on 19 April 2024 with the applicant providing further information for consideration on 27 March 2024.</p> <p><i>Representation by: JDAP Presiding Member</i></p>

REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS
AS AT 4 APRIL 2024

NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
5.	Nos. 412-414 Fitzgerald Street, North Perth (DR24 of 2024)	15 February 2024	Lavan	Application for review of a deemed refusal for an application to amend an approval for signage. ***** Directions hearing scheduled for 1 March 2024 vacated. Mediation held on 25 March 2024. Matter listed for a further Mediation on 18 April 2024 with the applicant to provide further information by 12 April 2024. <i>Representation by: Administration</i>

**METRO INNER-NORTH JOINT DEVELOPMENT ASSESSMENT PANEL (DAP)
REGISTER OF APPLICATIONS RELATING TO THE CITY OF VINCENT
AS AT 4 APRIL 2024**

No.	ADDRESS	APPLICANT	PROPOSAL	DATE APPLICATION RECEIVED	DAP MEETING DATE	DAP DECISION
1.	No. 168 Scarborough Beach Road, Mount Hawthorn	Rowe Group	Form 1 – Mixed Use Development	22 August 2023	Not yet scheduled	The application is on stop-the-clock as the City has requested further information. A due date for the Responsible Authority Report has not yet been confirmed and will be updated upon receipt of the information requested by the City.
2.	No. 299 Charles Street, North Perth	Space Collective	Form 1 – Mixed Use Development	29 November 2023	Not yet scheduled	The application is on stop-the-clock as the City has requested further information. A due date for the Responsible Authority Report has not yet been confirmed and will be updated upon receipt of the information requested by the City.
3.	No. 141 West Parade, Mount Lawley	Planning Solutions	Form 2 – Amendment to Mixed Use Development	6 December 2023	Not yet scheduled	The application is currently under assessment. Responsible Authority Report is currently due on 3 May 2024.
4.	Nos. 289-295 Vincent Street, Leederville	PTS Town Planning	Form 2 – Amendment to Mixed Use Development	11 December 2023	Not yet scheduled	The application is on stop-the-clock as the City has requested further information. A due date for the Responsible Authority Report has not yet been confirmed and will be updated upon receipt of the further information requested by the City.
5.	No. 195 Beaufort Street, Perth	Lateral Planning	Form 1 – Mixed Use Development	5 January 2024	Not yet scheduled	The application is on stop-the-clock as the City has requested further information. A due date for the Responsible Authority Report has not yet been confirmed and will be updated upon receipt of the further information requested by the City.

**METRO INNER-NORTH JOINT DEVELOPMENT ASSESSMENT PANEL (DAP)
REGISTER OF APPLICATIONS RELATING TO THE CITY OF VINCENT
AS AT 4 APRIL 2024**

No.	ADDRESS	APPLICANT	PROPOSAL	DATE APPLICATION RECEIVED	DAP MEETING DATE	DAP DECISION
6.	No. 538 Fitzgerald Street, North Perth	Planning Solutions	Form 2 – Amendment to Mixed Use Development	29 January 2024	Not yet scheduled	The application is currently under assessment. Responsible Authority Report is currently due on 29 April 2024.

DAP Process Improvements:

The City's Administration has changed the process for DAP matters. This will include early confirmation of the availability of Elected Members that are DAP Members to attend DAP meetings. This will also include the circulation of the Responsible Authority Report to all Elected Members on contentious DAP items.

**CITY OF VINCENT DESIGN REVIEW PANEL
REGISTER OF APPLICATIONS CONSIDERED BY DESIGN REVIEW PANEL
AS AT 4 APRIL 2024**

ADDRESS	APPLICANT	PROPOSAL	DRP MEETING DATE	REASON FOR REFERRAL
No. 195 Beaufort Street, Perth	Lateral Planning	Mixed Use Development	28 February 2024	Lodged DA – Previously Referred To consider amendments to the proposal made in response to the comments of the Design Review Panel (DRP) on 3 May 2023.



INFORMATION BULLETIN

TITLE:	Register of Petitions – Progress Report – April 2024
DIRECTORATE:	Chief Executive Officer

DETAILS:

Petitions received by the City of Vincent are read out at the Council Meeting and are referred to the appropriate Director for investigation and report. This normally takes 6-8 weeks and the purpose of this report is to keep the Council informed on the progress of the petitions which have been reported to the Council.

A status report is submitted to Council as an Information Bulletin item on a monthly basis.

The following petitions still require action or are in the process of being actioned.

Key Index:	
CEO:	Chief Executive Officer
EDCBS:	Executive Director Community & Business Services
EDIE:	Executive Director Infrastructure & Environment
EDSD:	Executive Director Strategy & Development

Date Rcd	Subject	Action Officer	Action Taken
12/3/2024	A petition with 6 signatures has been received from Matt Dowell of Perth. The petition requests that the Council investigate options to address the road safety concerns of residents of Brisbane Street between Lake and Palmerston Street. The petition attaches a survey completed by 22 people comprising a large percentage of local residents and outlines concerns including accidents and near misses and an overwhelming desire for traffic calming and parking congestion to be addressed.	EDIE	Report will be submitted to April 2024 Council Meeting



INFORMATION BULLETIN

TITLE:	Register of Notices of Motion – Progress Report – April 2024
DIRECTORATE:	Chief Executive Officer

DETAILS:

A status report is submitted to Council as an Information Bulletin item on a monthly basis.

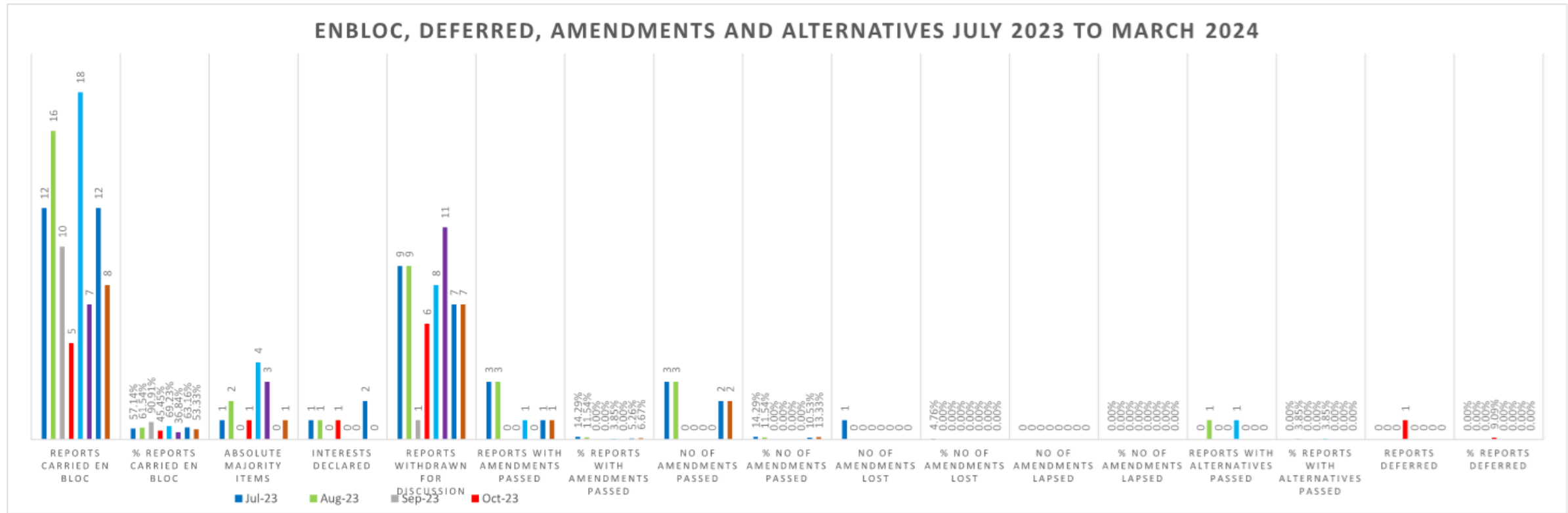
The following Notices of Motion still require action or are in the process of being actioned.

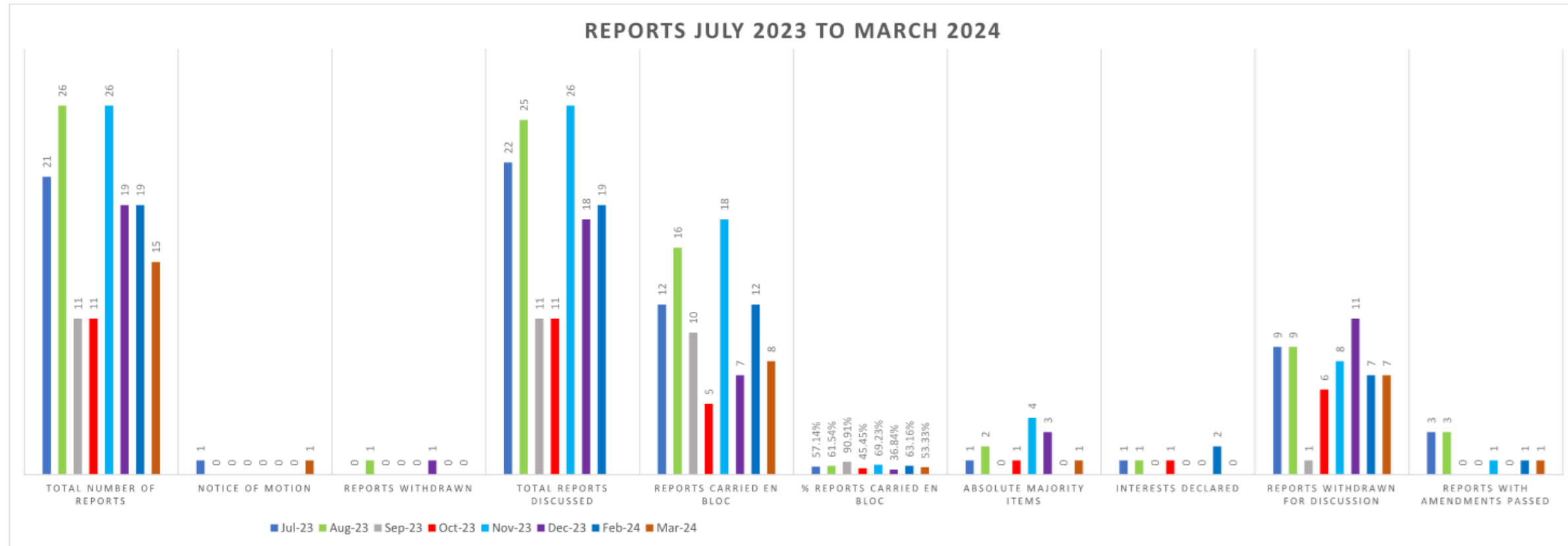
Key Index:	
CEO:	Office of the CEO
EDCBS:	Executive Director Community & Business Services
EDIE:	Executive Director Infrastructure & Environment
EDSD:	Executive Director Strategy & Development

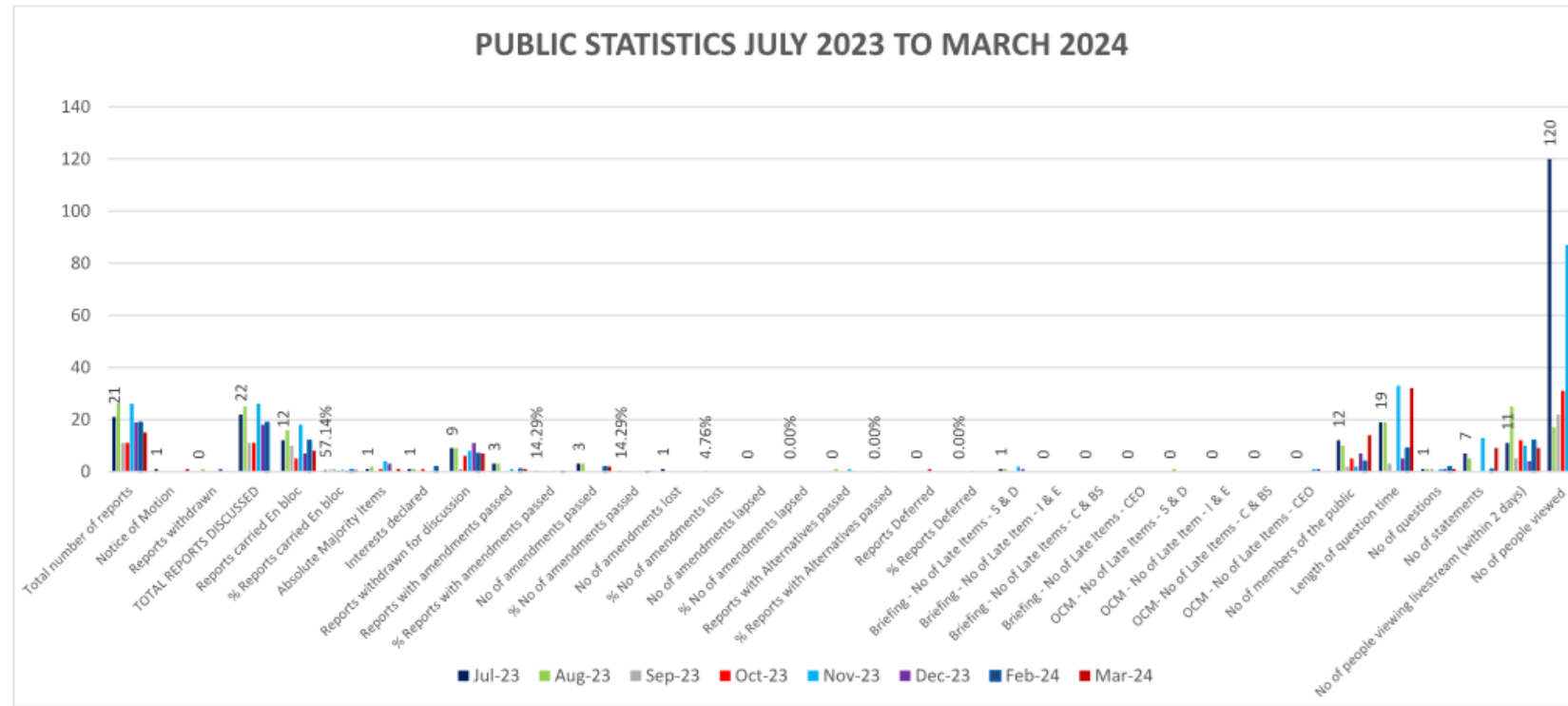
Details	Action Officer	Comment
Protection and promotion of trees on private land	EDSD	Administration to present options to explore possible planning controls at Council Workshop in May 2024.

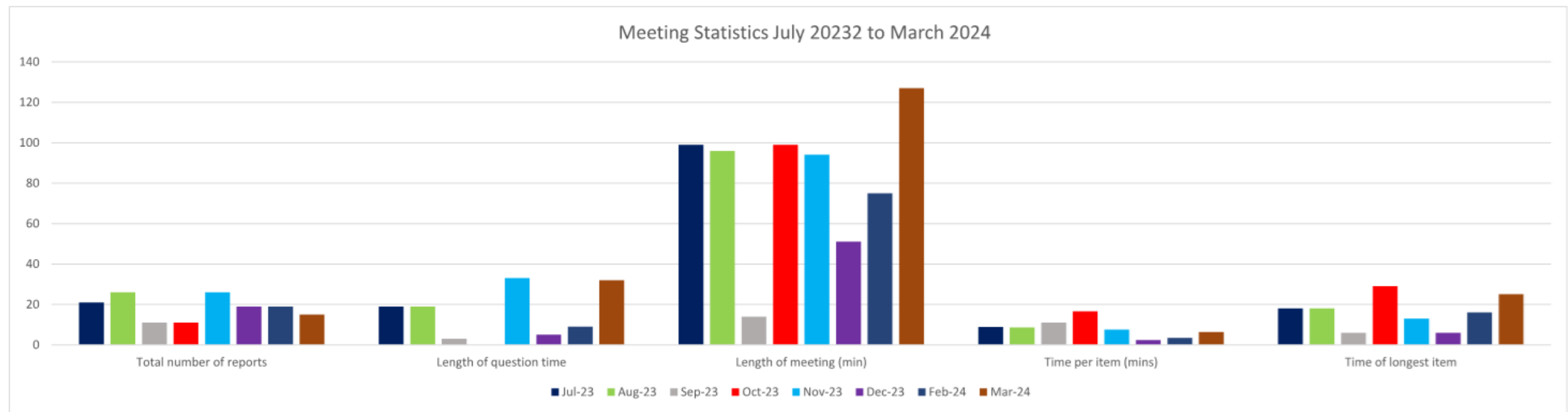
Item Num	Meeting	Council Meeting	Agenda Report Item	Resolution Action Item	Council Decision	Director	Comments	Due Date
12.4	OCM	19/03/2024	Responses to Motions Carried at the Annual General Meeting of Electors held on 1 February 2024	Motion 4.2 – Dust at Menzies Park - That Council REQUESTS Administration identifies a temporary solution to stabilise and mitigate dust on this section of verge and brings a report back to Council with a recommendation for a permanent solution by no later than March 2025.	Carried with amendment	EDIE	Investigations for alternate treatment progressing.	March 2025
10.1	OCM	19/03/2024	Beaufort Street Precinct Area Road Safety Treatments	That the motion be deferred for the following reasons: 1. To allow further public consultation on the direction of the one way street; 2. To allow further consideration of a trial, particularly the cost of implementation and removal; 3. To allow for the provision of more information on how this treatment might limit the options the City can undertake in Beaufort Street and the rest of the precinct as per the Road Safety Implementation Plan; A report being prepared and to be returned to the 21 May 2024 Council Meeting.	Carried Deferral 9/0	EDIE		May 2024
12.2	OCM	13/02/2024	12.2 Advertising of New Policy - Property Investment and Disposal Policy	That Council APPROVES the proposed Property Investment and Disposal Policy, at Attachment 1, for the purpose of community consultation.	carried en bloc	EDSD	Consultation closes 10 April 2024	May 2024
9.6	OCM	13/02/2024	Advertising of New Policy - Healthy Food and Drink Policy	That Council APPROVES the proposed 'Healthy Food and Drink Policy', at Attachment 1, for the purpose of community consultation.	carried 8-0	EDSD	Advertising to commence 28 February 2024. Advertising closed -21 March 2024.	May 2024
10.2	OCM	12/12/2023	Response to Petition - Ellesmere Street, North Perth Parking	RECEIVES a further report at the conclusion of the collection of traffic data and public consultation.	Carried 7/0	EDIE	LM - 20.01.2023 Traffic Data to be obtained in February 2024.	November 2024
10.1	OCM	12/12/2023	Response To Petition - Corner Scarborough Beach Road and Killarney Street - Maintenance and Infrastructure	REQUESTS administration to complete a review of the location of Scarborough Beach Road and Killarney Street for improved and additional signage and if warranted, provide a concept design on road infrastructure improvements to address road safety concerns which will be included in the wider precinct wide traffic modelling for the Mount Hawthorn area.	Carried 7/0	EDIE	LM - 20.01.2024 Traffic data and concept design to be issued for community consultation with residents and school in March 2024.	November 2024
17.1	OCM	21/11/2023	Undertakings relating to the Parking Local Law 2023	2. AUTHORISES the Chief Executive Officer to provide local public notice in accordance with section 3.12(3) of the Local Government Act 1995, for a period of at least 6 weeks, that: 2.1 It is proposed to make the City of Vincent Parking Amendment Local Law 2024 at Attachment 2; 2.2 the purpose of this amendment local law is to amend certain provisions of the City of Vincent Parking Local Law 2023; 2.3 the effect of this amendment local law is to provide further clarity of the requirements that any person parking a vehicle within the City of Vincent is to comply with these provisions; 2.4 copies of the proposed amendment local law are available for inspection at the City's office, Library and Local History Centre and on its website	Carried 8/0	EDIE	Amendment initiated.	April 2024
10.1	OCM	21/11/2023	Advertising of amended policy - Street Trees	That Council APPROVES the proposed amendments to the Street Tree Policy, at Attachment 1, for the purpose of community consultation.	Carried en bloc	EDIE	public consultation initiated.	May 2024
9.2	OCM	17/10/2023	Amendment to the Municipal Heritage Inventory: 40 Guildford Road, Mount Lawley	That the motion be deferred to seek further advice from the Department of Planning, Lands and Heritage and Main Roads WA regarding the justification for widening in this particular location, supported by traffic studies, applicable standards and potentially requesting some level of detailed design around what is proposed in this area that would necessitate demolition of this structure. An updated report is to be provided to Council by March 2024.	Deferred 7-1	EDSD	Applicant provided additional information 1 March 2024 in response to Council deferral. Item to be presented to April OMC.	April 2024
10.4	OCM	22/08/2023	Tender - Scooter Shared Scheme Trial	REQUESTS the CEO to provide a report to Council within nine months of practical operation of the trial assessing its impacts and whether an extension of the permit will be issued.	Carried with amendment 7/1	EDIE	LM 20.01.2024 - Beuron and BEAM engaged for the 12-month trial. Report to be issued to council on the trial in August 2024. Launch of EES achieved 12 November 2023. One provider (Bird) has withdrawn from trial. Initial report of first week of operations to Council Workshop November 2023.	August 2024
10.3	OCM	14/03/2023	Waste Strategy Project – Verge Valet Vincent Trial Update		Carried En bloc	EDIE	Extend trial 12 months (July 2023- June 2024).	July 2024
12.4-4.2	AGM	14/03/2023	Development Green Space - That Council REQUEST the CEO to present a review of the landscaping requirements in the City's Built Form Policy to Council by December 2023.		Carried En bloc	EDSD	Administration completed a review of the City's Built Form Policy against the State's Medium Density Code. Commencement of this Code has now been deferred by the State Government to enable them to make changes to their approach to medium density development.	Late 2024
Motion 4	AGM	14/03/2023	Pedestrian Safety (Newcastle / Fitzgerald)	4.5.1 That the City of Vincent addresses the safety issues for pedestrians at the corner of Fitzgerald Street and Newcastle Street in this financial year 2022/23. 4.5.2 That the City of Vincent places a bollard or visual deterrent to offer a pedestrian refuge and protection of the Heritage listed building on the corner Newcastle Street and Fitzgerald Street. (similar to what exists on the City of Perth side of the fore mentioned intersection).	Carried 8/0	EDIE	Improvements / modifications to the intersection of Newcastle and Fitzgerald Streets requires the collaboration of several stakeholders and is expected to take over eighteen months to achieve. The interim solution has the support of the proposer of the motion.	2024
10.1	OCM	13/12/2022	Stormwater Drainage	That Council SUPPORTS the City's approach to develop a stormwater drainage strategy over the next three (3) financial years predicated on the following	Unanimous 9/0	EDIE	Commencing within the Mount Hawthorn precinct; Hydraulic modelling to be undertaken in 2023 – 2024 financial year (estimated cost of \$80,000 - \$160,000). Initial works undertaken to address flooding in William Street. Designs finalised for works in Lynton Street.	2024
9.4	OCM	08/03/2022	Sale of No. 26 Brentham Street, Leederville	APPROVES the disposal of the City's Lot 37 (No. 26) Brentham Street, Leederville, pursuant to section 3.58 of the Local Government Act 1995, and subject to amendment to Local Planning Scheme No. 2 (LPS2) to reclassify a portion of Lot 37 (No. 26) Brentham Street, Leederville from Public Open Space reserve to R60	Carried with Amendments from Mayor Cole and Cr Loden – 9/0	EDSD	Scheme Amendment approved. Liaising with potential purchaser. Confirmation with adjoining landowner, interested in making offer for purchase.	June 2024
9.7	OCM	14/09/2021	Outcomes of Advertising: Draft Precinct Structure Plan and Draft Place Plan – Leederville; and Preparation of Amendment 7 to Local Planning Scheme No. 2	RECOMMENDS that the Western Australian Planning Commission approve the modifications listed at Attachment 4 and the revised Leederville Precinct Structure Plan included as Attachment 5; subject to modifying the Public Open Space at Oxford Street Reserve to reflect Attachment 7, with the remainder of 62 Frame Court, Leederville zoned Mixed Use R-AC0;	Carried with Amendment	EDSD	LPSP referred to WAPC for comment and endorsement. Previous comments: Final comments not expected until mid late 2022 early mid late 2023. Statutory Planning Committee anticipated to consider before the end of 2023. DPLH advised in February that Amendment 7 currently with Minister for approval, and LPSP to be presented to SPC mid-2024.	Mid 2024

Council Meeting Statistics – March 2024









COUNCIL WORKSHOPS

One workshop has been held since 5 March 2024, it was on 9 April 2024. The topics on the agenda were:

- Underground Power Program Update
- Community Consultation Workshop (1 hour)
- Community Infrastructure Plan update
- Communications and Engagement Calendar
- Stretch Reconciliation Action Plan 2024 – 2027



CITY OF VINCENT

NOTES

Council Briefing

12 March 2024

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**NOTES OF CITY OF VINCENT
COUNCIL BRIEFING
HELD AS E-MEETING AND AT THE ADMINISTRATION AND CIVIC CENTRE,
244 VINCENT STREET, LEEDERVILLE
ON TUESDAY, 12 MARCH 2024 AT 6.00PM**

PRESENT:	Mayor Alison Xamon Cr Alex Castle Cr Suzanne Worner Cr Nicole Woolf Cr Jonathan Hallett Cr Ashley Wallace Cr Sophie Greer Cr Ashlee La Fontaine	Presiding Member North Ward North Ward North Ward South Ward South Ward South Ward South Ward
IN ATTENDANCE:	David MacLennan Peter Varris Rhys Taylor Jay Naidoo Luke McGuirk Lisa Williams Karsen Reynolds Mitchell Hoad John Corbellini Joslin Colli Wendy Barnard	Chief Executive Officer Executive Director Infrastructure & Environment Chief Financial Officer A/Executive Director Strategy & Development Manager Engineering (left at 7.25pm after Item 8.5) Executive Manager Communications & Engagement (left at 7.23pm after Item 8.5) A/Manager Development & Design (left at 7.23pm after Item 8.5) A/Manager Strategic Planning & Specialist Planner Director Major Projects (Left at 7.09pm after Item 5.4) Executive Manager Corporate Strategy & Governance Council Liaison Officer
Public:	Approximately eight members of the public.	

1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

The Presiding Member, Alison Xamon, declared the meeting open at 6.00pm and read the following Acknowledgement of Country statement:

"The City of Vincent would like to acknowledge the Traditional Owners of the land, the Whadjuk people of the Noongar nation and pay our respects to Elders past and present."

2 APOLOGIES / MEMBERS ON APPROVED LEAVE OF ABSENCE

Cr Ron Alexander is an apology for this meeting.

3 PUBLIC QUESTION TIME AND RECEIVING OF PUBLIC STATEMENTS

The following is a summary of questions and submissions received and responses provided at the meeting. This is not a verbatim record of comments made at the meeting.

3.1 Louise Schneider of Mt Lawley – Item 6.1

Spoke regarding the recommendation.
Full details of her statement can be found [here](#).

The Presiding Member, Alison Xamon, thanked Ms Schneider for his comments.

2. Ralph Groom of Mt Lawley – Item 6.1

Spoke regarding the recommendation.
Full details of his statement can be found [here](#).

3. Marie Slyth of West Perth – Item 8.4

Spoke regarding the recommendation.
Full details of her statement can be found [here](#).

The Presiding Member, Alison Xamon, thanked Ms Slyth for her comments.

4. Dudley Maier of Highgate – Item 8.4

Spoke regarding the recommendation.
Full details of his statement can be found [here](#).

The Presiding Member, Alison Xamon, thanked Mr Maier for his comments.

5. Peter Eastwood of West Leederville – Item 5.4

Spoke regarding the recommendation and provided photographs which were circulated to Elected Members.
Full details of his statement can be found [here](#).

The Presiding Member, Alison Xamon, thanked Mr Eastwood for his comments.

6. Greg Eastwood of Dianella - Item 5.4

Spoke regarding the recommendation.
Full details of his statement can be found [here](#).

The Presiding Member, Alison Xamon, thanked Mr Eastwood for his comments.

7. Pauline Holdaway of West Leederville – Item 5.4

Spoke regarding the recommendation.
Full details of his statement can be found [here](#).

The Presiding Member, Alison Xamon, thanked Ms Holdaway for her comments.

COUNCIL BRIEFING NOTES

12 MARCH 2024

The following comments were submitted in writing prior to the Briefing:

Trish Byrne of Burswood – Item 5.4

NO. 71 (LOT: 200; D/P: 92012) EDWARD STREET AND NO. 120 (LOT: 1001; D/P: 29129) CLAISEBROOK ROAD, PERTH - PROPOSED EXTENSION OF TIME TO EXISTING CONCRETE BATCHING PLANTS

As landowners within the North Claisebrook precinct, we sincerely thank the City staff and Council for your ongoing efforts related to the relocation of the batching plants, your recognition of the importance of this issue to the community, and critically, your recommendation to not support the development applications made to the State Government under Part 17 (Special provisions for COVID-19 pandemic relating to development applications) of the Planning and Development Act 2005, for the continued operation of the two existing Concrete Batching Plants at No. 71 Edward Street (application reference SDAU-069-23) and No. 120 Claisebrook Road (application reference SDAU-068-23)

We support the below statements as contained within the RAR, and provide additional commentary as follows:

RAR statement: The Concrete Batching Plants are inconsistent with the provisions, purpose, and intent of the City's Local Planning Scheme No. 2 (LPS2). LPS2 zones the sites as Mixed Use R160 with the objective to provide for a range of housing choices and affordability, and encouraging a mix of compatible and complimentary uses.

We trust that WAPC will also support the City's views which are in direct contrast to the statements made by the applicants in their development applications which read as follows:

"There have not been any significant relevant changes to LPS2 in terms of the provisions applicable to the Subject Site since the Minister's determination in 2018. Given the Scheme presently recognises the concrete batching plant land use to continue operations, albeit until a specified time, it is considered that to extend that time frame would not be inconsistent with the purpose and intent of LPS2 when considering the purpose for which the timeframe was inserted as well in considering the broader State strategic framework discussed further below."

Further, in her Reasons for the Determination of the conditional development approval, dated 10th October 2018, we also acknowledge the Minister's statements:

- 3 "Ongoing operation of the concrete batching plants on the subject sites in perpetuity would adversely impact on the opportunity to establish an urban community with commensurate amenity, as is intended under the local scheme"
- 4 "The granting of development approvals which will be limited to terms expiring on 30 June 2024 provides certainty to the local community and the operators of the concrete batching plants with respect to development intentions for the area, and allows sufficient time to facilitate the transitioning of the concrete plants from the subject sites"

It is abundantly clear that to extend the time frame would be wholly inconsistent with the purpose and intent of LPS2 and broader strategic framework for the precinct.

With proximity to the CBD being a core argument of the Applicants' submissions, we also draw the City and Council's attention to the following:

AS 1379-2007 Specification and supply of concrete
 "4.2.5 Period for completion of discharge

Discharge of all the concrete in a batch shall be completed within 90 min from the commencement of mixing as specified in Clause 4.2.2.2, Clause 4.2.2.3 or Clause 4.2.2.4, or before proper placement and compaction of the concrete can no longer be accomplished, whichever occurs first."

By their own statements, Holcim and Hanson are the only two batching plants that operate from these locations within 5km of the CBD. Boral and BGC operate from batching plants located outside of the CBD or CBD fringe and yet can supply concrete to major CBD projects. See images below.

COUNCIL BRIEFING NOTES

12 MARCH 2024

REPRESENTATIVE PLANTS IN EACH REGION

Boral operates 12 concrete plants in Western Australia. This EPD covers a sub-section of our plants in the Perth region. Our background LCA report shows that the Boral Concrete Osborne Park plant is representative for surrounding Perth plants that have similar supply chains and mix designs.

- Boral Concrete Muchea
- Boral Concrete Nearsbup
- Boral Concrete Bayswater
- Boral Concrete Spearwood
- Boral Concrete Canning Vale
- Boral Concrete Rockingham



BGC Concrete

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Concrete Calculator
Downloads
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Moora Concrete Operation

Please contact your nearest plant to place an order for Structural Concrete, Polished and Exposed Mixes or L-Stone (Limestone Paving)

Plant Details	Map	Structural Concrete	Polished and Exposed Mixes	L-Stone
Armadale ☎ (08) 94976090	📍	✓		
Bassendean ☎ (08) 62204788	📍	✓		
Canning Vale ☎ (08) 93344533	📍	✓		
Hazelmere ☎ (08) 94422440	📍	✓	✓	✓
Mandurah ☎ (08) 62204786	📍	✓	✓	✓
Naval Base ☎ (08) 62204784	📍	✓	✓	✓
Quinns ☎ (08) 62204782	📍	✓	✓	✓



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 We're thrilled to announce that Chevron Australia has a new home in Perth - the stunning One the Esplanade in Elizabeth Quay! As a supplier of concrete to Multiplex and SRG Global CASC, we're proud to have played a part in creating this modern marvel.

The 29-level building offers 54,000 sqm of office space and is targeting impressive sustainability ratings including 5 Star NABERS Energy rating, a 6 Star Green Star rating, and IWBI WELL Gold Core certification.

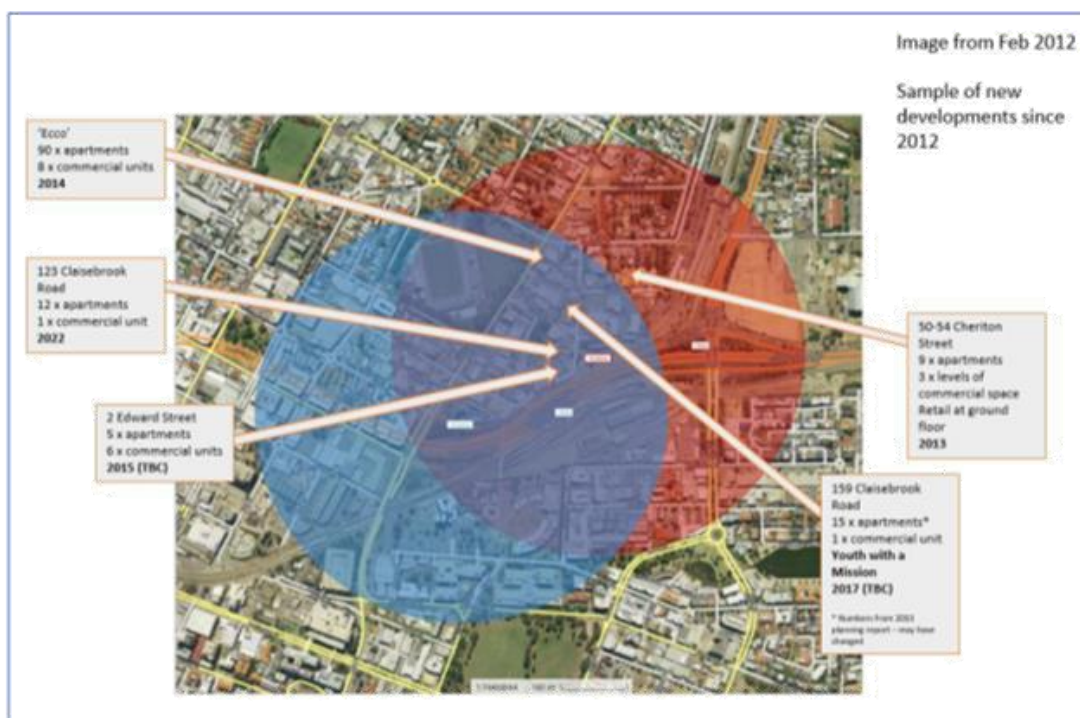
We're excited to see One the Esplanade contribute beautifully to Perth's skyline and wish the team at Chevron Australia all the best in their new headquarters.

33 likes
 MAY 1

There are numerous locations with suitable industrial land use zoning within a 90-minute buffer. It is difficult to accept that Boral can have 12 sites outside of the CBD or CBD fringe, BGC have 7 locations providing structural concrete, and yet Holcim and Hanson continue to argue the importance of the CBD location and seemingly impossible task of sourcing an alternative location.

RAR statement: The increase in sensitive uses within the locality over time consistent with LPS2 and the North Claisebrook Planning Framework has meant that the amenity disturbances from the existing Concrete Batching Plants are now more impactful than they were previously.

Below is a sample of some of the new developments within the precinct with red and blue circles representing the 500metre buffers, (some developments of which progressed under the belief the batching plants would be relocating by 30 June 2024). The changes to the surrounding built form cannot be ignored.





RAR Statement: The continued operation of the sites is impacting on the existing and growing number and intensity of sensitive uses in the area and is inhibiting the delivery of high-density mixed use development and increased housing opportunities within the area.

The North Claisebrook Planning Framework speaks to the City of Vincent Perth and Peel @ 3.5 million target of an additional 11,490 dwellings and 25,270 people by 2050.

123 Claisebrook Road, Perth was developed on the understanding the batching plants were to relocate by 30 June 2024. These units are now being held as rentals with a sale of individual units not currently practical given the uncertainties of the future of the batching plants, which would inevitably lead to under-pricing of the units in the market. 28 Gladstone, capable of a 20-unit development under the recent North Claisebrook Planning Framework, will now be placed on hold, pending the outcomes of these applications. It is again extremely frustrating that the time and efforts of the City of Vincent and the community in developing this Framework, and responding to the previous rounds of requested extensions, will have gone to waste should the Commission grant an approval. This would discredit the local planning process and make a mockery of community engagement.

Whereas Holcim and Hanson have both argued their continued presence at this location is “a critical component to supplying major Government infrastructure projects and significant private building developments (including housing)”, we would argue that by their continuation, they are locking land assets that could otherwise be developed as prime transit orientated development residential hubs. We note developments such as that at 150, 152 & 158 Claisebrook have applied for another extension of their original approvals granted 2014 – last extended in 2018 (116 apartments).

This precinct is ideally suited to and capable of delivering much needed accommodation for key workers given the proximity to the Royal Perth Hospital, St John of God in Mount Lawley, WA Police headquarters, and bus and train links, however is in a forced holding pattern.

Questions or requests for the City’s consideration:

We reasonably request greater transparency around the Government Stakeholder Working Group process, with difficulty in sourcing alternative locations being one of the main arguments in Holcim and Hanson’s request for extensions:

- Have Holcim and Hanson demonstrated to the City/Council (or are the City aware if it has been demonstrated to WAPC) a forward book order that confirms they are supplying major Government infrastructure projects and significant private building developments (including housing) in Perth CBD that need to be, or can only be, serviced from these exact locations within 5kms of the CBD.
- Have details of the property searches to date and general Working Group efforts been provided to the City / Council for transparency and in support of their core justifications?

COUNCIL BRIEFING NOTES

12 MARCH 2024

Whereas we firmly believe Handon and Holcim have had ample time to source alternative locations, and community is clearing stating enough is enough and no extensions should be considered, we take this opportunity to comment on the proposed conditions, should this be the unfortunate outcome:

- As proposed by the City, any minor extension must have strict enforceable conditions aligned to critical dates. Can the City confirm how / who would enforce fine for offences for non-compliance with any development approval condition, and instruments available to apply such fines? i.e. application of Planning and Development Act 2005, Part 13 Enforcement and legal proceedings, Division 2 Offences

We also request the following additional conditions be considered to improve the amenity of the community, in the unfavourable event they are granted a time limited extension:

- At Holcim and Hanson's own cost, prepare an updated landscape concept and place plan (to the satisfaction and approval of the City of Vincent in consultation with community) and thereafter implement the landscape and place plan (to include such features as murals to large street facing walls etc.) within an agreed timeframe – suggest 31 December 2024
- Suggested mural type artwork as follows:



- <https://theartssociety.org/arts-news-features/how-one-arts-society-got-involved-arts-project-streets>



- <https://www.australiansiloarttrail.com/bonny-hills>

- Reduce permitted operational hours from currently permitted 24 hours, to 6am – 10pm Monday to Saturday. Operations remain not permitted on Sunday or public holidays

COUNCIL BRIEFING NOTES**12 MARCH 2024**

Whereas we firmly believe there is no justification within the applications for any extension to be granted, should the WAPC be of the view to approve the development application, we would request for the Council to propose an extension of 18-24 months maximum.

Administration Response

- *The City has not been provided with information on developments and projects for which either Hanson or Holcim are supplying concrete. The City also understands that this has not been provided to the WAPC as part of either application.*
- *The City has not been provided with any specific details related to property searches in support of relocation options for Hanson or Holcim.*
- *Administration has been liaising with the Department of Planning, Lands and Heritage (DPLH) in relation to the responsible authority for the enforcement of conditions.*

The DPLH have advised that it would usually be responsible for administering and enforcing development approvals granted by the Western Australian Planning Commission (WAPC), however the nature of the subject applications for the continuation of a land use would likely be a collaborative approach with the City should there be further approvals granted.

Administration will continue to liaise with the DPLH to confirm the approach to compliance should the WAPC grant any extension of time.

The Planning and Development Act 2005 provides for a range of enforcement options which includes fines. Enforcement options would be contemplated based on the nature of any breach of development approval.

- *Administration has not included the suggested condition requiring the provision of public art project/s for the following reasons:*
 - *Administration has recommended that Council not support any continuation of the concrete batching plant operations beyond June 2024.*
 - *The draft conditions included in Administration's recommended submission are there to ensure the use actually ceases if any approval is granted rather than suggest that an approval could be in any way appropriate.*
 - *Including conditions that relate to landscaping or public art may create a perception that these additions would in some way mitigate or reduce the impact of the continued concrete batching plant operations on the community when that would not be the effect of such additions.*

Notwithstanding this it would be open to either Hanson or Holcim to pursue providing public art or additional landscaping to any development approval.

- *Administration is of the view that the operating hours should be informed by a noise assessment, which has not been undertaken for either site since 2010 and 2011. The noise assessment would be required to consider the noise impacts on sensitive uses which have occurred in the area in the last 13 to 14 years.*

Given these changes to the area it is expected that the current 24 hour operations would be required to be restricted to ensure compliance with the Environmental Protection (Noise) Regulations 1997.

There being no further speakers, Public Question Time closed at approximately 6.28pm.

4 DECLARATIONS OF INTEREST

Cr Ashlee La Fontaine declared an impartiality interest in Item 8.4 Responses to Motions Carried at the Annual General Meeting of Electors held on 1 February 2024. The extent of her interest is that one of the residents who proposed a motion supported her election campaign.

Mayor Alison Xamon declared an impartiality interest in Item 5.4 No. 71 (Lot: 200; D/P: 92012) Edward Street and No. 120 (Lot: 1001; D/P: 29129) Claisebrook Road, Perth - Proposed Extension of Time to Existing Concrete Batching Plants. The extent of her interest is that she lives within the North Claisebrook Planning Framework area and has been an active member of the community.

Mayor Alison Xamon declared an impartiality interest in Item 7.5 Proposal to Hold Events at Leederville Oval. The extent of her interest is that she is a member of the East Perth Football Club, who have a lease of a portion of the Leederville Oval.

REPORTS CALLED OUT

The Presiding Member, Mayor Alison Xamon, requested Council Members to indicate:

Items which Council Members wish to discuss which have not already been the subject of a public question/comment or require an absolute majority decision and the following was advised:

COUNCIL MEMBER	ITEMS TO BE DISCUSSED
Cr Worner	5.2, 5.3 and 8.5
Cr Hallett	9.1
Cr Greer	8.4

COUNCIL BRIEFING NOTES

12 MARCH 2024

REPORTS WITH DISCUSSION

6.1 BEAUFORT STREET PRECINCT AREA ROAD SAFETY TREATMENTS

- Attachments:
1. Harold St_Survey Analysis_240216
 2. Highgate Precinct Wide Traffic Analysis
 3. Node#1 - Concept Drawing - Beaufort Street and Harold Street Intersection

RECOMMENDATION:

That Council:

1. REQUESTS Administration to apply to Main Roads WA for approval of Harold Street becoming a formal one-way street either from Vincent Street to Beaufort Street, or from Beaufort Street to Vincent Street;
2. Subject to Main Roads WA approval to point 1, SUPPORTS a capital works project to convert Harold Street from a bi-directional street to a one-way street in the 2024-2025 financial year; and
3. SUPPORTS the development of a 6-year Road Safety Implementation Plan to design and deliver the "Beaufort Street Nodes" project and other projects identified within the precinct-wide Highgate traffic analysis report within attachment 2.

CR HALLETT:

How many residents are there on Harold Street?

MANAGER ENGINEERING:

There are 17 residences accessing Harold Street between Vincent Street and Beaufort Street. This excludes Challis Apartments.

CR LA FONTAINE:

Please provide more information on the proposed 1 way on Harold Street, and more info on the Mary St exit community consultation?

MANAGER ENGINEERING:

(Attachment 7 – 9 September 2014 Council Report - Mary Street)

CR LA FONTAINE

Mini roundabouts were mentioned, can the results of the mini roundabouts trial review be included?

MANAGER ENGINEERING:?

(Attachment 5 – 18 May 2021 Council Report Mini Roundabouts. There is a Mini Roundabouts Pilot Review – Post Survey Analysis which is to be discussed at a Council Workshop meeting.

CR LA FONTAINE

Broome St roundabout blackspot, community consultation notes be included?

MANAGER ENGINEERING:

Attachment 4 – Broome and Wright Street – Community Survey Results).

CR LA FONTAINE

Ausroads guidelines part 8 be included in briefing notes?

MANAGER ENGINEERING:

(Attachment 3 - Ausroads Guideline LATM – Part 8).

8.4 RESPONSES TO MOTIONS CARRIED AT THE ANNUAL GENERAL MEETING OF ELECTORS HELD ON 1 FEBRUARY 2024

Attachments: 1. Annual General Meeting of Electors Minutes 1 February 2024

RECOMMENDATION:

That Council NOTES and ENDORSES the following recommendations provided by Administration to the General Business motions carried at the Annual Meeting of Electors held on Thursday 1 February 2024 for the reasons outlined in the report:

1. **Motion 4.1(1) – Laneways** - That Council NOTES that condition surveys are undertaken on all the laneways and upgrades are prioritised according to the condition ratings.
2. **Motion 4.2 – Dust at Menzies Park** - That Council REQUESTS Administration identifies a temporary solution to stabilise and mitigate dust on this section of verge.
3. **Motion 4.3**
 - (1) **Rat Running Character Area Cleaver Precinct** – That Council REQUESTS Administration complete a “Traffic Calming Warrant” score on this area in the 2023/24 financial year and if warranted, consider traffic calming treatments to mitigate issues such as rat running and any other road safety concerns.
 - (2) **Bunnings Traffic Impact** – That Council NOTES:
 - Main Roads WA is already undertaking a road safety program on this intersection and the City is providing information and support as required; and
 - The Department of Transport (DoT) is planning to undertake a future traffic study of the Pickle District which proposes to include this intersection.
 - (3) **Colvin Lane** – That Council NOTES Colvin Lane has sufficient signage including speed advisory signs as noted in the report.
 - (4) **Bunnings Traffic Impact** – That Council NOTES the Department of Transport (DoT) is planning to undertake a future traffic study of the Pickle District.
 - (5) **Cleaver Precinct Character Area** – That Council NOTES:
 - Conditions of the Development Approval for the Bunnings development require the preparation of Management Plans prior to commencement of development to manage vehicle movements to the site, and
 - Administration will send a notification to residents within the area bound by Carr Street, Cleaver Street, Newcastle Street and Fitzgerald Street prior to issuing an occupancy permit for the development. This notification will provide information on how to report instances of delivery and service vehicles using the residential streets if this is observed.
4. **Motion 4.4: Polyphagous Shot Hole Borer** – That Council NOTES the CEO’s creation of a Hyde Park Reference Group to provide a forum to engage with stakeholders and community members into the City of Vincent’s restoration of tree canopy and associated plantings post Polyphagous Shot Hole Borer treatment works.
5. **Motion 4.5(1): e-Waste** – That Council NOTES the various e-waste disposal options already available to residents and REQUESTS Administration to advertise these disposal options to increase community awareness.

6. **Motion 4.5(2): Publishing Policy Related Guidelines** – That Council NOTES the Policy Development and Review Policy outlines Council's position in relation to Local Government Decision Making and the hierarchy of documents guiding decision making and responsibilities.
7. **Motion 4.5(3): Beaufort Street Footpath** –
- That Council REQUESTS:
- Administration program upgrades of the footpaths in the Mount Lawley-Highgate Town Centre in accordance with condition assessment priorities; and
 - Administration review the service level requirements and costs to ensure that footpaths and public paving in areas subject to high pedestrian traffic (including town centres) are maintained in a clean and attractive state, and the findings be presented to a Council Workshop by June 2024.
8. **Motion 4.5(4): Elected member responses to the community** – That Council NOTES that the adopted Code of Conduct is consistent with the *Local Government (Model Code of Conduct) Regulations 2021*.
9. **Motion 4.5(5): Organisation Review** – That Council NOTES results of the FY 22 Australasian Local Government Performance Excellence Program and annual service unit planning undertaken by the organisation provide sufficient metrics to inform organisation planning and structure.

MAYOR XAMON:

If there was an opportunity for small waste – good Sammy conversation to see if they would provide a bin? Can we get some info as to if they think that option is viable and if not, why not?

EXECUTIVE DIRECTOR INFRASTRUCTURE AND ENVIRONMENT:

Feedback from Good Sammys not to hand at time of publishing Briefing Notes – will be provided to Council once obtained.

CR CASTLE:

Motion 4.2 – explanation as to why only a temp solution is being sought, and what could be considered as a permanent solution? Can we consider putting a timeframe around this, and suggest a pathway?

EXECUTIVE DIRECTOR INFRASTRUCTURE AND ENVIRONMENT:

Temporary solution to mitigate dust and disturbance on the verge to deal with immediate parking taking place. Long term permanent solution – looking into sustainable drainage options that incorporated parking within the next 12 months.

CR WORNER:

Has Council approached west one to discuss traffic on Colvin Lane? It would be worth having a chat

EXECUTIVE DIRECTOR INFRASTRUCTURE AND ENVIRONMENT:

Noted. Administration will consider stakeholder engagement subject to nature of traffic movements in laneway.

5.4 NO. 71 (LOT: 200; D/P: 92012) EDWARD STREET AND NO. 120 (LOT: 1001; D/P: 29129) CLAISEBROOK ROAD, PERTH - PROPOSED EXTENSION OF TIME TO EXISTING CONCRETE BATCHING PLANTS

Ward: South

Attachments:

1. Location Plan
2. Minister's 2018 Approval
3. Recommended Conditions

RECOMMENDATION:

That Council:

1. **MAKES** a submission to the Western Australian Planning Commission regarding the development applications made to the State Government under Part 17 (Special provisions for COVID-19 pandemic relating to development applications) of the *Planning and Development Act 2005*, for the continued operation of the two existing Concrete Batching Plants at No. 71 Edward Street (application reference SDAU-069-23) and No. 120 Claisebrook Road (application reference SDAU-068-23) and advises the Western Australian Planning Commission that:

- 1.1 The City of Vincent **DOES NOT SUPPORT** the development applications as they are inconsistent with the matters that the Western Australian Planning Commission is to have due regard to in accordance with Section 275(6) of the *Planning and Development Act 2005* for the following reasons:

- The Concrete Batching Plants are inconsistent with the provisions, purpose, and intent of the City's Local Planning Scheme No. 2 (LPS2). LPS2 zones the sites as Mixed Use R160 with the objective to provide for a range of housing choices and affordability, and encouraging a mix of compatible and complimentary uses.

The 'Industry' land use, which the Concrete Batching Plant operation would fall within, is an X use in the Mixed Use zone under LPS2 and is a use that is not permitted by LPS2 in these locations. LPS2 provides an additional use of Concrete Batching Plant for the two sites but includes a condition stating that this "*additional use will expire 30 June 2024.*"

In support of LPS2 the City's endorsed Local Planning Strategy identifies for the Concrete Batching Plants to relocate from the area to facilitate transit-oriented developments in close proximity to the Perth CBD within the Claisebrook area which is identified as a 'High Density Mixed Use' and 'Planned Urban Growth' area.

The City's approved North Claisebrook Planning Framework local planning policy provides for a clear statement of intent for the Cityscape subprecinct of which the Concrete Batching Plants are located in. This seeks to provide for a greater intensity of development that capitalises on the proximity to the Perth CBD and Claisebrook Station by providing landmark transit-oriented developments.

An extension of the Concrete Batching Plant use on these sites beyond 30 June 2024 would be inconsistent with the Local Planning Strategy, LPS2 and North Claisebrook Planning Framework;

- The Concrete Batching Plants are inconsistent with the principles of orderly and proper planning as they are an incompatible industrial use within an area that is zoned Mixed Use R160 under LPS2 and has already been developed as high density mixed use.

The continued operation of the sites is impacting on the existing and growing number and intensity of sensitive uses in the area and is inhibiting the delivery of high-density mixed use development and increased housing opportunities within the area.

The relocation of the Concrete Batching Plants at the earliest opportunity would be a matter of state and regional significance as it would finally allow for the provision of high density infill development, providing an estimated 3,258 additional dwellings in the immediate locality consistent with the City's Local Planning Strategy, LPS2 and North Claisebrook Planning Framework;

- The increase in sensitive uses within the locality over time consistent with LPS2 and the North Claisebrook Planning Framework has meant that the amenity disturbances from the existing Concrete Batching Plants are now more impactful than they were previously.

These impacts would continue to increase as the number and intensity of these sensitive uses increase in line with LPS2 and the North Claisebrook Planning Framework;

- The Concrete Batching Plants have operated from their respective locations prior to the COVID-19 Pandemic and the continued operation would not provide for any greater economic investment, jobs, housing or activity to the region in response to this.

The relocation of the Concrete Batching Plants at the earliest opportunity would provide the opportunity for revitalisation of the North Claisebrook area by unlocking two strategic development sites and would have a wider economic benefit to the broader area, including an anticipated 3,258 additional dwellings in the North Claisebrook Planning Framework area alone that would provide much needed housing; and

- The Concrete Batching Plants continue to be inconsistent with broader State policies including Directions 2031, Perth & Peel @ 3.5 Million, the Central Sub-regional Planning Framework, the Capital City Planning Framework, and State Planning Policy 1 – State Planning Framework.

These policies seek to achieve consolidated urban form by providing infill development that is adjacent to activity centres, station precincts and urban corridors, and within close proximity to the Perth CBD and public transport connections, with these sites on the boundary of the CBD and adjacent to the Claisebrook Train Station; and

1.2 Should the Western Australian Planning Commission be of the view to approve the development applications then Council:

- a) **ADVISES** that any approval should require a set a of short term relocation gateways that the operators must achieve in order to continue operating, as well as decommissioning of each of the sites at the expiry of any extension.

Such conditions would facilitate the economic investment, jobs, housing and activity sort for the area by requiring the relocation of both Concrete Batching Plants in the shortest possible time. This would allow for the redevelopment potential of the region to be realised consistent with the local and state planning framework;

- b) **PROVIDES** recommended conditions that are included in Attachment 3; and
- c) **REQUESTS** that all possible options be considered by the State Government to prevent land banking and to ensure that redevelopment of both sites occurs consistent with the City's Local Planning Strategy, LPS2 and North Claisebrook Planning Framework as a matter of state and regional significance.

This includes the making of an Improvement Plan area in accordance with Part 8 of the *Planning and Development Act 2005*; and

- 2. PROVIDES** a copy of the report and accompanying attachments from the agenda of the Council Meeting on 19 March 2024 to the Western Australian Planning Commission.

COUNCIL BRIEFING NOTES

12 MARCH 2024

MAYOR XAMON:

Can information be provided on the process to refer an application under Section 38 of the *Environmental Protection Act 1986* and request wording for this to be added to further strengthen the City's submission?

DIRECTOR MAJOR PROJECTS:

DWER have advised the following in relation to referrals under Section 38 of the *Environmental Protection Act 1986*:

- Referrals are most commonly undertaken by the proponent as part of a self-assessment. Referrals can also occur by a third party or a decision-maker.
- Third party referrals should provide information in relation to the nature of the use and technical information to validate any conclusions to inform whether an assessment is required.
- In investigating a third party referral DWER can also request information from the proponent to inform whether an assessment is requirement.

As set out above Administration has updated the recommendation to advise the WAPC not to determine the subject applications until they are satisfied that any necessary approvals under the *Environmental Protection Act 1986* have been obtained.

MAYOR XAMON:

Request draft wording for a condition which provides for a maximum two year approval period.

DIRECTOR MAJOR PROJECTS:

A draft amended condition has been prepared below:

That Recommendation 1.2(b) be updated to read as follows:

- b) PROVIDES recommended conditions that are included in Attachment 3 with the exception of the following:

- Conditions 1 and 2 being amended respectively for No. 71 Edward Street, Perth and No. 120 Claisebrook Road, Perth which reads as follows:

No. 71 Edward Street, Perth

1. Subject to Condition 2, this approval is granted for a limited period expiring 30 June 2026;
2. Notwithstanding Condition 1, this approval will lapse on:
 - a) 30 June 2025, if by that date a development approval under the *Planning and Development Act 2005* and a building permit under the *Building Act 2011* have not been obtained for the development and construction of a new concrete batching plant on an alternative site to No. 71 (Lot 200) Edward Street, Perth; or
 - b) 30 December 2025, if by that date the new concrete batching plant has not been substantially commenced on the alternative site the subject of paragraph (a) above; or
 - c) 30 June 2026, if by that date the new concrete batching plant the subject of paragraph (a) above has not been completed at an alternative site and has commenced operating;

No. 120 Claisebrook Road, Perth

1. Subject to Condition 2, this approval is granted for a limited period expiring 30 June 2026;
2. Notwithstanding Condition 1, this approval will lapse on:
 - a) 30 June 2025, if by that date a development approval under the *Planning and Development Act 2005* and a building permit under the *Building Act 2011* have not been obtained for the development and construction of a new concrete batching plant on an alternative site to No. 120 (Lot 1001) Claisebrook Road, Perth; or
 - b) 30 December 2025, if by that date the new concrete batching plant has not been substantially commenced on the alternative site the subject of paragraph (a) above; or
 - c) 30 June 2026, if by that date the new concrete batching plant the subject of paragraph (a) above has not been completed at an alternative site and has commenced operating;

COUNCIL BRIEFING NOTES

12 MARCH 2024

CR HALLETT:

Can Administration confirm if there have been any referrals to the Department of Water and Environmental Regulation (DWER) in accordance with Section 38 of the *Environmental Protection Act 1986* for either of the Concrete Batching Plants?

DIRECTOR MAJOR PROJECTS:

Due to confidentiality, DWER have not been able to advise if there are any current Section 38 referrals for either Concrete Batching Plant.

CR WALLACE:

Can Administration confirm if either a licence or works approval have been issued for either Concrete Batching Plant by DWER, or if licences are required or have otherwise been waived?

DIRECTOR MAJOR PROJECTS:

The requirements for a licence and/or works approval are set out in the Environmental Protection Act 1986 and is administered by DWER.

The City is not responsible for administering the Environmental Protection Act 1986 but is responsible for enforcing any development approvals granted under the Planning and Development Act 2005 as well as the Environmental Protection (Noise) Regulations 1997.

Ultimately it is the proponent's responsibility to ensure that Concrete Batching Plants have obtained and are operating in accordance with all approvals required by the relevant legislation.

Administration has contacted DWER but has yet to receive confirmation that either Site has the necessary approvals under the Environmental Protection Act 1986.

Because of this Administration has updated the recommendation to advise the Western Australian Planning Commission (WAPC) not determine the subject applications until they are first satisfied that any necessary approvals under the Environmental Protection Act 1986 have been obtained.

CR WALLACE:

Could a dust study be required through the recommended conditions to include an assessment of the dust which is being emitted from the both plants, not just management measures? Request draft wording for a condition be provided.

DIRECTOR MAJOR PROJECTS:

Yes. A requirement for a dust study to be provided as part of the updated Environment Management Plan has been included in the recommended conditions.

UPDATE TO REPORT FOLLOWING COUNCIL BRIEFING

In addition to the changes set out above Administration has made a number of other updates to the report. These include:

- Updating the Recommendation to endorse the Mayor and/or Chief Executive Officer write to the WAPC requesting the initiation of an Improvement Plan over a portion of the North Claisebrook area.
- Updating the Consultation/Advertising section of the report to reflect an additional two submissions that was received following the publishing of the Council Briefing agenda. The total number of submissions the City has been provided with is 10. All of these do not support the proposed applications.

Including additional information in relation to the proposed Improvement Plan, including a new Attachment 4 which shows the area.

UPDATE TO ATTACHMENT 3 FOLLOWING COUNCIL BRIEFING

Administration has updated the recommended conditions in Attachment 3 and were informed by legal advice received by Administration following the Council Briefing.

The intent and content of the conditions remains as proposed, with the extent of the changes to provide for further clarity and ensure the enforceability of these conditions.

The updated conditions are below (with the changes emphasised):

Recommended Conditions – 71 Edward Street, Perth
Conditions:

Approval Period

1. Subject to Condition 2, this approval is granted for a **term limited** period expiring 30 June 2027;
2. Notwithstanding Condition 1, this approval will lapse on:
 - a) 30 June 2025, if by that date a development approval under the Planning and Development Act 2005 and a building permit under the Building Act 2011 have not been obtained for the development and construction of a new concrete batching plant on an alternative site to No. 71 (Lot 200) Edward Street, Perth; or
 - b) 30 June 2026, if by that date the new concrete batching plant has not been substantially commenced on the alternative site **the subject of paragraph (a) above**; or
 - c) 30 June 2027, if by that date the new concrete batching plant **the subject of paragraph (a) above** has not been completed at an alternative site and ~~an occupancy certificate obtained for that plant under the Building Act 2011~~ **has commenced operating**;
3. When this approval ~~lapses~~ **expires** under Condition 1 or **lapses** at an earlier time under Condition 2, this approval will cease to have any effect from the date on which it **expires or lapses**, with the exception of Conditions 4, 5, 6 and 6-7;

Site Decommissioning

4. Within 6 months of the date of this approval ~~lapsing~~ **expiring** under Condition 1 or **lapsing** at an earlier time under Condition 2, all on-site **buildings and** structures shall be removed from the site **by the landowner/operator**;
5. Within 6 months of the date of this approval ~~lapsing~~ **expiring** under Condition 1 or **lapsing** at an earlier time under Condition 2: ~~an investigation for soil and groundwater contamination is to be carried out to determine the extent of any contamination and if remediation is required, to the satisfaction of the Western Australian Planning Commission, on advice from the Department of Water and Environmental Regulation;~~
 - a) **A suitably qualified environmental consultant must be engaged to investigate whether there has been any soil or groundwater contamination at the site and to prepare a report detailing the extent of any soil or groundwater contamination at the site and recommending any remediation works required to remediate any contamination (Contamination Report); and**
 - b) **a copy of the Contamination Report must be provided to the Western Australian Planning Commission by the landowner/operator;**
6. Within 9 months of the date of this approval ~~lapsing~~ **expiring** under Condition 1 or **lapsing** at an earlier time under Condition 2 a **Decommissioning Plan (Decommissioning Plan)** for the site must be submitted to the Western Australian Planning Commission for its approval, on advice from the City of Vincent and the Department of Water and Environmental Regulation **by the landowner/operator**.

The **Decommissioning Plan** is to include:

- a) ~~Investigation for soil and groundwater contamination is to be carried out to determine if remediation is required~~ **The results and recommendations of the Contamination Report;**
and
- b) ~~If required, remediation, including validation of remediation, of any contamination identified shall be completed~~ **Any additional remediation works required to ensure that the entire site is suitable for a future residential or other sensitive use; and**

- c) **Procedures for certifying that any required remediation works have been properly carried out;**

7. The approved **Decommissioning Plan in-Condition-6** shall be implemented in its entirety **by the landowner/operator** within 24 months of the date of the approval lapsing under Condition 1 or at an earlier time under Condition 2, unless otherwise agreed by the Western Australian Planning Commission;

~~All contamination investigation and remediation works are to be validated by the Department of Water and Environmental Regulation to the satisfaction of the Western Australian Planning Commission;~~

Environmental Management Plan

8. Within 28 days of the date of this approval the Environmental Management Plan prepared by Strategen-JBS&G dated 14 May 2021 shall be updated **by the landowner/operator** and submitted to the Western Australian Planning Commission for approval on the advice of the City of Vincent.

The updated Environmental Management Plan is to address the following:

- a) Provide a new environmental noise assessment which:
- Includes an assessment of the noise impacts of the operations of the plant on surrounding sensitive receiver (including from vehicle movements); **and**
 - **Demonstrates** compliance with the assigned levels of the Environmental Protection (Noise) Regulations 1997, including any management measure or modification to the existing development and/or operations that would be required to ~~de-se~~ **demonstrate compliance;**
- b) Specify **that** truck and semi-trailer access routes ~~to-be~~ **are** limited to Lord Street and Edward Street only **and that** truck movements shall not extend beyond **Lord Street and Edward Street** this into the local road network unless for the purposes of deliveries to sites within the area bound by Lord Street, the Graham Farmer Freeway, the railway reserve and Summers Street; **and**
- c) Specify that **heavy vehicles such as trucks and semi-trailers** ~~access to the site is managed so that heavy vehicles are not queuing or idling~~ **must not queue or idle** within the road network while waiting to enter **site**; **and**

9. The plant is to operate in accordance with the Environmental Management Plan approved in Condition 8 subject to:

- a) **The landowner/operator submitting an annual review of the Environmental Management Plan for the approval of the Western Australian Planning Commission on advice of the City of Vincent. The annual review shall be submitted within 12 months of after each year following the granting of approval; and**
- b) The inclusion on the environmental management plan of any addenda necessary to address any specific matter identified by either Hanson Constructional Materials Pty Ltd, the Western Australian **Planning** Commission, or the City of Vincent between annual reviews. These addenda are to form part of the Environmental Management Plan;

10. ~~This approval limits access to the site by Trucks and semi-trailers to anytime~~ **are only permitted Monday to Saturday inclusive (excluding public holidays) only**, unless otherwise restricted under the approved Environmental Management Plan; ~~in accordance with Condition 9 to meet the assigned levels of the Environmental Protection (Noise) Regulations 1997.~~

Landscaping

11. ~~The landowner/operator Landscaping is to be maintained~~ **maintain on-site landscaping** in accordance with the Landscape Management Plan dated 26 June 2012, or other landscaping management plan approved by the Western Australian Planning Commission on advice from the City of Vincent; **and**

COUNCIL BRIEFING NOTES

12 MARCH 2024

General

12. Where any of the above conditions have a time limitation for compliance and the condition is not met in the required timeframe, the obligation to comply with the requirements of the condition continues while the approved development exists.

Advice Note

1. **The landowner/occupier is advised that all contamination investigation and remediation works are to be validated by the Department of Water and Environmental Regulation to the satisfaction of the Western Australian Planning Commission.**

Recommended Conditions – 120 Claisebrook Road, PerthConditions:Approval Period

1. Subject to Condition 2, this approval is granted for a term expiring 30 June 2027;
2. Notwithstanding Condition 1, this approval will lapse on:
 - a) 30 June 2025, if by that date a development approval under the Planning and Development Act 2005 and a building permit under the Building Act 2011 have not been obtained for the development and construction of a new concrete batching plant on an alternative site to No. 120 (Lot 1001) Claisebrook Road, Perth; or
 - b) 30 June 2026, if by that date the new concrete batching plant has not been substantially commenced on the alternative site **the subject of paragraph (a) above**; or
 - c) 30 June 2027, if by that date the new concrete batching plant **the subject of paragraph (a) above** has not been completed at an alternative site and ~~an occupancy certificate obtained for that plant under the Building Act 2011~~ **has commenced operating**;
3. When this approval lapses **expires** under Condition 1 or **lapses** at an earlier time under Condition 2, this approval will cease to have any effect from the date on which it **expires or lapses**, with the exception of Conditions 4, 5, 6 and 6-7;

Site Decommissioning

4. Within 6 months of the date of this approval ~~lapsing~~ **expiring** under Condition 1 or ~~lapsing~~ **at an earlier time under Condition 2**, all ~~on-site~~ **buildings and structures** shall be removed from the site **by the landowner/operator**;
5. Within 6 months of the date of this approval ~~lapsing~~ **expiring** under Condition 1 or ~~lapsing~~ **at an earlier time under Condition 2**: ~~an investigation for soil and groundwater contamination is to be carried out to determine the extent of any contamination and if remediation is required, to the satisfaction of the Western Australian Planning Commission, on advice from the Department of Water and Environmental Regulation;~~
 - a) **A suitably qualified environmental consultant must be engaged to investigate whether there has been any soil or groundwater contamination at the site and to prepare a report detailing the extent of any soil or groundwater contamination at the site and recommending any remediation works required to remediate any contamination (Contamination Report); and**
 - b) **A copy of the Contamination Report must be provided to the Western Australian Planning Commission by the landowner/operator;**
6. Within 9 months of the date of this approval ~~lapsing~~ **expiring** under Condition 1 or ~~lapsing~~ **at an earlier time under Condition 2** a **Decommissioning Plan (Decommissioning Plan)** for the site must be submitted to the Western Australian Planning Commission for its approval, on advice from the City of Vincent and the Department of Water and Environmental Regulation **by the landowner/operator**.

The **Decommissioning Plan** is to include:

- a) ~~Investigation for soil and groundwater contamination is to be carried out to determine if remediation is required~~ **The results and recommendations of the Contamination Report;** and
- b) ~~If required, remediation, including validation of remediation, of any contamination identified shall be completed~~ **Any additional remediation works required to ensure that the entire site is suitable for a future residential or other sensitive use; and**
- c) **Procedures for certifying that any required remediation works have been properly carried out;**

7. The ~~approved Decommissioning Plan in Condition 6~~ shall be implemented in its entirety **by the landowner/operator** within 24 months of the date of the approval lapsing under Condition 1 or at an earlier time under Condition 2, unless otherwise agreed by the Western Australian Planning Commission;

~~All contamination investigation and remediation works are to be validated by the Department of Water and Environmental Regulation to the satisfaction of the Western Australian Planning Commission;~~

Environmental Management Plan

8. Within 28 days of the date of this approval the Environmental Management Plan prepared by Holcim dated 12 December 2023 shall be updated **by the landowner/operator** and submitted to the Western Australian Planning Commission for approval on the advice of the City of Vincent.

The updated Environmental Management Plan is to address the following:

- a) Provide a new environmental noise assessment which:
 - Includes an assessment of the noise impacts of the operations of the plant on surrounding sensitive receiver (including from vehicle movements); **and**
 - **Demonstrates compliance with the assigned levels of the Environmental Protection (Noise) Regulations 1997, including any management measure or modification to the existing development and/or operations that would be required to do so demonstrate compliance;**
- b) Specify ~~that truck and semi-trailer access routes to be~~ **are limited to Lord Street, Edward Street, Caversham Street and Claisebrook Road (south of Caversham Street) only and that truck movements shall not extend beyond Lord Street, Edward Street, Caversham Street and Claisebrook Road (south of Caversham Street) this into the local road network unless for the purposes of deliveries to sites within the area bound by Lord Street, the Graham Farmer Freeway, the railway reserve and Summers Street;**
- c) Provide for all truck and semi-trailer access between the hours of 7pm to 6am to only occur from Caversham Street, with no access to occur from Claisebrook Road. Updated internal traffic flows should be provided demonstrating how this would occur; and
- d) Specify that **heavy vehicles such as trucks and semi-trailers access to the site is managed so that heavy vehicles are not queuing or idling must not queue or idle within the road network while waiting to enter site;**

9. The plant is to operate in accordance with the Environmental Management Plan approved in Condition 8 subject to:

- a) **The landowner/operator submitting an annual review of the Environmental Management Plan for the approval of the Western Australian Planning Commission on advice of the City of Vincent. The annual review shall be submitted within 12 months of after each year following the granting of approval; and**
- b) **The inclusion on the environmental management plan of any addenda necessary to address any specific matter identified by either Holcim Australia Pty Ltd, the Western Australian Planning Commission, or the City of Vincent between annual reviews. These addenda are to form part of the Environmental Management Plan;**

COUNCIL BRIEFING NOTES

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Site Access

10. *This approval limits access to the site by Trucks and semi-trailers to anytime **are only permitted Monday to Saturday inclusive (excluding public holidays) only, unless otherwise restricted under the approved Environmental Management Plan; in accordance with Condition 9 to meet the assigned levels of the Environmental Protection (Noise) Regulations 1997.***

Landscaping

11. ***The landowner/operator Landscaping is to be maintained maintain on-site landscaping** accordance with the Landscape Management Plan dated 26 June 2012, or other landscaping management plan approved by the Western Australian Planning Commission on advice from the City of Vincent; and*

General

12. *Where any of the above conditions have a time limitation for compliance and the condition is not met in the required timeframe, the obligation to comply with the requirements of the condition continues while the approved development exists.*

Advice Note

1. ***The landowner/occupier is advised that all contamination investigation and remediation works are to be validated by the Department of Water and Environmental Regulation to the satisfaction of the Western Australian Planning Commission.***

DRAFT AMENDED CONDITIONS

Administration has provided draft amended conditions in response to requests from Elected Members, as well as the public gallery and public questions received.

Administration can provide reasons and a response should Elected Members advise that they wish for any of these to be formally prepared prior to the Council Meeting.

5.3 NO. 121 (LOT: 2; D/P: 1080) FITZGERALD STREET, WEST PERTH - PROPOSED CHANGE OF USE FROM OFFICE TO RESIDENTIAL BUILDING (SHORT TERM ACCOMMODATION) INCLUDING ALTERATIONS AND ADDITIONS

Ward: South

- Attachments:**
1. Location and Consultation Plan
 2. Development Plans
 3. Parking Management Plan
 4. Management Plan
 5. Code Of Conduct
 6. Noise Management Plan
 7. Acoustic Report
 8. Sustainability Statement
 9. Waste Management Plan
 10. Summary of Submission - Applicant's Response
 11. Summary of Submissions - Administration's Response
 12. Determination Advice Notes

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **APPROVES** the development application for a proposed Change of Use from Office to Residential Building (Short Term Accommodation) including Alterations and Additions at No. 121 (Lot: 2; D/P: 1080) Fitzgerald Street, West Perth, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 10:

1. Development Approval

This approval is for a Change of Use from Shop to Residential Building (Short Term Accommodation) including Alterations and Additions as shown on the approved plans dated 20 February 2024. No other development forms part of this approval;

2. Use of Premises

2.1 This approval is for a Residential Building as defined in State Planning Policy 7.3: Residential Design Codes Volume 1. The use of the subject land for any other land use may require further approval from the City;

2.2 The operation shall be carried out in accordance with the definition of Short Term Accommodation/Short Stay Accommodation as defined in the City of Vincent Local Planning Policy: Short Term Accommodation, to the City's satisfaction;

Means temporary accommodation provided either continuously or from time to time with no guest accommodated for periods totalling more than 3 months in any 12 month period;

2.3 The total number of guests staying the premises shall be limited to 47 persons at any one time, to the satisfaction of the City; and

2.4 A maximum of 1 staff member on site at any given time, who are also not a guest of the premises, to the satisfaction of the City;

3. Management Plan and Code of Conduct

3.1 The premises shall operate in accordance with the approved Management Plan and Code of Conduct dated 30 January 2024, to the satisfaction of the City; and

3.2 The approved Code of Conduct shall be provided to guests at the time of check-in and displayed in a prominent location where it is visible to guests, to the satisfaction of the

City;

4. Car Parking and Access

- 4.1 Prior to the first occupation or use of the development, two parking bays shall be provided on-site, as depicted on the approved plans, to the satisfaction of the City. The car bay accessed from Fitzgerald Street, shall be reserved as a dedicated pick up/drop off bay. The car bay accessed from the right of way should be reserved as for staff car parking only;
- 4.2 Prior to the first occupation or use of the development, the pick up/drop off car parking bay shall be marked and clearly signposted as a dedicated drop off/pick up bay with a maximum time restriction of 15 minutes, to the satisfaction of the City;
- 4.3 The premises shall operate in accordance with the approved Parking Management Plan dated 11 December 2024, to the satisfaction of the City;
- 4.4 All pedestrian access levels shall match into existing verge and footpath levels, to the satisfaction of the City; and
- 4.5 Three bicycle parking spaces shall be provided on-site in accordance with Australian Standard AS2890.3 prior to the occupation or use of the development, to the satisfaction of the City;

5. Building Design

- 5.1 Prior to the issue of a Building Permit, a detailed schedule of external finishes including materials, colour schemes and details, that are generally consistent with those shown on the approved plans, shall be submitted to and approved by the City. The development shall be finished in accordance with the approved schedule prior to the use or occupation of the development, to the satisfaction of the City;
- 5.2 All external fixtures and building plant, including air conditioning units, piping, ducting and water tanks, shall be located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and surrounding properties to the satisfaction of the City; and
- 5.3 The roof of the proposed addition shall have a maximum solar absorptance rating of 0.4, to the satisfaction of the City;

6. Façade Design

- 6.1 Doors and windows and adjacent floor areas fronting Fitzgerald Street shall maintain an active and interactive relationship with the street, to the satisfaction of the City;
- 6.2 Glazing and/or tinting shall have a minimum of 70 percent visible light transmission to provide unobscured visibility between the street and the interior of the tenancy, to the satisfaction of the City;
- 6.3 Internal security and privacy treatments shall be located and installed internally behind the glazing line or recessed, and shall be transparent and visually permeable to allow views inside the building and enable internal light sources to be seen from the street, to the satisfaction of the City; and
- 6.4 The portion of the courtyard wall to the Fitzgerald Street elevation, as indicated in red on the approved plans, shall provide a minimum of 50 percent visual permeability, to the satisfaction of the City;

7. Landscaping

7.1 Prior to the issue of a Building Permit, a detailed landscape and reticulation plan for the development site, shall be submitted to and approved by the City, to the satisfaction of the City. The plan shall be drawn to a scale of 1:100 or 1:200, shall be generally in accordance with the plan previously provided to the City dated 11 August 2023, and show the following:

- The location and type of proposed plants, including pot sizes, and permeable paving treatments;
- Areas to be irrigated or reticulated;
- The *Callistemon 'Kings Park Special'* tree shall be minimum of 35 litres;
- The *Syzygium Australe 'Straight and Narrow'* species shall be replaced with an alternative species, on advice of the City's Parks Team; and
- The roof top planter bed depth and volume, and roof top planter bed access provisions for maintenance. The planter bed shall have a minimum depth of 0.5 metres;

to the satisfaction of the City;

7.2 All works shown in the approved landscape and reticulation plan as identified in Condition 5.1 shall be undertaken in accordance with the approved plans to the City's satisfaction, prior to occupancy or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

8. Stormwater

Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve;

9. Waste Management

9.1 Prior to the issue of a Building Permit, an updated Waste Management Plan, shall be submitted to and approved by the City, to the satisfaction of the City. The plan shall include details of the following:

- Two bins located in the rear car bay area to be relocated within the drying court area, to ensure suitable vehicle access for the rear car bay;
- Waste collection times;

9.2 The updated Waste Management Plan, as required by Condition 9.1, shall be implemented at all times to the satisfaction of the City; and

9.3 Waste and refuse generated on the site by the development shall be collected by a private contractor at the expense of the applicant/landowner;

10. Acoustic Report and Noise Management

10.1 Prior to the issue of a Building Permit, an updated acoustic report shall be submitted to and approved by the City, to the satisfaction of the City. The updated acoustic report shall demonstrate compliance with the City's Policy No. 7.5.21 – Sound Attenuation, namely in relation to the construction of the building and mechanical services;

10.2 The updated report, as required by Condition 10.1, should be generally consistent with the report provided to the City, dated 11 December 2023, and should modify the recommendation for a 1.8 metre high fence to be provided in the front setback area, as included in the Environmental Noise Assessment recommendations, to remove the requirement for fence of Colourbond construction and ensure the fence can be provided in a high quality material and with suitable vehicle sightline truncations incorporated into the design provided, to the satisfaction of the City.

10.3 The recommended measures of the report required, as required by Condition 10.1, shall be implemented, to the satisfaction of the City; and

10.4 The premises shall operate in accordance with the approved Noise Management Plan dated 11 December 2023, to the satisfaction of the City; and

11. Construction Management Plan

Prior to the issue of a Building Permit, a Construction Management Plan that details how the construction of the development will be managed to minimise the impact on the surrounding properties (including demolition and/or forward works), shall be submitted to, and approved by the City. The Construction Management Plan is required to address the following concerns that relate to any works to take place on the site:

- Public safety, amenity and site security;
- Contact details of essential site personnel;
- Construction operating hours;
- Noise control and vibration management;
- Air, sand and dust management;
- Stormwater and sediment control;
- Soil excavation method;
- Waste management and materials re-use;
- Traffic and access management;
- Parking arrangements for contractors and subcontractors; and
- Consultation plan with nearby properties.

At 7.09pm Director Major Projects left the meeting and did not return.

At 7:12 pm, Cr Ashley Wallace left the meeting.

MAYOR XAMON:

In relation to the issue of the parking, can I just have it confirmed that if there is only going to be the one parking bay that is required and that we will not be issuing any further parking permits for that particular business?

A/MANAGER DEVELOPMENT & DESIGN:

Commercial parking permits would not be issued for the proposed business.

The City's Parking Permits Policy identifies that commercial enterprises with a parking restriction on their street may be issued with a commercial parking permit for bona fide employees, as designated by the City.

The proposed development could be eligible for a commercial parking permit. This is because Fitzgerald Street contains parking restrictions for on-street bays and the business would have bona fide employees.

The application does not propose to utilise street parking for employees, as detailed in the Parking Management Plan (PMP) provided by the applicant. The PMP confirms that due to the operation of the business only one parking bay would be required to be utilised by staff which is provided at the rear of the site.

This means that parking demand generated by the proposed development would be provided on-site. This is based on the PMP and the issuing of a commercial parking permit would not be necessary for the proposal.

The recommended Determination Advice Notes have been updated to include an additional advice note confirming that commercial parking permits would not be issued by the City for the use of any guest or employee.

CR WORNER:

Is utilising residents as staff an established model that the operator has employed in their other business? Is the operator confident in being able to utilise the same system in this facility as well?

A/MANAGER DEVELOPMENT & DESIGN:

Administration has confirmed with the operator that the proposed model of operation is consistent with the

model utilised for their other business, being the Spinners Hostel located at No. 342 Newcastle Street, Perth.

The applicant advised that the model of utilising guests as employees is also an industry standard used by other operators in the hostel industry.

CR HALLETT:

One of the specific concerns from locals was them using the parking of the adjacent property because there is no fence between there.

Just wondering if you can run through if there is anything we can do in terms of conditions to stop that or whether there is a need for any additional signage that is paid for by the applicant.

A/MANAGER DEVELOPMENT & DESIGN:

Parking unauthorised and without consent on another landowner's property is not permitted but is not a matter that can be dealt with as part of a development approval.

Administration is satisfied that parking arrangements would be suitably managed within the subject site, in accordance with the management measures identified within the PMP.

If in the case that unauthorised parking did occur on the adjoining properties, Administration would recommend in the first instance that neighbours engage directly with one another to resolve any issues.

In the case that the adjoining landowners did want the ability for infringements to be issued if unauthorised cars park on their property, they are able to apply to the City's Ranger Services Team for the commercial bays on the site to be registered with the City.

It would be the responsibility for the adjoining property owner to provide any alternate physical restrictions for unauthorised parking to their site, such as fencing or signs. The City cannot require the subject site's landowner/operator to secure the adjoining property from unauthorised parking by any driver.

CR HALLETT:

Are you able to tell me more about the transparent Perspex sheet that is proposed to be installed on top of portions of the wall and if we have any images of what that would look like?

CR WALLACE:

I appreciate that we don't like Colourbond for amenity reasons, does Administration have a view on if Perspex is a better amenity outcome or will we be pushing for another kind of treatment?

A/MANAGER DEVELOPMENT & DESIGN:

Amended plans have been provided and Perspex is no longer being proposed as part of the northern acoustic wall.

The Perspex sheet was one option provided by the acoustic consultant to ensure compliance with the Noise Regulations, whilst meeting vehicle sightline requirements. There are alternative options available.

The City's Built Form Policy does not preclude Perspex from being provided as fencing materiality if it is of a high-quality design and is maintained to a high standard for the life of the development.

*Following the Council Briefing Session, the applicant provided amended plans indicating the proposed design of the acoustic wall to the northern boundary. This is shown in **Image 1** below.*

These plans have been reviewed by the acoustic consultant and who has confirmed that the proposal would meet relevant Noise Regulation requirements. This means that the northern acoustic wall as shown is suitable to achieve attenuate the noise and without the need for the Perspex sheet to be included in the design.

The recommended conditions of approval in the Officer Report and the development plans have been updated to reference this amended northern acoustic wall.

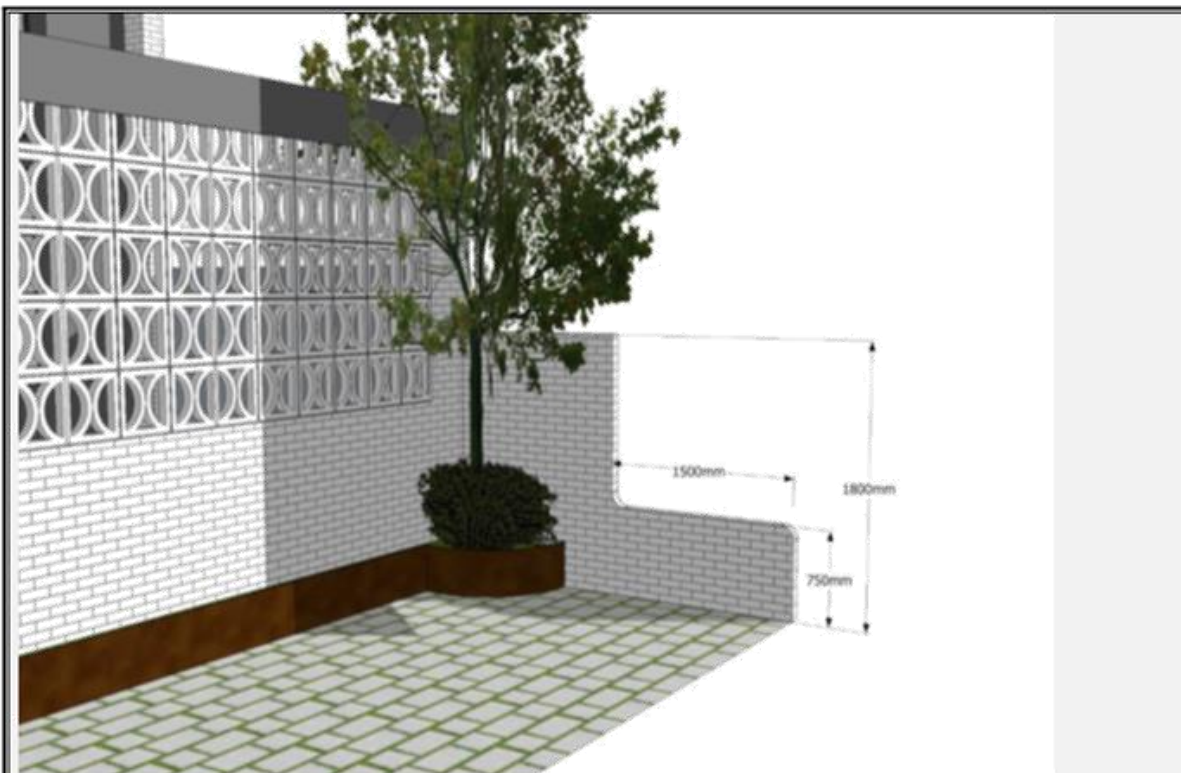


Image 1. Source: Attachment 2 – Amended Development Plans showing northern acoustic wall

CR WOOLF:

I just wanted to confirm that, if the change of use application is approved, would ventilation be something that the City's Health Team would then consider from a health and safety perspective prior to occupancy?

A/MANAGER DEVELOPMENT & DESIGN:

Yes, this would be considered at the building permit stage and prior to occupancy.

As a lodging house/hostel, the proposed development would be a Class 3 building which has certain ventilation requirements under the National Construction Code (NCC) [Part 3.8.5 Ventilation | NCC \(abcb.gov.au\)](#).

The proposed skylights would meet the minimum ventilating area and minimum floor area standards under the NCC.

The details of the skylights would be confirmed with the applicant's private building surveyor when lodging the building permit application for the proposed development.

CR WOOLF:

I'm just wondering if we can confirm that the bike racks being proposed are the type that is ideal for scooter use given that that is being promoted in their policy?

A/MANAGER DEVELOPMENT & DESIGN:

Yes, the bicycle storage being proposed can accommodate scooters.

The bicycle storage proposed by the proposed development would be located internally within the building.

*The applicant proposes to install hanging bicycle racks within this storeroom (see **Image 2** below) for the parking of three bicycles.*

The internal bicycle storage room would be sufficient in size to accommodate the parking of three e-scooters in addition to the storage of the three hanging bicycles. E-scooters are also able to be stored on the hanging racks.



Image 2. Source: Applicant.

ADDITIONAL INFORMATION:

Changes have been made to the Detailed Assessment table in the Officer Report.

This is because the Officer Report erroneously included an assessment against General Requirements for other zones in addition to those applicable to the 'Residential and Mixed-Use Zones'. Only the 'Residential and Mixed-Use Zones' standards are applicable because the site is zoned Mixed Use under LPS2.

These updates do not impact the comments provided by Administration in the Officer Report and do not increase any areas of discretion in the application.

5.2 NO. 12 (LOT: 609; D/P: 49287) LINDSAY STREET, PERTH - PROPOSED ALTERATIONS AND ADDITIONS TO OFFICE

Ward: South Ward

Attachments:

1. Consultation and Location Plan
2. Development Plans
3. Heritage Impact Statement
4. Applicant Photos of Steel Floor Tiles
5. Determination Advice Notes

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **APPROVES** the application for Alterations and Additions to Office at No. 12 (Lot: 609; D/P: 49287) Lindsay Street, Perth in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 5.

1. Development Plans

This approval for Alterations and Additions to Office as shown on the approved plans dated 13 November 2023 and 9 January 2024. No other development forms part of this approval;

2. Works

- 2.1 All works shall be undertaken in accordance with the details and annotations as indicated on the approved plans which forms part of this approval, to the satisfaction of the City;
- 2.2 All works shall be carefully undertaken to ensure that minimal damage occurs to original building fabric, to the satisfaction of the Heritage Council of Western Australia; and
- 2.3 Security camera surface mounted conduit is to be colour matched to the adjacent surface to minimise the impact to the original fabric and setting, to the satisfaction of the Heritage Council of Western Australia;

3. Stormwater

Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve; and

4. Documented Record

Within 28 days of completion of the approved works, a photographic record of the works undertaken (internal and external) shall be submitted to the City for inclusion in its Historical Archive Collection, to the satisfaction of the City.

At 7:15 pm, Cr Ashley Wallace returned to the meeting.

CR WORNER:

What is going to happen to the tiles when they are removed and stored? How do we know they are not going to deteriorate further? Has any consideration been given to how can we utilise them in some other way?

A/MANAGER DEVELOPMENT & DESIGN:

The removed tiles would be treated with a rust inhibitor to prevent deterioration of the tiles during their storage. Removal and treatment of the affected tiles would prevent the heritage significant fabric from deteriorating beyond repair if left in situ.

The tiles would be stored on-site in a labelled weatherproof container within the internal roof space above the staff kitchen on the ground floor.

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The Heritage Council of Western Australia (HCWA) provided support for the storage method and storage location of the tiles.

Administration have updated the Officer Report recommendation to include a condition of approval to ensure the tiles are stored in an appropriate manner to preserve the tiles during storage. The condition will require details of how this condition has been satisfied in writing to be submitted to the City within 28 days of the approved works being completed. The applicant and the HCWA were both supportive of this condition of approval.

The proposal is consistent with the heritage agreement between the HCWA and the NDS which requires all significant fabric at the subject site to be maintained and preserved to an appropriate standard. This requirement of the heritage agreement would also apply to the steel floor tiles in storage.

The benefits of the proposal to remove and store affected tiles include:

- *Preservation of the existing heritage significant steel floor tiles by preventing their degradation, so they can be utilised at a later date. Floor mats currently cover the tiles because the surface needs to be slip resistant. But the mats are preventing airflow to the tiles and are trapping moisture. This causes the tiles to rust and degrade;*
- *Ensure that the building meets National Construction Codes standards pertaining to safe site access and the requirement for slip-resistant walking surfaces to the entry to this commercial building; and*
- *Supporting the NDS in fulfilling their conservation duties as outlined in the heritage agreement. This is to maintain and preserve all heritage significant fabric at the subject site.*

The overall result of the proposal is that the landmark heritage building is maintained and remains in continued use by the NDS.

Regarding interpretation of the steel tiles that hold heritage significance, the HCWA advised that an interpretation approach was considered when the proposal was referred for comment but was limited due small extent of tiles to be removed. Approximately 24 square metres of steel floor tiles to the entry lobby would be retained and would remain visible for appreciation and interpretation by users and visitors of the building. An interpretation approach would be warranted if wholesale removal was proposed.

CR GREER:

What is the preferred storage model for the tiles and what does on-site mean?

A/MANAGER DEVELOPMENT & DESIGN:

As mentioned above, the removed tiles would be stored in a weatherproof labelled container within the internal roof space of the building at the subject site. This is consistent with advice from the HCWA.

8.5 INFORMATION BULLETIN

- Attachments:**
1. Minutes of the Catalina Regional Council Meeting held on 15 February 2024
 2. Unconfirmed Minutes of the Mindarie Regional Council Meeting held on 29 February 2024
 3. Unconfirmed Minutes of Sustainability and Transport Advisory Group 8 February 2024
 4. Unrecoverable Parking Infringements Write-Off
 5. Update on the Innovate Reconciliation Action Plan 2022/24, the Access & Inclusion Plan 2022/27 and the Youth Action Plan 2020/26
 6. Statistics for Development Services Applications as at the end of February 2024
 7. Register of Legal Action and Prosecutions Monthly - Confidential
 8. Register of Legal Action - Orders and Notices Quarterly - Confidential
 9. Register of State Administrative Tribunal (SAT) Appeals - Progress Report as at 27 February 2024
 10. Register of Applications Referred to the Metro Inner-North Joint Development Assessment Panel - Current
 11. Register of Applications Referred to the Design Review Panel - Current
 12. Nature Play in the Park program outcome
 13. Register of Petitions - Progress Report - March 2024
 14. Register of Notices of Motion - Progress Report - March 2024
 15. Register of Reports to be Actioned - Progress Report - March 2024
 16. Council Workshop Items since 22 November 2023
 17. Council Briefing Notes - February 2024

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated March 2024.

CR WORNER:

Can you please provide additional information regarding the State Administrative Tribunal review of refusal of the signage development application at No. 412-414 Fitzgerald Street, North Perth?

A/MANAGER DEVELOPMENT & DESIGN:

The State Administrative Tribunal application located at No. 412-414 Fitzgerald Street, North Perth (corner of Fitzgerald and Forrest Streets) relates to a current development application that seeks to amend a previous development approval relating to window signage. A summary of this application is provided below.

- *A Chemist Warehouse business operates from the premises and displays signage on the windows in accordance with a development approval issued by City on 23 July 2021.*
- *The applicant lodged an amended development application in April 2022 that sought to amend conditions of the 2021 approval. These conditions relate to requirements for an active and engaging street frontage to be provided to areas of windows not covered by approved signage. The amendment is sought to allow the retention of existing solid internal blinds that are closed at all times, located behind all windows facing Fitzgerald Street and Forrest Street.*
- *The proposed amended application has not been determined and, pursuant to clause 75(2) of Schedule 2 to the Planning and Development (Local Planning Schemes) Regulations 2015 (Deemed Provisions), the City is to be taken to have refused the application. That being the case, the applicant has lodged an application for review of the City taken to have refused the amendment application with the State Administrative Tribunal, pursuant to clause 76(2) of the Deemed Provisions.*

The SAT has scheduled the matter for mediation between the parties on 25 March 2024.

The purpose of the mediation is to allow the parties to discuss the issues related to the matter and to identify whether there are any potential solutions to resolve these. The outcomes from the mediation may be that the matter is listed for a further mediation, that the matter is scheduled for a final hearing, or that Administration is invited to reconsider its decision.

CR WORNER:

Could you please provide additional information regarding the Development Assessment Panel report due for No. 168 Scarborough Beach Road, can we get a copy?

A/MANAGER DEVELOPMENT & DESIGN:

The current Development Assessment Panel (DAP) application located at No. 168 Scarborough Beach Road, Mount Hawthorn seeks approval to redevelop the site into a four-storey commercial development, including a Child Care Premises and Restaurant/Café.

The Restaurant/Café component is located to the ground floor, orienting to Scarborough Beach Road, and with carparking located behind, accessed from the rear laneway.

The Child Care Premises is proposed on the first, second and third floors of the building.

Administration is awaiting additional information to be submitted by the applicant. Once this is received, Administration will prepare a Responsible Authority Report (RAR) that provides a recommendation to the DAP. The RAR due date will be confirmed once the amended plans and additional information have been received.

A copy of the RAR will be available on the DAP’s website after it has been submitted by Administration. A website link to this, together with details of the DAP meeting to determine this application, will be sent to all community consultation submitters.

This information will also be updated on the page dedicated to this item on the City’s Imagine Vincent website.

Further information relating to this proposal, including the proposed plans and its progress, can be found on Imagine Vincent here:

[No. 168 \(Lots 1-4\) Scarborough Beach Road, Mount Hawthorn | The City of Vincent.](#)

The Development Assessment Panel Meeting Register as part of the Information Bulletin has been updated with the current status of the this application, as mentioned above.

CR GREER:

Reconciliation Access Plan, Access and Inclusion Plan, there is a great list of achievements, but can we get any information on anything not on track, if there is anything of note?

EXECUTIVE MANAGER COMMUNICATIONS & ENGAGEMENT

The AIP and YAP are on track. There has been one scheduling delay to one of the deliverables in the RAP:

<i>Maintain relationship with Noongar Outreach Services and host two events per year to grow relationship.</i>	<i>Sep-23</i>	<i>A gathering with Noongar Outreach is planned for late June/ early July 2024. The relationship continues to be maintained through regular, ongoing work with the organisation.</i>
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7.5 PROPOSAL TO HOLD EVENTS AT LEEDERVILLE OVAL

Attachments: 1. Map of Leederville Oval Leased Area

RECOMMENDATION:

That Council:

1. Subject to the approval of the Minister of Lands, APPROVES the grant of licence to Newox Pty Ltd (ACN 640 888 599) for the use of a portion of Leederville Oval, 246 (Lot 500) Vincent Street, Leederville on the following key terms:

- 1.1 Initial Term: Two (2) years as follows:
Events including use of Leederville Oval:
1 October 2024 to 7 January 2025; and
1 October 2025 to 7 January 2026.
- Events solely using internal common area, club rooms and car park:
1 October 2024 to 30 September 2026.
- 1.2 Option Term: Two x One (1) year term as follows:
Events including use of Leederville Oval:
1 October 2026 to 7 January 2027; and
1 October 2027 to 7 January 2028;
- Events solely using internal common area, club rooms and car park:
1 October 2026 to 30 September 2027; and
1 October 2027 to 30 September 2028;
- both at the absolute discretion of the City.
- 1.3 Licence Fee: 1 October 2024 to 30 September 2026:
Based on City of Vincent's fees and charges applicable to Leederville Oval for financial year 2024/25.
- 1 October 2026 to 30 September 2028:
Based on City of Vincent's fees and charges applicable to Leederville Oval as at 1 July of the respective financial year.
- No fees apply for single day events on the oval that meet the following criteria:
- Entry is free of charge or low cost and open to all members of the community
 - Event is single day in duration with bump in and bump out taking place within a 24 hour period before and after event day
 - Event is family friendly in terms of content and activities being suitable for all ages and fostering a positive and inclusive atmosphere
 - If alcohol is to be sold on the oval, it must be confined to one self-contained area to be limited in capacity.
- 1.4 Licence Area: Portion of Leederville Oval, being oval section, common area section, additional facilities, and car parking area (i.e. all of Lot 500 Vincent Street, Leederville except the areas leased to East Perth Football Club Inc., Subiaco Football Club Inc. and the Department of Local Government, Sport and Cultural Industries).

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- 1.5 **Permitted Purpose:** To host a number of events focused around food, music or family friendly entertainment. Proposed events under this Licence shall be operated in keeping with the deliverables of the City's Public Health Plan, including:
- a) The event activities shall not be focused on the consumption of alcohol;
 - b) Alcohol advertising, marketing, promotion and sponsorship shall be limited; and
 - c) All events shall be smoke and vape free.
- 1.6 **Outgoings:** Lighting as per City of Vincent's fees and charges adopted as at 1 July annually.
- 1.7 **Cleaning and Maintenance:** Licensee's responsibility.
- 1.8 **Make good:** Licensee's responsibility, including through bond payment for turf repair by City.
- 1.9 **Approvals** The licensee shall make all relevant applications to the City, prior to each event, for approval under relevant Environmental Noise, Building and Health legislation.
- 1.10 **Redevelopment:** If the City:
- a) wishes to develop the Land or its surrounds; or
 - b) determines that it can no longer maintain the Land in a safe and occupiable condition,
- the City, may upon providing the Licensee with 3 months' prior notice, require the Licensee to surrender the licence over the Land.
2. Subject to the Minister's approval in Recommendation 1 and final satisfactory negotiations being carried out by the Chief Executive Officer, **APPROVES BY ABSOLUTE MAJORITY** the grant of licence to Newox Pty Ltd (ACN 640 888 599) for the use of a portion of Leederville Oval, 246 (Lot 500) Vincent Street, Leederville on the key terms set out in 1. Above, including the fees and charges included therein, and **AUTHORISES** the Mayor and the Chief Executive Officer to affix the common seal and execute the Licence; and
3. **NOTES** that the event organiser would be required to inform the community of event details ahead of events.

NO QUESTIONS

9.1 NOTICE OF MOTION - MAYOR ALISON XAMON - PROTECTION AND PROMOTION OF TREES ON PRIVATE LAND

That Council:

1. **NOTES** the critical role that tree canopy plays in making cities liveable, reducing the urban heat island effect and providing a habitat for local flora and fauna; and
2. **REQUESTS** that the City:
 - 2.1 **Prioritises** the progress of planning controls to ensure greater protection of trees and canopy provision on private land; and
 - 2.2 **Advocates** to the Western Australian Planning Commission and Minister for Planning for greater protection of trees on private land.

At 7.23 pm A/Manager Development & Design left the meeting and did not return.

At 7.23 pm Executive Manager Communications & Engagement left the meeting and did not return.

At 7.25pm Manager Engineering left the meeting and did not return

CR CASTLE:

Can Administration provide a summary of what actions other local governments have taken in relation to tree protection? This information would help to identify what pathways are available and what other local governments have or haven't been able to enact.

A/EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:

Administration has provided a table further below which reflects other local governments' approaches to tree protection.

This level of detail is intended to be discussed at an upcoming workshop with Elected Members on the topic of tree retention and tree provision on private properties. Administration's response to the Notice of Motion has been updated to reflect this.

In summary:

Significant Tree Registers

The most common form for tree protection on private property is a Significant Tree Register or Tree Preservation Order. These are incorporated in local planning schemes and are supported by a related local planning policy. Development approval is required for works to or the removal of a tree listed on this register or protected by a preservation order. This method requires both the consent of the landowner and the assessment of the tree against certain criteria (specific to each local government).

Current City of Vincent Approach

The City currently has a Tree of Significance Inventory under its Local Planning Scheme No. 2 (LPS2) which is supported by Policy No. 7.6.3 – Trees of Significance. There are currently nine trees on the Inventory that are located on private property.

Local Planning Scheme Provisions

The City of Nedlands recently sought to amend its local planning scheme to include provisions for the removal of large trees in areas coded R20 and below to require development approval. This was proposed to be supported by a local planning policy to guide the assessment of applications that propose the removal of a large tree, as well as providing trees as part of new developments.

This amendment was refused by the Minister for Planning in February 2024. The reasons for the Minister's approval have not been published but quotes attributed to the Minister through the media related to concerns over the punitive approach that would require approval before a tree could be pruned as well as there being a lack of community support. Upon refusal of the amendment, the City did not proceed with the LPP.

At the same time that the amendment was refused the State Government announced the preparation of a

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new Perth and Peel Urban Greening Strategy. This is intended to explore opportunities to enhance tree canopy within the public realm rather than private property.

In March 2023 the City of South Perth endorsed draft Local Planning Scheme No. 7. The draft scheme seeks to protect trees on private land by requiring development approval for the removal of a tree that meets certain size criteria or is included on the Significant Tree Register.

Whilst LPS7 has yet to be determined, recent media statements from the Minister of Planning have stated that scheme provisions which provide blanket protection for trees across a local government area would not be supported.

Local Planning Policies

In 2023, the City of Kalamunda endorsed a local planning policy for the protection of trees with a certain height and canopy size as well those with hollows that provided breeding habitat for black cockatoos. This policy applied to areas coded R25 or less.

This policy was rescinded on 27 February 2024 with the reasons including:

- *The Policy has been in operation for a period of at least 12 months.*
- *There have been reported instances of perverse outcomes to the Policy's implementation and application, particularly regarding the safety of City residents.*
- *It is warranted to repeal the Policy, as the text of the Policy renders it inappropriate and inadequate in balancing the interests of ratepayers, alongside the interest of conservation of our natural assets.*

Current City of Vincent Approach

The City's Policy No. 7.1.1 – Built Form (Built Form Policy) currently provides for landscaping standards which are over and above the standards of the Residential Design Codes (R Codes).

These standards cannot be enforced as they require the approval of Western Australian Planning Commission (WAPC).

The WAPC considered the landscaping provisions of the Built Form Policy in July 2022. The landscaping and tree canopy provisions were not supported by the officers at the Department of Planning, Lands and Heritage on the basis that they were inconsistent with the R Codes. The WAPC ultimately deferred its decision on these provisions due to the amendment to the R Codes to introduce standards for medium density developments.

Although the WAPC has yet to approve these standards, Administration assesses development applications against these provisions and works with applicants to maximise canopy cover on development sites as part of the assessment process.

The amended R Codes were released on 8 March 2024 and will take effect from 10 April 2024. The amendments do not provide for any significant change to the previous landscaping provisions.

In the absence of any formal statement from the State Government, the amended R Codes are considered to represent the State Government's position on landscaping and tree canopy as part of new developments.

Given this, it is unclear how the City's provisions within the Built Form Policy would ultimately be determined by the WAPC.

CR HALLETT:

Can the report be updated to address the WALGA's Tree Protection Planning Policy template that was recently released?

A/EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:

The report has been updated to reflect WALGA's Tree Protection Planning Policy template that was released on 5 March 2024, as well as the updated R Codes which were released on 8 March 2024.

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Details of Tree Protection Provisions on Private Land brought into the Local Planning Framework at various Local Governments

Existing Trees of Significance, Tree Preservation Orders and related Planning Policies		
Local Government	Scheme Provision and related Policy	Comment
City of Armadale	<p>The Scheme makes provision for Council to issue a tree preservation order.</p> <p>LPP 2.4 - Tree Preservation clarifies how a tree preservation order will be issued/removed.</p>	<p>The Scheme provision was gazetted on 20 July 2017.</p> <p>The Policy does not require approval from the WAPC. Adopted 17 June 2003, reviewed 25 May 2020.</p>
City of Bayswater	<p>Scheme preservations provide provisions similar to those in Volume 1 of the R-Codes, whereby trees are required per site based on:</p> <ul style="list-style-type: none"> - lot area; and - uncovered car parking areas in non-residential development. <p>The required number of trees can be reduced if a 'tree worthy of retention' or a large tree is retained</p> <p>Local Planning Policy – Trees on Private Land and Street Verges expands and clarifies the scheme provisions.</p>	<p>Amendment 78 to LPS24 was gazetted 31 May 2019.</p> <p>The Policy was adopted in June 2018 and does not require WAPC approval as it does not vary any provisions of the R Codes.</p>
City of Canning	<p>Scheme provision provides statutory protection for trees listed under in a Significant Tree Register.</p> <p>Council Policy ET 545 - Recognition and Protection of Significant Trees clarifies how a tree will be listed or removed from the Register.</p>	<p>The Scheme provision included in TPS4 was approved by the WAPC when the Scheme was gazetted on 26 May 2020.</p> <p>The Policy does not require approval from the WAPC as it does not vary any provisions of the R Codes. Adopted 19 October 2021.</p>
City of Fremantle	<p>Schedule A of LPS4 makes provision for Council to create and maintain a Register</p> <p>LPP 2.23 - Register of Significant Trees and Vegetation Areas clarifies how a tree will be listed or removed from the Register.</p>	<p>Amendment 67 was gazetted 25 October 2016.</p> <p>The Policy does not require approval from the WAPC as it does not vary any provisions of the R-Codes. Adopted 27 February 2019.</p>
City of Mandurah	<p>Scheme provision provides statutory protection for trees listed under in a Significant Tree Register.</p> <p>Scheme provision providing clarity on when development approval is not required for the removal of trees:</p> <ul style="list-style-type: none"> - where the tree is dead or constitutes an immediate threat to life or property; 	<p>The Scheme provision related to Significant Trees was included in gazettal of LPS12 on 11 April 2022.</p> <p>Amendment 1 to LPS 12 was gazetted 3 October 2023.</p>

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	<ul style="list-style-type: none"> - where the tree is within three metres of the wall of an existing or approved building; - where the tree is required to be removed for the purposes of bushfire prevention and control including a firebreak as required by any relevant legislation. 	
City of South Perth	Scheme provision provides statutory protection for trees listed under in a Significant Tree Register or under a Preservation Order.	The Scheme provision was approved by the WAPC upon gazettal of LPS 6 on 29 April 2003.
City of Stirling	<p>Scheme provision provides statutory protection for trees listed under in a Significant Tree Register.</p> <p>Scheme provisions clarifies that Council may impose a condition of development approval that requires the retention of a significant tree. A definition of a significant tree is also provided. Provides development bonus if significant trees are retained and required the planting of advanced trees if a significant tree is lost.</p> <p>LPP 6.11 – Trees and Development relates to the Scheme provision above.</p>	<p>Amendment 9 to LPS3 was gazetted 24 October 2017.</p> <p>The Policy was adopted and approved by the WAPC when it approved Amendment 9.</p>
City of Subiaco	Scheme provision provides statutory protection for trees listed under in a Significant Tree Register.	Scheme provision was approved by the WAPC upon gazettal of LPS5 on 21 February 2020.
Town of Bassendean	<p>Scheme provision provides statutory protection for trees listed under a Preservation Order.</p> <p>LPP 13 - Tree Retention and Provision clarifies how a tree will be listed or removed.</p>	<p>Scheme provision was approved by the WAPC upon gazettal of LPS10 on 23 June 2008.</p> <p>The Policy does not require approval from the WAPC as it does not vary any provisions of the R-Codes.</p>
Town of Mosman Park	Scheme provision provides statutory protection for trees listed under in a Significant Tree Register or under a Preservation Order.	Scheme provision was approved by the WAPC upon gazettal of LPS3 on 28 February 2018.
Town of Victoria Park	Draft LPS2 makes provision for Council to create and maintain a register.	Draft LPS2 has yet to be determined by WAPC.

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Planning Scheme Provisions not related to Significant Tree Registers or Tree Preservation Orders		
Local Government	Scheme Provision and related policy	Comment on Status
City of Nedlands	<p>Amendment 12 sought to require development approval for the removal of large trees on private land in low residential density areas (R20 and below).</p> <p>Draft Local Planning Policy – Trees on Private Land sought to guide the assessment of development applications received for tree removal, and guide the provision of new trees within low density residential areas.</p>	Refused by the Minister of Planning. The reasons for the Minister's approval have not been published but quotes attributed to the Minister through the media related to concerns over the punitive approach that would require approval before a tree could be pruned as well as there being a lack of community support.
City of South Perth	<p>The draft Local Planning Scheme No.7 sought to protect trees on private land by requiring development approval for the removal of a tree that meets certain size criteria and is included on the Significant Tree Register.</p> <p>Draft Local Planning Policy – Tree Preservation provides guidance on the assessment and determination of development applications for the removal of trees as per the draft LPS7</p>	<p>LPS7 has yet to be determined.</p> <p>The draft policy will be determined at the same time as LPS7.</p>

Planning Policies not related to Trees of Significance or Preservation Orders		
Local Government	Planning Policy	Comment
City of Kalamunda	LPP 33 – Tree Retention	<p>Adopted in December 2022, this Policy provided protection for trees with a certain height and canopy size as well those with hollows that provided breeding habitat for black cockatoos. This Policy applied to areas coded R25 or less. It was rescinded at the OMC on 27 February 2024.</p> <p>The Policy required approval by the WAPC as it sought variation to clauses 5.3.2 and 5.3.4 of Volume 1 of the R Codes, whereby it increased the planting standards based on lot sizes than those of the R-Codes. The WAPC approved this Policy before it was revoked.</p>
City of South Perth	LPP 350.05 Trees on Development Sites and Street Verges	<p>This Policy requires trees over 3 metres in height to be shown on plans for development applications and retained where possible provided they are within 3 metres of a side or rear boundary.</p> <p>The Policy was originally prepared at a time when the R Codes Volume 1 did not contain provisions relating to tree planting. Under the current R Codes it would require WAPC approval. Administration has not been able to confirm if this approval has been sought and/or granted.</p>
Town of Vitoria Park	Local Planning Policy No. 39 Tree Planting and Retention	<p>Adopted in February 2020 and amended in February 2022, the Policy provides provisions on the planting of trees as part of development approval. Specifies what a 'tree worthy of protection' is. Does not apply to development which is exempt from development approval nor multiple dwellings and mixed use development.</p> <p>The Policy was originally prepared at a time when the R Codes Volume 1 did not contain provisions relating to tree planting. As a result of amendments to the R Codes in 2021, the Policy required approval by the WAPC in respect to varying the requirements for tree planting. The WAPC has approved this Policy.</p>

REPORTS WITH NO DISCUSSION**5.1 NO. 99 (LOT: 1; S/P: 48216) BRISBANE STREET, PERTH - ALTERATIONS AND ADDITIONS TO GROUPED DWELLING****Ward:** South**Attachments:**

1. Consultation and Location Plan
2. Development Plans
3. Applicant Justification
4. Determination Advice Notes

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **APPROVES** the application for Alterations and Additions to Grouped Dwelling at No. 99 (Lot: 1; S/P: 48216) Brisbane Street, Perth, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 4:

1. Development Plans

This approval is for Alterations and Additions to Grouped Dwelling as shown on the approved plans dated 19 February 2024 and 21 February 2024. No other development forms part of this approval;

2. External Fixtures

All external fixtures, such as television antennas (of a non-standard type), radio and other antennae, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive to the satisfaction of the City;

3. Colours and Materials

The colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans and schedule of materials and colours, which form part of this approval, to the satisfaction of the City; and

4. Stormwater

Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve.

NO QUESTIONS

7.1 FINANCIAL STATEMENTS AS AT 31 JANUARY 2024

Attachments: 1. Financial Statements as at 31 January 2024

RECOMMENDATION:

That Council **RECEIVES** the Financial Statements for the month ended 31 January 2024 as shown in Attachment 1.

NO ACTIONS

7.2 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 01 JANUARY 2024 TO 31 JANUARY 2024

- Attachments:**
- 1. January 2024 Payments by EFT and Payroll
 - 2. January 2024 Payments by Direct Debit
 - 3. January 2024 Payments by Cheques

RECOMMENDATION:

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 January 2024 to 31 January 2024 as detailed in Attachments 1, 2 and 3 as summarised below:

EFT payments, including payroll	\$5,865,358.51
Cheques	\$463.85
Direct debits, including credit cards	\$185,233.31
Total payments for January 2024	\$6,051,055.67

NO QUESTIONS

7.3 INVESTMENT REPORT AS AT 31 JANUARY 2024

Attachments: 1. Investment Statistics as at 31 January 2024

RECOMMENDATION:

That Council NOTES the Investment Statistics for the month ended 31 January 2024 as detailed in Attachment 1.

NO QUESTIONS

7.4 MID YEAR BUDGET REVIEW 2023/24

- Attachments:**
1. Rate Setting Statement 2023/24
 2. Net Current Assets 2023/24
 3. Cash Backed Reserves 2023/24
 4. Capital Budget 2023/24
 5. Operating Budget Analysis 2023/24

RECOMMENDATION:

That Council BY ABSOLUTE MAJORITY APPROVES the following amendments to the 2023/24 Annual Budget:

- a) A net increase in the Operating result of \$1,899,197 as per Attachments 1;
- b) A net increase in Cash Backed Reserves totalling \$3,178,691 as per Attachments 3;
- c) A net decrease in the Capital Expenditure Budget of \$375,837 as per Attachment 4;
- d) A net decrease in closing surplus of \$1,300,157, resulting in a forecasted year end surplus at 30 June 2024 of \$653,883 as per Attachment 1; and
- e) Additional loan payment of \$1,400,000 towards Beatty Park Loan 10

NO QUESTIONS

8.1 REPORT AND MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 29 FEBRUARY 2024

- Attachments:**
1. **Audit and Risk Committee Minutes - 29 February 2024**
 2. **Confidential Attachments - Audit and Risk Committee Minutes - 29 February 2024 - Confidential**

RECOMMENDATION:

That Council:

1. **RECEIVES** the minutes of the Audit Committee Meeting of 29 February 2024, as at Attachment 1 and Confidential Attachments as at Attachment 2; and
2. **APPROVES** the recommendations from the Audit Committee as follows:
 - 2.1 **ADOPTS** the Local Government Statutory Compliance Audit Return for the period 1 January 2023 to 31 December 2023.
 - 2.2 **ENDORSES** the key findings and management actions arising from the Regulation 17 review of the *Local Government (Audit) Regulations 1996* prepared by Paxon
 - 2.3 **APPROVES** the risk management actions for high and extreme risks outline in the Corporate Risk Register.
 - 2.4 **APPROVES** closure of action items noted within the Audit Log.
 - 2.5 **ENDORSES** the Audit and Risk Committee Self-Assessment process.
3. **NOTES**
 - 3.1 **The Audit and Risk Committee Forward Agenda at Attachment 1.**
 - 3.2 **Alignment of Corporate Risks to risk appetite and tolerance ratings.**

NO QUESTIONS

8.2 LOCAL GOVERNMENT STATUTORY COMPLIANCE AUDIT RETURN 2023**Attachments:** 1. **Compliance Audit Return 2023****RECOMMENDATION:****That Council:**

1. **NOTES** that the City of Vincent's Compliance Audit Return for the period 1 January 2023 to 31 December 2023 was reviewed by the Audit Committee at its 29 February 2024 meeting;
2. **ADOPTS** the Compliance Audit Return for the period 1 January 2023 to 31 December 2023, at Attachment 1; and
3. **AUTHORISES** the Compliance Audit Return in Recommendation 1. above to be certified by the Mayor and Chief Executive Officer in accordance with Regulation 15 of the *Local Government (Audit) Regulations 1996*.

NO QUESTIONS

8.3 MEETING ATTENDANCE FEES FOR INDEPENDENT COMMITTEE MEMBERS

- Attachments:
1. Salaries and Allowances Act 1975 - Determination Variation
 2. Audit and Risk Committee Terms of Reference - Clean version
 3. Audit and Risk Committee Terms of Reference - Tracked changes

RECOMMENDATION:

That Council:

1. **ADOPTS** the Maximum fee for Band 2 Independent Committee Members as set out in the Salaries and Allowances Act 1975 at Attachment 1; and
2. **APPROVES** the payment of the Maximum fee to Independent Committee Members on the Audit and Risk Committee.
3. **APPROVES** the updated Audit and Risk Committee Terms of Reference at Attachment 2;

NO QUESTIONS

5 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

This item was discussed under Reports with Discussion above.

6 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil

7 CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

12 CLOSURE

There being no further business the meeting closed at 7.29pm.