

Finance and Administration Committee

**Notice of Meeting
7 February 2017
4.00pm**

**Committee Room 1
Ninth Floor
Council House
27 St Georges Terrace, Perth**



Agenda

ORDER OF BUSINESS AND INDEX

- 1** Declaration of Opening
- 2** Apologies and Members on Leave of Absence
Cr Chen (LOA)
- 3** Question Time for the Public
- 4** Confirmation of minutes – 6 December 2016
- 5** Correspondence
- 6** Disclosure of Members' interests
- 7** Matters for which the meeting may be closed
Nil
- 8** Reports
 - 8.1 Financial Statements and Financial Activity Statement for the Period Ended 31 December 2016
 - 8.2 Payments from Municipal and Trust Funds – November 2016
 - 8.3 Payments from Municipal and Trust Funds – December 2016
 - 8.4 Investments and Investment Returns for Period ended 30 November 2016
 - 8.5 Investments and Investment Returns for the Period Ended 31 December 2016
 - 8.6 Public Art Advisory Panel Nominations
 - 8.7 Review Policy 9.2 Heritage Rate Concession
 - 8.8 Adoption - City of Perth Parking Local Law 2017
 - 8.9 2017 Local Government Elections
 - 8.10 Open Government - Accountability and Transparency
 - 8.11 Third Party Travel Contribution – Participation in International Exchange Program
- 9** Motions of which Previous Notice has been given
- 10** General Business
 - 10.1 - Responses to General Business from a Previous Meeting

Please convey apologies to Governance on 9461 3250
or email governance@cityofperth.wa.gov.au

10.2 - New General Business

11 Items for consideration at a future meeting

The following items are currently being investigated and actioned by Officers. Information will be provided to Elected Members when available.

- Potential Financial Opportunities and Shared Services across local governments (raised at FA 04/10/16).
- Council Policy 1.9 – Public Relations Policy – Media Statements and Press Releases (raised at FA 04/10/16, updated FA 06/12/16).
- City of Perth Art collection (raised at FA 04/10/16, updated FA 06/12/16).

Outstanding Reports:

- Council Dining Room (raised FA30/09/14, updated FA 21/04/15, 23/08/16 & 06/12/16).
- Audit of commercial buildings that are vacant / in disrepair (raised at Council 30/08/16).
- Air and land rights available to City of Perth for potential creation of affordable housing (raised at Council 30/08/16, updated FA 06/12/16).
- Council Policy 10.6 – Elected Member Expense Reimbursements (raised at FA 04/10/16, updated 06/12/17).

12 Closure



MARTIN MILEHAM
CHIEF EXECUTIVE OFFICER
2 FEBRUARY 2017

This meeting is open to members of the public

FINANCE AND ADMINISTRATION COMMITTEE

Established: 17 May 2005 (Members appointed 22 October 2015)

Members:	1st Deputy:	2nd Deputy:
Cr Davidson OAM JP (Presiding Member)	Cr Green	Cr Yong
Cr Chen		
Cr Harley		

Quorum: Two

Expiry: October 2017

TERMS OF REFERENCE: [Adopted OCM 24/11/15]

1. To oversee and make recommendations to the Council on matters related to:
 - a. the financial management of the City including budgeting, payment of accounts, collection of debts, investment of funds and write-offs;
 - b. strategic and annual plans;
 - c. management of local government property including issues relating to the City's civic buildings (Council House, Perth Town Hall, Perth Concert Hall and the City of Perth Library);
 - d. business opportunities and proposals, including those related to parking, having the potential to achieve new income or savings for the City, which may have been initiated by other Committees of the Council;
 - e. fees and charges levied by the City in accordance with Sections 6.16 or 6.32 of the Local Government Act 1995;
 - f. Elected Members, including protocols and procedures, benefits and allowances;
 - g. Council's policies, local laws and Register of Delegations;
 - h. the management and enforcement of permanent and temporary on-street parking proposals or restrictions and any associated fees or signage;
 - i. any other matters requiring a decision of the Council and not specifically defined in the Terms of Reference for any other Committee of the Council or where the substantive Committee is unable to be convened and a decision is necessary to fulfil operational requirements.

NOTE:

Delegated Authority 1.1.1 – Finance and Administration Committee provides authority for the Committee to:

1. Approve or decline requests for receptions of up to \$5,000 in value referred to the Committee by the Lord Mayor [FM Reg.12(1)(b)].
2. Purchase artworks worth over \$5,000 and the deaccession of artworks [FM Reg.12(1)(b) and s.3.58(2) and (3)].
3. Determine matters assigned by delegated authority to the Marketing, Sponsorship and International Engagement Committee and the Audit and Risk Committee, only where the respective Committee is unable to be convened and a decision is necessary to fulfil operational requirements.

INFORMATION FOR THE PUBLIC ATTENDING COMMITTEE MEETINGS

Question Time for the Public

- An opportunity is available at all Committee meetings open to members of the public to ask a question about any issue relating to the City. This time is available only for asking questions and not for making statements. Complex questions requiring research should be submitted as early as possible in order to allow the City sufficient time to prepare a response.
- The Presiding Person may nominate a Member or officer to answer the question, and may also determine that any complex question requiring research be answered in writing. No debate or discussion is allowed to take place on any question or answer.
- To ask a question please write it on the white Question Sheet provided at the entrance to the Council Chamber and hand it to a staff member at least an hour before the meeting begins. Alternatively, questions can be forwarded to the City of Perth prior to the meeting, by:
 - Letter: Addressed to GPO Box C120, Perth, 6839;
 - Email: governance@cityofperth.wa.gov.au.
- Question Sheets are also available on the City's web site: www.perth.wa.gov.au.

Deputations

A deputation wishing to be received by a Committee is to apply in writing to the CEO who will forward the written request to the Presiding Member. The Presiding Member may either approve the request or may instruct the CEO to refer the request to the Committee to decide whether or not to receive the deputation. If the Presiding Member approves the request, the CEO will invite the deputation to attend the meeting.

Please refer to the 'Deputation to Committee' form provided at the entrance to the Council Chamber for further information on the procedures for deputations. These forms are also available on the City's web site: www.perth.wa.gov.au.

Disclaimer

Members of the public should note that in any discussion regarding any planning or other application that any statement or intimation of approval made by any Member or officer of the City during the course of any meeting is not intended to be and is not to be taken as notice of approval from the City. No action should be taken on any item discussed at a Committee meeting prior to written advice on the resolution of the Council being received.

Any plans or documents contained in this agenda may be subject to copyright law provisions (Copyright Act 1968, as amended) and the express permission of the copyright owner(s) should be sought prior to their reproduction.

EMERGENCY GUIDE

Council House, 27 St Georges Terrace, Perth



The City of Perth values the health and safety of its employees, tenants, contractors and visitors. The guide is designed for all occupants to be aware of the emergency procedures in place to help make an evacuation of the building safe and easy.

BUILDING ALARMS

Alert Alarm and Evacuation Alarm.

ALERT ALARM

beep beep beep

All Wardens to respond.

Other staff and visitors should remain where they are.



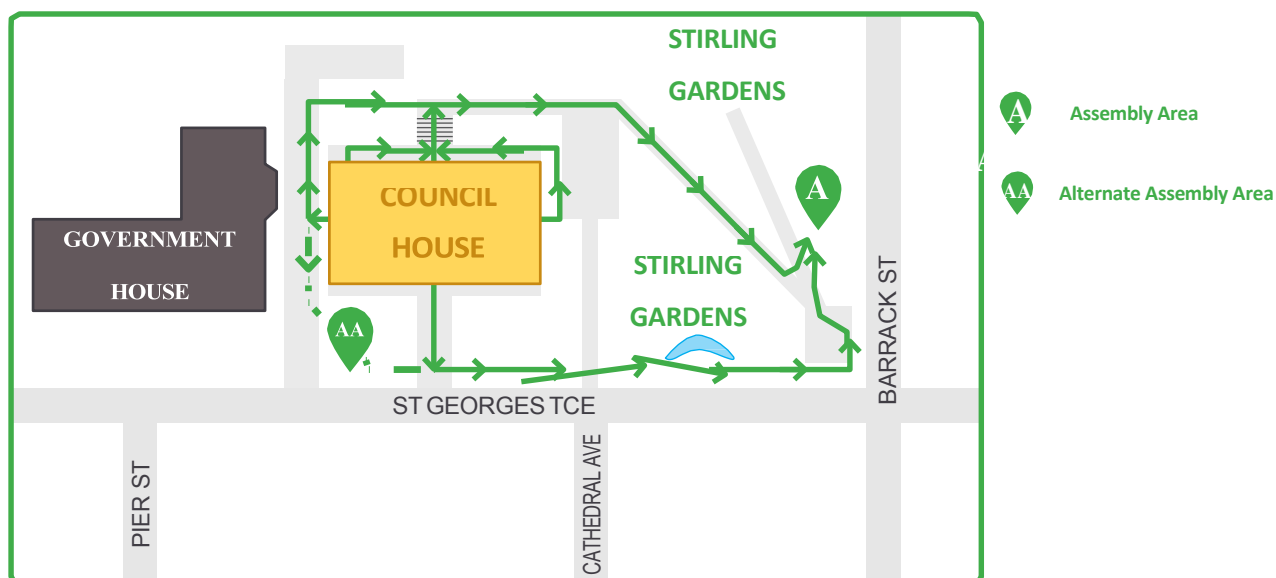
EVACUATION ALARM / PROCEDURES

whoop whoop whoop

On hearing the Evacuation Alarm or on being instructed to evacuate:

1. Move to the floor assembly area as directed by your Warden.
2. People with impaired mobility (those who cannot use the stairs unaided) should report to the Floor Warden who will arrange for their safe evacuation.
3. When instructed to evacuate leave by the emergency exits. **Do not use the lifts.**
4. Remain calm. Move quietly and calmly to the assembly area in **Stirling Gardens** as shown on the map below. Visitors must remain in the company of City of Perth staff members at all times.
5. After hours, evacuate by the nearest emergency exit. **Do not use the lifts.**

EVACUATION ASSEMBLY AREA



Agenda Item 8.1	Financial Statements and Financial Activity Statement for the Period Ended 31 December 2016
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Recommendation:

That Council approves the Financial Statements and the Financial Activity Statement for the period ended 31 December 2016 as detailed in Attachment 8.1A of this Report.

FILE REFERENCE:	P1014149-25
REPORTING UNIT:	Finance
RESPONSIBLE DIRECTORATE:	Corporate Services
DATE:	16 January 2017
ATTACHMENT/S:	Attachment 8.1A – Financial Statements and Financial Activity Statement for the period ended 31 December 2016

Legislation / Strategic Plan / Policy:

Legislation	Section 6.4(1) and (2) of the <i>Local Government Act 1995</i> Regulation 34(1) of the <i>Local Government (Financial Management) Regulations 1996</i>
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Integrated Planning and Reporting Framework Implications	Strategic Community Plan Council Four Year Priorities: Community Outcome Capable and Responsive Organisation A capable, flexible and sustainable organisation with a strong and effective governance system to provide leadership as a capital city and deliver efficient and effective community centred services.
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Financial Implications:

There are no direct financial implications arising from this report.

Details:

The Financial Activity Statement detailed in Attachment 8.1A is presented together with a commentary on variances from the revised budget.

Comments:

The Financial Activity Statement commentary compares the actual results for the six months to 31 December 2016 with the original budget approved by Council on **28 June 2016** and budget adjustments adopted by Council on **30 August 2016** and **1 November 2016**.

**FINANCIAL ACTIVITY STATEMENT FOR THE SIX MONTHS TO
31 DECEMBER 2016**

REPORT OF VARIANCES TO BUDGET

This report compares the actual performance for the six months to 31 December 2016 to the adopted 2016/17 Budget and budget adjustments adopted by Council on 30 August 2016 and 1 November 2016.

Operating Revenue

- Parking revenue year to date was \$36.9 million, which was \$(1,442,000) below budget. The performance of each of the six months has been below budget; however the unfavorable variance to budget has been gradually diminishing from 8.2% in July to 3.8% in December.
- The variance consisted of \$(2,142,000) for Undercover Car Parks, partly offset by a positive variances of \$105,000 for Open Air Car Parks, and \$595,000 for Kerbside Parking.
- The unfavourable variances for Undercover Car Parks were mainly due to year on year patronage lower than expected: His Majesty's \$(351,000), Alexander Library \$(270,000) and Elder Street Carpark \$(230,000).
- Fines and Costs were lower than budget by \$(604,000). Of this variance 98.5% related to less than expected revenue generated from parking fines.
- Investment Income and Interest were \$360,000 or 13.3% above budget. Mainly due to the performance of the Colonial Share Index Balance Fund which reflected the 3.4% increase in the ASX 200 in the two months to December.
- Rubbish collection yielded 3.3% or \$(279,000) less than expected compared to the revised budget. It is expected that as the year progresses the actual results will align closer to the revised budget.
- Recurrent Grants were below budget by \$(88,000) predominantly for Government funding grants. This is a timing variance only.

Operating Expenditure

- Employee costs ended the month \$498,000 or 1.3% below budget mainly due to the timing of recruitment, with a number of positions vacant which had been approved in the 2016/17 Workforce Plan.
- Materials and Contracts were \$6,618,000 below budget. The variance is expected to mainly be a timing variance with budget spends progressing slower than originally anticipated.
- The main areas of underspend were: Consultancy \$1,285,000, Infrastructure Maintenance \$842,000 (mainly for Point Fraser Wetlands \$138,000) and Property Maintenance \$601,000 (mainly for Council House

**FINANCIAL ACTIVITY STATEMENT FOR THE SIX MONTHS TO
31 DECEMBER 2016**

REPORT OF VARIANCES TO BUDGET

\$349,000 and Concert Hall Car Park \$57,000) and Advertising \$450,000. Various smaller variances were spread throughout the City's accounts.

- Utilities were below budget by \$282,000 predominantly due to lower than expected spend on power.
- Depreciation was \$(128,000) over budget, a variance of 0.8%.
- Loss on disposal of assets was \$(698,000) above budget. As part of the capitalisation process of new assets, relevant obsolete assets were written off. The finalisation of the year end process resulted in a loss of \$899,000 for infrastructure assets during September. This is expected to be a timing variance.
- Other Expenditure was \$(199,000) above budget. During December \$(458,000) was processed as part of the capital works close out process for costs that were identified as operating expenditure rather than capital costs. This was partially offset by under budget spend on Donations and Sponsorships \$57,000 and Parking Bay Licence Fees of \$44,000.

Investing Activities

- Capital Grants were \$(1,744,000) below budget mainly due to slower than anticipated delivery of capital projects.
- Capital expenditure was \$14.5 million below the revised budget. At the end of December capital spent was \$11.4 million, being 17.6% of the revised budget spent to date. The program of project works has progressed slower than anticipated resulting in this significant variance. The actual capital expenditure does not however reflect committed expenditure on projects which have commenced. Reprioritisation of some projects and adjustments to the total value of the program will be considered as part of the budget review to commence in January 2017.
- Capital expenditure for the month of December totalled \$3.6 million which included the following:
 - Lighting Murray Street (William Street to King Street) \$337,000
 - Parliament Place – Harvest Terrace to Havelock Street \$350,000
 - Trafalgar Bridge Lighting \$262,000
 - Various Footpath projects \$415,000

**FINANCIAL ACTIVITY STATEMENT FOR THE SIX MONTHS TO
31 DECEMBER 2016**

REPORT OF VARIANCES TO BUDGET

Financing Activities

- Transfers to Reserves were \$945,000 below budget. Utilisation of reserve funds was lower than expected, this being a timing variance.
- Transfers from Reserves were below budget by \$(3.7 million). This is due to slower than anticipated progress on capital expenditure.

Amounts sourced from Rates

- Rates revenue raised was \$1.4 million above the revised budget. A report was presented to Council on 1 November to adjust the 2016/17 budget for major income and expenditure resulting from the impact of the City of Perth Act. Rates issued to former Nedlands and Subiaco residents resulted in a \$1.8 million adjustment to the 2016/17 original budget.
- Furthermore, as part of the 2016/17 budget process estimates were made of the anticipated interim rates and the related revenue collection phased throughout the financial year. Some of those properties realised earlier than expected which accounted for the majority of the \$1.4 million variance.

CITY OF PERTH

FINANCIAL ACTIVITY STATEMENT - for the period ended 31 December 2016

	Budget 2016/17 \$	Budget YTD 31-Dec-16 \$	Actual YTD 31-Dec-16 \$	Variance YTD 31-Dec-16 \$
Proceeds from Operating Activities				
Operating Revenue				
<i>Nature of Income</i>				
Parking Fees	76,973,664	38,393,165	36,951,157	(1,442,008)
Fines and Costs	10,610,604	4,956,168	4,352,651	(603,517)
Investment Income and Interest	4,672,819	2,719,341	3,079,734	360,393
Community Service Fees	1,577,941	810,252	743,459	(66,793)
Rubbish Collection	8,581,163	8,546,468	8,267,430	(279,038)
Rentals and Hire Charges	5,251,214	2,663,785	2,610,230	(53,555)
Recurrent Grants	1,514,031	759,359	671,675	(87,684)
Contributions, Donations and Reimbursements	585,576	305,288	241,067	(64,221)
Other Income	4,681,208	2,886,567	2,920,390	33,823
Distribution from TPRC	1,000,000	-	-	-
	115,448,219	62,040,393	59,837,793	(2,202,600)
Less: Operating Expenditure				
<i>Nature of Expenditure</i>				
Employee Costs	77,744,705	38,955,276	38,456,819	498,456
Materials and Contracts	53,157,971	27,130,158	20,512,195	6,617,963
Utilities	3,596,588	1,773,285	1,491,597	281,688
Insurance Expenditure	1,197,885	597,760	535,056	62,704
Depreciation and Amortisation	33,144,020	16,572,010	16,700,475	(128,465)
Interest Expenses	1,562,208	811,391	973,287	(161,896)
Expense Provisions	998,010	480,300	463,002	17,299
Loss on Disposal of Assets	1,437,448	718,724	1,416,675	(697,951)
Other Expenditure	25,107,422	12,692,433	12,891,752	(199,319)
	197,946,258	99,731,337	93,440,859	6,290,478
Add back Depreciation	(33,144,020)	(16,572,010)	(16,700,475)	128,465
(Loss) / Profit on Disposals	(1,437,448)	(718,724)	(1,416,675)	697,951
	163,364,790	82,440,603	75,323,709	7,116,894
Net Surplus/(Deficit) from Operations	(47,916,571)	(20,400,210)	(15,485,916)	4,914,294
Investing Activities				
Capital Grants	5,768,315	2,884,157	1,140,393	(1,743,764)
Capital Expenditure	(66,963,105)	(25,908,899)	(11,382,166)	14,526,733
Proceeds from Disposal of Assets/Investments	1,280,000	540,055	813,892	273,837
	(59,914,790)	(22,484,687)	(9,427,881)	13,056,806
Financing Activities				
Repayment of Borrowings	(6,111,896)	(3,817,600)	(3,817,600)	-
Transfers to Reserves	(27,749,200)	(2,927,126)	(1,982,529)	944,597
Transfer from Reserves	34,665,203	22,633,384	18,916,277	(3,717,107)
	804,106	15,888,658	13,116,148	(2,772,510)
Add: Opening Funds	27,795,809	27,795,809	21,028,299	(6,767,510)
Net Surplus/(Deficit) before Rates	(79,231,446)	799,570	9,230,650	8,431,080
Amount Sourced from Rates	86,914,114	86,478,694	87,926,439	1,447,745
Closing Funds	7,682,669	87,278,264	97,157,090	9,878,825

Net Cash on Hand				
Cash On Hand	5,928,176	7,534,630	6,665,453	(869,177)
Money Market Investments	102,924,170	149,505,871	151,246,767	1,740,896
Funds on Hand	108,852,346	157,040,501	157,912,220	871,719
Analysis of Funds on Hand				
Reserves	79,211,467	67,950,889	68,578,304	627,415
Provisions	12,379,102	12,248,839	10,757,965	(1,490,874)
General Funds	17,261,777	76,840,772	78,575,951	1,735,178
Funds on Hand	108,852,346	157,040,501	157,912,220	871,719

CITY OF PERTH

CURRENT POSITION AS AT THE END OF THE PERIOD 31 DECEMBER 2016

	2016/17 Budget \$	2016/17 Budget YTD \$	2016/17 Actual YTD \$	2016/17 Variance \$
Current Assets				
Cash and Cash Equivalents	5,928,176	7,534,630	6,665,453	(869,177)
Deposits and Prepayments	446,730	11,117,284	11,343,451	226,167
Money Market Investments - Municipal Funds	23,712,703	81,554,982	82,668,463	1,113,481
Money Market Investments - Restricted Funds	79,211,467	67,950,889	68,578,304	627,415
Trade and Other Receivables	4,020,574	18,448,834	18,153,875	(294,959)
Inventories	972,964	1,146,480	988,506	(157,974)
Total Current Assets	114,292,614	187,753,099	188,398,052	644,953
Current Liabilities				
Trade and Other Payables	26,646,668	32,287,898	22,048,666	(10,239,232)
Employee Entitlements	12,379,102	12,012,792	10,757,965	(1,254,827)
Provisions	400,750	236,048	613,992	377,944
Borrowings	7,083,366	5,985,764	5,985,764	0
Total Current Liabilities	46,509,886	50,522,501	39,406,387	(11,116,114)
Working Capital Position Brought Forward	67,782,728	137,230,598	148,991,665	11,761,067
Deduct Restricted Cash Holdings	(79,211,467)	(67,950,889)	(68,578,304)	(627,415)
Deduct Restricted Cash - Non-current leave	11,376,413	12,012,792	10,757,965	(1,254,827)
Add Current Borrowings	7,083,366	5,985,764	5,985,764	0
Current Funds Position Brought Forward	7,031,041	87,278,264	97,157,090	9,878,825

EXPLANATORY NOTES – FINANCIAL ACTIVITY STATEMENT

BACKGROUND

- Regulation 34 of the Local Government (Financial Management) Regulations 1996 was amended effective from 1 July 2005.
- The amendment prescribes a monthly Financial Activity Statement (FAS) reporting the sources and application of funds, as set out in the Rate Setting Statement which is included in the Annual Budget.

PURPOSE

- The FAS reports the actual financial performance of the City in relation to its adopted budget, which has been structured on financial viability and sustainability principles.
- The FAS is intended to act as a guide to Council of the impact of financial activities and the reasons for major variances to the annual budget estimates.

PRESENTATION

- Regulation 34 prescribes the minimum detail to be included in the FAS. These are listed below.
 - Annual Budget estimates, and approved revisions to these, are to be included for comparison purposes.
 - Actual amounts of income and expenditure to the end of the month of the FAS.
 - Material variances between the comparable amounts and commentary on reasons for these.
 - The net current assets at the end of the month to which the FAS relates.
- An explanation of the composition of the net current assets at the end of the month to which the FAS relates; less committed and restricted assets.
- Councils are given the option of adopting a format which is considered most appropriate to their needs. These options are listed below.
 - According to nature and type classification,
 - by program, or
 - by business unit.
- It is recommended that while the information presented by cost objects (programs and activities) or by cost centres (business units) are useful for expense allocation and cost centre accountability purposes, they are less informative and difficult to comprehend in matters of disclosure and less effective in cost management and control.
- The FAS has therefore been presented in the format using nature and type classification as the most meaningful disclosure to the Council and public.

FORMAT

- The FAS is formatted to align with the Rate Setting Statement.
- The first part deals with operating income and expenditure, excluding rate revenue.
- The next classification is the amount spent on capital expenditure and debt repayments.
- The classification 'Financing Activities' provides a statement of sources of funds other than from operating or rates revenue, which are usually associated with capital expenditure.
- Attached to the FAS is a statement of 'Net Current Assets' for the budget and actual expenditure to the end of the month to which the FAS relates.
- Opening and closing funds represent the balance of 'Net Current Assets', not including any funds which are committed or restricted.
- "Committed assets" means revenue unspent but set aside under the annual budget for a specific purpose.
- "Restricted assets" means those assets the uses of which are restricted, wholly or partially, by regulations or other externally imposed requirements", e.g. reserves set aside for specific purposes.
- To avoid duplication in calculating 'Closing Funds on hand', certain balances, such as provisions and borrowings, are also deducted.
- The total Closing Funds on hand are to be taken into account when calculating the amount to be raised by rates each year.
- The classification "Net Cash on Hand" represents the balances of funds held in cash or invested and the analysis into those funds reserved, carried forward or remaining unspent at the end of the month to which the FAS relates.



CITY of PERTH

CITY of PERTH

Financial Statements

For the 6 months ended 31 December 2016

**CITY OF PERTH
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**Statement of Comprehensive Income for the 6 months ended 31 December 2016
(By Program)**

	<i>Note</i>	Budget 2016/2017	Revised Budget YTD	Actual YTD 31/12/2016	YTD Variance	
OPERATING REVENUE		\$	\$	\$	\$	%
General Purpose Funding Rates		86,075,041	87,386,724	88,899,170	1,512,446	1.7%
General Purpose Funding Other		5,038,022	2,865,175	3,053,665	188,490	6.6%
Law, Order, Public Safety		23,178	11,736	24,421	12,685	108.1%
Health		780,345	714,016	820,558	106,542	14.9%
Education and Welfare		2,105,728	1,140,827	1,031,844	(108,983)	-9.6%
Housing		781,872	390,936	447,571	56,635	14.5%
Community Amenities		10,789,799	9,926,010	9,618,302	(307,708)	-3.1%
Recreation and Culture		1,732,910	616,372	577,992	(38,380)	-6.2%
Transport		90,120,021	44,615,757	42,516,697	(2,099,060)	-4.7%
Economic Services		831,710	449,609	444,028	(5,581)	-1.2%
Other Property and Services		803,852	401,926	329,986	(71,940)	-17.9%
Total Operating Income		199,082,478	148,519,088	147,764,234	(754,854)	-0.5%
OPERATING EXPENDITURE						
Governance		10,394,320	5,876,399	5,996,272	(119,873)	-2.0%
General Purpose Funding		6,128,645	3,153,109	1,909,599	1,243,510	39.4%
Law, Order, Public Safety		3,758,622	1,917,678	1,846,609	71,069	3.7%
Health		4,603,806	2,365,579	1,530,047	835,532	35.3%
Education and Welfare		3,688,491	1,856,825	1,833,835	22,990	1.2%
Housing		554,156	276,879	290,424	(13,545)	-4.9%
Community Amenities		30,384,835	15,399,914	14,461,347	938,567	6.1%
Recreation and Culture		35,350,738	17,158,842	16,429,409	729,433	4.3%
Transport		85,682,324	43,043,731	38,239,587	4,804,144	11.2%
Economic Services		10,316,035	5,522,370	5,713,919	(191,549)	-3.5%
Other Property and Services		5,020,459	2,524,620	3,611,230	(1,086,610)	-43.0%
Total Operating Expenditure		195,882,431	99,095,946	91,862,278	7,233,668	7.3%
NET FROM OPERATIONS		3,200,047	49,423,142	55,901,956	6,478,814	13.1%
GRANTS/CONTRIBUTIONS						
For the Development of Assets						
- General Purpose Funding		-	-	96,780	96,780	0.0%
- Law ,Order,Public Safety		240,150	120,075	40,000	(80,075)	-66.7%
- Recreation and Culture		2,693,400	1,346,700	510,581	(836,119)	-62.1%
- Transport		2,834,765	1,417,383	493,032	(924,351)	-65.2%
Total Grants/Contributions		5,768,315	2,884,157	1,140,393	(1,743,764)	-60.5%
DISPOSAL/WRITE OFF OF ASSETS						
Gain/(Loss) on Disposal of Assets	2	(1,437,448)	(718,724)	(1,416,677)	(697,953)	97.1%
Change in net assets resulting from operations before significant items		7,530,914	51,588,576	55,625,672	4,037,096	7.8%
SIGNIFICANT ITEMS						
Distribution from TPRC		1,000,000	-	-	-	0.0%
Change in net assets resulting from operations after significant items		8,530,914	51,588,576	55,625,672	4,037,096	7.8%

**CITY OF PERTH
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***Statement of Comprehensive Income for the 6 months ended 31 December 2016
(By Nature)***

	<i>Note</i>	Budget 2016/2017	Revised Budget YTD	Actual YTD 31/12/2016	YTD Variance	
OPERATING REVENUE		\$	\$	\$	\$	%
Rates		85,143,608	86,478,694	87,926,439	1,447,745	1.7%
Grants and Contributions for Non Capital Purposes		1,514,031	759,359	671,675	(87,684)	-11.5%
Donations and Reimbursements		585,576	305,288	241,067	(64,221)	-21.0%
Fees and Charges		105,213,130	57,441,100	55,080,225	(2,360,875)	-4.1%
Interest and Investment Income		4,672,819	2,719,341	3,079,735	360,394	13.3%
Other Revenue		1,953,314	815,305	765,093	(50,212)	-6.2%
Total Revenue from Operating Activities		199,082,478	148,519,088	147,764,234	(754,854)	-0.5%
OPERATING EXPENDITURE						
Employee Costs		77,205,335	38,955,276	38,399,044	556,232	1.4%
Materials and Contracts		53,092,963	27,130,158	20,512,195	6,617,963	24.4%
Utilities		3,596,588	1,773,285	1,491,597	281,688	15.9%
Depreciation and Amortisation		33,144,020	16,572,010	16,700,475	(128,465)	-0.8%
Interest		1,562,208	811,391	973,287	(161,896)	-20.0%
Insurance		1,197,885	597,760	535,056	62,704	10.5%
Expenses Provision		998,010	480,300	463,002	17,298	3.6%
Other Expenses from Ordinary Activities		25,085,422	12,775,766	12,787,622	(11,855)	-0.1%
Total Expenses from Ordinary Activities		195,882,431	99,095,946	91,862,278	7,233,668	7.3%
Change in Net Assets from Ordinary Activities before Capital Amounts		3,200,047	49,423,142	55,901,956	6,478,814	13.1%
GRANTS/CONTRIBUTIONS						
Grants and Contributions- Capital		5,768,315	2,884,157	1,140,393	(1,743,764)	-60.5%
NET OPERATING SURPLUS		8,968,362	52,307,300	57,042,349	4,735,050	9.1%
DISPOSAL/WRITE OFF OF ASSETS	2	(1,437,448)	(718,724)	(1,416,677)	(697,953)	97.1%
SIGNIFICANT ITEMS						
Distribution from TPRC		1,000,000	-	-	-	0.0%
Change in net assets resulting from operations after capital amounts and significant items		8,530,914	51,588,576	55,625,672	4,037,096	7.8%

**CITY OF PERTH
MUNICIPAL**

Statement of Financial Position as at 31 December 2016

	Note	31/12/2016	30/06/2016
CURRENT ASSETS		\$	\$
Cash and Cash Equivalents	11	6,665,453	10,063,697
Deposits/Prepayments	4	11,343,451	1,246,983
Investments	3, 11	151,246,767	100,249,402
Trade and Other Receivables	5	10,784,464	10,022,460
Rates Receivable	1	7,369,411	190,815
Inventories		988,506	1,016,223
TOTAL CURRENT ASSETS		188,398,052	122,789,580
NON CURRENT ASSETS			
Investments	3	6,938,084	7,162,072
Trade and Other Receivables	5	50,690	32,434
Property, Plant and Equipment	8	688,196,492	694,573,987
Infrastructure	8	481,349,903	485,179,495
Capital Work in Progress	8	34,963,753	32,151,366
TOTAL NON CURRENT ASSETS		1,211,498,922	1,219,099,354
TOTAL ASSETS		1,399,896,974	1,341,888,934
CURRENT LIABILITIES			
Trade and Other Payables	6	22,048,666	15,973,970
Employee Benefits	7	10,757,965	11,051,588
Provisions	7	613,992	390,015
Loan Liability	9	5,985,764	6,772,073
TOTAL CURRENT LIABILITIES		39,406,387	34,187,646
NON CURRENT LIABILITIES			
Employee Benefits	7	1,762,097	1,762,097
Provisions	7	4,454,397	4,259,487
Loan Liability	9	26,523,638	29,554,929
TOTAL NON CURRENT LIABILITIES		32,740,132	35,576,513
TOTAL LIABILITIES		72,146,519	69,764,159
NET ASSETS		\$1,327,750,455	\$1,272,124,775
EQUITY			
Accumulated Surplus		696,399,048	623,860,830
Asset Revaluation Reserve	10	560,056,898	560,035,698
Reserves	10	71,294,509	88,228,247
TOTAL EQUITY		\$1,327,750,455	\$1,272,124,775

**CITY OF PERTH
MUNICIPAL**

Statement of Changes in Equity for the 6 months ended 31 December 2016

	Accumulated Surplus	Asset Revaluation Reserve	Cash Backed Reserves	Total Equity
	\$	\$	\$	\$
Balance at 1 July 2015	612,108,629	560,795,095	87,574,492	1,260,478,216
Change in net assets resulting from operations	11,646,560	-	-	11,646,560
Transfer to Cash Backed Reserves	(24,631,265)	-	24,631,265	-
Transfers to Asset Revaluation Reserve	(3,047,888)	3,047,888	-	-
Transfers from Asset Revaluation Reserve	3,807,285	(3,807,285)	-	-
Transfer from Cash Backed Reserves	23,977,510	-	(23,977,510)	-
Balance at 30 June 2016	\$623,860,830	\$560,035,698	\$88,228,247	\$1,272,124,775
Balance at 1 July 2016	\$	\$	\$	\$
Balance at 1 July 2016	623,860,830	560,035,698	88,228,247	1,272,124,775
Change in net assets resulting from operations	55,625,672	-	-	55,625,672
Transfer to Cash Backed Reserves	(1,982,530)	-	1,982,530	-
Transfers to Asset Revaluation Reserve	(76,383)	76,383	-	-
Transfers from Asset Revaluation Reserve	55,183	(55,183)	-	-
Transfer from Cash Backed Reserves	18,916,277	-	(18,916,277)	-
Balance at the end of the reporting period	\$696,399,048	\$560,056,898	\$71,294,500	\$1,327,750,446

**CITY OF PERTH
MUNICIPAL**

Statement of Cash Flows for the 6 months ended 31 December 2016

	Note	Budget 2016/2017 \$	YTD Actual 31/12/2016 \$	YTD Variation \$	%
Cash Flows from Operating Activities					
Receipts					
Rates		85,150,558	78,476,208	(6,674,350)	-7.8%
Fees and Charges		110,473,787	57,244,562	(53,229,225)	-48.2%
Interest		4,672,819	2,360,321	(2,312,498)	-49.5%
Other		2,000,854	967,198	(1,033,656)	-51.7%
		202,298,018	139,048,289	(63,249,729)	-31.3%
Payments					
Employee Costs		(76,246,522)	(38,625,730)	37,620,792	49.3%
Materials and Contracts		(45,634,268)	(24,587,094)	21,047,174	46.1%
Interest		(1,546,536)	(925,167)	621,369	40.2%
Other		(31,117,629)	(14,600,988)	16,516,641	53.1%
		(154,544,955)	(78,738,979)	75,805,976	49.1%
Net Cash Flows from Operating Activities	12	47,753,063	60,309,310	12,556,248	-26.3%
Cash Flows from Investing Activities					
Receipts					
Distribution from TPRC		1,000,000	-	(1,000,000)	-100.0%
Proceeds from Disposal of Assets		1,280,000	589,904	(690,096)	-53.9%
Proceeds from Disposal of Investments(Non Current)		-	223,988	223,988	0.0%
Payments					
Purchase Land and Buildings		(14,005,532)	-	14,005,532	-100.0%
Purchase Infrastructure Assets		(29,412,097)	(179,295)	29,232,802	-99.4%
Purchase Plant and Mobile Equipment		(17,160,028)	(1,314,752)	15,845,276	92.3%
Purchase Office Furniture and Equipment		(2,153,478)	(60,893)	2,092,585	-97.2%
Work in Progress		-	(10,002,579)	(10,002,579)	0.0%
		(62,731,135)	(11,557,519)	51,173,616	81.6%
Net Cash Flows from Investing Activities		(60,451,135)	(10,743,627)	49,707,508	82.2%
Cash Flows from Financing Activities					
Repayment of Borrowings		(6,111,896)	(3,817,600)	2,294,296	37.5%
		(6,111,896)	(3,817,600)	2,294,296	37.5%
Cash Flows from Government and Other Parties					
Receipts from Appropriations/Grants					
Recurrent		4,414,618	710,637	(3,703,981)	-83.9%
Capital		5,768,315	1,140,393	(4,627,922)	-80.2%
		10,182,933	1,851,030	(8,331,903)	-81.8%
Net Increase (Decrease) in Cash Held		(8,627,035)	47,599,113	56,226,149	-651.7%
Cash at 1 July 2016		117,479,382	110,313,099	(7,166,283)	-6.1%
Cash at 31 December 2016	11	108,852,347	157,912,220	49,059,873	45.1%

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Notes to the Balance Sheet for the 6 months ended 31 December 2016

1 Rates Receivable

	Actual YTD 31/12/2016	2015/16 YTD 31/12/2015
	\$	\$
Outstanding Amount at 30 June 2016	190,816	64,096
Rates Levied for the Year	87,847,479	81,826,893
Late Payment Penalties	125,144	93,909
Ex Gratia Rates	17,741	17,464
Rates Administration Fee	316,450	280,411
Rates Instalment Interest	367,835	341,842
Back Rates	61,219	(31,112)
Bins Levy	135,854	108,139
	89,062,538	82,701,642
Amount Received during the Period	81,693,127	76,443,871
Outstanding Amount at 31 December 2016	\$7,369,411	\$6,257,771

2 Gain/(Loss) on Disposal/Write off of Assets

	Annual Budget	Actual YTD 31/12/2016
	\$	\$
Land and Buildings		
Proceeds on Disposal	-	-
Less: Carrying amount of assets sold/written off	-	76,288
(Loss) on Disposal/Write Off	-	(76,288)
Infrastructure		
Proceeds on Disposal	-	-
Less: Carrying amount of assets written off	1,640,250	1,382,957
(Loss) on Write Off	(1,640,250)	(1,382,957)
Plant and Mobile Equipment		
Proceeds on Disposal	1,280,000	589,904
Less: Carrying amount of assets sold/written off	1,077,198	547,336
Profit on Disposal/Write Off	202,802	42,568
Gain/(Loss) on Disposal/Write off of Assets	(\$1,437,448)	(\$1,416,677)

3 Investments

Current	31/12/2016	30/06/2016
Short Term Cash Investments *	\$	\$
Call Funds	6,171,668	12,111,382
Bank/Term Deposits	140,500,000	84,000,000
Managed Funds	4,575,099	4,138,020
Total Current Investments	\$151,246,767	\$100,249,402

* Short Term Cash Investments as stated in Note 11.

Non Current Investments	31/12/2016	30/06/2016
	\$	\$
Mortgage Backed Securities (MBS)	2,716,196	2,743,759
	2,716,196	2,743,759
Equity in Local Government House	10,000	10,000
Equity in Mindarie Regional Council	420,412	420,412
Equity in Tamala Park Regional Council	3,791,476	3,987,901
	\$6,938,084	\$7,162,072

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Notes to the Balance Sheet for the 6 months ended 31 December 2016

4 Deposits/Prepayments

	31/12/2016	30/06/2016
	\$	\$
Prepaid Insurance	1,229,860	-
Prepaid Parking Bay Licence Fees	8,575,156	-
Other	1,538,435	1,246,983
	\$11,343,451	\$1,246,983

5 Trade And Other Receivables

	31/12/2016	30/06/2016
Current	\$	\$
Emergency Services Levy (ESL)	2,409,459	36,912
Accrued Interest and Investment Income	1,256,083	536,669
Accrued Income	953,299	1,445,677
Modified Penalties/Fines and Costs	7,757,587	7,468,902
Debtors - General		
Australian Taxation Office - GST Refundable	254,759	177,492
Works and Services	41,559	35,731
Other Debtors	1,581,950	3,744,857
	14,254,696	13,446,240
Less: Provision for Doubtful Debts	(3,470,232)	(3,423,780)
	\$10,784,464	\$10,022,460
Non Current		
Pensioners' Rates Deferred	50,690	32,434
	\$50,690	\$32,434

6 Trade And Other Payables

	31/12/2016	30/06/2016
Current	\$	\$
Trade Creditors	4,075,238	10,591,073
Emergency Services Levy	10,653,241	-
Interest Payable on Loans	247,968	199,848
Accrued Expenses - Operating	3,385,716	2,293,106
Accrued Expenses - Capital	247,053	10,837
Advances Received for Recoverable Works	66,861	40,635
Income Received / Raised in Advance	869,525	1,008,030
Australian Taxation Office - GST Payable	-	-
Other Creditors	2,503,064	1,830,441
	\$22,048,666	\$15,973,970

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Notes to the Balance Sheet for the 6 months ended 31 December 2016

7 Employee Benefits

	31/12/2016	30/06/2016
Current	\$	\$
Leave Entitlements		
Annual Leave	4,377,886	4,454,492
Self Funded Leave	199,248	238,785
Long Service Leave	6,054,301	6,222,059
Recognition of Employees- Presentations	126,530	136,252
	\$10,757,965	\$11,051,588
Non Current		
Annual Leave	629,989	629,989
Long Service Leave	1,132,108	1,132,108
	\$1,762,097	\$1,762,097

Provisions

	31/12/2016	30/06/2016
Current	\$	\$
Workers Compensation	613,992	390,015
	\$613,992	\$390,015
Non Current		
Provision for Equipment Replacement PCEC	4,454,397	4,259,487
	\$4,454,397	\$4,259,487

8 Property, Plant and Equipment and Work in Progress

	31/12/2016	30/06/2016
	\$	\$
Land and Air Rights - at cost/fair value	380,133,677	380,133,678
Less: Accumulated Depreciation	(3,419,860)	(3,135,072)
	376,713,817	376,998,606
Buildings - at fair value	379,845,052	378,864,743
Less: Accumulated Depreciation	(157,976,468)	(154,004,183)
	221,868,584	224,860,560
Improvements - at fair value	52,659,660	52,659,661
Less: Accumulated Depreciation	(6,660,759)	(5,565,355)
	45,998,901	47,094,306
Infrastructure Assets - at cost/fair value	756,908,110	755,794,940
Less: Accumulated Depreciation	(275,558,207)	(270,615,444)
	481,349,903	485,179,496
Plant and Mobile Equipment - at cost/fair value	47,721,629	47,541,666
Less: Accumulated Depreciation	(30,948,787)	(29,432,643)
	16,772,842	18,109,023
Office Furniture and Equipment - at cost/fair value	42,690,111	41,871,404
Less: Accumulated Depreciation	(16,643,034)	(15,155,180)
	26,047,077	26,716,224
Agricultural - at cost	795,271	795,271
Less: Accumulated Depreciation	-	-
	795,271	795,271
Property, Plant and Equipment	1,169,546,395	1,179,753,486
Work in Progress - at cost	34,963,753	32,151,366
	34,963,753	32,151,366
Total Property, Plant and Equipment and Work in Progress	\$1,204,510,148	\$1,211,904,848

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Notes to the Balance Sheet for the 6 months ended 31 December 2016

8 Property, Plant and Equipment and Work in Progress - Movement at Cost

	Balance 30/06/2016	Acquisitions Actual YTD 31/12/2016	Transfers Actual YTD 31/12/2016	Disposals/ Write off/ Actual YTD 31/12/2016	Revaluation Actual YTD 31/12/2016	Balance 31/12/2016
	\$	\$	\$	\$		\$
Land and Air Rights	380,133,678	-	-	-	-	380,133,678
Buildings	378,864,743	-	1,171,310	(191,000)	-	379,845,053
Improvements	52,659,661	-	-	-	-	52,659,661
Infrastructure Assets	755,794,940	179,295	4,868,111	(3,934,235)	-	756,908,111
Plant and Mobile Equipment	47,541,666	1,314,752	147,794	(1,282,583)	-	47,721,629
Office Furniture and Equipment	41,871,404	60,893	757,814	-	-	42,690,111
Agricultural	795,271	-	-	-	-	795,271
Work in Progress	32,151,366	10,238,795	(7,426,408)	-	-	34,963,753
	\$1,689,812,729	\$11,793,735	(481,379)	(5,407,818)	-	\$1,695,717,267

9 Loan Liability

	31/12/2016	30/06/2016
Current	\$	\$
Loans - Western Australian Treasury Corporation	5,985,764	6,772,073
Non Current		
Loans - Western Australian Treasury Corporation	26,523,638	29,554,929

10 Reserve Funds

Purpose of Reserve Fund	Balance 30/06/2016	Transfer from Accumulated Surplus	Transfer to Accumulated Surplus	Balance 31/12/2016
	\$	\$	\$	\$
Refuse Disposal and Treatment	2,935,851	60,934	-	2,996,785
Concert Hall - Refurbishment and Maint.	4,835,978	97,231	(221,752)	4,711,457
Asset Enhancement	26,232,133	529,462	(732,258)	26,029,337
Street Furniture Replacement	371,375	9,993	(5,257)	376,111
Parking Levy	18,160,738	18,108	(17,278,906)	899,940
Art Acquisition	374,845	7,580	-	382,425
Heritage Incentive	618,109	12,551	-	630,660
Parking Facilities Development	23,671,273	477,510	(678,104)	23,470,679
Employee Entitlements	1,762,097	36,990	-	1,799,087
David Jones Bridge	292,381	5,927	-	298,308
Bonus Plot Ratio	613,783	12,532	-	626,315
PCEC Fixed Plant Replacement	4,244,225	210,172	-	4,454,397
Enterprise and Initiative	3,915,439	499,455	-	4,414,894
Public Art	200,017	4,084	-	204,101
	88,228,244	1,982,529	(18,916,277)	71,294,496
* Asset Revaluation	560,035,698	76,383	(55,183)	560,056,898
	\$648,263,942	\$2,058,912	(\$18,971,460)	\$631,351,394

* The Asset Revaluation Reserve is a non cash backed reserve and cannot be used ,except for adjustments to fixed assets on their revaluation, disposal or write off

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Notes to the Balance Sheet for the 6 months ended 31 December 2016

11 Cash Reconciliation

	31/12/2016	30/06/2016
	\$	\$
Cash and Cash Equivalents	6,665,453	10,063,697
Short Term Cash Investments	151,246,767	100,249,402
	\$157,912,220	\$110,313,099

12 Reconciliation of Net Cash Provided By Operating Activities to Operating Surplus

	31/12/2016	30/06/2016
	\$	\$
Change in Net Assets Resulting from Operations	55,625,672	13,793,738
Adjustment for items not involving the movement of Funds:		
Depreciation	16,700,475	31,545,687
Doubtful Debts	46,452	369,586
Non Capitalised Work in Progress	481,379	(4,620,525)
(Gain)/Loss on Disposal/Write off/Contribution of Assets	1,416,677	1,569,290
	74,270,655	42,657,776
Revenues Provided By :		
Government Grants	(1,851,030)	(6,812,016)
Contribution from Other Parties	-	(49,890)
	(1,851,030)	(6,861,906)
Change in Operating Assets and Liabilities		
Add Back		
Decrease in Inventories	27,717	377,978
Decrease in Deposits and Prepayments	-	92,261
Decrease in Accrued Interest and Dividend Income	-	63,628
Decrease in Deferred Debtors	-	7,133
Decrease in Accrued Income	492,378	-
Increase in Income Received /Raised in Advance	-	99,641
Increase in Accrued Interest Payable	48,120	-
Increase in Accrued Expenses	1,092,610	-
Increase in Provisions	125,264	-
Increase in Trade and Other Payables	4,810,029	-
Deduct		
Decrease in Trade and Other Payables	-	(2,565,858)
Decrease in Income Received /Raised in Advance	(112,279)	-
Decrease in Accrued Interest Payable	-	(41,167)
Increases in Deferred Debtors	(18,256)	-
Decrease in Provisions	-	(407,068)
Decrease in Accrued Expenses	-	(324,459)
Increase in Trade and Other Receivables	(7,760,016)	(2,033,367)
Increase in Prepayments	(10,096,468)	-
Increase in Accrued Income	-	(193,777)
Increase in Accrued Interest and Investment Income	(719,414)	-
	(12,110,315)	(4,925,055)
Net Cash Provided by Operating Activities	\$60,309,313	\$30,870,815

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Notes to the Balance Sheet for the 6 months ended 31 December 2016

13 Ratios

	31/12/2016	30/06/2016
1 Current Ratio		
<u>Current Assets</u> minus <u>Restricted Assets</u>		
Current Liabilities minus Liabilities associated with Restricted Assets	3.04	1.09
2 Debt Ratio		
<u>Total Liabilities</u>		
Total Assets	5.15%	5.20%
3 Debt Service Ratio		
<u>Debt Service Cost</u>		
Available Operating Revenue	3.24%	4.44%
4 Rate Coverage Ratio		
<u>Net Rate Revenue</u>		
Operating Revenue	60.16%	43.96%
5 Outstanding Rates Ratio		
<u>Rates Outstanding</u>		
Rates Collectable	8.27%	0.23%
6 Untied Cash to Unpaid Creditors Ratio		
<u>Untied Cash</u>		
Unpaid Trade Creditors	21.92	2.34
7 Gross Debt to Revenue Ratio		
<u>Gross Debt</u>		
Total Revenue	22.00%	18.99%
8 Gross Debt to Economically Realisable Assets Ratio		
<u>Gross Debt</u>		
Economically Realisable Assets	3.54%	4.24%

Restricted Assets includes reserve funds and tied contributions not utilised at 31.12.2016

Agenda Payments from Municipal and Trust Funds – November 2016
Item 8.2

Recommendation:

That in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority for the month ended 30 NOVEMBER 2016, be received and recorded in the Minutes of the Council, the summary of which is as follows:

FUND	PAID
Municipal Fund	\$ 16,226,721.67
Trust Fund	\$ 247,104.77
TOTAL:	<u>\$ 16,473,826.44</u>

FILE REFERENCE:	P1032265
REPORTING UNIT:	Finance
RESPONSIBLE DIRECTORATE:	Corporate Services
DATE:	14 December 2016
ATTACHMENT/S:	A detailed list of payments made under delegated authority for the month ended 30 November 2016 can be accessed by Elected Members via the Elected Members Portal (TRIM - 22069/17)

Legislation / Strategic Plan / Policy:

Legislation	Regulation 13(1) of the <i>Local Government (Financial Management) Regulations 1996</i>
Integrated Planning and Reporting Framework Implications	<p>Strategic Community Plan</p> <p>Council Four Year Priorities: Community Outcome Capable and Responsive Organisation</p> <p>A capable, flexible and sustainable organisation with a strong and effective governance system to provide leadership as a capital city and deliver efficient and effective community centred services.</p>

Comments:

Payments for the month of November 2016 included the following significant items:

- \$901,070.81 to Saxxon IT Pty Ltd for EMC Storage VXRail hardware and software including 5 years support;
- \$345,129.48 to Australian HVAC Services for progress claims in relation to the replacement of the air conditioning at the City Station Concourse, and other air conditioning maintenance at various property locations

- \$302,200.83 to Downer EDI Works for road resurfacing works at various locations; and
- There were three payroll payments made in the month of November.

Agenda Payments from Municipal and Trust Funds – December 2016
Item 8.3

Recommendation:

That in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority for the month ended 31 DECEMBER 2016, be received and recorded in the Minutes of the Council, the summary of which is as follows:

FUND	PAID
Municipal Fund	\$ 24,827,777.12
Trust Fund	\$ 66,911.16
TOTAL:	<u>\$ 24,894,688.28</u>

FILE REFERENCE:	P1032265
REPORTING UNIT:	Finance
RESPONSIBLE DIRECTORATE:	Corporate Services
DATE:	3 January 2017
ATTACHMENT/S:	A detailed list of payments made under delegated authority for the month ended 31 December 2016 can be accessed by Elected Members via the Elected Members Portal (TRIM - 22073/17)

Legislation / Strategic Plan / Policy:

Legislation	Regulation 13(1) of the <i>Local Government (Financial Management) Regulations 1996</i>
Integrated Planning and Reporting Framework Implications	<p>Strategic Community Plan</p> <p>Council Four Year Priorities: Community Outcome Capable and Responsive Organisation</p> <p>A capable, flexible and sustainable organisation with a strong and effective governance system to provide leadership as a capital city and deliver efficient and effective community centred services.</p>

Comments:

Payments for the month of December 2016 included the following significant items:

- \$7,889,874.87 to the Department of Fire and Emergency Services for the emergency services levy second quarter contribution for 2016/17;
- \$1,379,014.54 to the Western Australian Treasury Corporation for loan payments of \$541,200.68 for the Elder Street Carpark, \$560,574.81 for the Perth Convention and Exhibition Centre Carpark, \$32,774.82 for the Goderich Street Carpark and \$244,464.23 for the Perth City Library and Public Plaza;

- \$540,387.61 to Stiles Electrical Services for payments of \$290,552.17 for the final claim in relation to the Trafalgar Pedestrian Bridge LED lighting upgrade and \$249,835.44 for the first claim in relation to the Murray St lighting enhancement project; and
- \$511,583.00 to Civcon Civil & Project Management Pty for payments of \$140,432.82 for civil works relating to the Harvest Terrace shared path construction and \$371,150.18 for the Parliament Place road reconstruction.

Agenda Item 8.4	Investments and Investment Returns for the Period Ended 30 November 2016
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Recommendation:

That the Finance and Administration Committee receives the report detailing investments and investment returns for the period ended 30 November 2016 as detailed in Attachment 8.4A of this Report.

FILE REFERENCE:	P1032980-7
REPORTING UNIT:	Finance
RESPONSIBLE DIRECTORATE:	Corporate Services
DATE:	16 December 2016
ATTACHMENT/S:	Attachment 8.4A – Investment Report for the period ended 30 November 2016, Short Term Investments and Institution Credit and Rating

Legislation / Strategic Plan / Policy:

Legislation	Section 6.14 of the <i>Local Government Act 1995</i> Regulation 19C of the <i>Local Government (Financial Management) Regulations 1996</i>
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Integrated Planning and Reporting Framework Implications	Strategic Community Plan Council Four Year Priorities: Community Outcome Capable and Responsive Organisation A capable, flexible and sustainable organisation with a strong and effective governance system to provide leadership as a capital city and deliver efficient and effective community centred services.
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Policy

Policy No and Name:	9.3 – Management of Investments
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Financial Implications:

Reported investment earnings (excluding interest on rates arrears) at \$399,322 after Trust Account adjustments, were \$16,771 above budget in November.

Details:

	Actual \$	Budget \$	Variation \$
Interest Earnings	399,322	382,551	16,771

Average Rate	3.71%
Benchmark Rate	1.77%
RBA Cash Rate	1.50%

*Figures exclude interest on rate arrears.

Call Accounts

Balance at 30 November 2016	\$18.7 million
Interest Earned	\$22,431
Rate for balances over \$2 million	1.75%

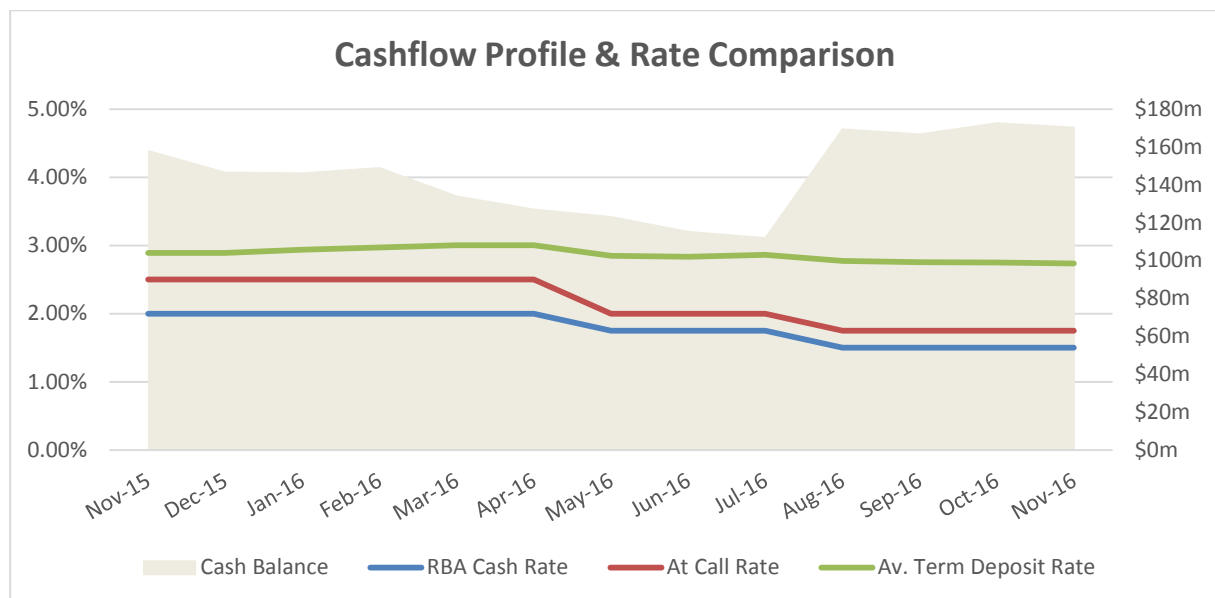
Term Deposits

Balance at 30 November 2016	\$151.6 million
Interest Earned	\$367,486
Average Rate (Municipal funds)	2.74%
Most Recent Rate (Municipal funds)	2.72%

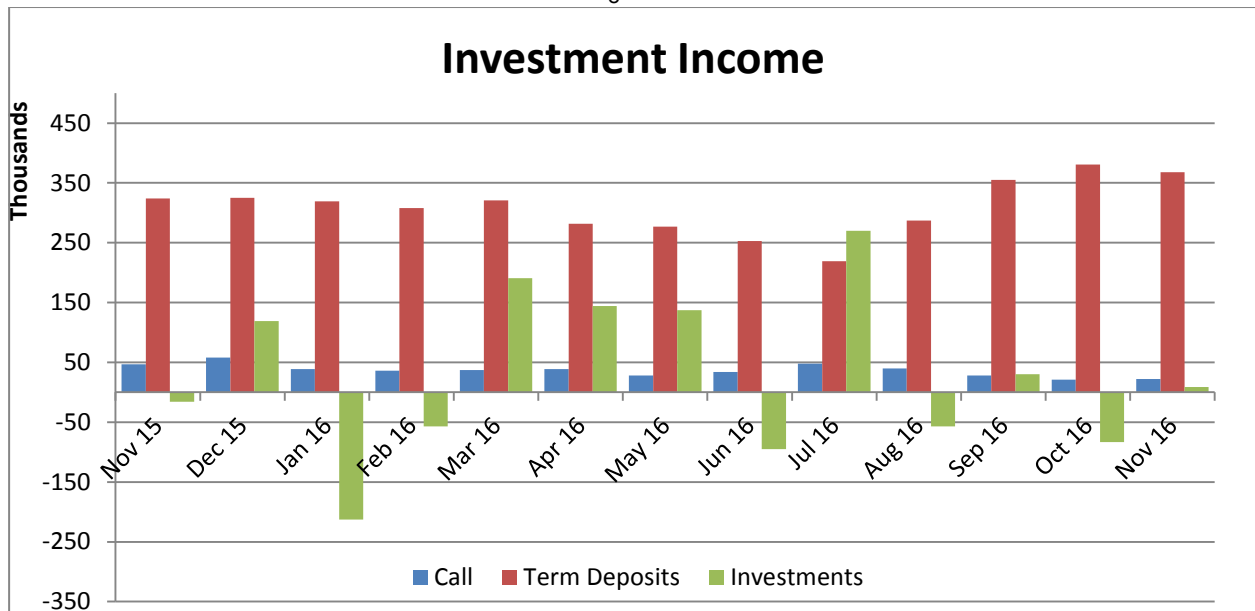
Other Investments

	Interest Earned \$	Interest Rate %
Emerald Mortgage Backed Security	9,406	2.64
Colonial Share Index Balanced Fund	Nil	N/A

The month end process was truncated in November in order to deliver the November Financial Activity Statement (FAS) in time to be tabled at the 6 December 2016 Finance and Administration Committee meeting. Information on the value of the Colonial Share Index Balanced fund was not available in time to meet month end close off deadlines and so no change in this fund was recorded in November.



The above chart shows the City's cash flow cycle reflecting the significant inflow of rates income in August. It also compares the average interest rates the City earns with the RBA cash rate.



Spread of Investments

The City's exposure to investment institutions is as follows:

Institution	Credit Rating	Percentage	Percentage Allowed
ANZ	A1+	6%	100%
Bankwest	A1+	1%	
NAB	A1+	24%	
		31%	
AMP	A1	6%	100%
Suncorp Metway	A1	19%	
		25%	
		56%	
Bank of Queensland	A2	37%	60%
ING	A2	3%	
		40%	
Barclays	NR	2%	10%
Colonial	NR	2%	
		4%	

Comments:

The City continues to adhere to its policy of obtaining the best returns commensurate with risk and the constraints imposed by the State Government regulations.

ATTACHMENT 8.4A

BALANCES SEPTEMBER.XLS.

INVESTMENT REPORT**30-Nov-16**

Market Value

Market Value

Cost & Impairment

% of

Interest Earned

Weighted
Average
Monthly

Interest Earned

31-Oct-16

30-Nov-16

30-Nov-16

Class

Nov

Rate

YTD

Municipal**Short term Direct Investments**

Call	\$9,922,382	\$15,259,104	\$15,259,104	8.8%	\$19,409	2.02%	\$133,823
Term Deposits	\$93,500,000	\$83,500,000	\$83,500,000	48.3%	\$204,125	2.74%	\$755,028
Short	\$103,422,382	\$98,759,104	\$98,759,104		\$223,535	2.67%	\$888,851

Total Municipal - Cash Back Securities	\$103,422,382	\$98,759,104	\$98,759,104		\$223,535	2.67%	\$888,851
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Total Municipal Investments	\$103,422,382	\$98,759,104	\$98,759,104		\$223,535	2.67%	\$888,851
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Reserves**Short term Direct Investments**

Call	\$3,412	\$2,511,597	\$2,511,597	1.5%	\$1,671	1.75%	\$21,252
Term Deposits	\$62,000,000	\$62,000,000	\$62,000,000	35.8%	\$149,432	2.95%	\$782,515
Total	\$62,003,412	\$64,511,597	\$64,511,597		\$151,103	2.94%	\$803,767

Floating Rate Notes/ CLNs

WPAC- Sub Debt -FRN	\$0	\$0	\$0	0.0%	\$0	0.00%	\$0
Total	\$0	\$0	\$0		\$0	0.00%	\$0

Medium term Direct Investments

Barclays - Emerald -MBS	2,736,660	2,721,709	\$2,716,196	1.6%	\$9,406	2.64%	\$49,680
Total	\$2,736,660	\$2,721,709	\$2,716,196		\$9,406	2.64%	\$49,680

Total Reserve - Cash Back Securities	\$64,740,072	\$67,233,306	\$67,227,793		\$160,509	2.92%	\$853,447
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Balanced Funds

Colonial Share Index	\$4,257,634	\$4,257,634	\$4,257,634	100%	\$0	0.00%	\$245,915
Total	\$4,257,634	\$4,257,634	\$4,257,634		\$0	0.00%	\$245,915

Total Reserve Investments	\$68,997,706	\$71,490,940	\$71,485,427		\$160,509	0.00%	\$1,099,363
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Trust**Short term Direct Investments**

Call	\$1,086,576	\$950,678	\$950,678	0.5%	\$1,350	1.82%	\$8,697
Term Deposits	\$6,086,147	\$6,088,249	\$6,088,249	3.5%	\$13,929	2.83%	\$71,642
Total	\$7,172,723	\$7,038,926	\$7,038,926		\$15,279	2.74%	\$80,339

Total Trust - Cash Back Securities	\$7,172,723	\$7,038,926	\$7,038,926		\$15,279	2.74%	\$80,339
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Total Investments-Cash Back Securities	\$175,335,177	\$173,031,336	\$173,025,824		\$399,322	2.78%	\$1,822,638
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Grand Total Investments	\$179,592,811	\$177,288,970	\$177,283,458		\$399,322	2.90%	\$2,068,553
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CITY OF PERTH - SHORT TERM INVESTMENTS (Excluding Call) AS AT 30 NOVEMBER 2016

FUND	INSTITUTION	TYPE	AMOUNT	RATE	LODGED	MATURITY	Total Investment Days	TOTAL INTEREST individual outstanding investment
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 3,000,000.00	2.50%	25/08/2016	15/12/2016	112	\$ 23,013.70
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 5,000,000.00	2.80%	9/08/2016	31/01/2017	175	\$ 67,123.29
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 5,000,000.00	2.80%	11/08/2016	16/02/2017	189	\$ 72,493.15
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 3,000,000.00	2.75%	29/08/2016	23/02/2017	178	\$ 40,232.88
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 3,000,000.00	2.80%	17/08/2016	23/02/2017	190	\$ 43,726.03
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 2,500,000.00	2.75%	31/08/2016	28/02/2017	181	\$ 34,092.47
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 5,000,000.00	2.78%	12/08/2016	28/02/2017	200	\$ 76,164.38
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 1,000,000.00	2.70%	8/09/2016	9/03/2017	182	\$ 13,463.01
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 1,000,000.00	2.70%	14/09/2016	16/03/2017	183	\$ 13,536.99
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 9,000,000.00	2.75%	25/08/2016	16/03/2017	203	\$ 137,650.68
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 3,000,000.00	2.75%	16/08/2016	16/03/2017	212	\$ 47,917.81
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 5,000,000.00	2.80%	17/08/2016	31/03/2017	226	\$ 86,684.93
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	2.70%	5/10/2016	6/04/2017	183	\$ 27,073.97
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 3,000,000.00	2.77%	13/10/2016	13/04/2017	182	\$ 41,436.16
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 3,000,000.00	2.70%	25/08/2016	28/04/2017	246	\$ 54,591.78
MUNICIPAL	ING	Short Term Direct Investments TERM DEPOSITS	\$ 3,500,000.00	2.64%	13/10/2016	13/04/2017	182	\$ 46,073.42
MUNICIPAL	ING	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	2.64%	13/10/2016	13/04/2017	182	\$ 26,327.67
MUNICIPAL	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	2.72%	30/11/2016	31/03/2017	121	\$ 18,033.97
MUNICIPAL	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 5,000,000.00	2.80%	9/08/2016	15/12/2016	128	\$ 49,095.89
MUNICIPAL	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 5,000,000.00	2.80%	9/08/2016	30/12/2016	143	\$ 54,849.32
MUNICIPAL	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 4,000,000.00	2.80%	9/08/2016	12/01/2017	156	\$ 47,868.49
MUNICIPAL	SUNCORP	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	2.50%	5/10/2016	5/01/2017	92	\$ 12,602.74
MUNICIPAL	SUNCORP	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	2.62%	9/09/2016	9/02/2017	153	\$ 21,964.93
MUNICIPAL	SUNCORP	Short Term Direct Investments TERM DEPOSITS	\$ 4,500,000.00	2.65%	21/10/2016	20/04/2017	181	\$ 59,134.93
			\$ 83,500,000.00					
RESERVES	AMP	Short Term Direct Investments TERM DEPOSITS	\$ 5,000,000.00	3.05%	11/07/2016	5/01/2017	178	\$ 74,369.86
RESERVES	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 4,500,000.00	3.03%	16/06/2016	12/01/2017	210	\$ 78,447.95
RESERVES	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	2.75%	16/08/2016	16/03/2017	212	\$ 31,945.21
RESERVES	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 5,000,000.00	2.80%	17/11/2016	18/05/2017	182	\$ 69,808.22
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 2,500,000.00	2.72%	24/11/2016	23/03/2017	119	\$ 22,169.86
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 3,000,000.00	2.80%	4/08/2016	1/12/2016	119	\$ 27,386.30
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 1,000,000.00	2.97%	16/06/2016	15/12/2016	182	\$ 14,809.32
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	2.98%	23/06/2016	22/12/2016	182	\$ 29,718.36
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 2,500,000.00	2.95%	30/06/2016	5/01/2017	189	\$ 38,188.36
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 4,000,000.00	2.95%	7/07/2016	12/01/2017	189	\$ 61,101.37
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 5,000,000.00	2.86%	29/07/2016	23/02/2017	209	\$ 81,882.19
RESERVES	SUNCORP	Short Term Direct Investments TERM DEPOSITS	\$ 5,000,000.00	3.01%	9/06/2016	8/12/2016	182	\$ 75,043.84
RESERVES	SUNCORP	Short Term Direct Investments TERM DEPOSITS	\$ 7,000,000.00	3.05%	3/06/2016	8/12/2016	188	\$ 109,967.12
RESERVES	SUNCORP	Short Term Direct Investments TERM DEPOSITS	\$ 3,000,000.00	2.98%	30/06/2016	5/01/2017	189	\$ 46,292.05
RESERVES	SUNCORP	Short Term Direct Investments TERM DEPOSITS	\$ 8,000,000.00	3.03%	9/06/2016	5/01/2017	210	\$ 139,463.01
RESERVES	SUNCORP	Short Term Direct Investments TERM DEPOSITS	\$ 2,500,000.00	2.65%	21/10/2016	20/04/2017	181	\$ 32,852.74
			\$ 62,000,000.00					
ROD EVANS	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 319,101.03	2.70%	17/11/2016	16/02/2017	91	\$ 2,148.03
TRUST	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	2.90%	21/07/2016	19/01/2017	182	\$ 28,920.55
TRUST	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	2.86%	28/07/2016	23/02/2017	210	\$ 32,909.59
TRUST	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 1,000,000.00	2.72%	17/11/2016	20/04/2017	154	\$ 11,476.16
TRUST	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 769,147.83	2.63%	8/09/2016	8/06/2017	273	\$ 15,129.88
			\$ 6,088,248.86					
TOTAL investments			\$ 151,588,248.86					
								\$ 2,139,182.56

30-Nov-16

INSTITUTION CREDIT AND RATING				
INSTITUTION	AMOUNT	PERCENTAGE	CREDIT RATING	MAX AMOUNT
ANZ	11,752,280.31	7%	A1+	OK
AMP	10,161,161.74	6%	A1	OK
ING	5,500,000.00	3%	A2	OK
BOQLD	65,000,000.00	37%	A2	OK
BANKWEST	1,807,936.48	1%	A1+	OK
BARCLAYS	2,716,196.27	2%	NR	OK
C B A	-	0%	A1+	OK
BENDIGO	-	0%	A2	OK
MACQUARIE	0.00	0%	A1	OK
MEQUITY	0.00	0%	A2	OK
NAB	42,088,248.86	24%	A1+	OK
ST GEORGE	-	0%	A1+	OK
SUNCORP METWAY	34,000,000.00	19%	A1	OK
WESTPAC	-	0%	A1+	OK
COLONIAL	4,257,633.78	2%	NR	OK
TOTAL	177,283,457.44	100%		

GLOBAL CREDIT EXPOSURE			
INSTITUTION	AMOUNT	PERCENTAGE	MAX ALLOWED
A1+, A1, AA	99,809,627.39	56%	100%
A2	70,500,000.00	40%	60%
A3 and Unrated	6,973,830.05	4%	10%
TOTAL	177,283,457.44	100%	

A1+	45%	INDIVIDUAL ADI EXPOSURE ALLOWED
A1	45%	
A2	40%	
A3	10%	
AAA	45%	
AA	45%	
Unrated	10%	

Agenda Item 8.5	Investments and Investment Returns for the Period Ended 31 December 2016
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Recommendation:

That the Finance and Administration Committee receives the report detailing investments and investment returns for the period ended 31 December 2016 as detailed in Attachment 8.5A of this Report.

FILE REFERENCE:	P1032980-8
REPORTING UNIT:	Finance
RESPONSIBLE DIRECTORATE:	Corporate Services
DATE:	25 January 2017
ATTACHMENT/S:	Attachment 8.5A – Investment Report for the period ended 31 December 2016, Short Term Investments and Institution Credit and Rating

Legislation / Strategic Plan / Policy:

Legislation	Section 6.14 of the <i>Local Government Act 1995</i> Regulation 19C of the <i>Local Government (Financial Management) Regulations 1996</i>
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Integrated Planning and Reporting Framework Implications	Strategic Community Plan Council Four Year Priorities: Community Outcome Capable and Responsive Organisation A capable, flexible and sustainable organisation with a strong and effective governance system to provide leadership as a capital city and deliver efficient and effective community centred services.
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Policy

Policy No and Name:	9.3 – Management of Investments
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Financial Implications:

Reported investment earnings (excluding interest on rates arrears) at \$715,733 after Trust Account adjustments, were \$345,538 above budget in December.

Details:

	Actual \$	Budget \$	Variation \$
Interest Earnings	715,733	370,195	345,538

Average Rate	4.32%
Benchmark Rate	1.72%
RBA Cash Rate	1.5%

*Figures exclude interest on rate arrears.

Call Accounts

Balance at 31 December 2016	\$15.4 million
Interest Earned	\$33,596
Rate for balances over \$2 million	1.75%

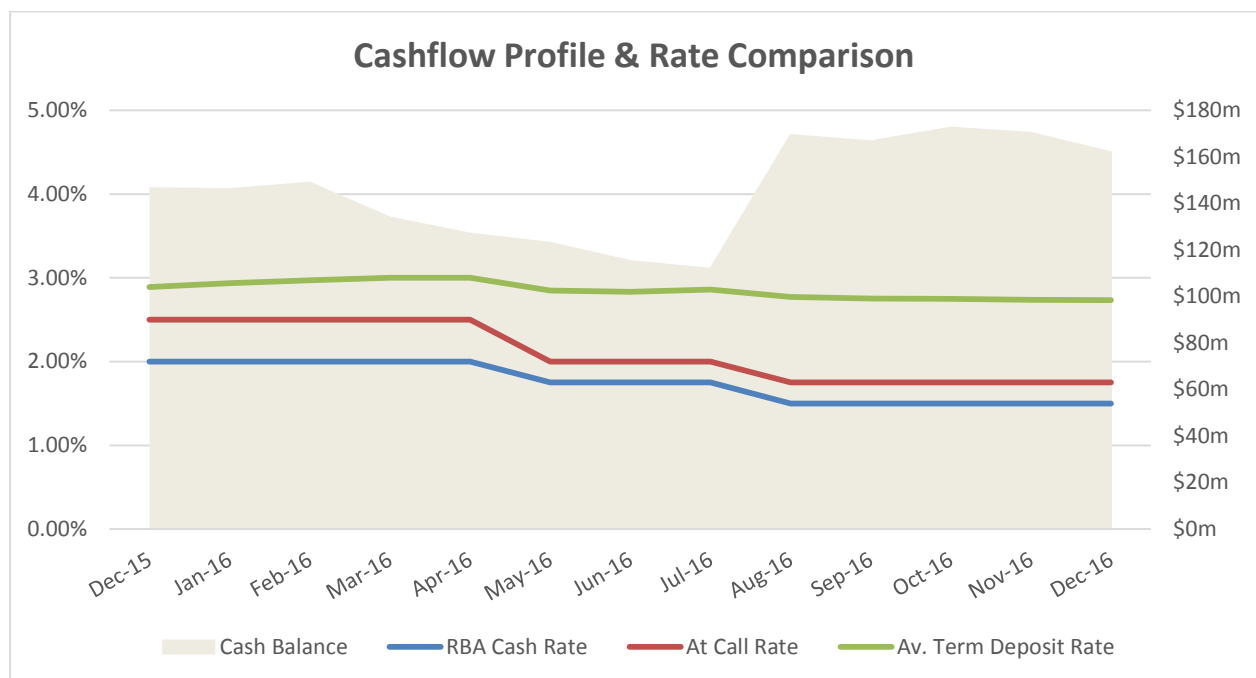
Term Deposits

Balance at 31 December 2016	\$146.6 million
Interest Earned	\$355,858
Average Rate (Municipal funds)	2.73%
Most Recent Rate (Municipal funds)	2.75%

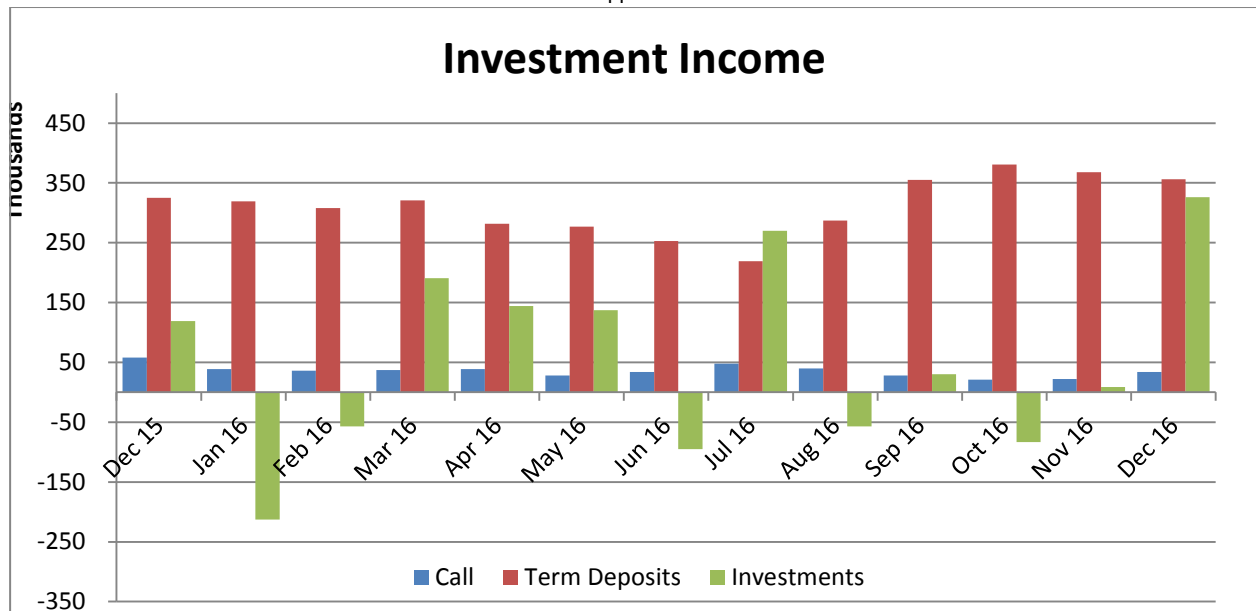
Other Investments

	Interest Earned \$	Interest Rate %
Emerald Mortgage Backed Security	8,977	2.64
Colonial Share Index Balanced Fund	317,302	N/A

A valuation of the Colonial Share Index Balanced Fund was not available in time to meet the November month end deadline. The December figure therefore reflects two months interest and during this period the ASX 200 rose by 6.5% which was reflected in the positive variance for the period.



The above chart shows the City's cash flow cycle reflecting the significant inflow of rates income in August. It also compares the average interest rates the City earns with the RBA cash rate.



Spread of Investments

The City's exposure to investment institutions is as follows:

Institution	Credit Rating	Percentage	Percentage Allowed
ANZ	A1+	5%	100%
Bankwest	A1+	1%	
NAB	A1+	20%	
		26%	
		52%	
AMP	A1	6%	100%
Suncorp Metway	A1	20%	
		26%	
		52%	
		52%	
Bank of Queensland	A2	40%	60%
ING	A2	3%	
		43%	
Barclays	NR	2%	10%
Colonial	NR	3%	
		5%	

Comments:

The City continues to adhere to its policy of obtaining the best returns commensurate with risk and the constraints imposed by the State Government regulations.

ATTACHMENT 8.5A

INVESTMENT REPORT	Market Value	Market Value	Cost & Impairment	% of	Interest Earned	Weighted Average Monthly	Interest Earned
31-Dec-16	30-Nov-16	31-Dec-16	31-Dec-16	Class	Dec	Rate	YTD
Municipal							
Short term Direct Investments							
Call	\$15,259,104	\$11,926,442	\$11,926,442	7.2%	\$28,392	1.95%	\$162,215
Term Deposits	\$83,500,000	\$78,500,000	\$78,500,000	47.7%	\$191,668	2.73%	\$946,697
Short	\$98,759,104	\$90,426,442	\$90,426,442		\$220,060	2.63%	\$1,108,912
Total Municipal - Cash Back Securities	\$98,759,104	\$90,426,442	\$90,426,442		\$220,060	2.63%	\$1,108,912
Total Municipal Investments	\$98,759,104	\$90,426,442	\$90,426,442		\$220,060	2.63%	\$1,108,912
Reserves							
Short term Direct Investments							
Call	\$2,511,597	\$2,489,318	\$2,489,318	1.5%	\$3,915	1.75%	\$21,252
Term Deposits	\$62,000,000	\$62,000,000	\$62,000,000	37.6%	\$149,763	2.86%	\$932,278
Total	\$64,511,597	\$64,489,318	\$64,489,318		\$153,678	2.83%	\$953,531
Floating Rate Notes/ CLNs							
WPAC- Sub Debt -FRN	\$0	\$0	\$0	0.0%	\$0	0.00%	\$0
Total	\$0	\$0	\$0		\$0	0.00%	\$0
Medium term Direct Investments							
Barclays - Emerald -MBS	2,721,709	2,721,709	\$2,716,196	1.6%	\$8,977	2.64%	\$58,657
Total	\$2,721,709	\$2,721,709	\$2,716,196		\$8,977	2.64%	\$58,657
Total Reserve - Cash Back Securities	\$67,233,306	\$67,211,027	\$67,205,514		\$162,655	2.82%	\$1,012,187
Balanced Funds							
Colonial Share Index	\$4,257,634	\$4,575,099	\$4,575,099	100%	\$317,302	65.45%	\$436,455
Total	\$4,257,634	\$4,575,099	\$4,575,099		\$317,302	65.45%	\$436,455
Total Reserve Investments	\$71,490,939	\$71,786,125	\$71,780,613		\$479,957	65.45%	\$1,448,643
Trust							
Short term Direct Investments							
Call	\$950,678	\$984,215	\$984,215	0.6%	\$1,290	1.82%	\$9,987
Term Deposits	\$6,088,249	\$6,088,249	\$6,088,249	3.7%	\$14,426	2.81%	\$86,068
Total	\$7,038,926	\$7,072,463	\$7,072,463		\$15,716	2.73%	\$96,055
Total Trust - Cash Back Securities	\$7,038,926	\$7,072,463	\$7,072,463		\$15,716	2.73%	\$96,055
Total Investments-Cash Back Securities	\$173,031,336	\$164,709,933	\$164,704,420		\$398,431	2.71%	\$2,217,154
Grand Total Investments	\$177,288,970	\$169,285,031	\$169,279,519		\$715,733	5.17%	\$2,653,609

CITY OF PERTH - SHORT TERM INVESTMENTS (Excluding Call) AS AT 31 DECEMBER 2016

							Total Investment Days	TOTAL INTEREST individual outstanding investment
FUND	INSTITUTION	TYPE	AMOUNT	RATE	LODGED	MATURITY		
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 5,000,000.00	2.80%	9/08/2016	31/01/2017	175	\$ 67,123.29
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 5,000,000.00	2.80%	11/08/2016	16/02/2017	189	\$ 72,493.15
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 3,000,000.00	2.75%	29/08/2016	23/02/2017	178	\$ 40,232.88
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 3,000,000.00	2.80%	17/08/2016	23/02/2017	190	\$ 43,726.03
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 2,500,000.00	2.75%	31/08/2016	28/02/2017	181	\$ 34,092.47
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 5,000,000.00	2.78%	12/08/2016	28/02/2017	200	\$ 76,164.38
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 1,000,000.00	2.70%	8/09/2016	9/03/2017	182	\$ 13,463.01
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 1,000,000.00	2.70%	14/09/2016	16/03/2017	183	\$ 13,536.99
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 9,000,000.00	2.75%	25/08/2016	16/03/2017	203	\$ 137,650.68
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 3,000,000.00	2.75%	16/08/2016	16/03/2017	212	\$ 47,917.81
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 5,000,000.00	2.80%	17/08/2016	31/03/2017	226	\$ 86,684.93
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	2.70%	5/10/2016	6/04/2017	183	\$ 27,073.97
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 3,000,000.00	2.77%	13/10/2016	13/04/2017	182	\$ 41,436.16
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 3,000,000.00	2.70%	25/08/2016	28/04/2017	246	\$ 54,591.78
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 3,000,000.00	2.75%	15/12/2016	18/05/2017	154	\$ 34,808.22
MUNICIPAL	ING	Short Term Direct Investments TERM DEPOSITS	\$ 3,500,000.00	2.64%	13/10/2016	13/04/2017	182	\$ 46,073.42
MUNICIPAL	ING	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	2.64%	13/10/2016	13/04/2017	182	\$ 26,327.67
MUNICIPAL	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 4,000,000.00	2.80%	9/08/2016	12/01/2017	156	\$ 47,868.49
MUNICIPAL	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	2.72%	30/11/2016	2/03/2017	92	\$ 13,711.78
MUNICIPAL	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 5,000,000.00	2.66%	15/12/2016	16/03/2017	91	\$ 33,158.90
MUNICIPAL	SUNCORP	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	2.50%	5/10/2016	5/01/2017	92	\$ 12,602.74
MUNICIPAL	SUNCORP	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	2.62%	9/09/2016	9/02/2017	153	\$ 21,964.93
MUNICIPAL	SUNCORP	Short Term Direct Investments TERM DEPOSITS	\$ 4,500,000.00	2.65%	21/10/2016	20/04/2017	181	\$ 59,134.93
			\$ 78,500,000.00					
RESERVES	AMP	Short Term Direct Investments TERM DEPOSITS	\$ 5,000,000.00	3.05%	11/07/2016	5/01/2017	178	\$ 74,369.86
RESERVES	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 4,500,000.00	3.03%	16/06/2016	12/01/2017	210	\$ 78,447.95
RESERVES	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	2.75%	16/08/2016	16/03/2017	212	\$ 31,945.21
RESERVES	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 5,000,000.00	2.80%	17/11/2016	18/05/2017	182	\$ 69,808.22
RESERVES	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 1,000,000.00	2.80%	15/12/2016	15/06/2017	182	\$ 13,961.64
RESERVES	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	2.80%	22/12/2016	22/06/2017	182	\$ 27,923.29
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 2,500,000.00	2.95%	30/06/2016	5/01/2017	189	\$ 38,188.36
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 4,000,000.00	2.95%	7/07/2016	12/01/2017	189	\$ 61,101.37
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 5,000,000.00	2.86%	29/07/2016	23/02/2017	209	\$ 81,882.19
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 3,000,000.00	2.70%	1/12/2016	2/03/2017	91	\$ 20,194.52
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 2,500,000.00	2.72%	24/11/2016	23/03/2017	119	\$ 22,169.86
RESERVES	SUNCORP	Short Term Direct Investments TERM DEPOSITS	\$ 3,000,000.00	2.98%	30/06/2016	5/01/2017	189	\$ 46,292.05
RESERVES	SUNCORP	Short Term Direct Investments TERM DEPOSITS	\$ 8,000,000.00	3.03%	9/06/2016	5/01/2017	210	\$ 139,463.01
RESERVES	SUNCORP	Short Term Direct Investments TERM DEPOSITS	\$ 5,000,000.00	2.61%	8/12/2016	9/03/2017	91	\$ 32,535.62
RESERVES	SUNCORP	Short Term Direct Investments TERM DEPOSITS	\$ 7,000,000.00	2.61%	8/12/2016	9/03/2017	91	\$ 45,549.86
RESERVES	SUNCORP	Short Term Direct Investments TERM DEPOSITS	\$ 2,500,000.00	2.65%	21/10/2016	20/04/2017	181	\$ 32,852.74
			\$ 62,000,000.00					
ROD EVANS	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 319,101.03	2.70%	17/11/2016	16/02/2017	91	\$ 2,148.03
TRUST	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	2.90%	21/07/2016	19/01/2017	182	\$ 28,920.55
TRUST	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	2.86%	28/07/2016	23/02/2017	210	\$ 32,909.59
TRUST	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 1,000,000.00	2.72%	17/11/2016	20/04/2017	154	\$ 11,476.16
TRUST	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 769,147.83	2.63%	8/09/2016	8/06/2017	273	\$ 15,129.88
			\$ 6,088,248.86					
TOTAL investments			\$ 146,588,248.86					

31-Dec-16

INSTITUTION CREDIT AND RATING

INSTITUTION	AMOUNT	PERCENTAGE	CREDIT RATING	MAX AMOUNT
ANZ	8,419,758.03	5%	A1+	OK
AMP	10,170,494.25	6%	A1	OK
ING	5,500,000.00	3%	A2	OK
BOQLD	68,000,000.00	40%	A2	MAXIMUM REACHED
BANKWEST	1,809,722.52	1%	A1+	OK
BARCLAYS	2,716,196.27	2%	NR	OK
C B A	-	0%	A1+	OK
BENDIGO	-	0%	A2	OK
MACQUARIE	0.00	0%	A1	OK
MEQUITY	0.00	0%	A2	OK
NAB	34,088,248.86	20%	A1+	OK
ST GEORGE	-	0%	A1+	OK
SUNCORP METWAY	34,000,000.00	20%	A1	OK
WESTPAC	-	0%	A1+	OK
COLONIAL	4,575,098.75	3%	NR	OK
TOTAL	169,279,518.68	100%		

GLOBAL CREDIT EXPOSURE

INSTITUTION	AMOUNT	PERCENTAGE	MAX ALLOWED
A1+, A1, AA	88,488,223.66	52%	100%
A2	73,500,000.00	43%	60%
A3 and Unrated	7,291,295.02	4%	10%
TOTAL	169,279,518.68	100%	

A1+	45%	INDIVIDUAL ADI EXPOSURE ALLOWED
A1	45%	
A2	40%	
A3	10%	
AAA	45%	
AA	45%	
Unrated	10%	

Agenda Public Art Advisory Panel Nomination
Item 8.6

Recommendation:

That Council approve John Barrett-Lennard for membership of the City of Perth Public Art Advisory Panel in the role of art critic.

FILE REFERENCE:	P1019669-3
REPORTING UNIT:	Arts, Culture and Heritage
RESPONSIBLE DIRECTORATE:	Economic Development
DATE:	6 January 2017
ATTACHMENT/S:	Nil

Legislation / Strategic Plan / Policy:

**Integrated Planning and
Reporting Framework
Implications**

Corporate Business Plan

Council Four Year Priorities: Healthy and Active in Perth
 S15 Reflect and Celebrate the Diversity of Perth
 15.3 Develop Public Art Strategy and Implementation
 Plan

Policy

Policy No and Name: 1.5 – Public Art Policy

Financial Implications:

None; the Public Art Advisory Panel will provide their professional expertise on a voluntary basis.

Purpose and Background:

At its meeting on **15 December 2015**, Council adopted the new Policy 1.5 – Public Art to provide a policy framework to support the implementation of the Public Art Strategy (adopted **9 June 2015**). The Public Art Strategy identified that:

The City of Perth's Public Art Programs will be developed with input from, and in consultation with, experts in fields directly relevant to public art, and cultural advisors where appropriate.

The Terms of Reference document for the Public Art Advisory Panel was approved by Council at its meeting on **23 February 2016**. As outlined in the Terms of Reference 1.1, Panel Membership is to comprise up to seven highly regarded experienced individuals with at least one professional representing each of the following fields.

- A practising artist with extensive experience in public art;
- A public art consultant or curator;
- An art critic or historian;
- An urban architect; and
- A town planner.

The purpose of this report is to seek Council's approval for a new nominee following the withdrawal of one of the previously approved members. The new nominee is recommended by City Officers and the Public Art Advisory Panel (PAAP) for the membership.

Details:

The call for nominations for the inaugural PAAP was advertised from 13 April 2016 via the City of Perth website, social media, on Artshub, on the Artsource newsletter, as well as being circulated independently through relevant networks.

Fifteen nominations were received for consideration by the City and seven nominees were recommended by Officers in the Arts, Culture and Heritage Unit. These nominees were approved by Council in **May 2016**. Inaugural members of the PAAP:

- Philip Gamblen – Artist;
- Maggie Baxter – Art Consultant;
- Christopher Crouch – Art critic/historian;
- Peter Ciemitis – Urban Designer;
- Philip Gresley – Architect;
- Warren Giddens – Town Planner; and
- Patrick Ford – Urban Designer.

Following the withdrawal of Dr Christopher Crouch in November 2016, a new nominee is recommended to take the place of an art critic or historian. The nominee is John Barrett-Lennard, an independent curator and art critic, and Adjunct Associate Professor at the University of Western Australia.

John Barrett-Lennard

John Barrett-Lennard has worked as a curator, gallery director and arts manager for over 30 years and is currently working as an Adjunct Associate Professor in the Architecture, Landscape and Visual Arts at the University of Western Australia (UWA). Prior to this John Barrett-Lennard was the Director of Lawrence Wilson Art Gallery, UWA, for 10 years (2001 - 2011) and the Director of John Curtin Gallery and University Curator for John Curtin University (1995 and 2000). John Barrett-Lennard will bring extensive and expert knowledge of local and international art and his contribution will be of great value to the panel and the City of Perth.

Comments:

As set out at 4.7 of the Terms of Reference the Public Art Advisory Panel will not have any decision making authority. The Panel will exist solely for the purpose of providing independent, expert advice to inform City Officers' recommendations to Committee and Council, or to inform other operational decisions made in accordance with the City's Delegated Authority Register. Membership of the Panel requires endorsement by Council to ensure that Council has confidence in the professional expertise on the Panel.

Agenda Review Policy 9.2 - Heritage Rate Concession
Item 8.7

Recommendation:

That Council:

- 1. approves an amendment to the City of Perth Policy 9.2 Heritage Rate Concession eligibility criteria to:***
 - 1.1 require Council approval for the granting of a Heritage Rate Concession to owners of non-strata places, where original heritage floor space comprises less than 50% of the total development's floor space;***
 - 1.2 only apply to grouped rates for that portion of the group that is heritage listed;***
 - 1.3 require owners to provide a copy of an annual pest inspection report in place of a pest control contract;***
- 2. agrees to the continuation of the Heritage Rate Concession Program for a further five financial years;***
- 3. notes that Policy 9.2 Heritage Rate Concession will be reviewed in five years;***
- 4. in accordance with Section 2.7(2)(b) of the Local Government Act 1995, approves the City of Perth Policy 9.2 Heritage Rate Concession as detailed in Attachment 8.7A; and***
- 5. notes that a business case for a trial project offering Heritage Rate Concession as an incentive for the activation of upper floors / underutilised spaces is to be developed by the City as part of the Hay Street Mall Activation Plan, and that a further report on this matter will be presented to Council.***

FILE REFERENCE:	P1028009 and P1028237
REPORTING UNIT:	Arts, Culture and Heritage
RESPONSIBLE DIRECTORATE:	Economic Development and Activation
DATE:	20 January 2017
ATTACHMENT/S:	Attachment 8.7A – Draft Heritage Rate Concession Policy 9.2 Attachment 8.7B – Heritage Rate Concession Policy 9.2

Legislation / Strategic Plan / Policy:

Legislation	Sections 7.47 and 2.7 (2) (b) of the <i>Local Government Act 1995</i>
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**Integrated Planning and
Reporting Framework
Implications**

Corporate Business Plan

Council Four Year Priorities: Healthy and Active in Perth

S15 Reflect and celebrate the diversity of Perth

15.3 Review and further develop the City's approach to the conservation, management and celebration of its cultural heritage.

Policy

Policy No and Name: 9.2 – Heritage Rate Concession

Financial Implications:

Total rates foregone in Heritage Rate Concessions for 2016/17 year were \$225,888.45.

At current values if a rate concession was granted for every rateable place listed on the City Planning Scheme 2 (CPS2) Heritage List (heritage place) the City would forego \$1,632,847 in rates annually. However, under Policy 9.2 a number of properties are not eligible for the concession.

Table 1 below lists strata properties that are not eligible for the concession under Policy 9.2. This reduces the total in potentially foregone rates to \$1,121,181.

It is expected that upon a more detailed analysis of rate data that there will be other heritage places that do not meet the Policy's eligibility criteria. It is estimated that this could further reduce the possible annual loss of rate revenue by a further \$200,000 to approximately \$900,000.

Table 1

Address	Reason for Ineligibility	Potential Heritage Rate Concession
Match - 474 Murray Street and 65 Milligan Street, Perth	Heritage Agreement	\$52,125
138 Barrack Street, Perth	Less than 50% original floor space remaining	\$46,723
90 Terrace Road, Perth	Less than 50% original floor space & Heritage Agreement	\$79,925
98 Terrace Road, Perth	Less than 50% original floor space & Heritage Agreement	\$49,345
100 Terrace Road, Perth	Less than 50% original floor space & Heritage Agreement	\$49,345
100 Terrace Road, Perth	Less than 50% original floor space & Heritage Agreement	\$32,665
34 Kings Park Road, West Perth	Less than 50% original floor space	\$50,040
2 Mayfair Street, West Perth	Less than 50% original floor space	\$40,310.
101 Murray Street, West Perth	Less than 50% original floor space	\$97,326
731 Hay Street Mall, Perth	Heritage Agreement	\$13,862.
Total		\$511,666

All figures quoted in this report are exclusive of GST.

Purpose and Background:

At its meeting held on **27 August 2002**, Council adopted, in-principle, a program of heritage incentives as an integral part of its Heritage Program.

Following an extensive process of research and consultation, a holistic and integrated program of financial and non-financial incentives was developed, with the aim of promoting and facilitating high standards of heritage conservation. The incentives were:

- Heritage Grants;
- Heritage Rate Concessions;
- Transfer of Plot Ratio;
- Bonus Plot Ratio; and
- Low Interest Loan Scheme.

One of the core components of the proposed program was the Heritage Rate Concession (HRC) that offered owners of heritage places a 10% concession on general rates for the property, to a maximum of \$20,000 per annum, with the minimum concession being equal to the minimum rate payment.

In the 2005/06 financial year Council agreed to adopt the proposed suite of incentives, including the HRC. It agreed to offer the HRC for a period of six financial years and agreed to exposure of \$600,000 in foregone income for 2005/06.

At its meeting held on **13 March 2012**, Council approved amendments to the HRC eligibility criteria and agreed to continue the program for a further five financial years, noting that a review would be undertaken in five years.

At its meeting on **16 May 2012**, Council, in accordance with Section 2.7(2)(b) of the *Local Government Act 1995*, approved the City of Perth Policy 9.2 Heritage Rate Concession (Attachment 8.7B). This Policy is a consolidation of the Council's decisions since 2002 relating to the provision of the HRC to the owners of places on the CPS Heritage List.

The HRC continues to play an important role as one of the pillars of the City's Heritage Incentive Program, which itself forms a major part of the City's award winning Heritage Program. The current status of the Heritage Incentive Program is:

- Grants of \$400,000 allocated per annum;
- Rate Relief \$225,888.45 forgone in rates in 2016/17;
- Transfer Plot Ratio - over \$6.2 million transacted since 2006; and
- Bonus Plot Ratio - 21 bonuses approved over 15 years.

Imminent expiry of the approved five year period for the HRC has prompted a review of Policy 9.2 Heritage Rate Concession.

Council is requested to consider recommendations for the future direction of the HRC.

Details:

Policy 9.2 Heritage Rate Concession (the Policy) allows the City to offer owners of heritage places a concession on rates. This is in recognition of the higher costs associated with maintaining a heritage building.

The City grants the concession to owners of eligible heritage places, upon application and where the owners agree to sign a Property Maintenance Agreement for Receipt of Heritage Rate Concession (Maintenance Agreement). The Maintenance Agreement binds owners to undertake proper care and maintenance of their properties to a benchmark standard, as set by the City and specified in the City of Perth Maintenance Schedule for Heritage Buildings. The City also requires buildings to be covered by full building insurance to ensure that the cost of repair or reinstatement of any damaged heritage fabric can be met.

Importantly, it should be noted that the Maintenance Agreement is the only tool that the City has to influence how heritage places are maintained. This is important, as proper maintenance arrests decline in building condition which inevitably leads to major deterioration of building fabric.

Legislative powers to request works to any building, and specifically heritage places, are contained in Section 112 of the *Building Act 2011* and clause 13 of the *Planning and Development (Local Planning Schemes) Regulations 2015* Deemed provisions for local planning schemes, respectively. These provisions, however, are only applicable where there is a loss of structural integrity and/or loss of fabric integral to heritage values.

The value of the Maintenance Agreement is that it allows the City to request works be undertaken before there is any real threat to the structural integrity or deterioration of a place's heritage value.

It also provides a mechanism to facilitate improved communications between owners and the City, allowing the administration to better understand the level of owner 'buy in' to the conservation of their building.

Monitoring

The City monitors landowner compliance with a Maintenance Agreement primarily through the commissioning of annual external building condition inspections that are undertaken by an external contractor.

The inspections are undertaken for all heritage places to not only monitor compliance with Maintenance Agreement but to also monitor compliance with Heritage Agreements and to collect data on the condition of the city's heritage stock.

Reports generated as a result of the inspections provide valuable information regarding the external presentation of heritage places, including: the presence of graffiti; condition of paint and render finishes; and damage to windows or roofs, both of which allow ingress of water that leads to rapid structural decline.

No heritage places that have the rate concession applied have been reported as failing the building condition inspections, indicating compliance with the Maintenance Schedule. The budgeted cost of building condition reports for the 2016/17 financial year is \$16,000.

Proposed changes to the Policy

The review of the Policy has resulted in a significant format change to comply with current policy standards. As these changes have substantially altered the form of the Policy the current and draft Policies are presented in this report as separate Attachments. The current Policy is presented as Attachment 8.7B and the draft Policy is presented as Attachment 8.7A.

As a result of the required five yearly review of the HRC, three changes to the eligibility requirements of the Policy are proposed. These are discussed below under the headings of Grouped Rates, Original Floor Space and Pest Control Report.

The changes will result in:

- The HRC being more strictly applied; and
- The City receiving a more detailed annual report on the condition of the interiors of heritage places receiving the HRC.

Grouped Rates

A grouped rate notice can be applied where properties that are on separate certificates of title share borders and are owned by the same entity or person. In this instance the ratepayer will be sent a single rate notice including all of the grouped properties.

Currently, where a heritage place is included within the group the HRC is applied to all properties within that group.

It is proposed to alter the Policy eligibility criteria to restrict the application of the concession so it is only applied to the heritage places within the group.

Landgate is able to provide 'sub values' for grouped ratings and these will be used to assist in the application of the proposed change.

For example:

The total Gross Rental Value (GRV) of a group rating may be \$100,000. Where, the sub value for the heritage place/s of the group is \$25,000 the heritage concession would be 25% and that would be applied against the rates assessment.

Original Floor Space

Under the current Policy, strata complexes must comprise of at least 50% original heritage floor space for owners to be eligible for the concession. Council may, upon the request of an owner, consider granting the concession where it is satisfied that financial justification provided by the owner demonstrates that strata fees are unduly high due to the cost of maintaining heritage fabric.

It is proposed to alter the Policy to apply this eligibility requirement to both strata and non-strata heritage places. Like the current requirement for strata complexes, it will allow Council to grant the concession if satisfied that financial justification provided by the owner proves that the cost of maintaining heritage fabric is unduly high.

Pest Control Report

Currently owners are required to provide annual evidence of a pest control contract to continue to receive the concession. A change is proposed to require owners to instead submit a copy of an annual pest control report. This change is proposed for the following reasons:

- Many owners do not have contracts but do employ a pest control contractor to undertake annual inspections of their building;
- A copy of a pest control contract does not necessarily indicate that a building has been inspected annually or provides any particular information regarding the condition of the place; and
- An annual pest control report provides evidence that a building has been checked annually and typically provides information regarding its overall condition: including whether there is evidence of termite damage, rot, pest infestation and whether the place is vacant. This information, combined with annual building inspection reports will provide the City with an unprecedented amount of information on the overall condition of heritage places.

Extension of the Program

The HRC program is valued as a component of the City's Heritage Incentive Program, providing the City with an important tool to assist in the conservation of places on the CPS2 Heritage List. A consistent approach to assessment and improvement over the last 10 years has resulted in a more streamlined and targeted program.

The extension of the HRC for five years (during which time there will be continued monitoring and analysis of the program's effectiveness) will ensure that the City continues to have some influence in the maintenance of Perth's heritage places.

Recent changes to the City's internal structure has created an opportunity for the City to more actively promote the HRC to encourage greater owner participation in the program and to also investigate opportunities to utilise the program and the data collected through the compliance process for broader benefit.

Pilot Project

The use of HRC as a mechanism to maintain Perth's heritage fabric is well established.

In considering the possible use of HRC for broader benefits the City has identified that there may be an opportunity to further utilise HRC as a means to encourage conservation projects that result in activation of underutilised spaces in heritage buildings.

The City's Hay Street Mall Activation Plan identifies the under activation of upper floor space in heritage places as having a negative impact on the functioning and presentation of the Hay Street Mall.

The City will be building a business case to run a trial project, around the central city core, particularly the Hay Street Mall, to encourage the adaptive reuse of several significant vacant or neglected heritage buildings. This will focus on their upper floors / underutilised spaces, as identified as a priority in the City's Corporate Business Plan. This project will form an integral element of the Hay Street Mall Activation Plan.

The business case will be seeking to demonstrate a net economic benefit for the City and the community secured via: improved heritage fabric; asset value; resulting GRV; overall visual amenity; and contribution to the local economy by the value of new employment / residences created within those spaces. The latter focus is central to the project as each new employee or resident in the City represents an economic value annually (associated spend) of \$11,000 and \$27,725 respectively (Urbis 2011 / RPS & City of Perth 2016).

It is acknowledged that in accordance with Section 2.7(2)(b) of the *Local Government Act 1995* that any resultant proposals to grant further rate concessions will require an amendment to Policy 9.2 or the adoption of a new Policy.

The business case developed regarding the proposed trial project will be presented to Council for its consideration.

Comments:

The HRC is a vital component of the overall package of the City's heritage incentives that are designed to encourage and assist owners with conservation of heritage places.

Since its inception the HRC has provided the City with an effective tool that promotes excellent standards in building maintenance and promotes good stewardship of heritage places.

Importantly, a unique benefit of the HRC is that it is the only mechanism by which the City can influence the standard of care and maintenance of heritage places prior to there being significant damage to heritage fabric or structural damage evident.

The continued process of review and adjustment of the HRC since 2006 has ensured that it is constantly refined to ensure that the program continues to meet the needs of the City and that the concession is only applied in cases where it is considered appropriate to meet the objectives of the Policy.

The key findings of the five yearly review of the HRC were:

- HRC remains an important and integral part of the City's Heritage Incentives Program;
- That all buildings with less than 50% total original floor space should be ineligible for HRC, unless owners provide economic justification that demonstrates to Council's satisfaction that maintenance costs are unduly high due to the cost of maintaining heritage fabric;
- Concessions to grouped rates should apply only for the percentage of the group that is heritage listed;
- Annual pest control reports will provide the City with a better record of building maintenance than evidence of a pest control contract;
- Data collected through the HRC provides the City with valuable information that could be utilised by business units across the City; and
- HRC has the capacity to provide the City with an incentive device that could facilitate beneficial outcomes in areas other than heritage maintenance.

An examination of the key findings has informed the proposed changes to the Policy. The changes will result in the City receiving more detailed information regarding the condition of heritage places and will ensure that the HRC is applied more appropriately.

The provision of a rate concession has been identified as providing a potential mechanism to encourage the activation of underutilised floor space in heritage places.

Council is requested to agree to the proposed changes to the Policy and to an extension of the program for another five years; noting that it shall be reviewed in five years.

Council is also requested to note that a business case for a trial project offering HRC as an incentive for the activation of upper floors / underutilised spaces is to be developed by the City as part of the Hay Street Mall Activation Plan, and that a further report outlining the business case for the trial project will be presented to Council for its consideration.



Council Policy Manual

CP9.2 Heritage Rate Concession

PREAMBLE

The City of Perth recognises the important contribution that heritage makes to community, sustainability, cultural identity and the economy. The City of Perth also recognises that heritage is important because it provides a sense of unity and belonging within the community, and provides insight into previous generations and our history. Together, the City of Perth and the property owners must ensure that the valuable assets of our heritage are respected and celebrated.

The City of Perth's program of development and financial incentives is aimed at encouraging and assisting the landowners to retain, maintain, conserve and use Heritage Places. Heritage Rate Concession is a key component of the City's Heritage Incentive Program and is primarily focused on the maintenance rather than development of heritage places.

This Policy should be read in conjunction with other City of Perth policies relevant to Heritage Places.

POLICY OBJECTIVE

The City of Perth provides the Heritage Rate Concession to encourage and assist owners of Heritage Places to maintain those places in a way that is compatible with their heritage values.

DEFINITIONS

Fabric means the physical element or finish which is part of the heritage value of a heritage place.

Financial Justification is a statement that includes the cost of works undertaken to maintain heritage fabric, and is used to inform Council's decision on whether or not to grant the Heritage Rate Concession.

Heritage Place means places included in the City Planning Scheme Heritage List, a place of cultural heritage significance in a declared Heritage Area or a place included in the Metropolitan Redevelopment Authority Heritage Inventory.

Maintenance means the continuous protective care of a place so as to retain its cultural heritage significance.

POLICY STATEMENT

1. The Heritage Rate Concession will:-



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- 1.1. Be equivalent to 10% of the general rates for the Heritage Place, to a maximum of \$20,000 per annum with the minimum concession being equal to the minimum rate payment.
- 1.2. Expire on 30 June 2022, subject to compliance with this policy and subject to review at any time by the City.
- 1.3. Be reduced by an amount equivalent to any other rate concessions for which the owner of the property is eligible (seniors and pensioners).
- 1.4. Not apply retrospectively to previous financial years, including applications previously approved under Policy 9.2 Heritage Rate Concession adopted by the Council on 26/06/2012.
- 1.5. With respect to group rated properties, the Heritage Rates Concession will only apply to general rates for the heritage place or places within the group.

2. Eligibility Criteria

The City of Perth will provide the Heritage Rate Concession if the applicant meets all of the following criteria:-

- 2.1. The applicant is the registered rate payer of the Heritage Place.
- 2.2. The applicant submits the following:
 - 2.2.1. A completed Application Form – Heritage Rate Concession prior to the issue of the current rate notice or no later than 60 days from the issue date of the current rate notice.
 - 2.2.2. A signed City of Perth Property Maintenance Agreement.
 - 2.2.3. A current full building insurance certificate.
 - 2.2.4. A pest inspection report dated no later than a year from the application date.
 - 2.2.5. If applicable, (see 3.4 below), Financial Justification that adequately demonstrates to the satisfaction of Council that:
 - 2.2.5.1. with respect to non-strata properties, that the cost associated with maintaining heritage fabric is unduly high: or,



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- 2.2.5.2. with respect to strata complexes, that strata fees are unduly high due to the cost of maintaining heritage fabric.

3. Ineligibility

The City of Perth will not provide the Heritage Rate Concession in any of the following instances:

- 3.1 The owner is bound by a Heritage Agreement where a development based incentive has been granted by the Council.
- 3.2 The owner is bound by a Heritage Agreement that commits the owner to the ongoing care and maintenance of the property.
- 3.3 There is an overdue rate debt to the City on the property.
- 3.4 Original floor space of the property (strata and non-strata) comprises less than 50% of the property's total floor space. In these instances the Council, at the request of the applicant may consider granting the concession if adequate Financial Justification is provided (see 2.2.5 above).

MONITOR AND REVIEW

4. The City of Perth will cancel the Heritage Rate Concession in any of the following instances:
 - 4.1. The approved application becomes ineligible in accordance with (3) above.
 - 4.2. A debt to the Council on the property is overdue for payment.
 - 4.3. Voluntary withdrawal by applicant.
 - 4.4. The property is not being maintained as per the *City of Perth Property Maintenance Agreement*.
 - 4.5. The full building insurance certificate and/or pest inspection report previously provided to the City has expired and up-dated documents have not been provided.
5. Where applications are cancelled, new applications can be submitted in accordance with (2) above.
6. Where an application is cancelled after the issue of the rate notices including the Heritage Rate Concession, a new rate notice will be issued with the concession amount being reinstated.



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Document Control Box							
Document Responsibilities:							
Custodian:	Heritage			Custodian Unit:	Arts, Culture and Heritage		
Decision Maker:							
Compliance Requirements:							
Legislation:	Section 6.47 of the <i>Local Government Act 1995</i>						
Industry:							
Organisational:							
Document Management:							
Risk Rating:		Review Frequency:		Next Due:		TRIM Ref:	
Version #	Decision Reference:		Synopsis:				
1.	Adopted 26/06/12 (mn 287/12)						
2.							
3.							



Council Policy Manual

CP9.2 Heritage Rate Concession

POLICY OBJECTIVE

The objectives of this policy are to:

1. Assist the owners of heritage places to continue the active use of those places and facilitate their maintenance in a way that is compatible with their heritage values.
 2. Acknowledge the economic and social value of cultural heritage to the City of Perth.
-

ENABLING LEGISLATION

The Head of Power for Heritage Rate Concession is Section 6.47 of the *Local Government Act 1995*.

POLICY STATEMENT

1 Policy

- 1.1 The City of Perth recognises the importance of maintaining and providing ongoing care to heritage listed places to ensure their long term conservation.
- 1.2 The City may provide an annual concession on general rates to encourage and support owners to maintain their building.
- 1.3 The concession will be equivalent to 10% of the general rates for the property, to a maximum of \$20,000 per annum with the minimum concession being equal to the minimum rate payment.
- 1.4 The concession will apply for five years or until 30 June 2017, whichever happens first, and subject to review, unless negotiated as part of a package of heritage incentives with the City.
- 1.5 The value of the concession will be reduced by an amount equivalent to any other rate concessions for which the owner of the property is eligible (seniors, pensioners and inner city rate concessions).
- 1.6 This policy does not retrospectively apply to recipients of Heritage Rate Concession where that concession was approved prior to 26 June 2012.



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2 Eligibility

To be eligible for the Heritage Rate Concession:-

- 2.1 The property must be rateable and the applicant a registered ratepayer.
- 2.2 The property must be located within the City of Perth boundaries and listed as a Heritage Place in the City of Perth City Planning Scheme or in the Metropolitan Redevelopment Authority heritage inventory.
- 2.3 Applicants must provide evidence of full value building insurance for each year that they are eligible to claim the Heritage Rate Concession.
- 2.4 Applicants must provide evidence of a current pest control contract for each year that they are eligible to claim the Heritage Rate Concession.
- 2.5 To receive a Heritage Rate Concession, eligible applications must be received by no later than 60 days from the issue date of the current rate notice. Applications received after this period will not be eligible for a heritage Rate Concession for the current financial year.

3 Ineligibility

The Heritage Rate Concession will not be provided if:-

- 3.1 The owner is bound by a Heritage Agreement where an incentive or bonus has been granted by the Council and/or where the Agreement commits the owner to ongoing care and maintenance of the heritage building.
- 3.2 There is an outstanding rate debt to the City on the property.

4 Specific Provision for Strata Complexes

For strata units in complexes where original heritage floor space comprises less than 50% of the total development's floor space the Council may approve a concession if it considers that strata fees are unduly high because of the cost of maintaining heritage fabric.

5 Condition of Funding

- 5.1 The applicant must sign and adhere to an agreement to maintain their property to a standard defined by the City, prior to the granting of a Heritage Rate Concession.



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6 Cancellation of the Heritage Rate Concession

- 6.1 This concession will cease if a debt to the Council on the property is overdue for payment.
- 6.2 The agreement may be nullified by the ratepayer through voluntary withdrawal.
- 6.3 The City may cancel the concession if it determines that the property is not being suitably maintained.
- 6.4 The City may cancel the concession if it determines that the property is not covered for full value building insurance.
- 6.5 The City may cancel the concession if it determines there is not a current pest control contract in place for the property.

7 Supporting Documentation

The following documents must be submitted on application for Heritage Rate Concession:-

- 7.1 A completed application form.
- 7.2 Evidence of a current pest control contract.
- 7.3 Evidence of current full value insurance cover.
- 7.4 A signed maintenance agreement as provided by the City.

8 Extension and Review

- 8.1 The Heritage Rate Concession program will be continued until the end of 2016/17 financial year.



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Document Control Box							
Document Responsibilities:							
Custodian:	Heritage			Custodian Unit:	Arts, Culture and Heritage		
Decision Maker:							
Compliance Requirements:							
Legislation:							
Industry:							
Organisational:							
Document Management:							
Risk Rating:		Review Frequency:		Next Due:		TRIM Ref:	75522/04
Version #	Decision Reference:			Synopsis:			
1.	Adopted 26/06/12 (mn 287/12)						
2.							
3.							

Agenda Adoption – City of Perth Parking Local Law 2017
Item 8.8

Recommendation:

That Council:

- 1. notes that no submissions were received in response to the public notice period for the proposed City of Perth Parking Local Law 2017;***
- 2. notes the comments received from the Department of Local Government and Communities and the Department of Transport in response to the public notice period and amendments made to the local law as detailed within this report titled “Adoption – City of Perth Parking Local Law 2017”;***
- 3. in accordance with Section 3.12(4) of the Local Government Act 1995, BY AN ABSOLUTE MAJORITY makes the City of Perth Parking Local Law 2017 as detailed in Attachment 8.8A; and***
- 4. in accordance with Section 3.12(6) of the Local Government Act 1995, gives local public notice of the City of Perth Parking Local Law 2017.***

FILE REFERENCE:	P1010030-6
REPORTING UNIT:	Governance
RESPONSIBLE DIRECTORATE:	Corporate Services
DATE:	16 January 2017
ATTACHMENT/S:	Attachment 8.8A – Proposed City of Perth Parking Local Law 2017

Legislation / Strategic Plan / Policy:

Legislation	Sections 3.12, 3.13 and 3.16 of the <i>Local Government Act 1995</i>
Integrated Planning and Reporting Framework Implications	<p>Strategic Community Plan</p> <p>Council Four Year Priorities: Capable and Responsive Organisation</p> <p>A capable, flexible and sustainable organisation with a strong effective governance system to provide leadership as a capital city and deliver efficient and effective community centred services.</p>

Financial Implications:

Costs of approximately \$2,000 will be incurred for the Public Notice and Gazettal of the local law. These costs will be met through existing operating budgets.

All amounts quoted in this report are exclusive of GST.

Purpose and Background:

Council at its meeting held on **1 November 2016** resolved to repeal the *City of Perth Parking Local Law 2010* and in accordance with Section 3.12(3) of the *Local Government Act 1995*, give state-wide public notice of its intention to make the proposed City of Perth Parking Local Law.

This state-wide public notice was published in The West Australian on Wednesday, 9 November 2016, and displayed on the City's notice boards and the City of Perth website, seeking public submissions on the newly proposed Local Law. A copy of the public notice and the proposed local law were also provided to the Minister for Local Government, the Minister for Planning and Minister for Transport.

In accordance with Section 3.12(4) of the *Local Government Act 1995*, after the last day for submissions, Council is required to consider any submissions received and may resolve by an Absolute Majority to make the local law or to make a local law that is not significantly different from the proposed local law.

Details:

At the close of the public notice period on Tuesday, 3 January 2017, no submissions were received from members of the public. The Department of Local Government and Communities (DLGC) on behalf of the Minister for Local Government, provided comments on the advertised local law on Wednesday, 21 December 2016. The majority of the DLGC comments relate to minor adjustments to the drafting to ensure alignment with current legislative practices and standards. The DLGC comments, together with the Officer responses, are detailed in the table below.

Clause	DLGC Comments	Officer Response
N/A	Suggested that a "Table of Contents" be included in the local law, to enable readers to determine the contents of the local law at a glance.	This is an administrative matter, the City of Perth will provide an administration copy of the local law, once gazetted, which will be published on the City of Perth website for ease of use.
N/A	Suggested that the page numbers be removed from the footer. These numbers may no longer be accurate when the local law is published in the Government Gazette.	Noted and amended in the proposed local law.
Clause 1.5 – Repeal	It is suggested that the date in this clause be replaced with 15 February 2011, as this is the date when the previous local law was published in the Government	Noted and amended in the proposed local law.

Clause	DLGC Comments	Officer Response
	Gazette.	
Clause 1.6 – Terms used	Suggested that the City of Perth inserts a definition of “schedule’ as it is used throughout this local law. Whilst this definition is not a necessity, it may assist readers and mitigate the risk of any misinterpretation.	Noted and amended in the proposed local law.
Part 2 – Determination devices	<p>Part 2 of the City’s local laws allows the use of determinations to change how the local law will apply to specific areas or parking bays.</p> <p>While the Committee has accepted the necessity of determination devices in parking local laws, the Committee tends to require the following safeguards:</p> <ul style="list-style-type: none"> • The determination must be reflected with appropriate signage; and • The determination must be made by a resolution of council. <p>It is suggested that clause 2.1 be amended by replacing “may prohibit” with “may by resolution prohibit”. It is suggested that clause 2.2(a) be amended by replacing “determine” with “may by resolution determine”. If this is not done, the Committee may raise concerns with the local law.</p>	Noted and amended Clause 2.1 to reflect “may by resolution prohibit” and Clause 2.2 to reflect “may by resolution determine” in the proposed local law.
Clause 2.15	<p>The Delegated Legislation Committee has previously raised issues with clauses that provide for event parking.</p> <p>The City may wish to insert a schedule with a list of events, or provide for a public register where these events and their effect on parking can be viewed. Alternatively, the City may wish to remove this clause and simply rely on the determination powers provided by clause 2.2.</p>	<p>As City events are subject to changes, it is considered to be inefficient and potentially confusing to have a current list of events affecting parking areas.</p> <p>The intent of this clause remains unchanged from the existing local law that was considered by the Joint Standing Committee on Delegated Legislation.</p>

The Department of Transport (DoT) also provided a response to the proposed local law, on behalf of the Minister for Planning on 11 January 2017. The DoT comment and Officer response is outlined below:

Clause	DoT Comment	Officer Response
2.15	Item 2.15 Event Parking sets out the use of reserves or local government property for special events parking. It is noted that there are occasions where event parking may need to occur on privately owned land which this proposed local law does not provide for. An example would be the use of Dumas House car park during the Skyworks. The City of Perth may wish to consider amending the proposed local law to cater for such instances of event parking on privately owned land.	The City of Perth cannot regulate and control privately owned land and therefore it is considered that these provisions would be unnecessary.

The following amendments have been made by the City of Perth during the public consultation period and do not consider major amendments. The reasons for the amendments have also been indicated.

Amendment	Reason
Parking Local Law 2016 has been amended to Parking Local Law 2017	2017 will be the year when the local law is to be made and gazetted.
Clause 3.13(3) has been added as a penalty (No. 93) with a value of \$100 to the Modified Penalties Schedule.	This was an incidental omission; this penalty is considered necessary as it provides a further deterrent to the provisions of Clause 3.13(3) which relates to leaving charter vehicles unattended in charter vehicle zones.
Schedule 1 – Form 1 - If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of the modified penalty must be paid to <u>the CEO of the local government</u> an authorised person at [5] within a period of 28 days after the giving of this notice.	This has been amended to reflect the changes made in November 2016 to Section 9.17 of the <i>Local Government Act 1995</i> in relation to Notices, content of.

The above listed amendments and those noted by the DLGC and DoT have been incorporated into the proposed Parking Local Law 2017 as indicated in Attachment 8.8A.

Comments:

Risk Management

As with all local laws, it is noted that this local law will be subject to consideration by the State Government Joint Standing Committee on Delegated Legislation.

Conclusion

The amendments incorporated as a result of the DLGC comments mainly relate to drafting standards and minor amendments. It is considered that these do not constitute substantial changes to the originally advertised Local Law. It is therefore recommended that Council resolve to make the City of Perth Parking Local Law 2017 as detailed in Attachment 8.8A and gives local public notice of the City of Perth Parking Local Law 2017.

The Local Law will come into effect 14 days after it is published in the *Western Australian Government Gazette*.

LOCAL GOVERNMENT ACT 1995**CITY OF PERTH
PARKING LOCAL LAW 2017**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Perth resolved on **(DATE)** to make this local law.

PART 1 – PRELIMINARY**1.1 Short title**

This is the *City of Perth Parking Local Law 2017*.

1.2 Commencement

This local law will come into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Purpose and effect

- (1) The purpose of this local law is to provide for the management and regulation of parking within the district;
- (2) The effect of this local law is to manage parking throughout the district to ensure safe, fair and equitable use and access of parking facilities under the care and management of the local government.

1.4 Application

- (1) Except as set out in this clause, this local law applies to the whole of the district.
- (2) This local law does not apply to –
 - (a) the approach and departure prohibition areas of all existing and future traffic control signal installations as determined by the Commissioner of Main Roads Western Australia;
 - (b) the prohibition areas that apply to all existing and future bridges and subways as determined by the Commissioner of Main Roads Western Australia; and
 - (c) a thoroughfare that comes under the control of the Commissioner of Main Roads Western Australia unless the control of parking and parking facilities on that thoroughfare has been delegated by the Commissioner of Main Roads Western Australia to the local government.

- (3) This local law does not apply to a parking station that –
- (a) is not owned, controlled or occupied by the local government; or
 - (b) is owned by the local government but is leased to another person,
- unless the local government and the owner or occupier of the parking station have agreed in writing (on whatever terms and conditions they think fit) that this local law is to apply to the parking station.

1.5 Repeal

The *City of Perth Parking Local Law 2010* published in the *Government Gazette* on 15 February 2011 is repealed.

1.6 Terms used

In this local law, unless the context requires otherwise –

Act means the *Local Government Act 1995*;

attended parking station means a parking station attended at times by an officer, agent, contractor or authorised person of the local government;

authorised person means a person appointed by the local government under section 9.10 of the Act to perform any of the functions of an authorised person under this local law;

authorised vehicle means a vehicle authorised by the local government, the CEO, an authorised person or by any written law to stop or park on (or on part of) a thoroughfare or parking facility;

bicycle has the meaning given in the Code;

bicycle crossing has the meaning given in the Code;

bicycle crossing lights has the meaning given in the Code;

bicycle lane has the meaning given in the Code;

bicycle path has the meaning given in the Code;

bus has the meaning given in the Code;

bus embayment has the meaning given in the Code;

bus lane has the meaning given in the Code;

bus stop has the meaning given in the Code;

bus way has the meaning given in the Code;

bus zone has the meaning given in the Code;

caravan means a vehicle that is fitted or designed to allow human habitation and which is drawn by another vehicle, or which is capable of self-propulsion;

carriageway has the meaning given in the Code;

centre, in relation to a carriageway, has the meaning given in the Code;

CEO means the Chief Executive Officer of the local government;

charter vehicle means a vehicle holding an omnibus licence issued under the *Transport Co-ordination Act 1966*, but does not include a public bus.

charter vehicle zone means a parking bay or parking area designated for use by a charter vehicle;

children's crossing has the meaning given in the Code;

Code means the *Road Traffic Code 2000*;

commercial vehicle means a motor vehicle that is –

- (a) constructed, adapted or fitted for the conveyance of goods; and
- (b) used primarily for the conveyance of goods,

but does not include a vehicle constructed for the conveyance of materials used in any trade, business, industry or any other work;

Council means the council of the local government;

cross-over means the portion of land which lies between the boundary of a carriageway and the adjacent property line that is constructed for the purpose of giving access to the property;

disability parking permit has the meaning given in the *Local Government (Parking for People With Disabilities) Regulations 2014*;

district means the district of the local government;

driver means a person driving or in control of a vehicle;

driveway means the portion of land which lies between the boundary of a carriageway and the adjacent property line that is constructed for the purpose of giving access to and from the property, and also includes the term cross-over;

edge line has the meaning given in the Code;

elected member means a person who holds the office of a member of the Council;

electronic parking detection device means an electronic device placed in a position to detect and record the parking time of a vehicle on any road, parking

facility, or other public place and includes any instrument, display panel or transmitting apparatus associated with the device;

emergency vehicle has the meaning given in the Code;

entrance ticket means a ticket or token issued by an entrance ticket machine;

entrance ticket machine means a machine –

- (a) installed at an entrance to a parking station (including an attended parking station); and
- (b) from which tickets are issued to vehicles entering that parking station;

exit ticket means a ticket issued after payment of the fee by a fee collection machine;

fee collection machine means a machine installed in a parking station which, on the insertion of an entrance ticket and payment of the required fee, issues an exit ticket;

fee paying machine means a ticket issuing machine, fee collection machine or parking meter;

fee paying zone means where a fee payable is indicated by a sign where the vehicle is stopped or parked within the same –

- (a) parking station; or
- (b) section of the road between two intersections or an intersection and head of a cul-de-sac as the case may be;

fire hydrant has the meaning given in the Code;

funeral vehicle means a vehicle designed or modified for use in conducting funeral services;

footpath has the meaning given in the Code;

GVM (which stands for “gross vehicle mass”) has the meaning given in the Code;

head of a cul-de-sac means the part of a road that is closed at one end and is shaped in such a way that it can be used for vehicles to turn, and includes bulb or hammer-head shaped closed roads;

intersection has the meaning given in the Code;

keep clear marking has the meaning given in the Code;

kerb means any structure, mark, marking or device to delineate or indicate the edge of a carriageway;

length of carriageway means the section on the same side of the carriageway, between intersections on that side of the carriageway;

loading dock means a parking facility or parking station owned or operated by the local government for the purpose of loading or unloading goods;

loading zone means –

- (a) a parking facility to which a loading zone sign applies; or
- (b) a parking bay designated by a sign for use by commercial vehicles as a loading zone;

loading zone sign has the meaning given in the Code;

local government means the City of Perth;

local government property has the meaning given in the Act;

low clearance sign means a sign indicating the height clearance restriction (in metres) when entering a parking station so as not to allow an oversize vehicle to attempt to pass under the object that is part of the sign;

median strip has the meaning given in the Code;

metered space means a section or part of a metered zone that is controlled by a parking meter and that is marked or defined in a way that indicates where a vehicle may be parked on payment of a fee or charge;

metered zone means a road or reserve, or part of a road or reserve, in which a parking meter regulates the stopping or parking of vehicles;

money means any legal tender under the *Currency Act 1965* (Cth);

motorcycle means a motor vehicle that has two wheels but does not include a motor vehicle to which a side car is attached;

motor vehicle means a self-propelled vehicle that is not operated on rails, and includes –

- (a) a trailer, semi-trailer or caravan while attached to a motor vehicle;
- (b) a 2-wheeled motor vehicle with a side car attached to it that is supported by a third wheel; or
- (c) a 3-wheeled motor vehicle,

but does not include a power assisted pedal cycle;

nature strip has the meaning given in the Code and includes a verge;

no parking area has the meaning given in the Code;

no parking sign has the meaning given in the Code;

no stopping area has the meaning given in the Code;

no stopping sign has the meaning given in the Code, extended by the meaning of **sign** in this clause;

obstruction has the meaning given in the Code;

occupier has the meaning given in the Act;

one-way carriageway has the meaning given in the Code;

owner –

- (a) where used in relation to a vehicle licensed under the *Road Traffic (Vehicles) Act 2012*, has the meaning given to “responsible person” in the *Road Traffic (Administration) Act 2008*;
- (b) where used in relation to any other vehicle, means the person who owns, or is entitled to possession of, the vehicle; and
- (c) where used in relation to land, has the meaning given in the Act;

park has the meaning given in the Code;

parking area has the meaning given in the Code;

parking bay means a section of a parking facility which is marked or defined in any way to indicate where a vehicle may stop or park;

parking bay for people with disabilities has the meaning given to **permit parking area** in the *Local Government (Parking for People with Disabilities) Regulations 2014*;

parking control sign has the meaning given in the Code;

parking facility includes –

- (a) land, buildings, shelters, parking bays, parking stations and other facilities open to the public generally for the parking of vehicles; and
- (b) signs, notices and facilities used in connection with the parking of vehicles;

parking meter means a machine or device which, as a result of a payment by any permitted means, indicates (without the issue of a ticket) the period during which it is lawful for a vehicle to remain parked in a metered space to which the machine or device relates;

parking permit means a permit issued by the local government or an authorised person and includes a written or electronic permit;

parking region means the area to which this local law applies, as described in clause 1.4;

parking station means any land, building or other structure used predominantly for the stopping and parking of vehicles, whether or not a fee is charged, and includes an attended parking station but does not include a road or reserve;

parking ticket means a ticket which is issued from a ticket issuing machine and which authorises the parking of a vehicle;

path has the meaning given in the Code;

pedestrian crossing has the meaning given in the Code;

pedestrian mall has the meaning given in the Code;

permissive parking sign has the meaning given in clause 172 of the Code;

postal vehicle has the meaning given in the Code;

property line means the boundary between the land comprising a road and the land that abuts that road;

public bus has the meaning given in the Code;

public bus zone means a parking bay designated for use by a public bus;

reserve means any land –

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the *Land Administration Act 1997*; or
- (c) which is an 'otherwise unvested facility' within section 3.53 of the Act;

road means a highway, lane, thoroughfare or similar place which the public are allowed to use and includes all of the land including the nature strip and paths appurtenant thereto lying between the property lines abutting the road;

Road Traffic Act means the *Road Traffic Act 1974*;

Schedule means a schedule in to this local law;

school zone has the meaning given in the Code;

school zone periods has the meaning given in the Code;

service vehicle has the meaning given in the Code;

service zone means a part of a pedestrian mall designated by a sign for stopping or parking of service vehicles;

shared zone has the meaning given in the Code;

sign includes a traffic sign, permissive parking sign, inscription, mark, structure or device approved by the local government on which may be shown words, numbers, expressions or symbols for the purpose of prohibiting, regulating, guiding, directing or restricting the stopping or parking of vehicles;

special purpose vehicle has the meaning given in the Code and also includes any commercial vehicle owned by the local government;

stop has the meaning given in the Code;

symbol includes a symbol specified by Australian Standard 1742.11- 1999 and a symbol specified from time to time by Standards Australia for use in the regulation of parking;

taxi has the meaning given in the Code;

taxi zone has the meaning given in the Code;

thoroughfare has the meaning given in the Act;

ticket includes a token;

ticket issuing machine means a machine or device which, as a result of a payment by any permitted means, issues a ticket showing the period during which it is lawful to remain parked in the area to which the machine or device relates;

ticket machine zone means a parking facility within a fee paying zone in which a ticket issuing machine is installed;

T-Intersection means an intersection where the end of a road intersects with the continuous side of a continuing road;

traffic includes the passage of both vehicles and pedestrians;

traffic island has the meaning given in the Code;

trailer has the meaning given in the Code;

transit lane has the meaning given in the Code;

truck means a vehicle which has a minimum load capacity of 1,000 kilograms;

truck bay means a parking bay designated for use by trucks only;

truck lane has the meaning given in the Code;

unattended, in relation to a vehicle, means where the driver has left the vehicle and is more than 3 meters from the closest point of the vehicle;

unexpired parking ticket means a parking ticket on which a date and expiry time is printed and the printed time has not expired;

vehicle has the meaning given in the Code; and

verge means the portion of a thoroughfare which lies between the boundary of a carriageway and the adjacent property line but does not include a footpath.

1.7 Interpretation

- (1) For the purposes of the definitions of **no parking area**, **no stopping area** and **parking area**, an arrow inscribed on a traffic sign erected at an angle to the boundary of the carriageway is taken to be pointing in the direction in which it would point if the signs were turned at an angle of less than 90 degrees until parallel with the boundary.
- (2) A reference to a word or expression on a sign includes a reference to a symbol depicting that word or expression.
- (3) Where a term is used but is not defined in the Act or this local law and that term is defined in the Road Traffic Act or the Code then, unless the context requires otherwise, the term is to have the meaning given in the Road Traffic Act or the Code.
- (4) A reference to a **thoroughfare**, **parking station**, **parking facility**, **metered zone** or **reserve** includes a reference to any part of the **thoroughfare**, **parking station**, **parking facility**, **metered zone** or **reserve**.

1.8 Sign erected by the Commissioner of Main Roads

A sign that –

- (a) was erected by the Commissioner of Main Roads Western Australia prior to the commencement of this local law; and
- (b) relates to the stopping or parking of vehicles,

is taken to have been erected by the local government under this local law.

1.9 Application of signs

- (1) Where under this local law the stopping or parking of a vehicle on a road is controlled by a sign, the sign is to apply to that part of the road which –
 - (a) lies beyond the sign;
 - (b) lies between that sign and the next sign; and
 - (c) is on that half of the road nearest to that sign;
- (2) A sign may prohibit or regulate parking or stopping by the use of a symbol.
- (3) An inscription or symbol on a sign operates and has effect according to its tenor, and where the inscription or symbol relates to the stopping of vehicles, it is to be taken to operate and have effect as if it also related to the parking of vehicles.

- (4) The first three letters of any day of the week when used on a sign indicate that day of the week.

1.10 Classes of vehicles

For the purpose of this local law, vehicles are divided into classes as follows –

- (a) public buses;
- (b) commercial vehicles;
- (c) motorcycles;
- (d) taxis;
- (e) emergency vehicles;
- (f) special purpose vehicles;
- (g) charter vehicles;
- (h) funeral vehicles; and
- (i) all other vehicles.

1.11 Establishment of parking facilities

The local government may establish and vary parking facilities for the purposes of this local law.

1.12 Permitted payment

The local government may authorise a person to pay for parking, in advance or in arrears, by any means other than or in addition to the insertion of money in a ticket issuing machine or parking meter.

1.13 Alternative method of payment

- (1) Where a fee to park in a parking facility (Relevant Fee) would otherwise be required, the local government may authorise a person to park in the parking facility, without paying the Relevant Fee in the usual way, by giving the person (electronically or otherwise) a permit, invoice, ticket or pass (alternative method of payment).
- (2) A person who is given an alternative method of payment, and who complies with the terms of the alternative method of payment, is exempt from paying the Relevant Fee.
- (3) An alternative method of payment may not be used by any person other than the person to whom it was given by the local government.

PART 2 - STOPPING AND PARKING GENERALLY

2.1 Power to prohibit and regulate

The local government may by resolution prohibit or regulate, by signs or otherwise, the stopping and parking of any vehicle, or of any class of person or vehicle, or both, but is to do so consistently with this local law.

2.2 Determinations in relation to stopping and parking

- (1) The local government may by resolution determine –
 - (a) permitted times and conditions of stopping and parking which may vary with the parking region;
 - (b) permitted classes of persons who may stop or park their vehicles;
 - (c) permitted classes of vehicles which may stop or park; or
 - (d) the manner of stopping or parking.
- (2) Where the local government makes a determination under subclause (1), it –
 - (a) must erect one or more signs to give effect to the determination; and
 - (b) may vary the determination.

2.3 Stopping or parking generally

- (1) A person must not stop or park a vehicle in a parking facility –
 - (a) if, by a sign, it is set apart for the stopping or parking of vehicles of a different class;
 - (b) if, by a sign, it is set apart for the stopping or parking of vehicles by persons of a different class;
 - (c) during any period when the stopping or parking of vehicles is prohibited by a sign;
 - (d) for more than the maximum time specified by a sign unless –
 - (i) clause 6.10, 6.3(1)(a) or 6.3(1)(b) applies; or
 - (ii) the vehicle displays a disability parking permit in which case the vehicle may be parked (except in a parking area for people with disabilities) in accordance with regulation 174(2) of the Code;
 - (e) other than wholly within a parking bay or metered space if the parking facility has parking bays or metered spaces - unless the

vehicle is too wide or long to fit completely within a single parking bay or metered space, in which case it must be parked within the minimum number of parking bays or metered spaces needed to park it;

- (f) otherwise than in accordance with a sign applying to the place where the vehicle is stopped or parked; or
- (g) which is designated by a sign as a loading dock unless a person is actively engaged in loading or unloading goods or materials used in any trade, business, industry or other work.

(2) A person must not stop or park a vehicle –

- (a) in a no stopping area;
- (b) at the side of a carriageway marked with a continuous yellow edged line;
- (c) in an area of a carriageway signed or marked with a keep clear marking;
- (d) in a bay marked “M/C” unless it is a motorcycle;
- (e) in a bus lane or bus way;
- (f) in a transit lane;
- (g) in a truck lane; or
- (h) in a bicycle lane or on a bicycle path,

unless the person is driving a public bus or a taxi and is immediately dropping off, or picking up, passengers.

(3) A person must not park a vehicle in a **no parking area**, unless the driver –

- (a) is dropping off, or picking up, passengers or goods;
- (b) does not leave the vehicle unattended; and
- (c) within 2 minutes of stopping, completes the dropping off, or picking up, of the passengers or goods and drives on.

(4) A person must not stop a motorcycle in a parking bay or metered space unless –

- (a) the bay or space is marked “M/C”; or
- (b) a sign applying to the bay or space is inscribed “M/C”.

(5) If there is no sign referable to a parking bay or metered space marked “M/C”, a person must not stop or park a vehicle in the parking bay or

metered space for longer than the maximum period during which a vehicle may stop or be parked in any adjacent parking bay or metered space.

- (6) Unless authorised by the local government, a person must not stop or park a vehicle in an area designated by a sign stating “Authorised Vehicles Excepted”.

2.4 Parking contrary to consent

- (1) In this clause a reference to **land** does not include land –
 - (a) which belongs to the local government;
 - (b) of which is an “otherwise unvested facility” within section 3.53 of the Act; or
 - (c) which is the subject of an agreement referred to in clauses 1.4(3).
- (2) A person must not stop or park a vehicle on land without the consent of the owner or occupier of the land on which the vehicle is stopped or parked.
- (3) Where the owner or occupier of the land, by a sign referable to that land or otherwise, consents to the stopping or parking of vehicles on the land, a person must not stop or park on the land otherwise than in accordance with that consent.

2.5 School zone

- (1) A person must not stop or park a vehicle in a school zone during a school zone period –
 - (a) in a no stopping area;
 - (b) at the side of a carriageway marked with a continuous yellow edged line;
 - (c) on a road verge;
 - (d) on a footpath or pedestrian refuge;
 - (e) in a parking bay in which another vehicle is stopped or parked;
 - (f) double park as outlined in clause 3.6;
 - (g) on or across a driveway as outlined in clause 3.7;
 - (h) so that any portion of the vehicle is within 10 metres of the departure side, or within 20 metres of the approach side, of –
 - (i) a bus embayment or a bus zone unless the vehicle is a bus stopped to take up or set down passengers;

- (ii) a pedestrian crossing; or
 - (iii) a children's crossing.
- (2) A person must not stop or park a vehicle on a carriageway in a school zone during a school zone period so that it obstructs or may obstruct a vehicle on the carriageway.

2.6 Parking positions

Where a sign referring to a parking area is not inscribed with the words "angle parking", then unless a sign referring to the parking area indicates, or a mark on the carriageway indicates, that a vehicle must park in a different position –

- (a) where the parking area is adjacent to the boundary of a carriageway, a person stopping or parking a vehicle in the parking area must stop or park it as near as practicable to and parallel with that boundary; and
- (b) where the parking area is at or near the centre of the carriageway, a person stopping or parking a vehicle in the parking area must stop or park it at approximately right angles to the centre of the carriageway.

2.7 Angle parking

Where a sign referring to a parking area is inscribed with the words "angle parking", a person stopping or parking a vehicle in the area must stop or park the vehicle at an angle of approximately 45 degrees to the centre of the carriageway unless otherwise indicated by the inscription on the sign or by a mark on the carriageway.

2.8 Loading zone

- (1) A person must not stop or park a vehicle in a loading zone unless –
 - (a) the vehicle is a commercial vehicle or an authorised vehicle; and
 - (b) a person is continuously engaged in loading or unloading goods to or from that vehicle.
- (2) A person must not stop or park a commercial or authorised vehicle in a loading zone for longer than the time indicated on the loading zone sign, or if no time is indicated on the sign for longer than 30 minutes, unless authorised by an authorised person.

2.9 Reserves

A person must not drive, stop or park a vehicle on or over any portion of a reserve other than an area specifically set aside for that purpose, unless the person –

- (a) is an employee of the local government in the course of his or her duties;
- (b) is an authorised person; or

- (c) has obtained the permission of the local government or an authorised person.

2.10 Occupied parking bays

A person must not stop or park, or attempt to stop or park, a vehicle in a parking bay or metered space in which another vehicle is stopped or parked.

2.11 Urgent, essential or official functions

- (1) Where –

- (a) in a parking facility, a sign prohibits the stopping or parking of a vehicle, or permits the stopping or parking of a vehicle for a limited time; and
- (b) a person needs to carry out a function that is considered by an authorised person to be urgent, essential or official in nature and that would be facilitated by stopping or parking a vehicle in the parking facility,

the person may be permitted, by an authorised person, to stop or park the vehicle in the parking facility for a period that may exceed any applicable limited time.

- (2) Where permission is given under subclause (1), an authorised person may, by a sign, prohibit for the duration of the permission the use by any other vehicle of the portion of the parking facility to which the permission relates.
- (3) Permission given under subclause (1) may –
 - (a) allow the stopping or parking of the vehicle continuously for a specified period or periods, between specified times or from time to time during a specified period; and
 - (b) be revoked or suspended at any time by an authorised person.
- (4) A person must not stop or park a vehicle in respect of which permission has been given under subclause (1) other than in accordance with the terms of the permission.

2.12 Direction to move vehicle

A person must not stop or park a vehicle, or allow a vehicle to remain stopped or parked, after being directed by an authorised person or a police officer to move the vehicle.

2.13 Selling or hiring in a parking facility

A person must not sell, hire or give away any goods or erect an advertisement in a parking facility without the written authorisation of an authorised person or the local government.

2.14 Damage to parking facilities

A person must not remove, damage, deface, misuse or interfere with any part of a parking facility.

2.15 Event parking

- (1) For the purposes of this clause, an **event** means a function or activity characterised by all or any of the following –
 - (a) formal organisation and preparation;
 - (b) its occurrence is generally advertised or notified in writing to particular persons;
 - (c) organisation by or on behalf of a club or a body corporate;
 - (d) payment of a fee to attend; and
 - (e) systematic recurrence in relation to the day, time and place.
- (2) The local government may, by use of a sign, establish additional parking facilities on a reserve or local government property, for any period specified on the sign, for the parking of vehicles by persons attending an event.
- (3) A person must not stop or park a vehicle on a reserve or local government property established as a parking facility under subclause (2) during the period for which it is established unless a ticket purchased from the local government with respect to the event is displayed inside the vehicle and is clearly visible to, and able to be read by, an authorised person from outside the vehicle at all times.

2.16 Removal and impounding of vehicles

- (1) The impounding of vehicles and other goods is dealt with in Part 3 Division 3 Subdivision 4 of the Act and regulation 29 of the *Local Government (Functions and General) Regulations 1996*.
- (2) The power of an authorised person to remove and impound any goods that are involved in a contravention that can lead to impounding is dealt with in section 3.39(1) of the Act.
- (3) The power of a person to use reasonable force to exercise the power given by section 3.39(1) of the Act is dealt with in section 3.39(2) of the Act.
- (4) The form of the notice referred to in section 3.42 of the Act is set out in Schedule 3.

2.17 Authorised parking

A person must not, without the permission of the local government or an authorised person, stop or park a vehicle, other than an authorised vehicle, in an area designated by a sign for the parking of an authorised vehicle only.

2.18 Parking on local government property

A person must not stop or park a vehicle on or over any portion of a local government property, other than an area specifically set aside for that purpose, unless the person –

- (a) is an authorised person, or
- (b) has obtained the permission of the local government or an authorised person.

PART 3 - STOPPING AND PARKING ON ROADS AND OTHER AREAS

3.1 Stopping or parking on a carriageway

Subject to clauses 2.3, 2.6 and 2.7, a person stopping or parking a vehicle on a carriageway must stop or park it –

- (a) in the case of a two-way carriageway - so that it is as near as practicable to, and parallel with, the left boundary of the carriageway and headed in the direction of the movement of traffic on the side of the road on which the vehicle is stopped or parked;
- (b) in the case of a one-way carriageway - so that it is as near as practicable to, and parallel with either boundary of the carriageway and headed in the direction of the movement of traffic on the side of the road on which the vehicle is stopped or parked;
- (c) so that at least 3 metres of the width of the carriageway lies between the vehicle and the opposite boundary of the carriageway, or between the vehicle and a vehicle stopped or parked on the opposite side of the carriageway;
- (d) so that it is more than 1.2 metres from any other vehicle, except a motorcycle without a trailer stopped or parked in accordance with this local law; and
- (e) so that it does not obstruct any vehicle on the carriageway.

3.2 Median strips and traffic islands

A person must not stop or park a vehicle, trailer or caravan (other than a bicycle or an animal) so that any portion of the vehicle, trailer or caravan is on a traffic island or median strip unless the person stops or parks in an area to which a parking control sign applies and the person is permitted to stop or park at that place under this local law.

3.3 Verge

- (1) A person must not –
 - (a) stop or park a bus, or a trailer or caravan unattached to a motor vehicle, so that any portion of it is on a verge; or
 - (b) stop or park a vehicle so that any portion of it is on a verge during any period when the stopping or parking of a vehicle on the verge is prohibited by a sign adjacent and referable to that verge.
- (2) Subject to subclause (1), a person must not stop or park a vehicle so that any portion of it is on the verge unless he or she is the owner or occupier of the premises adjacent to that verge or is a person authorised by the occupier of those premises.

3.4 Prohibited parking of vehicles

A person must not park a vehicle on any portion of a road or within a parking station –

- (a) for the purpose of exposing the vehicle for sale;
- (b) if the vehicle is not licensed under the Road Traffic Act or a corresponding law of another State or Territory or of the Commonwealth;
- (c) if the vehicle is a trailer or caravan unattached to a motor vehicle; or
- (d) for the purpose of effecting repairs to it, other than the minimum repairs necessary to enable the vehicle to be moved to a place other than the road or parking station.

3.5 Obstructions generally

- (1) This clause does not apply to a vehicle stopped or parked in a parking bay or metered space.
- (2) Paragraphs (b) and (d) of subclause (3) do not apply to a vehicle stopped or parked in a bus embayment.
- (3) A person must not stop or park a vehicle so that any portion of the vehicle is –
 - (a) on a road and causes an obstruction on the road - unless it is a public bus stopping in a bus zone;

- (b) obstructing an entrance, exit, carriageway, passage or thoroughfare in a parking facility;
- (c) on an intersection, subject to paragraphs (d) and (e);
- (d) on a carriageway within 20 metres from the nearest point of an intersecting carriageway at an intersection with traffic-control signals - unless the vehicle stops or parks at a place on a length of carriageway, or in an area, to which a parking control sign applies and the vehicle is otherwise permitted to stop or park at that place under this local law;
- (e) on a carriageway within 10 metres of the prolongation of the nearest edge of any intersecting carriageway (without traffic-control signals) intersecting that carriageway on the side on which the vehicle is stopped or parked - unless the vehicle stops or parks –
 - (i) at a place on a carriageway, or in an area, to which a parking control sign applies or the vehicle is otherwise permitted to stop or park at that place under this local law; or
 - (ii) if the intersection is a T-intersection along the continuous side of the continuing road at the intersection;
- (f) on or over a footpath, pedestrian crossing, children's crossing or a place for pedestrians;
- (g) alongside or opposite an excavation, work, hoarding, scaffolding or obstruction on the carriageway - if the vehicle would obstruct traffic;
- (h) on a bridge or other elevated structure or within a tunnel or underpass - unless permitted to do so by a sign;
- (i) between the boundaries of a carriageway and any double longitudinal line consisting of 2 continuous lines;
- (j) between a double longitudinal line consisting of a continuous line and a broken or dotted line and the boundary of a carriageway nearer to the continuous line - unless there is a distance of at least 3 metres clear between the vehicle and the double longitudinal line; or
- (k) within the head of a cul-de-sac.

3.6 Double parking

- (1) Subject to subclause (2), a person must not stop or park a vehicle on a road so that any portion of the vehicle is between any other stationary vehicle and the centre of the carriageway of that road.
- (2) Subclause (1) does not apply to –
 - (a) a person who parks a motorcycle in a bay marked “M/C”; or

- (b) a person who stops or parks a vehicle in a parking bay or metered space abreast of or alongside another vehicle.

3.7 Driveways

A person must not stop or park a vehicle on or across a driveway or other way of access for a vehicle travelling to or from land adjacent to a road or thoroughfare - unless the person is immediately dropping off or picking up passengers.

3.8 Parking near fire hydrant or post box

A person must not stop or park a vehicle, otherwise than in a marked bay, on a road so that any portion of the vehicle is –

- (a) within 1 metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug; or
- (b) within 3 metres of a public post box unless the vehicle is a postal vehicle.

3.9 Bus stops, pedestrian, children and train crossings

- (1) Subject to subclause (2), a person must not stop or park a vehicle so that any portion of the vehicle is within 10 metres of the departure side, or within 20 metres of the approach side, of –

- (a) a bus embayment or a bus zone unless the vehicle is a bus stopped to take up or set down passengers;
- (b) a pedestrian crossing;
- (c) a children's crossing; or
- (d) the nearest rail of a railway level crossing.

- (2) Subject to subclause (3), a person must not stop a vehicle so that any portion of the vehicle is within 3 metres of the departure side, or within 10 metres of the approach side of –

- (a) a pedestrian crossing that is not at an intersection; or
- (b) a bicycle crossing, equipped with bicycle crossing lights, that is not at an intersection.

- (3) Subclause (1) does not apply if –

- (a) the vehicle is stopped or parked in a marked bay;
- (b) the driver of the vehicle is prevented from proceeding by circumstances beyond his or her control; or
- (c) it is necessary for the driver of the vehicle to stop to avoid an accident.

3.10 Movement of vehicles to avoid time limitation

- (1) Where stopping or parking on a length of carriageway is permitted for a limited time, a person must not move a vehicle along, or return to, that length of carriageway so that the total time of parking the vehicle exceeds the maximum time permitted - unless the vehicle has first been removed from the length of carriageway for at least 1 hour.
- (2) Where the parking of vehicles in a parking station is permitted for a limited time, a person must not move a vehicle within that parking station so that the total time of parking the vehicle exceeds the maximum time allowed for parking in that parking station.

3.11 Pedestrian malls

A person must not stop or park a vehicle in a pedestrian mall unless the vehicle –

- (a) is, and is being used as, an emergency vehicle;
- (b) is, and is being used as, a special purpose vehicle;
- (c) is stopped or parked in accordance with a written authorisation by the local government or an authorised person; or
- (d) is a service vehicle which –
 - (i) is in a service zone;
 - (ii) is in the pedestrian mall during a period when service vehicles are permitted;
 - (iii) is continuously being loaded or unloaded; and
 - (iv) is stopped or parked for a continuous period of less than 30 minutes or otherwise in accordance with a sign that applies to the service zone.

3.12 Public bus zones

- (1) A person must not stop or park a vehicle, other than a public bus, in a public bus zone.
- (2) Unless otherwise stated on a sign, a public bus must not stop or park in a bus embayment unless actively engaged in picking up or setting down passengers.

3.13 Charter vehicle zones

- (1) A person must not stop or park a vehicle, other than a charter vehicle, in a charter vehicle zone.
- (2) A charter vehicle must not stop or park in a charter vehicle zone except to pick up or set down passengers, for no more than –
 - (a) 15 minutes - if the charter vehicle has 12 or more seats including the driver; or
 - (b) 5 minutes - if the charter vehicle has less than 12 seats including the driver.
- (3) If subclause (2)(b) applies, a person driving the charter vehicle must not leave the charter vehicle unattended while it is in a charter vehicle zone.

3.14 Stopping in a taxi zone

- (1) A person must not stop a vehicle in a taxi zone, unless the person is driving a taxi.
- (2) A person driving a taxi must not leave the taxi unattended while it is in a taxi zone.

3.15 Construction site vehicle parking

- (1) In this clause, unless the context otherwise requires –

builder has the meaning given in the *Building Regulations 2012*;

construction site means any land subject to development;

construction site vehicle means a vehicle connected to an approved work zone;

daily fee means the daily fee determined by the local government;

development means the demolition, erection, construction, alteration of or addition to any building or structure on land or the carrying out on land of any excavation or other works;

eligible person means an owner or occupier of a construction site or a builder carrying out work on a construction site;

establishment fee means the fee determined by the local government; and

work zone means a road or part of a road, whether or not marked as a metered space, parking bay or ticket machine zone, which is set aside by the local government by the use of a sign, for a period specified on the sign, for the stopping or parking of construction site vehicles.

- (2) An eligible person seeking to establish a work zone adjacent to a construction site may apply in writing to the local government, which may approve or refuse the application.
- (3) Where the local government approves an application, it is to give the applicant a written notice specifying –
 - (a) the number and location of work zones the applicant may use;
 - (b) the times during which the stopping or parking of construction site vehicles is permitted in the work zone;
 - (c) the period for which the approval is valid;
 - (d) any conditions to which the approval of the local government is subject; and
 - (e) the amount of the establishment fee.
- (4) The local government is to set aside a work zone in accordance with the notice referred to in subclause (3) within 14 days from the date of payment of the establishment fee.
- (5) An eligible person must, in addition to the establishment fee, pay to the local government a daily fee for each day that a work zone is set aside.
- (6) The daily fee is payable monthly in advance.
- (7) Where the local government has approved an application to establish a work zone adjacent to a construction site, the local government may cancel its approval by written notice to the applicant if –
 - (a) the applicant, or any person authorised by the applicant to use the work zone, stops or parks a vehicle other than in accordance with –
 - (i) a condition specified in the notice issued to the applicant under subclause (3); or
 - (ii) a sign applicable to the work zone;
 - (b) the applicant fails to pay the daily fee as required under subclause (5); or
 - (c) the local government or an authorised person requires access to or near the place where the work zone is situated, for the purposes of carrying out works in or near that place.
- (8) A person must not stop or park a vehicle in a work zone unless the vehicle is –
 - (a) a construction site vehicle; or
 - (b) permitted to stop in the work zone in accordance with this local law.

3.16 Parking in a shared zone

A person must not stop or park a vehicle in a shared zone unless the vehicle –

- (a) stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the vehicle is permitted to stop at that place under this local law;
- (b) stops in a parking bay and the vehicle is permitted to stop in the parking bay under this local law;
- (c) is dropping off, or picking up, passengers or goods; or
- (d) is engaged in the door-to-door delivery or collection of goods, or in the collection of waste.

3.17 Stopping on a carriageway - heavy and long vehicles

- (1) A person must not park a vehicle or any combination of vehicles that, together with any projection on, or load carried by, the vehicle or combination of vehicles, is more than 7.5 metres in length or exceeds a GVM of 4.5 tonnes –
 - (a) on a carriageway in a built-up area, for any period exceeding one hour, unless engaged in the picking up or setting down of goods; or
 - (b) on a carriageway outside a built-up area, except on the shoulder of the carriageway or in a truck bay.
- (2) Nothing in this clause detracts from any limitation or condition imposed by any other provision of this local law or sign relating to the parking or stopping of vehicles.

PART 4 - FEE PAYING ZONES

4.1 Payment of fees

- (1) A person must not stop or park a vehicle in a metered space or a ticket machine zone unless the appropriate fee as indicated by a sign –
 - (a) on the parking meter referable to the space - in the case of a metered space; or
 - (b) on the ticket issuing machine referable to the zone for each parking bay - in the case of a ticket machine zone,is paid by any form of permitted payment at the fee paying machine.
- (2) Subject to the provisions of this Part 4, the payment of the fee referred to in subclause (1) entitles a person to stop or park a vehicle in -
 - (a) a metered space for the period shown on a sign referable to the space; or

- (b) a ticket machine zone for the period shown on the parking ticket,
- but does not authorise the parking of the vehicle during any time when stopping or parking in that space or zone is prohibited under this local law.

4.2 Payment for parking

A person must not insert into a fee paying machine anything other than the designations of coin or banknote or other form of permitted payment indicated by a sign on the fee paying machine and only in accordance with the instructions printed on the fee paying machine.

4.3 Operations of fee paying machines

A person must not operate a fee paying machine except in accordance with the operating instruction appearing on the fee paying machine.

4.4 Expired meter, parking limit

Unless authorised by the local government, a person must not leave a vehicle, or permit a vehicle to remain stopped or parked, in a metered space –

- (a) during the hours when a fee is payable to stop or park a vehicle in the space when the parking meter referable to that space exhibits the sign 'Expired', a negative time or a series of red flashing lights; or
- (b) for longer than the maximum period stated on the sign referable to that space during which continuous stopping or parking is permitted.

4.5 Display of parking tickets and parking limits

- (1) A person must not stop or park a vehicle in a fee paying zone during the period in which stopping or parking is permitted only on the purchase of a parking ticket –
 - (a) unless an unexpired parking ticket issued by a ticket issuing machine in that fee paying zone is displayed inside the vehicle; and
 - (b) the ticket is clearly visible to, and able to be read by, an authorised person from outside the vehicle at all times while that vehicle is stopped or parked in that fee paying zone.
- (2) Unless subclause (3) applies, where in a fee paying zone more than one parking ticket is displayed bearing the same date and time of issue, the period for each ticket is to be aggregated and the tickets are to be taken not to have expired until the expiry of –
 - (a) the aggregate of those periods; or
 - (b) the maximum period of time a vehicle is permitted to park in the fee paying zone,

whichever occurs first.

- (3) Where a trailer is attached to a vehicle –
 - (a) a parking ticket must be purchased for each occupied parking bay as permitted under this local law; and
 - (b) each parking ticket must be displayed inside the vehicle in accordance with subclause (1)(a) and (b).

4.6 Reserved fee paying zones

Unless authorised by the local government, a person must not leave a vehicle, or permit a vehicle to remain stopped or parked, in a metered space, or fee paying zone if the parking meter or ticket machine is hooded with a covering bearing –

- (a) the words “No Parking”, “Reserved Parking”, “Temporary Bus Stop” or with an equivalent symbol depicting one of these purposes; or
- (b) other words or symbols that indicate parking is not permitted within the space or fee paying zone.

4.7 Parking restrictions in fee paying zones

- (1) A person must not stop or park a vehicle in a fee paying zone –
 - (a) except during the period stated on a sign referable to the fee paying zone during which stopping or parking is permitted; or
 - (b) for longer than the maximum period permitted for continuous parking of a vehicle in the fee paying zone, as stated on a sign referable to the fee paying zone.

4.8 Use of counterfeit or altered parking tickets

A person must not –

- (a) park a vehicle in a parking facility which requires a parking ticket, if there is displayed in that vehicle so as to be visible from outside the vehicle, a parking ticket which has been counterfeited, altered, obliterated or interfered with; or
- (b) produce to an authorised person who accepts payment for parking, a parking ticket which has been counterfeited, altered, obliterated or interfered with.

PART 5 - PARKING STATIONS

5.1 Restrictions on entering a parking station

A person must not enter a parking station without first obtaining the authorisation of an authorised person (if one is on duty) or an entrance ticket or parking ticket unless –

- (a) permitted by a sign applicable to that parking station; or
- (b) the person entering the parking station is –
 - (i) employed at the parking station and is in the course of his or her functions;
 - (ii) a police officer and is in the course of his or her functions; or
 - (iii) the driver of, or a passenger in, a vehicle stopped or parked in that station.

5.2 Stopping or parking in a parking station

A person must not stop or park a vehicle in –

- (a) an attended parking station - unless the appropriate fee as indicated by a sign is paid when demanded;
- (b) a parking station with a ticket issuing machine - unless the appropriate fee as indicated by a sign on the ticket issuing machine is inserted into the machine, or by any other form of permitted payment, and the person complies with the relevant provisions of Part 4 of this local law; or
- (c) a parking station with a fee collection machine - unless the appropriate fee as indicated by a sign is inserted into the machine, or by any other form of permitted payment, and the ticket is validated immediately prior to departure.

5.3 No entrance ticket

Where no entrance ticket is produced by the driver of a vehicle which is being removed from a parking station, the appropriate fee is to be calculated as if the vehicle had entered the parking station when it opened for operation on the day the vehicle was parked in the parking station.

5.4 Removal of vehicles

- (1) A person must not remove a vehicle which has been stopped or parked in a parking station until –
 - (a) the appropriate fee for the period for which the vehicle has been stopped or parked has been paid; or
 - (b) the local government has issued a notice stating the fee.

- (2) Where a notice has been issued under subclause (1)(b), the fee must be paid within 3 working days from the time of issue of the notice.

5.5 Maximum parking period in parking stations

Where the stopping or parking of vehicles in a parking station is permitted for a limited time, a person must not stop or park a vehicle in the parking station for a period exceeding the maximum time permitted - unless the vehicle has first been removed from the parking station for at least 1 hour.

5.6 Entering and exiting parking facilities

A person must not, in a vehicle, enter or exit a parking facility other than through an authorised entry or exit designated as such by a sign.

5.7 Parking restrictions for vehicles with multiple occupants

- (1) The local government in respect of any period or time may, by the use of a sign, set aside a parking station where entry is prohibited by vehicles other than vehicles carrying, in addition to the driver, at least one other person.
- (2) A person must not stop or park a vehicle in a parking station which has been set aside under subclause (1) at the time or within the period specified under subclause (1) unless the vehicle is carrying at least one other person.
- (3) A person must not enter a parking station which has been set aside under subclause (1) at the time or within the period specified under subclause (1) unless that person is the driver of, or passenger in, a vehicle carrying at least one other person.
- (4) The local government may determine the fee payable, and the manner of payment, for the parking of a vehicle in a parking station which has been set aside under subclause (1).

5.8 Locking of parking stations

At the expiration of the hours of operation of a parking station, whether or not any vehicle remains parked in the parking station, an authorised person may lock the parking station or otherwise prevent the movement of any vehicle within, to or from the parking station.

5.9 Behaviour in a parking station

- (1) A person must not remain in a parking station after having been required to leave by a police officer or an authorised person.
- (2) A person must not loiter in a parking station.

5.10 Low clearance signs

A person must not drive a vehicle past a low clearance sign if the vehicle, or any part of the vehicle connected to it or any load carried by the vehicle, is higher than the height (in metres) indicated by the sign.

PART 6 – PARKING PERMITS

6.1 Classes and application for parking permit

- (1) The local government may determine classes of parking permits and the eligibility criteria for each class of parking permit.
- (2) An application for a parking permit must –
 - (a) be made in the form, if any, required by the local government;
 - (b) provide the information or documents that are required by the local government or an authorised person; and
 - (c) accompanied by the appropriate fee, if any, imposed by the local government.

6.2 Issue of parking permit

An authorised person –

- (a) may approve an application made under clause 6.1(2) for a parking permit of a class determined under clause 6.1(1), subject to any conditions specified by the authorised person; and
- (b) must, where an application is approved, issue the applicant with a parking permit.

6.3 Exemption for permit holders

- (1) The holder of a valid parking permit is exempt from –
 - (a) a prohibition against the stopping or parking of vehicles on any part of a road for more than a specified period; and
 - (b) the requirement to have a parking ticket when parking a vehicle on any part of a road or metered zone where the maximum period during which continuous parking or stopping of a vehicle is permitted (as stated on the sign referable to the part of the road or metered zone) exceeds 30 minutes.
- (2) The exemption under subclause (1) applies only –
 - (a) to the part of a road, or to the metered spaces or parking bays, specified in the permit;

- (b) where the permit specifies a particular vehicle, to the vehicle specified in the permit;
 - (c) if the permit is displayed in the vehicle and is clearly visible to, and able to be read by, an authorised person from outside the vehicle at all times while that vehicle remains stopped or parked in the area to which the permit relates; and
 - (d) if the permit is valid.
- (3) The exemption under subclause (1) does not apply during any period in which the stopping or parking of vehicles is prohibited on the road, or the part of the road, specified in the permit.

6.4 Validity of a permit

A parking permit ceases to be valid on –

- (a) the expiration of any time or period specified in the permit;
- (b) the holder of the permit ceasing to be eligible;
- (c) the revocation of the permit under clause 6.6; or
- (d) the replacement of the permit by a new permit issued under clause 6.8.

6.5 Use of counterfeit or altered parking permit

A person must not –

- (a) use or display in a vehicle, a parking permit that has in any way been counterfeited, altered, obliterated or interfered with; or
- (b) produce to an authorised person who accepts payment for parking, a parking permit which has been counterfeited, altered, obliterated or interfered with.

6.6 Revoking a permit

- (1) An authorised person may, at any time, revoke a parking permit which has been issued under clause 6.2, if the permit holder breaches any of the conditions for its use or when the permit holder ceases to satisfy the eligibility criteria for that class of parking permit.
- (2) A revocation under clause 6.6(1) is not effected until written notice of the revocation is provided to the permit holder.

6.7 Removal of a permit from vehicle

The holder of a parking permit which has been revoked must, immediately after being given notice of the revocation, or immediately after the permit otherwise ceases to be valid, permanently remove the permit from the vehicle in which it is displayed or to which it is affixed and return it to the local government.

6.8 Replacement of permit

An authorised person may issue a replacement permit where an application is made and is accompanied by supporting documentation and the appropriate fee, if any, imposed by the local government.

6.9 Elected member parking permit

- (1) An authorised person may issue to any elected member a parking permit (referred to in this clause as an ***Elected Member Parking Permit***) and may vary or revoke the Elected Member Parking Permit at any time.
- (2) The holder of an Elected Member Parking Permit is exempt from those clauses of this local law that are specified in the permit.
- (3) The exemption conferred by subclause (2) applies only –
 - (a) if the Elected Member Parking Permit is displayed inside the vehicle and is clearly visible to, and able to be read by, an authorised person from outside the vehicle at all times;
 - (b) if the Elected Member Parking Permit is valid; and
 - (c) if the holder of the Elected Member Parking Permit is performing his or her functions as a elected member.
- (4) An Elected Member Parking Permit ceases to be valid –
 - (a) when the holder ceases to be an elected member;
 - (b) after the specified expiry date; or
 - (c) when revoked by an authorised person.

and must be returned to the local government by the elected member on the occurrence of any of these events.

6.10 Parking facilities where permit required

- (1) Where in relation to a parking facility, the local government has determined, under clause 2.2(1)(b), that only permitted classes of persons may stop or park their vehicles or, under clause 2.2(1)(c), that only permitted classes of vehicles may stop or park, an authorised person –
 - (a) may issue a written permit to a person within the permitted class, or to a person in respect of a vehicle of the permitted class; and
 - (b) may vary or revoke the permit at any time.
- (2) Where a written permit has been issued under subclause (1), a person must not stop or park a vehicle in a parking facility unless –

- (a) the permit is displayed inside the vehicle and is clearly visible to, and able to be read by, an authorised person from outside the vehicle at all times;
- (b) the permit remains valid; and
- (c) the person's permitted class, or the vehicle's permitted class, as specified in the permit is also specified on the sign which relates to the parking facility.

PART 7 - MISCELLANEOUS

7.1 Authorised person certificate of appointment

The requirement for an authorised person to be given the appropriate certificate of his or her appointment is dealt with in section 9.10(2) of the Act.

7.2 Authorised persons

No offence under this local law is committed by an authorised person while carrying out his or her functions.

7.3 Power of an authorised person

- (1) An authorised person has all necessary power to perform his or her functions under this local law.
- (2) An authorised person may –
 - (a) carry into effect the provisions of this local law;
 - (b) report to the local government on the working effectiveness of this local law;
 - (c) recommend to the CEO the institution of prosecutions; and
 - (d) institute and conduct prosecutions as directed by the CEO.

7.4 Impersonating an authorised person

A person who is not an authorised person must not impersonate or assume the functions of an authorised person.

7.5 Obstructing of an authorised person

A person must not obstruct or hinder an authorised person in the execution of his or her duties.

7.6 Removal of notices

A person, other than the driver of the vehicle or a person acting under the direction of the driver of the vehicle, must not remove from the vehicle any notice put on the vehicle by an authorised person.

7.7 Display of signs

A person must not, without the authorisation of the local government or an authorised person –

- (a) mark, set up or exhibit a sign purporting to be, or resembling, a sign marked, set up or exhibited by the local government under this local law;
- (b) remove, deface or misuse a sign or property set up by the local government under this local law; or
- (c) affix a board, sign, placard, notice, cover or other thing to, or paint or write on, any part of a sign or fee paying machine.

7.8 Marking tyres and valve stem readings

- (1) An authorised person may –
 - (a) mark the tyres of a vehicle parked in a parking facility with chalk or any other non-indelible substance;
 - (b) take a valve stem reading of a vehicle; or
 - (c) record vehicle registration numbers,for a purpose connected with his or her functions.
- (2) A person must not remove a mark made by an authorised person so that the purpose of affixing the mark is defeated or likely to be defeated.

7.9 Exemption when complying with directions

A person who complies with a direction given by a police officer or an authorised person does not commit an offence against this local law while complying with that direction.

7.10 Special purpose and emergency vehicles

Notwithstanding anything to the contrary in this local law, the driver of a special purpose vehicle or an emergency vehicle may, only in the course of his or her functions and when it is expedient and safe to do so, stop or park the vehicle in any place at any time.

7.11 Interfere with or damage local government property

A person must not interfere with, damage or obstruct the operation of any electronic parking detection device or instrument in a parking station, carriageway or any other place.

PART 8 - OFFENCES AND MODIFIED PENALTIES

8.1 Offences

- (1) A person who fails to do anything required to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) A person who commits an offence under this local law is liable, on conviction, to a penalty not less than \$300 and not exceeding \$5,000 and, if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence continues.
- (3) An offence against a provision of this local law is a prescribed offence for the purposes of section 9.16(1) of the Act.

8.2 Form of notices

For the purposes of this local law –

- (a) the form of the infringement notice referred to in section 9.17 of the Act, which incorporates the notice referred to in section 9.13 of the Act, is that of Form 1 in Schedule 1; and
- (b) the form of the notice referred to in section 9.20 of the Act is that of Form 2 in Schedule 1.

8.3 Modified penalty

- (1) Subject to subclauses 8.3(3) and (4), a person who does not contest an allegation that he or she has committed an offence against this local law may, within the time specified in the notice, pay the penalty payable for the particular offence.
- (2) The amount appearing in the final column of the table in Schedule 2 directly opposite an offence described in that Schedule is prescribed for the purposes of section 9.17 of the Act as the modified penalty for that offence.
- (3) If it appears to the local government that an alleged offence cannot be adequately punished by the payment of the modified penalty, the local government may refrain from accepting the modified penalty and may in lieu take proceedings against the alleged offender in an appropriate Court.
- (4) Where the time period within which a person may stop or park a vehicle on a road is controlled by a sign and a person commits an offence under this local law by stopping or parking a vehicle for a time period which exceeds that shown on the sign –
 - (a) the amount of the modified penalty is to be the amount referred to in Schedule 2 where the time period during which the vehicle was

stopped or parked in excess of the time period shown on the sign was not greater than that shown on the sign; and

- (b) the amount of the modified penalty is to be payable again in respect of each successive time period during which the vehicle continues to be parked or stopped in excess of the time period shown on the sign, to a maximum of \$500 on the amount of modified penalties payable for each offence.

SCHEDULE 1 – FORM 1
LOCAL GOVERNMENT ACT 1995
CITY OF PERTH PARKING LOCAL LAW 2017
INFRINGEMENT NOTICE

Serial No

Date / /

To:[1]

.....
.....

of:[2]

.....
.....

It is alleged that on / / at

[3]

at[4]

.....
.....

in respect of vehicle:

make: ;

model: ;

registration: ,

you committed the following offence -

.....
.....
.....
.....
.....contrary to clause of the **City of Perth Parking Local Law 2017**.

The modified penalty for the offence is \$

If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of the modified penalty must be paid to the CEO of the local government at [5] within a period of 28 days after the giving of this notice.

Unless within 28 days after being served with this notice –

(a) you pay the modified penalty; or

(b) you:

(i) inform the Chief Executive Officer or an authorised officer of the local government as to the identity and address of the person who was the driver or person in charge of the above vehicle at the time the offence is alleged to have been committed; or

(ii) satisfy the Chief Executive Officer that the above vehicle had been stolen or unlawfully taken, or was being unlawfully used, at the time the offence is alleged to have been committed,

you will, in the absence of proof to the contrary, be deemed to have committed the above offence and court proceedings may be instituted against you.

If you take no action this matter may be registered with the Fines Enforcement Registry after which your driver's licence may be suspended; your vehicle licence may be suspended or cancelled; your details may be published on a website; your vehicle may be immobilised or have its number plates removed; and your property may be seized and sold. If the matter is registered with the Registry additional costs will also be payable.

If the above address is not your current address, or if you change your address, it is important that you advise us immediately. Failure to do so may result in your driver's licence or any vehicle licence you hold being suspended without your knowledge.

[6]

[7]

Insert:

- (1) Name of owner or "the owner"
- (2) Address of owner (not required if owner not named)
- (3) Time of alleged offence
- (4) Location of alleged offence
- (5) Place where modified penalty may be paid
- (6) Signature of authorised person
- (7) Identification number of the authorised person giving notice

SCHEDULE 1 – FORM 2
LOCAL GOVERNMENT ACT 1995
CITY OF PERTH PARKING LOCAL LAW 2017
WITHDRAWAL OF INFRINGEMENT NOTICE

Serial No

Date / /

To: [1]

.....

of: [2]

.....

Infringement Notice No. dated /
..... /

in respect of vehicle:

make: ;

model: ;

registration: ;

for the alleged offence of

.....

.....

.....

.....

.....

.....

.....

has been withdrawn.

The modified penalty of \$

- * has been paid and a refund is enclosed.
- * has not been paid and should not be paid.
- * *delete as appropriate.*

[3]

(4)

.....

.....

Insert:

- (1) Name of alleged offender to whom infringement notice was given or “the owner”.
- (2) Address of alleged offender.
- (3) Signature of authorised person
- (4) Identification number of authorised person giving notice

SCHEDULE 2**CITY OF PERTH PARKING LOCAL LAW 2017****MODIFIED PENALTIES****[Clause 8.3]**

Item No.	Offence Clauses	Modified Penalty
1	2.3(1)(a)	\$120
2	2.3(1)(b)	\$120
3	2.3(1)(c)	\$200
4	2.3(1)(d)	\$60
5	2.3(1)(e)	\$60
6	2.3(1)(f)	\$60
7	2.3(1)(g)	\$100
8	2.3(2)(a)	\$200
9	2.3(2)(b)	\$200
10	2.3(2)(c)	\$200
11	2.3(2)(d)	\$75
12	2.3(2)(e)	\$200
13	2.3(2)(f)	\$200
14	2.3(2)(g)	\$200
15	2.3(2)(h)	\$200
16	2.3(3)	\$75
17	2.3(4)(a)	\$75
18	2.3(4)(b)	\$75
19	2.3(5)	\$60
20	2.3(6)	\$100
21	2.4(2)	\$100
22	2.4(3)	\$100
23	2.5(1)(a)	\$225
24	2.5(1)(b)	\$225
25	2.5(1)(c)	\$100
26	2.5(1)(d)	\$225
27	2.5(1)(e)	\$85
28	2.5(1)(f)	\$225
29	2.5(1)(g)	\$225
30	2.5(1)(h)(i)	\$225
31	2.5(1)(h)(ii)	\$225
32	2.5(1)(h)(iii)	\$225

Item No.	Offence Clauses	Modified Penalty
33	2.5(2)	\$225
34	2.6(a)	\$60
35	2.6(b)	\$60
36	2.7	\$60
37	2.8(1)(a)	\$100
38	2.8(1)(b)	\$60
39	2.8(2)	\$60
40	2.9	\$100
41	2.10	\$60
42	2.11(4)	\$75
43	2.12	\$100
44	2.13	\$200
45	2.14	\$200
46	2.15(3)	\$60
47	2.17	\$100
48	2.18	\$100
49	3.1(a)	\$100
50	3.1(b)	\$100
51	3.1(c)	\$60
52	3.1(d)	\$60
53	3.1(e)	\$200
54	3.2	\$75
55	3.3(1)(a)	\$75
56	3.3(1)(b)	\$75
57	3.4(a)	\$75
58	3.4(b)	\$75
59	3.4(c)	\$75
60	3.4(d)	\$75
61	3.5(3)(a)	\$200
62	3.5(3)(b)	\$200
63	3.5(3)(c)	\$200
64	3.5(3)(d)	\$200
65	3.5(3)(e)	\$200
66	3.5(3)(f)	\$200
67	3.5(3)(g)	\$100
68	3.5(3)(h)	\$200
69	3.5(3)(i)	\$100
70	3.5(3)(j)	\$100
71	3.5(3)(k)	\$200
72	3.6(1)	\$200
73	3.7	\$200
74	3.8(a)	\$200

Item No.	Offence Clauses	Modified Penalty
75	3.8(b)	\$60
76	3.9(1)(a)	\$200
77	3.9(1)(b)	\$200
78	3.9(1)(c)	\$200
79	3.9(1)(d)	\$200
80	3.9(2)(a)	\$200
81	3.9(2)(b)	\$200
82	3.10(1)	\$60
83	3.10(2)	\$60
84	3.11(d)(i)	\$60
85	3.11(d)(ii)	\$100
86	3.11(d)(iii)	\$60
87	3.11(d)(iv)	\$60
88	3.12(1)	\$200
89	3.12(2)	\$100
90	3.13(1)	\$120
91	3.13(2)(a)	\$100
92	3.13(2)(b)	\$100
93	3.13(3)	\$100
94	3.14(1)	\$120
95	3.14(2)	\$100
96	3.15(8)	\$100
97	3.16(a)	\$100
98	3.16(b)	\$100
99	3.16(c)	\$60
100	3.16(d)	\$60
101	3.17(1)(a)	\$60
102	3.17(1)(b)	\$60
103	4.1(1)(a)	\$60
104	4.1(1)(b)	\$60
105	4.1(2)(a)	\$60
106	4.1(2)(b)	\$60
107	4.2	\$100
108	4.3	\$100
109	4.4(a)	\$60
110	4.4(b)	\$60
111	4.5(1)(a)	\$60
112	4.5(1)(b)	\$60
113	4.6	\$100
114	4.7(1)(a)	\$60
115	4.7(1)(b)	\$60
116	4.8(a)	\$500
117	4.8(b)	\$500

Item No.	Offence Clauses	Modified Penalty
118	5.1	\$100
119	5.2(a)	\$100
120	5.2(b)	\$60
121	5.2(c)	\$60
122	5.4(1)(a)	\$200
123	5.4(2)	\$100
124	5.5	\$60
125	5.6	\$100
126	5.7(2)	\$60
127	5.7(3)	\$60
128	5.9(1)	\$100
129	5.9(2)	\$100
130	5.10	\$200
131	6.5(a)	\$500
132	6.5(b)	\$500
133	6.7	\$60
134	6.10(2)(a)	\$100
135	6.10(2)(b)	\$100
136	6.10(2)(c)	\$100
137	7.4	\$100
138	7.5	\$100
139	7.6	\$100
140	7.7(a)	\$100
141	7.7(b)	\$100
142	7.7(c)	\$100
143	7.8(2)	\$100
144	7.11	\$500

**SCHEDULE 3 – FORM 1
NOTIFICATION OF IMPOUNDMENT OF VEHICLE**

Date...../...../.....

To: [1].....

of: [2].....

Department of Transport records indicate that you are the registered owner of the vehicle detailed below and notice is hereby given that the vehicle has been impounded in accordance with the provisions of the Local Government Act 1995.

Vehicle Registration No: [3]

Impounded from: [4]

Between: and

Date: [5]..... Time [6].....

The vehicle has been taken to a secure facility at the following address:

[7].....

.....

and is available for release, after payment has been processed (see below), between the following hours:

Monday to Friday:

[8].....

Prior to the release of the vehicle all necessary payments must be paid, in full, at the Customer Service Centre, Ground Floor, Council House, 27 St George's Terrace, PERTH, which is open from 8.30am until 5.00pm Monday - Friday (excluding Public Holidays) or in such alternative location as may be directed by an authorised person. Payments can be made by either cash or cheque and EFTPOS facilities are also available.

The following documentation is required before payment can be accepted and release of the vehicle is permitted:

Current Vehicle Registration Document.

Drivers licence or other legal form of identification.

Payment receipt (required for vehicle release at secure facility).

**IT IS A REQUIREMENT THAT ALL PAYMENTS ARE RECEIVED PRIOR TO
THE RELEASE OF THE VEHICLE.**

If you have an inquiry in regards to this notice (or monies owing to date), please call Compliance Parking Services between 9:00am and 4:30pm Monday to Friday (excluding Public Holidays).

Costs: Vehicle impound fee: [9].....
 Additional days storage fee or part thereof [10].....

1. Subject to clause 2 below, if your vehicle is not collected within two (2) months after the date of this notice the City may either;
 - (a) under section 3.46 of the *Local Government Act 1995* refuse to allow the vehicle to be collected until the City's costs of removing and keeping the vehicle have been paid to the City; or
 - (b) under section 3.47 of the *Local Government Act 1995* sell or otherwise dispose of the vehicle and credit the money received from that sale or disposal to the City's trust fund except to the extent required to meet the cost and expenses incurred by the City in the removing, impounding and selling of the vehicle.
2. If the local government has made a declaration that in accordance with 3.40A (4) of the *Local Government Act 1995* the vehicle is an abandoned wreck then the vehicle may be disposed of within 7 days of that declaration being made.

If you are convicted of an offence against this Local Law, section 3.48 of the *Local Government Act 1995* allows the City to recover from you its outstanding expenses incurred in the removing, impounding and selling of the vehicle.

Take note: Unless all fees are paid for and the vehicle collected within two months from the date of impounding, the City of Perth may sell the subject vehicle.

- [1] Name of owner.
- [2] Address of owner.
- [3] Vehicle registration number.
- [4] Street name (location where vehicle impounded from).
- [5] Date vehicle impounded.
- [6] Time vehicle impounded.
- [7] Address of secure location vehicle impounded to.
- [8] Hours of business.
- [9] Cost of vehicle impound fee.
- [10] Cost of additional days storage fee.

Agenda 2017 Local Government Elections
Item 8.9

Recommendation:

That Council, BY AN ABSOLUTE MAJORITY DECISION:

- 1. in accordance with section 4.20(4) of the Local Government Act 1995, declares the Electoral Commissioner responsible for the conduct of the 2017 City of Perth ordinary election together with any other elections or polls which may be required; and***
- 2. in accordance with section 4.61(2) of the Local Government Act 1995, decides to conduct the City of Perth's 2017 ordinary election as a postal election.***

FILE REFERENCE:	P1033372
REPORTING OFFICER:	Governance Electoral Officer
REPORTING UNIT:	Governance
RESPONSIBLE DIRECTORATE:	Corporate Services
DATE:	6 December 2016
ATTACHMENT/S:	Attachment 8.9A - Correspondence from the Western Australian Electoral Commission Attachment 8.9B - 2017 Local Government Election Timeline

Legislation / Strategic Plan / Policy:

Legislation	Sections 4.20(4) and 4.61(2) of the <i>Local Government Act 1995</i>
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Integrated Planning and Reporting Framework Implications	Strategic Community Plan Council Four Year Priorities: Capable and Responsive Organisation A capable, flexible and sustainable organisation with a strong effective governance system to provide leadership as a capital city and deliver efficient and effective community centred services.
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Policy

Policy No and Name:	N/A
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Financial Implications:

The Western Australia Electoral Commission (WAEC) has estimated the cost of conducting the City's 2017 election at \$70,000 (including GST). The cost of the 2017 election will be included in the Council's 2017/18 budget.

Purpose and Background:

Correspondence has been received from the WAEC advising that in accordance with Section 4.20(4) of the *Local Government Act 1995*, the WA Electoral Commissioner agrees to conduct the City of Perth 2017 ordinary election subject to that election being undertaken as a postal election (refer to Attachment 8.9A).

Details:

The 2017 local government elections will be held on Saturday, 21 October 2017, refer to Attachment 8.9B – Local Government Election Timeline provided by the WAEC.

Section 4.20(4) of the *Local Government Act 1995* enables a local government, having first obtained the written agreement of the WA Electoral Commissioner, to declare the WA Electoral Commissioner to be responsible for the conduct of an election.

Further, Section 4.61(2) of the *Local Government Act 1995* allows a local government to decide to conduct an election as a postal election.

The WA Electoral Commissioner has written to the Chief Executive Officer giving his written agreement to be responsible for the conduct of the City's ordinary election in 2017, as well as for any other elections or polls that may be required prior to that election. The WA Electoral Commissioner's agreement to be responsible for the City's 2017 election is contingent upon that election being conducted as a postal election.

The Governance Unit has been undertaking a number of initiatives to increase the number of electors contained within the owners and occupiers roll, this has included direct mail out's to all property owners at the time of purchase of properties within the City of Perth. Advertisements and the use of social media to encourage existing property owners and tenants to enrol also continue to be undertaken.

Support for greater representation has been demonstrated by liaising with key industry groups including the Property Council, Australian Hotels Association and Chamber of Commerce and Industry WA.

The City of Perth will continue to devise ways to increase electorate representation by various means including advertising both in general newspaper circulations, industry specific publications and social media platforms in the local government election year.

Comments:

The City of Perth has conducted its elections as postal elections since 1995 and evidence suggests that postal elections consistently achieve a higher voter participation rate than in person elections.

It is recommended that the Council declares the WA Electoral Commissioner to be responsible for the City's 2017 election and any other polls that may be required.



LGE 028

WESTERN AUSTRALIAN Electoral Commission

Mr Martin Mileham
Acting Chief Executive Officer
City of Perth
GPO Box C120
PERTH WA 6839

Dear Mr Mileham

Local Government Ordinary Election: 2017

The next local government ordinary elections are being held on 21 October 2017. While this is still some distance in the future, I have enclosed an estimate for your next ordinary election to assist in your 2017/2018 budget preparations.

The estimated cost for the 2017 election if conducted as a postal ballot is \$70,000 inc GST, which has been based on the following assumptions:

- 16,200 electors
- response rate of approximately 30%
- 4 vacancies
- count to be conducted at the offices of the City of Perth
- appointment of a local Returning Officer
- regular Australia Post delivery service to apply.

This cost estimate includes a proposed increase in the postage rate by Australia Post effective from 4 January 2017. An additional amount of \$3,470 will be incurred if your Council decides to opt for the Australia Post Priority Service for the lodgement of election packages. Recent experiences with Australia Post indicate that Councils should seriously consider using the regular mail delivery service for the lodgement of the election packages. The additional cost of priority mail does not significantly speed up the delivery of the election packages.

Since the October 2015 Local Government Ordinary Elections were conducted, Australia Post has implemented the following percentage cost increases for its various mail services:

Regular Mail Delivery - 42%
Priority Mail Delivery - 60.5%
Priority Reply Paid - 80.5%

Costs not incorporated in this estimate include:

- non-statutory advertising (ie any additional advertisements in community newspapers and promotional advertising)
- any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission in a Court of Disputed Returns
- one local government staff member to work in the polling place on election day

The Commission is required by the Local Government Act to conduct local government elections on a full cost recovery basis and you should note that this is an estimate only and may vary depending on a range of factors including the cost of materials or number of replies received. The basis for charges is all materials at cost and a margin on staff time only

The current procedure required by the Act is that my written agreement has to be obtained before the vote by Council is taken. To facilitate the process, you can take this letter as my agreement to be responsible for the conduct of the ordinary elections in 2017 for the City of Perth in accordance with section 4.20(4) of the *Local Government Act 1995*, together with any other elections or polls that may also be required. My agreement is subject to the proviso that the City of Perth also wishes to have the election undertaken by the Western Australian Electoral Commission as a postal election.

In order to achieve this, your council would need to pass the following two motions by absolute majority:

- Declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2017 ordinary elections together with any other elections or polls which may be required
- Decide, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a postal election.

I look forward to conducting this election for the City of Perth in anticipation of an affirmative vote by Council.

Yours sincerely



David Kerslake
ELECTORAL COMMISSIONER

24 November 2016



WESTERN AUSTRALIAN
Electoral Commission

POSTAL ELECTION TIMETABLE 2017 Local Government Ordinary Election

	Days to Polling Day	Local Government Act	References to Act/Regs	Day	Date
	80	Last day for declaration to have the Electoral Commissioner conduct a postal election.	LGA 4.20 (2)(3)(4)	Wed	2/08/2017
	80	A decision made to conduct the election as a postal election cannot be rescinded after the 80th day.	LGA 4.61(5)	Wed	2/08/2017
	70	Electoral Commissioner to appoint a person to be the Returning Officer of the Local Government for the election.	LGA 4.20 (4)	Sat	12/08/2017
	70 to 56	Between the 70th/56th day the CEO is to give Statewide public notice of the time and date of close of enrolments. Preferred date Wednesday 16 August 2017	LGA 4.39(2)	Sat to Sat	12/08/2017 to 26/08/2017
	56	Last day for the CEO to advise the Electoral Commissioner of the need to prepare a residents roll.	LGA 4.40(1)		26/08/2017
	56	Advertising may begin for nominations from 56 days and no later than 45 days before election day. Preferred date Wednesday 30 August 2017	LGA 4.47(1)	Sat	26/08/2017
Roll Close	50	Close roll 5.00 pm	LGA 4.39(1)	Fri	1/09/2017
	45	Last day for advertisement to be placed calling for nominations.	LGA 4.47(1)	Wed	6/09/2017
Nominations Open	44	Nominations Open First day for candidates to lodge completed nomination paper, in the prescribed form, with the Returning Officer. Nominations period is open for 8 days.	LGA 4.49(a)	Thu	7/09/2017
	38	If a candidate's nomination is withdrawn not later than 4.00 pm on the 38th day before election day, the candidate's deposit is to be refunded.	Reg. 27(5)	Wed	13/09/2017
Nominations Close	37	Close of Nominations 4.00 pm on the 37th day before election day.	LGA 4.49(a)	Thu	14/09/2017
	36	Last day for the CEO to prepare & certify an owners & occupiers roll for the election. Last day for the Electoral Commissioner to prepare & certify a residents roll.	LGA 4.41(1) LGA 4.40(2)	Fri	15/09/2017
	29	Commencement of lodgement of Country Local Government District election packages with Australia Post. Delivery dependent on normal Australia Post standards.		Fri	22/09/2017
	26	Public Holiday		Mon	25/09/2017
	24	Commencement of lodgement of Metropolitan Local Government District election packages with Australia Post. Delivery dependent on normal Australia Post standards.		Wed	27/09/2017
	22	The preparation of any consolidated roll under subregulation (1) be completed on or before 22nd day before election day.	Reg. 18(2)	Fri	29/09/2017
	19	Last day for the Returning Officer to give Statewide public notice of the election. Preferred date Wednesday 20 September 2017	LGA 4.64(1)	Mon	2/10/2017
	19	Commence processing returned election packages		Mon	2/10/2017
Election Day	0	Election Day Close of poll 6.00 pm	LGA 4.7	Sat	21/10/2017

	Post Election Day	Post Declaration	References to Act/Regs		Date
	5	Election result advertisement.	LGA 4.77	Thu	26/10/2017
	14	Report to Minister. The report relating to an election under section 4.79 is to be provided to the Minister within 14 days after the declaration of the result of the election.	Reg.81	Sat	4/11/2017
	28	An invalidity complaint is to be made to a Court of Disputed Returns, constituted by a magistrate, but can only be made within 28 days after notice is given of the result of the election.	LGA 4.81(1)	Sat	18/11/2017

**Agenda
Item 8.10**

Open Government - Accountability and Transparency

Recommendation:

That Council:

- 1. notes the report “Local Government Accountability and Transparency - Opening the Door to International Best Practice” detailed in Attachment 8.10A; and***
- 2. approves in principle support for the development of an “open government” approach to achieve its goal to be a leader in transparency and accountability to be developed through the process to review the City of Perth Community Strategic Plan and Corporate Business Plan.***

FILE REFERENCE:	P1009420-3
REPORTING UNIT:	Executive Support
RESPONSIBLE DIRECTORATE:	Chief Executive
DATE:	23 January 2017
ATTACHMENT/S:	Attachment 8.10A – Local Government Accountability and Transparency – Opening the Door on International Best Practice

Legislation / Strategic Plan / Policy:

Legislation	Section S5.56 (1) <i>Local Government Act 1995</i> <i>City of Perth Act 2016</i>
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Integrated Planning and Reporting Framework Implications	Corporate Business Plan Council Four Year Priorities: Capable and Responsive organisation S18.3 Develop Enterprise Performance Model S20.1 Develop Community Engagement Capability S20.3 Develop an Information and Communications Data Strategy
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Policy

Policy No and Name:	10.1 Code of Conduct, 3.7 Enterprise Performance Policy 1.2 Community Consultation 1.3 Community Participation Policy
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Financial Implications:

There are no significant costs in relation to this report.

Purpose and Background:

The Council meeting of **17 May 2016** passed a number of motions relating to public information and accountability. Two of the motions specifically related to organisational transparency and accountability.

Motion 3

“The City of Perth adopts the following position statement: “the City of Perth is committed to being a leader in the areas of transparency, disclosure and public accountability. In line with this commitment we will continually be looking for relevant new opportunities to adopt best practice.”

Motion 4

“Secondly this council requires the CEO to investigate and provide a report to elected members on examples of best practice accountability measures that have been adopted by other relevant Australian Local governments within 90 days of the date of this meeting. This report is to be tabled and discussed at the next available elected members briefing subsequent to the completion of the report.”

The report titled Local Government Accountability and Transparency - Opening the Door to International Best Practice was presented to Elected Members at a Council Briefing Session on 20 September 2016 and forms Attachment 8.10A.

Details:

There are of number of statutory accountability processes in place relating to local governments in Western Australia (see Attachment 8.10A, Appendix 1). In addition to recent changes to the *Local Government Act 1995* and other initiatives of the State Government, there are proposals to strengthen this further to bring WA into line with other states in Australia.

The statutory provisions are driven by changes in society’s attitude to what is expected of government and non-government organisations, Elected Members and Employees. An understanding of the underlying issues is necessary to understand current and future changes. To respond to the decision of Council to present a report on best practice accountability, and in light of its associated decision to be a leader in transparency, disclosure and public accountability, the investigation looked at current trends nationally and internationally

Over the past decade there has been a growing and evolving focus on local government compliance, accountability and transparency. There are many similarities particularly in developed countries, but also in developing countries that are looking for leadership in these matters. However, the focus has moved from compliance with regulations to new forms of accountability. The report Local Government Accountability and Transparency - Opening the Door to International Best Practice describes the background to this, how the concept of accountability has changed, and current approaches to accountability.

Open Data and Open Government is at the leading edge of development in this area. It is a community centred approach as opposed to relying on regulation by government. It has the additional benefit of engaging the community, and other stakeholders, in achieving community outcomes, and stimulating innovative approaches to achieve them.

Examples of Components of Open Government

Lewiston, Idaho, USA

The City uses computer software to provide complex financial and performance data in a format easily understood by residents using graphical information with the ability to allow them to drill down and explore the data for themselves. The software is also used by staff to assist in management and when presenting information in reports.

Rockhampton Regional Council, Queensland

The Rockhampton Regional Council's (RCC) Community Engagement Policy provides for a two-way dialogue, participation and involvement by the community. The policy requires community engagement prior to any introduction, change or discontinuation of a service. The more detailed Community Engagement Procedure and Community Engagement Matrix support the policy.

RCC staff use these documents to guide them in identifying key issues and to determine the appropriate level of engagement with the community. Community engagement is mandatory for all community projects.

City of Gold Coast, Queensland

The City of Gold Coast uses a range of engagement tools for people to raise issues with Council. These include:

- City Panel, which allows community members to express their views online;
- community forums;
- regular surveys on key topics, for example, beach use; and
- information gathered from complaints, compliments and feedback facilities to improve processes and encourage innovation.

Sheffield City, United Kingdom

The Sheffield City Council provides the public and staff access to datasets through a single platform. Service groups across the organisation are empowered to manipulate and combine data for publishing. The cost of Freedom of Information requests has been reduced as officers now only need to point people to where the information can be found. Business and members of the community can use the information for planning and making lifestyle decisions. An example is the Sheffield Air Map that provides data information within the Air Quality Management area in real-time. It increases awareness and promotes activities that contribute to better air quality and environmental efficiency.

New York City

In July of 2010 New York City launched Checkbook NYC, an online transparency tool that for the first time placed the City's day-to-day spending in the public domain. Using an intuitive dashboard approach that combines a series of graphs and user-friendly tables, Checkbook NYC provides up-to-date information about the City's financial condition.

In February 2015 the City launched a new tool providing "Featured Dashboards" in Checkbook NYC that provide unprecedented access to spending and contract information.

Checkbook NYC has been ranked the top transparency tool in the nation for tracking government spending by the United States Public Interest Research Group, and was named New York City 2013 “Best External Application” by Government Technology Magazine.

Implementing Open Government

The above examples are actions that align with an open government approach. However, Open Government is a holistic approach to management and an organisation’s relationship with the public. The Australian Government is a signatory to the Open Government Partnership, a global network of countries that have made a commitment to Open Government and submitted its Open Government Plan 7 December 2016. The Open Government Partnership describes Open Government as follows:

Open government is the simple but powerful idea that governments and institutions work better for citizens when they are transparent, engaging and accountable.

Open government has three parts:

1. **Transparency** – opening up of government data and information on areas such as public spending, government contracts, lobbying activity, the development and impact of policy, and public service performance.
2. **Participation** – support for a strong and independent civil society, the involvement of citizens and other stakeholders in decision making processes, and protection for whistleblowers and others who highlight waste, negligence or corruption in government.
3. **Accountability** – rules, laws and mechanisms that ensure government listens, learns, responds and changes when it needs to.

Good open government reforms can transform the way government and public services work, ensuring that they are properly responsive to citizens, while improving their efficiency and effectiveness, and preventing abuses of state power.

To move toward an open government management approach it will be necessary to put into place a broad strategy including:

- I. A clear objective.
- II. Adopting a management approach based on the principles of:
 - a) Information – using an *open data* approach.
 - b) Values – based on the *public value management* ethos.
 - c) Enforcement – primarily community focussed and meeting customer satisfaction and legal compliance obligations.
 - d) Relationships – based on a partnership approach with an engaged community.

The report *Local Government Accountability and Transparency - Opening the Door to International Best Practice* includes details of the City of Guelph, Canada, Open Government Framework. It is the only example of a local government framework that could be found in the research for the report. The web site describes it as an example to be followed by other local governments in Canada.

An alternative approach is to embed the philosophy of Open Government into the operations of the City. In keeping with the philosophy of open government, the approach should be developed with input from the community and the current review of the City’s strategic plan is an ideal opportunity to put into practice the philosophy that forms the basis of Open Government and to develop actions to support it in the future.

The actions resulting from the IBM Smart Cities Challenge report include:

- data sharing;
- social listening;
- engaging thought leaders;
- citizen engagement;
- open communications; and
- Team Perth (performance) dashboard.

The Corporate Business Plan currently includes a number of actions as detailed in the report Local Government Accountability and Transparency – Opening the Door to International Best Practice and can form the basis to achieve an Open Government management approach at the City of Perth.

Comments:

Research has shown that community engagement and access to information are key factors in gaining and maintaining the trust of the community. An open government approach would be a counter balance for calls for more regulation by the State Government, including greater scrutiny by the Auditor General.

Increasing regulations adds to the complexity and the cost of governance. By its nature, it also increases the possibility of inadvertent breaches as it is bound by rules rather than outcomes. A community focused approach to accountability places the community that the City represents at the centre of the process, and empowers and enables it to be the arbiter of good governance.

The review of the City of Perth's Strategic Community Plan, Vision 2029+, is currently in progress and is an ideal opportunity to set a long-term goal, strategy and actions in relation to accountability and transparency utilising an Open Government approach.

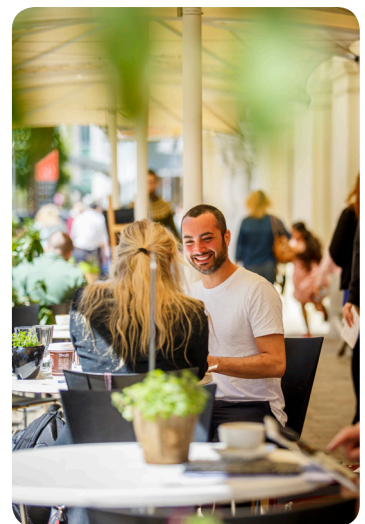
An in principle approval by the Council to adopt an Open Government approach to accountability and transparency subject to further investigation will assist in framing the consultation with the community on this issue and its consultation through the review of the Strategic Community Plan.



CITY of PERTH

Local Government Accountability and Transparency

Opening the Door on International Best Practice



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Background

The Council meeting of 17 May 2016 passed a number of motions relating to public information and accountability. Two of the motions specifically related to organisational transparency and accountability.

Motion 3

“The City of Perth adopts the following position statement: “the City of Perth is committed to being a leader in the areas of transparency, disclosure and public accountability. In line with this commitment we will continually be looking for relevant new opportunities to adopt best practice.”

Motion 4

“Secondly this council requires the CEO to investigate and provide a report to elected members on examples of best practice accountability measures that have been adopted by other relevant Australian local governments within 90 days of the date of this meeting. This report is to be tabled and discussed at the next available elected members briefing subsequent to the completion of the report.”

This report describes the development of current approaches to accountability and transparency in local government that are regarded to be at the leading edge, or “best practice” in the field. It draws on scholarly literature on the topics of accountability and transparency, government and industry publications, and examples of the practical application of the concepts and approaches. The report itself is written in a non-academic style.

The report will discuss the meaning of accountability which is not clearly defined and changes according to the context in which it is being used. In addition, the terms ‘accountability’ and ‘governance’ are used interchangeably and there are guides that refer to accountability as a component of governance and others that describe governance as function of accountability.

This report will discuss current approaches to accountability followed by a discussion of its relationship to governance.

In addition to drawing information from a number of scholarly papers the report draws on a number of excellent research publications from the Australian Centre for Excellence in Local Government including:

- Public Participation in an era of governance: Lessons from Europe for Australian Local Government.
- Evolution in Community Governance – Building on What Works
- Public Value Summary Background Paper
- The Role and Future of Citizen Committee in Australian Local Government
- Local Government and Community Engagement in Australia

Full reference information is contained in the bibliography section of this report.

Executive Summary

Over the past decade there has been a growing and evolving focus on local government compliance, accountability and transparency. There are many similarities particularly in developed countries, but also in developing countries that are looking for leadership in these matters. However, the focus has moved from compliance with regulations to new forms of accountability.

There are of number of statutory accountability processes in place relating to local governments in Western Australia (see appendix 1). In addition to recent changes to the *Local Government Act 1995* and other initiatives of the State Government, there are proposals to strengthen this further to bring WA into line with other states in Australia.

The statutory provisions are driven by changes in society's attitude to what is expected of government and non-government organisations, elected members and employees. An understanding of the underlying issues is necessary to understand current and future changes.

Accountability requires "holding people and organisations to account" for their actions. The traditional approach to *public management* was focused on compliance with regulations, policies and procedures. During the 1990s, public organisations changed to the public management approach in which citizens were treated as customers and accountability was focused on meeting customer service standards. Accountability measures were focused on reporting on costs, efficiency and customer satisfaction. The criticism of this approach was that people in the community were disempowered and services were designed to produce specified outputs with a loss of focus on outcomes the community want. The focus on service outputs was not conducive to government agencies, the private sector and the community coordinating and combining their efforts to achieve the outcomes the community want.

In response to this, a new approach to government in the public sector gained support. *Public value management* involves creating value through the combined action of citizens acting together for the public good. Its focus is outcomes achieved through community engagement processes and the participation of all stakeholders. The differences in the three approaches are shown in the table that forms appendix 2.

The time line in the development of management approaches and its predominant type of accountability is shown in the graphic below.



Local government with its broad responsibilities to the community as a service provider, advocate and partner is central to the achievement of public value.

There are four principle spheres of accountability in local government:

- **Political** – accountability through elections
- **Compliance and Integrity** – conforming to regulations, personal and organisational conduct and ethical considerations.
- **Participatory** – processes to listen to community concerns and for the community to influence decisions.
- **Performance** – identification of community priorities, measurement and public access to information.

A public value management approach requires effective community engagement processes. At the same time, and in conjunction with public value management, there has been a move toward localism and the concept of subsidiarity in which services are provided at the lowest level of government possible.

There is also evidence that personal values and organisational culture are important elements of accountability and that ethics and integrity need to be embedded in the organisation's values.

The current approach to accountability at the City of Perth is mainly within the *traditional* management approach. There has been limited use of new public management approaches such as customer surveys, benchmarking and the use of efficiency measures. Community consultation takes place for many projects and has been incorporated in procedures for approval of capital projects. As required by the Local Government regulations, community consultation was undertaken for the development of the Community Strategic Plan. However, community consultation has been primarily to provide information and/or input with no, or very limited, opportunity for stakeholders or the community to be involved in the decision making process. Research clearly shows that effective community engagement is a prerequisite to building the trust of the community in both the integrity of the Council and its administration as well as the decisions that are made on behalf of the community.

A search for 'best practice' transparency and accountability measures in Australia was undertaken (appendix 1). There are a number of actions that can be easily adopted to increase the information available to the public. However, historically, Australia has followed western countries, particularly the UK, Canada and the United States of America in management practices. The review of international trends indicates that to take a 'leadership' role in transparency and accountability, the City will need to move further than this and to adopt the approaches based on public value management principles. As a result of the changes in management approaches, and building on the concepts of public value management and localism, accountability has increasingly been associated with *open government* and *open data*.

The benefits of open data are not only related to accountability. A major driver is to promote the use of the information to drive innovation.

The City of Guelph in the USA has adopted an Open Government Framework with the objective:

To create a fully transparent and accountable City which leverages technology and empowers the community to generate added value as well as participate in the development of innovative and meaningful solutions.

The City of Guelph Open Government Framework has four key directions:

- open engagement
- open data
- access to information
- open governance.

An open government approach would be a counter balance for calls for more regulation by State Government, including greater scrutiny by the Auditor General.

Increasing regulations adds to the complexity and the cost of governance. By its nature, it also increases the possibility of inadvertent breaches as it is bound by rules rather than outcomes. A community focused approach to accountability places the community that the City represents at the centre of the process, and empowers and enables it to be the arbiter of good governance.

A simple analogy to compare the approaches is to consider the operations of an organisation to be contained in a closed building with all the window blinds down.

- Increased reporting and regulation – opens some of the window blinds (the current situation in most local governments).
- Open Data – opens the window blinds and invites people to look inside.
- Open Government – opens the window blinds and the door and says “welcome”.

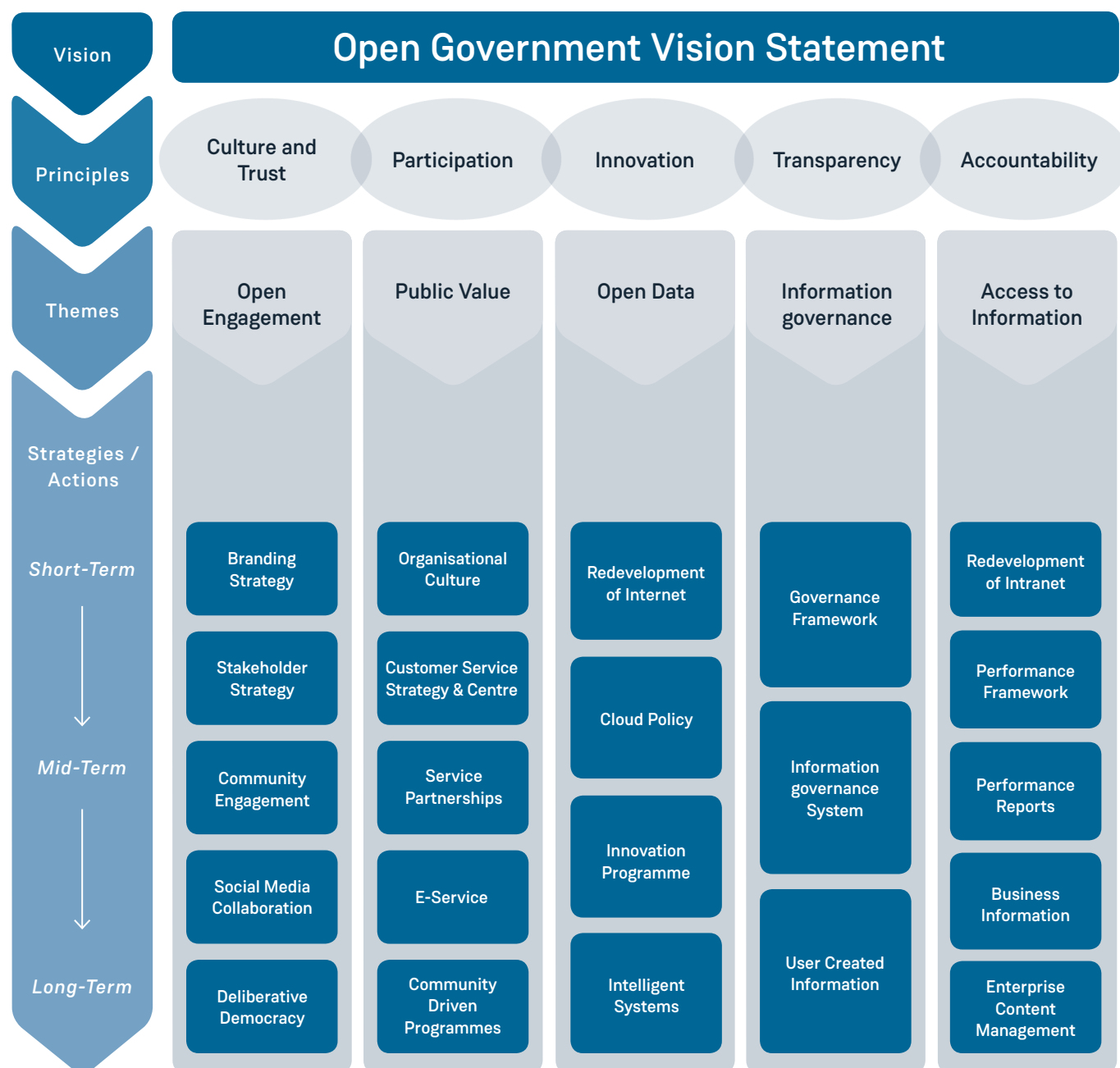
To move toward open government it will be necessary to put into place a broad strategy including:

- I. A clear objective in the Strategic Community Plan
- II. Developing a governance/accountability framework based on principles of:
 - a. Information – using an *open data* approach
 - b. Values – based on the *public value management* ethos
 - c. Enforcement – primarily community focussed and meeting customer satisfaction and legal compliance obligations.
 - d. Relationships – based on a partnership approach with an engaged community.

In keeping with the philosophy of open government, the framework and approach should be developed with input from the community. The diagram in Fig 1 provides a representation of the framework structure that may be adopted, and the strategies and actions that would be required over time to implement it.

Many of the actions are currently included in the City of Perth Corporate Business Plan (appendix 8) and will provide the basis for an open government framework and strategy.

Figure 1 - Elements of a Possible Open Government Framework and Strategy



In the short-term there are immediate actions that can be taken including:

- I. Expand the accountability and transparency section of the City of Perth website to include examples identified in appendix 1.
- II. Inform stakeholders and the community of changes, and explain how they can contribute to developing the governance/accountability framework.

Gaining and keeping public trust must be approached holistically, as the threads of integrity, transparency and accountability knit together to uphold all public administration and, ultimately, governance reforms.

Elia Armstrong, 2005 United Nations.

Current and Evolving Legislation in Australia

The *Local Government Act 1995*, Section 5.53 Annual Reports, requires local governments to publish certain information including a plan for the future, and to include in its annual report a financial report, auditor's report and information on some other matters.

Local governments are also required to have other information, such as the gift register, available for the public to view (a full list of mandatory public information is contained in appendix 1).

The *Freedom of Information Act 1992* provides a mechanism for the public to access information that is not publicly available. However, there is widespread acknowledgement that the information local governments in Australia make available to their community is limited and not easily accessible.

Other Australian States and Territories, as well as jurisdictions in other countries, have gone further than WA in their legislation to require local governments to make information more easily available to the public.

The new approach to government information is that it should be publicly available unless there is a reason to keep it confidential, and is becoming regarded as 'best practice' as governments establish broader information agencies, such as the Public Transparency Board in the United Kingdom (R. Mulgan 2000).

Western Australia – current and proposed changes to accountability

In November 2015, the Public Accounts Committee of the Legislative Assembly of the Parliament of Western Australia laid on the table its report "Improving Local Government Accountability".

The Committee enquired into the extent to which recommendations of the Public Accounts Committee report of 2006 and the 2015 Corruption and Crime Commission Report on Misconduct Risk in Local Government Procurement had been implemented.

The Committee concluded that there is a strong case to improve the current local government accountability framework, including providing the Auditor General with the authority to scrutinise local government performance and for improvements in transparency including easier access to key information for ratepayers, the wider community, and the Parliament.

The *City of Perth Act 2016* contained amendments to the *Local Government Act 1995* to require local governments to place the gift register and travel disclosures, on their web site. The Minister for Local Government when announcing this spoke of his intention to improve transparency and accountability in local government. The Hansard record in the Second Reading of the Bill on 17 November 2015 contains the following record from his speech:

"I have touched on the issue of transparency. Accountability and transparency are very important. I stood up during Local Government Week and made it very clear that everything to do with local government should be transparent."

The Minister went on to say:

"One of the key issues is to make sure that our local governments are accountable. The Auditor General conducts audits of over 200 government agencies. We also want the Auditor General to conduct performance reports and to rate each local government on how it is performing."

This followed his address to the Local Government Convention when he flagged the establishment of a working group to consider the transfer of auditing responsibilities to the Office of the Auditor General. Following the announcement the Department of Local Government and Communities (DLGC) established working groups and included representatives of the West Australian Local Government Association (WALGA) and the West Australian branch of Local Government Managers Australia (LGMA).

The Ministers Position Statement to the Working Groups is contained in a report to the State Council of the Western Australian Local Government Association (WALGA) stating:

“It is the Minister’s intention to transfer the responsibility for auditing Local Governments to the Auditor General. The purpose of this policy initiative is to increase the transparency and accountability of Local Governments to their communities and provide for independent oversight of the sector.

“In 2015, the Corruption and Crime Commission (CCC) recommended that the jurisdiction of the Auditor General be extended to include Local Governments. This aligned with the 2006 recommendation of the Public Accounts Committee.

“In line with the recommendations of the CCC and the approach adopted by other jurisdictions, it is intended that there will be increased independent oversight of the Local Government sector, including through the appointment of the Auditor General as the auditor for Local Governments. Transition to these new arrangements will commence in 2016/17...”

The Position Statement went on to say:

*In line with the CCC recommendations, it is also intended to introduce a **new category of audits known as performance audits** (emphasis added) that will be conducted by the Auditor General. These audits examine the economy, the efficiency and the effectiveness of programs and organisations, including compliance with legislative provisions and internal policies.*

The Auditor General will be given the power to conduct such audits, which may focus on a particular issue or theme, and may target particular Local Governments and related entities. The funding for this activity is expected to be met by the State Government.

The DLGC has established a web site, MyCouncil, that the public can use to access information about the performance of their local government and to compare it with other local governments. The West Australian newspaper carried a report in its 15 December 2015 edition, extracts of which are contained below:

Mr Simpson said it would start with basic details on council spending and rates but the plan was to expand it to include details such as the time taken by each council for planning and building approvals.

“So we understand where our rates are going, how much we are spending on councillors, how much we’re spending on roads, how much we’re spending on libraries, so that money is quite clearly what they call transparency of where that money is going,” he said.

“I think most ratepayers want to know where their money is going, how their rates are being spent.

“Obviously from that I would love to grow that and talk to the Minister for Planning around how we can get some transparency around planning applications, building applications [and] I think that would be really good to actually show.

“What I’d really love to do is put a bit of competition back into local government so they can actually start playing off each other and showing who’s better than each other at delivering those services, which would be really good as well.”

The web site is similar to the “Know Your Council” web site introduced into Victoria in 2015 (<https://knowyourcouncil.vic.gov.au>)

The Local Government Amendment (Auditing) Bill 2016 was introduced into Parliament on 8 September 2016. The Bill makes provision for the auditing of local governments by the Auditor General. The transition is to be in place for all local governments by the financial year 2019/2020.

The Bill also provides for a new category of audits known as ‘performance audits’ which will examine the economy, efficiency, and effectiveness of any aspect of a local government operation.

Local Government Transparency and Accountability

The reforms in local government in the United Kingdom (UK) have been at the forefront of initiatives to make it more responsive and accountable to its community and have led to similar initiatives in other countries and more recently in Australia. The Local Government Transparency Code 2015 was introduced by the Department of Communities and Local Government in the UK and is now in operation.

- **Demand led** – There are growing expectations that new technologies and publication of data should support transparency and accountability. It is vital that public bodies recognise the value to the public of the data they hold, understand what they hold, what their communities want and then release it in a way that allows the public, developers and the media to use it.
- **Open** – Provision of public data should become integral to local authority engagement with local people so that it drives accountability to them. Its availability should be promoted and publicised so that residents know how to access it and how it can be used. Presentation should be helpful and accessible to local people and other interested persons.
- **Timely** – The timeliness of making public data available is often of vital importance. It should be made public as soon as possible following production even if it is not accompanied with detailed analysis.

In the transparency code ‘data’ means the objective, factual data, on which policy decisions are based and on which public services are assessed, or which is collected or generated in the course of public service delivery. This should be the basis for publication of information on the discharge of local authority functions.

Accountability - An Evolving Meaning

There is no precise definition of accountability and there are numerous scholarly articles about its meaning. Accountability can mean holding a person or organisation to account. However, the concept has broadened to encompass different forms of accountability including internal and external accountability and personal accountability to conform to professional and society's norms of behaviour (Mulgan 2000).

A local government is accountable to its electorate through the electoral process. It is also an arm of government and accountable to the State Government, including its obligations to conform to legislation and to provide good governance (Kloot & Martin 2001, Kluver & Tippet 2010).

Research has identified four critical elements of accountability (Kluvers and Tippet 2010):

- information
- values
- enforcement
- relationships

A working definition of accountability for the purpose of this report is:

Accountability is an obligation to present an account of and answer for the execution of responsibilities to those who entrusted those responsibilities addressing:

- *the need for and value of information*
- *legal compliance*
- *honest values.*

In the context of local government four spheres of accountability are prevalent.

- **Political** – accountability through elections
- **Compliance and Integrity** – conforming to regulations, personal and organisational conduct and ethical considerations.
- **Participatory** – processes to listen to community concerns and for the community to influence and be involved in decision making and other governance processes.
- **Performance** – identification of community priorities, measurement and public access to information.

The four spheres are interdependent and overlap. For example community participation can assist with identifying priorities and provide information of results. A community actively engaged in achieving community outcomes are able to make informed decisions about their support for electoral policies.

The Evolution of Management Approaches and Implications for Accountability

Local Governments may be ‘held to account’ at the organisational level through processes of reporting, as well as elections. At the level of the individual it can be through performance assessments, and compulsory reporting of actions and decisions. However, processes to ‘hold people to account’ can have the effect of focusing on a limited set of actions and procedures (Sinclair 1995).

This approach was prevalent in the 1990s at which time government organisations were expected to operate more like the private sector. The concept of ‘service to the community’ was replaced with ‘service for the customer’ and the approach of the organisation changed from one of ‘public service’ to a ‘managerialist’ approach (Hood 1995, Kloot and Martin 2001).

The ‘managerialist’ approach, known as ‘new public management’ (NPM) is characterised by a focus on financial and efficiency objectives, and contractual arrangements. Accountability is mainly in the form of reporting on cost, efficiency and customer satisfaction.

The view that efficiency is not the primary objective has gained ground in recent years. In local government there has been a move to an output/outcomes framework for budgeting, managing resources and measuring performance in Australia, and many other countries including the United Kingdom, Canada and New Zealand (Baehler, 2003, Grant, Tan, Ryan, & Nesbit 2014).

Mark H. Moore, a Harvard University Professor developed the concept of public value in his seminal work on creating public value (Moore 1995). The public value of government services, he argues, is more than the sum of the utility to individuals, and results from the combined efforts of citizens acting together for the public good.

Moore has developed this further by proposing a public value scorecard (Moore 2012). This is a work in progress and Moore discusses the difficulties involved in measuring public value. It is beyond the scope of this report to discuss this further. However, it can be noted that the Australian Centre for Excellence in Local Government with the University of Technology Sydney is undertaking research for the Local Government Business Excellence Network to examine how public value may be measured and reported, and has reported on the first two phases of the project (Grant, Tan, Ryan & Nesbit 2014).

Building on the concept of public value developed by Moore, is a new approach to management. *Public value management* emphasises deliberation and choice. It moves from managing inputs and outputs to results in which people can express explicit satisfaction, trust and legitimacy. Public value not only requires a focus on outcomes, it requires a process of engagement with the public as value is defined and redefined through social and political interaction.

Public officials must engage political authority, collaborate with each other within and across institutional boundaries, manage efficiently and effectively, engage with communities and users of services and reflectively develop their own sense of vocation and public duty (Smith, 2004, p. 69).

The progression of approaches to public sector management can be described in three themes (Stoker 2003):

- **Traditional Public Administration** – politically provided inputs; services monitored through bureaucratic oversight.
- **New Public Management** – managing inputs and outputs in a way that ensures economy and responsiveness to consumer.
- **Public Value Management** – the overarching goal is achieving public value that in turn involves greater effectiveness in tackling the problems that the public most care about; stretches from service delivery to system maintenance.

The differences between the three approaches are shown in appendix 1.

Transparency, Accountability and Community Engagement

It is widely acknowledged that civic leadership requires councils to provide the focal point for the development of a 'collective vision'. This is embodied in the requirement for local governments in Western Australia to have a Strategic Community Plan that reflects local priorities and brings together the relevant agencies. There is also an expectation that leadership by councils requires them to be an advocate for their area, with other public agencies providing services to ensure they meet the needs of its citizens (Quinlivan, Nowak & Klass 2014).

The broad nature of local government responsibilities and the multi-dimensional nature of its accountability to a broad range of stakeholders results in accountability in local government becoming problematic. There are a wide range of statutory reports and accountability processes that apply to local government, and as described in this report, there are more to be implemented.

However, this does not necessarily improve accountability. Research has indicated that citizens are overburdened with information, and are generally not sufficiently motivated to take the time to make use of it. This can be improved if the information meets the needs of the user and it is accessible and can be understood easily (Quinlivan, Nowak & Klass 2014).

A related focus in the literature is the review of new approaches and new methods of community engagement, including deliberative democracy techniques.

A report prepared for the New South Wales Independent Local Government Review Panel, the Local Government Association of South Australia's 'Local Excellence' Expert Panel, and Local Government New Zealand included the following recommendation:

Finally, local government sectors should develop and promulgate a good practice understanding of how community engagement/community governance can contribute to better decision-making within councils themselves. The purpose of this recommendation is to ensure council management in particular is encouraged to understand that the purpose of community governance is not just enabling 'local democracy' but also ensuring the council itself has better and more detailed information about the needs and priorities of its different communities, both for its own planning purposes and to support its work with state agencies and other stakeholders on behalf of those communities. (Community-Level Governance - What provision should be made and/or mandated in local government legislation?, July 2013.)

Research was recently conducted investigating the interaction of interest groups with the City of Melbourne. The research was commissioned by the Electoral Regulation Research Network (ERRN), a network including Electoral Commissions (Victoria and other Australian jurisdictions) and academics from leading Australian universities. ERRN is funded by the Victorian Electoral Commission, NSW Electoral Commission and University of Melbourne. (Final Report of ERRN LG Research Group: Melbourne Democracy – Marvellous?, 2015).

The report made several recommendations including:

Recommendation 5: Introduce legislative provisions which require MCC and each other local government, to apply specified minimum standards of participatory processes, including annual participatory budgeting, as a regulatory condition of adopting its annual plan and budget. Ensure these standards include baseline method design (for example, significance of delegated policy and resource questions; commitment to outcome; sample size and selection; meetings number, duration, frequency; facilitators; sources of expert and interest group input; and administrative support) which could be introduced progressively.

Recent developments in sustainability reporting demonstrate the issue and are discussed in the following section.

Sustainability Reporting – A Holistic Approach to Accountability

There has been considerable research investigating sustainability reporting in the private sector, but relatively little in the public sector. A study by Williams, Willhurst and Cliff (2011) on sustainability reporting by local government in Australia found that 50% of respondents indicated that they report on aspects of sustainability with social reporting being the most prevalent. A further 40% of non-reporters indicated that they are likely to report in the future.

Although seen as a positive indication by the authors, given that social, environmental, economic and governance is the core business of local government, it indicates that measurement and reporting on the performance of local government is not sufficiently developed to support accountability. This conclusion is supported in a study of state, federal and territory governments in which it was found there was limited sustainability reporting, concluding that they:

...are unlikely to be adopted in the public sector while they remain voluntary and there is no competitive advantage in the adoption of such measures. Either the reporting needs to be made mandatory or the non-competitive nature of their operations needs to change, even if this is just by tying resources competitively to performance measurement across all sustainability indicators (Adam, Muir, Hoque 2014).

As sustainability reporting is more advanced in the private sector, if reporting is to be encouraged or made mandatory in local government a standard system could be of value. The Global Reporting Initiative Sustainability Reporting Guidelines (GRI G4) is one the best known and used, and provides a possible basis for improving and assessing local government performance reports. In light of the earlier discussion of creating value for the users of performance information the the GRI guide says that:

Organizations are faced with a wide range of topics on which they could report. Relevant topics are those that may reasonably be considered important for reflecting the organization's economic, environmental and social impacts, or influencing the decisions of stakeholders, and, therefore, potentially merit inclusion in the report. Materiality is the threshold at which Aspects become sufficiently important that they should be reported.

The Completeness Principle of the GRI guide says:

The report should include coverage of material Aspects and their Boundaries, sufficient to reflect significant economic, environmental and social impacts, and to enable stakeholders to assess the organization's performance in the reporting period.

New Localism and the Concept of Subsidiarity

It has become increasingly acknowledged that the 'one hat fits all' approach to government services may be efficient but is not always effective in providing services. The alternative is *subsidiarity*, an approach in which services are provided at the lowest level of government possible.

New localism, as a concept, draws on theories of devolution and has influenced the approach of the government of the United Kingdom (UK) toward local communities and local government:

New localism can be characterised as a strategy aimed at devolving powers and resources away from central control and towards front line managers, local democratic structures and local consumers and communities, within an agreed framework of national minimum standards and policy priorities (Stoker 2005).

The Localism programme in the UK has received criticism that it has been used to transfer costs away from central government to local government. However, this is a criticism of the process and funding mechanism rather than the concept.

The UK City Deals programme was used as a model by the Federal Government for its City Deals approach in the Smart Cities Plan. The basis of the programme is to identify objectives for a regional area that are agreed by the principal stakeholders and to initiate a programme, including actions by all levels of government and other stakeholders, to achieve the outcome related objectives.

Personal Values and Organisational Culture

Although there is limited research on the topic of personal values, research has indicated that they are an important factor in accountability and will determine the extent to which accountability goes beyond legal requirements (Kluver and Tippet 2010).

The Public Sector Commission (WA) Accountability Map includes a principal that:

"ethics and integrity are embedded in the organisation's value and operations".

It also requires having resilience when faced with negative comment and the ability to look beyond the issue to the broader benefits to be derived from an open form of government.

At the same time, in a more open political environment, service providers need to be wary of attempting to retreat behind a wall of professional silence and confidentiality. When they see measures misleadingly quoted in the media or in political debate, their natural reaction may be to seek suppression of the data on which the slanted reports are based. However, the more enlightened response is to engage in public debate, not to seek to suppress it. If they think information is being quoted out of context or presented in a biased manner, they need to argue so publicly. They should have the confidence to realise that information, responsibly used and interpreted, has the potential not only to raise the level of public debate but also to improve their own performance (Richard Mulgan Office of the Information Commissioner, Queensland).

Community Trust – The Bedrock of Assurance

There is a distinction between the concepts of *assurance* and accountability. While there is no precise meaning of accountability or assurance, the distinction between them is that accountability is generally seen as an internal process of the organisation to report or demonstrate its compliance to standards and the achievement of performance goals to people or organisations external to it.

Assurance, on the other hand, derives from the satisfaction that the accountability process is working effectively, and although explicit or implicit criteria may be used, it is based on overall perception as opposed to the more rigid technical assessment that characterises accountability processes.

Central to perceptions of assurance is trust. The level of trust a person has in the local government will influence perceptions of the information they receive. There has been a decline in the trust that people have of government in most countries and as a result they are sceptical of the information they receive.

Research has indicated that satisfaction with performance can lead to higher levels of trust, and the perception of performance is not necessarily based on performance information. A person's experience resulting from their interaction with the local government can be a major factor, and people that are engaged with the local government and who have a positive experience as a result are more likely to have a higher level of trust of the local government and in the information they receive from it.

The Open Government Partnership guide for local government contains a quote from a publication of the Organisation for Economic Cooperation and Development (OECD).

In an increasingly complex world, citizens input is a critical resource for policy-making. Good decision-making requires the knowledge, experiences, views and values of the public. Implementing difficult decisions depends on citizens' consent and support. Unless citizens understand and are engaged in the decision themselves, trust is easily lost (OECD, 2009).

Applying Public Value

Four principles have been identified that will need to be adopted to move toward a public value approach to management and accountability:

Principle 1: The role of local government should be circumscribed by the search for public value underpinned by a commitment to a public service ethos.

Principle 2: Decision centres in local government structures should be inclusive of the key partners in governance and should include a balance of forces, for example, public service panels consisting of local citizens, political representatives, governance stakeholders and technical support.

Principle 3: The key task of the public managers should enable the determination of public value through communities of practice as neutral arbiters.

Principle 4: Governance structures should use a participatory learning-based approach to the challenge of service delivery (Evans and Reid 2013).

There are drawbacks to community participation including the difficulty of involving all sections of the community, the formation of interest groups, information overload and cumbersome decision making.

The research in this area is evolving with most of it focusing on the benefits of community participation with organisations such as the International Association for Public Participation (IAP2) gaining considerable traction within local government. There are many examples of what appear to be effective community participation programmes, but there are challenges in their use.

An Australian Centre for Excellence in Local Government report on community governance observed that:

Chris Aulich at the University of Canberra argues that while there have been changes to Australian local government legislation which aim to facilitate engagement with communities, and policies are being developed by individual councils, there are few examples where effective engagement has been established and accepted as a citizen's right (McKinlay P., Pillora, S., Tan, S.F., Von Tunzelmann, A. 2011).

A research study in the Netherlands found that expanding the existing formal processes of participation such as community groups, both formal and informal, can result in those groups having ascendancy over citizens that are not organised in this way. It can also lead to the elected representatives and the administration being forced into short-term decision making for the benefit of organised groups. The alternative is open government and the study suggested that the higher levels of public participation, empowerment and participation, can only be achieved by making information broadly available (Frans Jorna 2015).

This supports the statement in the ACELG document, that what may be required is not more community participation but better *quality* community participation (Evans M. & Reid R. (2013). A open government approach should not diminish the role of the Council or the administration but should enhance it with a clear understanding of how decisions are to be made and the extent of the community's involvement.

Frameworks and Strategies

As discussed earlier the terms *accountability* and *governance* are often used interchangeably and frameworks and strategies to implement them may use the different terminology but have common elements. For the purpose of this report no distinction is made between them.

The Legislative Assembly Public Accounts Committee (PAC), conducted an inquiry to examine accountability mechanisms for local government in Western Australia. Publishing its report in 2006, it noted that local government is subject to considerable parliamentary scrutiny in relation to equal opportunity, corruption and crime and public interest disclosure but is not subject to the same scrutiny as other public agencies in relation to its efficiency, effectiveness, and probity measures.

The PAC made a number of recommendations including the involvement of the Auditor General in conducting local government audits. As indicated earlier, the DLGC has established a working group to consider this recommendation and to introduce legislation to implement it in 2017.

The PAC also reported the Corruption and Crime Commission viewed the existing accountability framework as inadequate with concerns about:

- The management of tenders and contracts;
- The disclosure of financial and non-financial interests; and
- The declaration of gifts and benefits.

In discussing transparency, the PAC report recognised that the availability of financial and other documents are an important element in ensuring transparency and accountability.

The PAC noted the documents and information local governments are required to provide (an updated list forms appendix 1), but commented:

It appears the onus of accessing financial (and other) documents falls largely to individual citizens (Local Government Accountability in Western Australia Report No4 p13).

The Public Service Commission Accountability Map (PSCAM), is a guide to public sector accountability requirements needed to achieve organisational performance and accountability. It contains nine governance¹ principles as described below.

- Principal 1 – Government and public sector relationship – the agency’s relationship with the government is clear.
- Principal 2 – Management and oversight – the agency’s management and oversight are accountable and have clearly defined responsibilities.
- Principal 3 – Organisational structure – the agency’s structure services its operations.
- Principal – Operations – the agency plans its operations to achieve its goals.
- Principle 5 – Ethics and integrity – ethics and integrity are embedded in the agency’s values and operations.

¹ Note in the PSCAM guide governance is a component of accountability.

- Principles 6 – People – the agency’s leadership in people management contributes to individual and organisational achievements.
- Principle 7 – Finance – the agency safeguards financial integrity and accountability.
- Principle 8 – Communication – the agency communicates with all parties in a way that is accessible, open and responsive. The communication principal is fundamental to promote citizen’s trust in government. The processes should assist in complying with legislation on record keeping, public interest disclosures and freedom of information and safeguard the integrity and confidentiality of the information.
- Principle 9 – Risk management – the agency identifies and manages its risks with policies for governance and management of material risks (for example, reputational, financial or physical, including occupational safety and health). The risk exposure should be evaluated and managed.

CPA Australia, supported by Local Government Managers Australia (now LG Professionals Australia) published Excellence in Governance for Local Government in 2005, a governance manual (CPAM) for local government. Although it uses the heading of governance there are many similarities with the PSCAM that uses the term accountability.

The manual describes governance as the process by which decisions are taken and implemented, and by which organisations go about achieving their goals and producing outputs by which it is directed, controlled and held to account. It encompasses authority, accountability, stewardship, leadership, values and culture within the organisation.

Excellence in governance, it says, is achieved when it is underpinned by accountability, integrity and openness. It involves a focus on clarity of roles and responsibilities, robust systems which support both internal and external accountability and public access to decision making and information.

Excellent governance is said to be a value adding activity contributing to being more productive, efficient and effective with good advice to decision-makers and more productive and engaged staff.

The CPAM contains the following principles:

- Culture – there is a positive culture that promotes openness and honesty, in which questioning is encouraged and accountability is clear.
- Vision – there is a clear vision and strategic plan that is produced through a comprehensive and inclusive process which is owned by all sectors of the local government.
- Roles – there is clarity about the roles of local government and there exists a sophisticated approach to defining and implementing these.
- Working Relationships – there are effective working relationships that are promoted and supported within and between the mayor, councillors, CEO and administration.
- Decision-making – there are effective decision-making processes in place that reflect the transparency and accountability which underpin excellence in governance.

- Financial management – there should be robust and transparent financial management established and maintained to meet local government’s accountability to its stakeholders, particularly in terms of stewardship of community assets, both now and into the future.
- Accountability – local government must account for its activities and have systems that support this accountability.
- Performance Management – there should be an active performance management system in place that enables councillors and the administration to be openly accountable for their performance.
- Independent Review – local government should establish internal structures that provide for independent review of processes and decision-making to assist the council to meet its accountability to stakeholder.
- Consultation – consultation should be undertaken that is appropriate to the scope and potential impact of the matter. It should respect the position and opinion of all stakeholders. The outcomes of the consultation should be taken into account when the decision is made and feedback should be provided to those who participated.

Both the PSCAM and CPAM provide a robust framework for openness, accountability and transparency. The principles on which they are based are interrelated. How they relate will depend on the management approach used in the organisation.

The *public value management* approach, which forms the basis of contemporary approaches to accountability with the overarching goal of achieving public value, requires a holistic approach to some of the key principles. It is based on participatory and decentralised decision making, open information and trust.

Local government is less of a service provider and more an enabler with all sections of the community and all levels of government working together to achieve jointly agreed objectives.

Open Data and Open Government

As a result of the changes in management approaches, and building on the concepts of public value management and localism, accountability has increasingly been associated with open government and open data.

The Australian Government is a signatory to the Open Government Partnership (OGP). The OGP multilateral initiative aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. It was founded in 2011 with eight member countries. Since then, 62 additional countries including Australia have joined the partnership. The Australian Open Government National Action Plan is due to be completed in 2016.

The United Kingdom, one of the foundation members, released its third action plan the UK Open Government National Action Plan 2016 -18 in May 2016, stating that it aims to be the “most transparent government in the world”. The document describes Open Government in the following way:

Open Government is the simple but powerful idea that governments and institutions work better for citizens when they are transparent, engaging and accountable. It is not a set of lofty principles, but the building block for a more democratic, equal and sustainable society.

Initiatives on open data and open government merge and are closely linked to initiatives relating to accountability and transparency. The governments of New South Wales, Victoria, South Australia, Queensland and Canberra have made commitments in relation to open data and open government in the form of legislation, policy, strategies and open data web sites.

The Government of Western Australian has a Whole of Government Open Data Policy, but has not integrated this into an open government framework. It provides a number of principles about open data and encourages agencies to use them with Landgate being the lead agency.

The objectives of the *New South Wales Government (Public Access) Act 2009* reflect the approach taken in other jurisdictions and the general principles of open data. The primary objective of the Act is:

- (1) In order to maintain and advance a system of responsible and representative democratic government that is open, accountable, fair and effective, the object of this Act is to open government information to the public by:
 - (a) Authorising and encouraging the proactive public release of government information by agencies.
 - (b) Giving members of the public an enforceable right to access government information.
 - (c) Providing that access to government information is restricted only when there is an overriding public interest against disclosure.

Open data is data that can be used freely with minimum restriction.

The benefits of open data are not only related to accountability. A major driver is to promote the use of the information to drive innovation. The Premier's Innovation Initiative in New South Wales is an example with a website, and strategy, to capture and develop innovative ideas in relation to its priority areas one of them being open data with the objective:

Open data: fast-tracking the release of de-identified data (Open Data) to maximize value for the community

The West Australian Whole of Government Open Data Policy states that the benefits include:

For the broader community, potential social and economic benefits include opportunities to develop new businesses and industries (including the not-for-profit sector); improved research outcomes; and better business and community decision-making.

The link between open data and innovation was initially demonstrated in the private sector in the development of products and services on the principle that there are more 'experts' with innovative ideas outside of the organisation than in the organisation. It has been successfully used by companies such as Apple and Linux computers.

The City of Perth took part in the IBM Smarter Cities Challenge 2014. The subsequent report made recommendations based on three concepts:

- State and Government Trading Enterprises Collaboration
- Mission Control Hub
- Support for City of Perth Development.

Within the three concepts are actions to enhance social listening, improve cooperation with government agencies, and to engage the City's thought leaders. Underpinning this is the need to drive a cultural change within the organisation.

It should be noted there are no plans to apply the Western Australian Whole of Government Open Data Policy to local governments in Western Australia. The MyCouncil web site will increase the information available to the public. However, it is controlled and limited and does not fulfil the requirements of open data.

Examples of Open Data and Open Government in Local Government

There are many examples of open data and open government related actions undertaken by local government. This has been recognised by the Open Government Partnership which to date has been focused on national governments, but is now trialling the involvement of local and regional governments.

The City of Melbourne Council Plan 2013 and 2017 contains Goal 8 – an accessible, transparent and responsive organisation (appendix 3). Its website includes a list of registers for inspection including both statutory requirements and non-statutory requirements (appendix 4).

The City of Sydney web site contains information on 'open access information' listing the information publicly available with links to the information where applicable (appendix 5).

The City of Guelph in the USA has adopted an Open Government Framework with the objective:

To create a fully transparent and accountable City which leverages technology and empowers the community to generate added value as well as participate in the development of innovative and meaningful solutions.

The City of Guelph Open Government Framework sets out its vision and principles to guide its actions to support its Open Government objective. The framework is in appendix 7.

An additional direction required for a public value management approach is developing a supportive organisational culture. Of note is a submission to the City of Guelph regarding the Open Government Framework expressing its support but commenting:

However, it should be noted that for Open Government to be successful, there has to be a culture of openness and engagement at City Hall.

Examples of Accountability Processes

There are numerous examples of specific accountability and transparency practices that could be adopted at the City of Perth in addition to current practice. They could be adopted at the City for their own value or as part of a broader strategy as will be discussed in the concluding section of this report.

Online Information

A number of local governments have registers and other information on their website in addition to the statutory requirements. They are usually contained in the publications on governance sections of the website. Appendix 1 lists the actions the City of Perth has taken above statutory requirements.

A review of local governments across Australia found examples of additional information provided to the public. The information may be included on a dedicated transparency and accountability page of the local government's web site. An alternative approach is that of the City of Liverpool (UK) which has links to the registers from the elected members' profile with information specific to the elected member (appendix 6).

The City of Vincent has produced a discussion paper titled Raising the Bar New Transparency reforms for WA Local Government. The discussion paper includes a number of online registers similar to those already adopted by the City of Perth or included in the list in appendix 1. It also discusses the recruitment of the Chief Executive Officer and Council elections, and recommends changes to the *Local Government Act* to achieve greater transparency.

In addition to making information available to the public, it has become normal practice for local government to use web based communications to gain input to decisions with different levels of involvement from simple comment to online discussion and co-creation.

The City of Melville (WA) recently launched its community engagement web site Melville Talks. It aims to bring together the City of Melville community and provide an opportunity to talk about projects, suburbs and events. The website will use the following interactive tools:

- Polls and surveys, providing the City with valuable community feedback.
- Regular project updates.
- Community forums and messaging boards.
- Photo and video-enriched content.
- Effective and prompt feedback responses, ensuring your questions are answered promptly.

Community Engagement

Warringha Council in New South Wales has a structured approach to use community committees to provide residents and stakeholders with the opportunity to participate in its decision making processes. There are three types of committees.

Strategic Reference Group

There are four reference groups linked to the six outcomes of the strategic plan.

The purpose of the groups is to provide interested community members and other stakeholders with meaningful opportunities to contribute to and participate in the Council decision making process and help shape Council plans, policy and practice.

Community Committees

There are a range of topic specific community committees who advise the Council on issues such as homelessness, economic development, sporting and community facilities.

Other Committees and Working Groups

This category includes the Audit and Risk Committee, Conduct Review Committee, Local Emergency Management Committee, Warrigah Traffic Committee and others. Each committee has its own terms of reference and membership eligibility.

There are many other examples of community committees and deliberative community engagement processes. Table 1 provides examples of methods used for different purposes.

Table 1 Methodological choices in citizens' engagement (Evans & Reid 2013)

Citizen involvement in...	Methodology of engagement
1. Strategic direction	Appreciative Inquiry, Community Empowerment Networks, Consensus Building/Dialogue Consensus Conference, Future Search Conference, Deliberative Mapping, Deliberative Polling, Participatory Strategic Planning (ICA), Planning for Real
2. Policy design	Appreciative Inquiry, Co-design, Deliberative Mapping, Deliberative Polling, Participatory Appraisal, Everyday makers
3. Policy delivery	Co-design, Deliberative Mapping
4. Policy learning	Citizens' Juries, Citizens' Panels, User Panels, Electronic processes, Open Space Technology, Planning cells

Social Media

As with most local governments, the City of Perth makes use of a number of social media sites. There is limited research evidence of the impact of social media on people's views but there is some evidence that personal use of social media does have an influence, and as well as providing information the networks that people establish provide an increased level of trust in the information.

One model of the use of social media in urban development projects proposes that it must support four forms of engagement to be successful:

- Adversarial Engagement – provide equal opportunity without censorship of all views.
- Information Exchange – regular information updates.
- Civil Society – allow stakeholder groups and the community to share information.
- Collaborative Engagement – allow stakeholders and the community to contribute ideas, raise questions and have them responded to by project leaders. (Bryer 2012)

However, the use of social media for community engagement is in its infancy and will need to be used cautiously.

Summary and Comment

Statements by the Minister for Local Government indicate that local governments will be required to improve transparency and accountability. The development of the DLGC MyCouncil website and the proposed legislation to allow the Auditor General to conduct financial and performance audits will add further accountability measures.

All of the above is consistent with that in other States and Territories of Australia. However, the UK has moved away from centralised control processes in favour of empowering local communities to have greater control of public services.

Four spheres of accountability were identified:

- Political – accountability through elections
- Compliance and Integrity – conforming to regulations, personal and organisational conduct and ethical considerations.
- Participatory – processes to listen to community concerns and for the community to influence and be involved in decision making and other governance processes.
- Performance – identification of community priorities, measurement and public access to information.

The research on accountability indicates that there is a role for regulation and compliance processes as well as processes that utilise community engagement to provide accountability. The processes being introduced by the DLGC are mainly focussed on compliance.

The MyCouncil website when expanded could be a useful source of information for members of the community to access information and to be part of the accountability process. However, the information will only be what is legally mandated to be provided and is not to be confused with open data.

Research has also shown that trust is an important element in accountability and building and keeping that the trust is acknowledged as an essential part of any accountability framework as is the culture and values of the organisation.

An expansion of community engagement processes can contribute to improved transparency and accountability but to be effective their purpose and role and how they fit within the community engagement and governance strategies of the City should be clear.

As noted in an ACELG report:

The ingredients of effective citizens' engagement have been clearly articulated above. What is important, however, is that these are integrated into a holistic engagement framework in which clear avenues for participation are identified at different decision points in the policy process (Evans and Reid 2013).

The investigation of accountability and governance approaches by local governments in Australia indicates that they are primarily focussed on compliance in what is described as the *traditional* approach to management. The alternative is the *public value approach*, and to give an equal or greater focus to accountability through community engagement, building trust and ensuring that the culture of the organisations supports open and transparent processes.

Open data and open government are now generally regarded as a *best practice* approach to transparency and accountability combined with the concepts of public value.

A simple analogy to compare the approaches is to consider the operations of an organisation to be contained in a closed building with all the window blinds down.

The possible change analogies are:

- Increased reporting and regulation – opens some of the window blinds (the current situation in most local governments).
- Open data – opens most of the window blinds and invites people to look inside.
- Open government – opens the window blinds and the door and says “welcome”.

For Consideration of the Council

The position statement adopted by the Council is:

The City of Perth is committed to being a leader in the areas of transparency, disclosure and public accountability.

The report discusses a spectrum of transparency from the *traditional* approaches based on rules, regulations and reports to one based on *public value management* and *open government*.

The current transparency and accountability approach at the City of Perth, as with most local governments in Western Australia, is a *traditional approach*. The approach currently gaining ground in other countries and in Australia is one based on community engagement, local decision-making and *open government*.

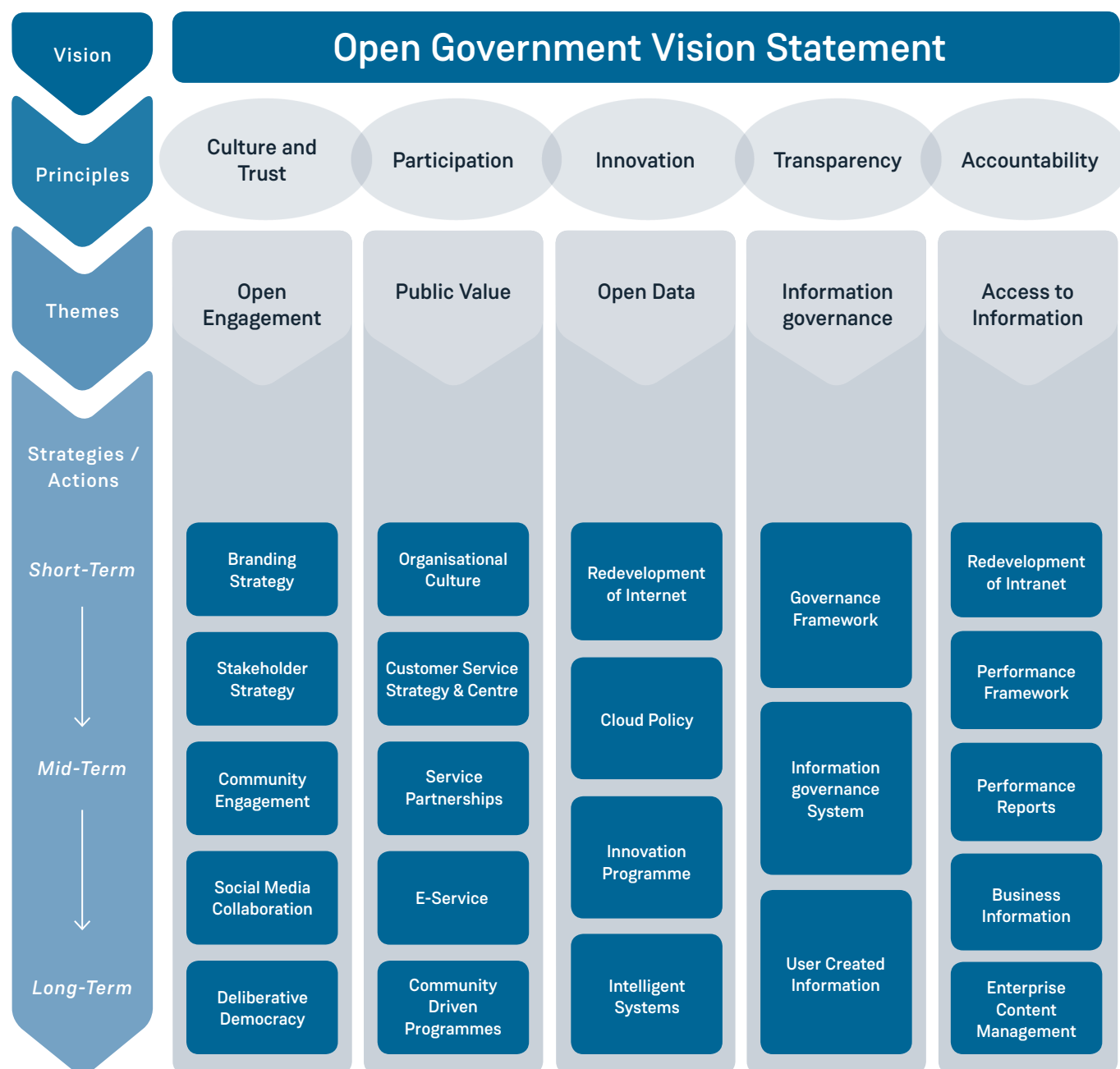
To achieve this it will be necessary to put in place a broad strategy including:

- I. A clear objective in the Strategic Community Plan.
- II. Developing a governance/accountability framework based on principles of:
 - a. Information – using an open data approach.
 - b. Values – based on the public value management ethos.
 - c. Enforcement – primarily community focussed and meeting customer satisfaction and legal compliance obligations.
 - d. Relationships – based on a partnership approach with an engaged community.

In keeping with the philosophy of open government the framework and approach should be developed with input from the community. However, the diagram in Fig 1 provides a representation of the framework structure that may be adopted and the strategies and actions that would be required over time to implement it.

The City of Perth Corporate Business Plan 2016-20 includes a number of operational initiatives of relevance to open government and would form the basis of implementing an open government framework at the City of Perth. Appendix 8 contains a list of relevant operational initiatives.

Figure 1 - Elements of a Possible Open Government Framework and Strategy



In the short-term there are immediate actions that can be taken including:

- I. Expand the accountability and transparency section of the City of Perth website to include examples identified in appendix 1.
- II. Inform stakeholders and the community of changes, and explain how they can contribute to developing the governance/accountability framework.

Bibliography

Adams, C. Muir, S. Hoque, Z. 2014. Measurement of Sustainability Performance in the Public Sector, *Sustainability Accounting, Management and Policy Journal*, Vol 4 (1): 46-67

Baehler, K. 2003. Managing for Outcomes: Accountability and Thrust, *Australian Journal of Public Administration*, vol. 62, no. 4, 23-34.

City of Vincent, April 2016, Raising the Bar – New transparency reforms for WA Local Government, http://www.vincent.wa.gov.au/Your_Community/Whats_on_in_Vincent/News/News_2016/Vincent_calls_for_Local_Government_Sector_to_Raise_the_Bar_on_Transparency

Community Level Governance- what provisions should be made and/or mandated in local government legislation?. July 2013. A report prepared for the New South Wales Independent Local Government Review Panel, the Local Government Association of South Australia's 'Local Excellence' Expert Panel, and Local Government New Zealand. McKinley Douglas Limited

Coghill, K. Thornton-Smith, P. Ng, F. Final Report of ERRN LG Research Group: Melbourne Democracy Marvellous. Report Commissioned by the Electoral Regulation Research Network. Downloaded from www.lawunimelb.edu.au/ern/ 22 December 2015

Jorna, F. 2015. Openness and Urban Governance: How Transparency Erodes Local Government. *International Public Administration Review*, Vol. 13, No. 3-4. 161-182

Evans, M. and Reid, R. 2013 Public Participation in an Era of Governance: Lessons from Europe for Australian Local Government, Australian Centre of Excellence for Local Government, University of Technology, Sydney.

Global Reporting Initiative. 2013, G4 Sustainability Reporting Guidelines, Downloaded from www.globalreporting.org 3 April 2016

Grant, B. Tan, S. Ryan, R. Nesbitt, R. 2014. Public Value Summary Background paper, Prepared for the Local Government Business Excellence Network, Australian Centre of Excellence for Local Government

CPA Australia 2005, Excellence in Governance for Local Government

Hood, C. 1995. "The New Public Management' in the 1980s: variations on a theme'. *Accounting and Organizations in Society* 14(5): 35-51

R. Mulgan, 2000. Accountability an Ever Expanding Concept, *Public Administration*, Vol 78 (3) 2000: 555 -573

Kloot, L. and Martin, J. 2001. 'Local Government Accountability: Explaining Differences.' *Accounting, Accountability and Performance* 7(1): 51-72.

Kluvers, R. and Tippet, J. 2010, Mechanisms of Accountability in Local Government: An Exploratory Study. *International Journal of Business and Management*. Vol 5 (7): 46-53

- Kluvers, R. and Tippet, J. 2011. The Views of Councillors and Managers on Accountability in Local Government: An Empirical Study in Australia. *International Journal of Management* Vol 28(2): 519-527
- McKinlay, P. Pillora, S. Tan, S.F. Von Tunzelmann, A. 2011. Evolution in Community Governance: Building on What Works. Australian Centre of Excellence for Local Government, University of Technology Sydney.
- New South Wales Independent Local Government Review Panel. 2013. Final Report. *Revitalising Local Government*. <http://www.nsw.gov.au/innovate>
- OECD. 2009. *Focus on Citizens: Public Engagement for Better Policy and Services*. Cited in Open Government Guide: Citizen Engagement. Downloaded from <http://www.opengovguide.com/topics/citizen-engagement/> 22 July 2016.
- Public Accounts Committee. 2006. *Local Government Accountability in Western Australia - Report No 4 in the 37th Parliament*. Perth: Legislative Assembly, Parliament of Western Australia.
- Public Accounts Committee. 2015. *Improving Local Government Accountability - Report No 12*. Perth: Legislative Assembly, Parliament of Western Australia.
- Public Service Commission. Good Governance Guide for Public Sector Agencies.
- Moore, M. 1995. *Creating Public Value: Strategic Management in Government*. Cambridge, MA: Harvard University Press.
- Moore, M. 2012. *Recognizing Public Value: Developing a Public Value Account and a Public Value Scorecard*. Harvard University Press.
- Quinlivan, D. Nowak, M. Klass, D. 2014, From Accountability to Assurance: Stakeholder Perspectives in Local Government, *Australian Journal of Public Administration* Vol 73 (2): 206-217.
- Sinclair, A. 1995. 'The Chameleon of Accountability: Forms and Discourse.' *Accounting Organizations and Society* 20(2/3): 219-237
- Smith, R. 2004. 'Focusing on public value: Something new and something old', *Australian Journal of Public Administration*, vol. 63 (4):68-79
- Stoker 2005 What is Local Government For?: *Refocusing Local Government To Meet Its Challenges Of The 21st Century*, New Local Government Network, London. cited in Pillora, S, and McKinlay, P. (2011) *Evolution in Community Governance; Building on What Works, Volume 2, Literature Review*, Australian Centre of Excellence for Local Government, University of Technology, Sydney.
- Stoker, G. 2006. 'Public Value Management: A New Narrative for Networked Governance?' *The American Review of Public Administration* 36(1): 41-57.
- West Australian Whole of Government Open Data Policy. 2015. The Department of Premier and Cabinet. version 1.1
- Williams, B. Wilmshurst, T. Clift, R. 2011. Sustainability reporting by local government in Australia: Current and Future Prospects. *Accounting Forum*. Vol 35 (3): 176-186

Appendix 1 - Comparison of City of Perth Transparency and Accountability process with 'best practice' in Australia

Statutory Requirements	Current City processes exceeding Statutory Requirements	Examples of additional processes in Australian local governments
<p>Publish Code of Conduct.</p> <p>Maintain a public register of complaints of Minor Breaches by Elected Members.</p> <p>Make available Primary and Annual Returns of Elected Members and Senior Staff.</p> <p>Publish and make available annual reports.</p> <p>Publish and make available annual budgets.</p> <p>Publish and make available a schedule of fees and charges.</p> <p>Publish and make available any proposed or existing local law.</p> <p>Maintain and make available agendas and minutes of all decision making Committee/ Council meetings.</p> <p>Maintain and make available a public register of register of owners and occupiers and electoral rolls.</p> <p>Maintain Gift Register (\$200 and above).</p> <p>Maintain Contribution to Travel Register (Paid by Third Parties).</p>	<p>Maintaining Declared Financial Interests Register online.</p> <p>Online register for travel undertaken by Staff and Elected Members (Paid by City of Perth).</p> <p>Statement of Business Ethics. Publication of Senior Staff Remuneration online.</p> <p>Publication of Elected Member sitting fees, allowances and meeting attendances online.</p> <p>Online audio recordings of all Council Meetings.</p> <p>Establishing appeal and complaint procedures and publishing online.</p>	<p>Organisational Performance Measures.</p> <p>Publish Elected Member expenses online.</p> <p>Maintain Gift Register (Below \$200) online.</p> <p>Online register – Council Member Contact with Developers.</p> <p>Publication of Primary & Annual Returns online.</p> <p>Election campaign donation returns register online.</p>

Appendix 2 - Approaches to Public Management

	Traditional public management	New public management	Public value
Public interest	Defined by politicians/experts	Aggregation of individual preferences demonstrated by customer choice	Individual and public preferences (resulting from public deliberation)
Performance objective	Managing inputs	Managing inputs and outputs	Multiple objectives <ul style="list-style-type: none"> • Service outputs • Satisfaction • Outcomes • Maintaining trust/ legitimacy
Dominant model of accountability	Upwards through departments to politicians and through them to parliament	Upwards through performance contracts; sometimes outward to customers through market mechanism	Multiple <ul style="list-style-type: none"> • Citizens as overseers of government • Customers as users • Taxpayers as funders
Preferred	Hierarchical department of self-regulating profession	Private sector or tightly defined arm's length public agency	Menu of alternatives selected pragmatically (public sector agencies, private companies, JVC's community interest companies, community groups as well as increasing role for user choice)
Approach to public service ethos	Public sector has monopoly on service ethos, and all public bodies have it	Sceptical of public sector ethos (leads to inefficiency and empire building) – favours customer service	No one sector has a monopoly on ethos, and no one ethos always appropriate. As a community resource it needs to be carefully managed
Role for public participation	Limited to voting in elections and pressure on elected representatives	Limited – apart from use of customer satisfaction surveys	Crucial – multifaceted (customers, citizens, key stakeholders)
Goal of Managers	Respond to political direction	Meet agreed performance targets	Respond to citizen/ user preferences, renew mandate and trust through guaranteeing quality services

Source Kelly and Muers cited in Smith (2004 p,77)

GOAL 8: AN ACCESSIBLE, TRANSPARENT AND RESPONSIVE ORGANISATION



An accessible, transparent and responsive organisation is willing to share what it has done and why it has done it with people who need to know. It acts in a professional, timely manner and ensures the community can feel a sense of pride in its operations.

	What we'll aim for:	We'll track progress in terms of:
Long-term community goal	An accessible, transparent and responsive organisation	<ul style="list-style-type: none"> As below
The Council's four-year outcomes	<ul style="list-style-type: none"> Increased public disclosure and access to information to become one of the most transparent councils in Australia. A more involved community. A better informed community 	<ul style="list-style-type: none"> A decrease in: a) the number; and b) the proportion of Future Melbourne Committee and Council agenda items dealt with in confidential session, per year. An increase in the level of online publication of data and information about the Council's decision-making. An increase in the number of visits to web pages where the Council registers and decisions made under delegation under the <i>Planning and Environment Act 1987</i> are published, per year. An increase: in a) community awareness; of b) participation in; and c) satisfaction with the Council's community engagement processes.

What we'll do:		
The Council's four-year priorities	<ul style="list-style-type: none"> • Improve transparency by increasing accessibility to information, advice or consultation we consider when making decisions. • Continue to increase and improve opportunities for our community to participate and engage with us. • Make our information and data accessible to our community and stakeholders where possible. 	<i>We will demonstrate progress on our priorities against a variety of performance measures, based on timeliness, quality, cost, customer satisfaction and sustainability.</i>
Strategies, plans, services and ongoing activities that support this goal:		
Strategies / Plans	<ul style="list-style-type: none"> • Information Management and Technology Strategy • Open Data Policy • Smart City Strategy 	
The City of Melbourne's service areas	<ul style="list-style-type: none"> • Legal, governance and corporate • Finance • Community engagement 	<ul style="list-style-type: none"> • Communications, media and publications • Information technology
The City of Melbourne:	<ul style="list-style-type: none"> • Convenes 26 committee and 12 Council meetings per year • Maintains 16 websites • Hosts more than 250,000 monthly web visitors to our What's On website 	<ul style="list-style-type: none"> • Manages a publication distribution network of an estimated 566,000 readership • Responds to freedom of information requests • Operates an externally accessible GIS system that generates 2500 enquiries daily



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Registers for inspection

The City of Melbourne is required by law to collect and make public information about some of the councillors and council administration activities, roles and responsibilities. We also publish information that is not required by law as we're committed to transparent and open governance.

Statutory requirements

The *Local Government Act 1989* (the Act) requires us to make this information available to the public.

-
- + Register of delegations
 - + Authorised officers
 - + Councillor and staff travel register
 - + Donations and grants
 - + Agendas, reports and minutes
 - + Property lease register
 - + Election campaign donations
-

Non-statutory requirements

As well as our statutory requirements, we make this information available.

+ Memberships

+ Submissions received under section 223

+ Special committees

+ Senior officers salaries

+ Councillor allowances

+ Travel by non-City of Melbourne passengers

+ Conflicts of interest

+ Contracts

+ Authorised officers - planning and environment

+ Expenditure

+ Council property



Acts and local laws



2016 Melbourne City Council elections

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[Access to information](#) >
Open access information

Open access information

Open Access Information

Here are more details about Open Access Information and Council.

City of Sydney's policies

You can view our [Policy Register](#) for all Council policies.

The Councillors' expenses policy and the City's code of conduct are available to download below.

Summary of information formally released

Our Disclosure Log is available to download below.

To view information relating to development applications the City has not made publicly available (non-disclosure log), please complete an [informal access to information form](#).

Contracts awarded

Visit our [contracts awarded](#) page for a list of contracts valued at or worth more than \$150,000.

How our meetings are conducted

Please visit our [Code of Meeting Practice](#) page.

Reports about what we do

You can view reports about what we do at our [annual report](#) and [integrated planning and reporting](#) pages.

Filming and photography

Please visit our [filming and photography page](#) for further information.

Council meetings

More information about [Council meetings](#) and [committees](#) here.

Register of investments

Available for download below.

How the Council's powers are awarded

For the delegations of the Council to the Lord Mayor, please visit the [role of the Lord Mayor and Councillors page](#).

Delegations from the Council to the CEO and delegations from the CEO to staff are available to download below.

Graffiti

Please visit our [graffiti](#) page for relevant policies.

Planning and development

Our [development application](#) and [controls and conditions](#) pages have more information.

The City keeps a register of voting on planning matters at Council and CSPC meetings. If you would like to view the register, please contact the [Manager Governance](#).

Land, leases and licences

Our land register and leases and licences for uses of public land classified as community land are available to download below.

Pecuniary interest

The register of pecuniary interest declarations is available for inspection. Please complete an [informal access to information form](#) if you would like to view the register.

Plans of management

You can view the [plans of management for City parks](#) here. For all other community spaces, please complete an [informal access to information form](#).

Building certificates

For details regarding the records of building certificates, please complete an [informal access to information form](#).

Compulsory acquisition

Please complete an [informal access to information form](#) for details regarding compulsory acquisition.

Links

For information about political donations, please visit [Election Funding Authority](#).

Downloads Document Downloads

Downloads

Register of investments	PDF 996.2 KB Download
Delegations from Council to the CEO	PDF 122.0 KB Download
Delegations from CEO to staff	PDF 556.4 KB Download
Councillors' expenses and facilities policy	PDF 277.1 KB Download
Land Register (January 2016)	PDF 536.2 KB Download
Community land leases and licences	PDF 62.9 KB Download
Disclosure log	PDF 178.3 KB Download

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Councillors and committees (/)

Mayor Joe Anderson, OBE



Title: Mayor of Liverpool

Party: Labour Party

Political grouping: Labour Party

More information about this councillor

- [Attendance record \(mgAttendance.aspx?UID=222\)](#)
- [Declarations at meetings \(mgListDeclarationsOfInterest.aspx?UID=222\)](#)
- [Register of interests \(mgRofl.aspx?UID=222&FID=-1&HPID=9730141\)](#)
- [Gifts and hospitalities \(mgListGifts.aspx?UID=222&RPID=9730141\)](#)
- [My personal web site \(mgMiniSite.aspx?UID=222\)](#)

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Cunard Building
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L2

Bus. phone: 0151 233 0030

Email: mayor@liverpool.gov.uk (<mailto:mayor@liverpool.gov.uk>)

[Download Mayor Joe Anderson, OBE contact details as VCard \(mgVCardSingleExplain.aspx?UID=222\)](#)

Committee appointments

- [Appointments and Disciplinary Panel \(mgCommitteeDetails.aspx?ID=309\)](#) (Chair)
- [Cabinet \(mgCommitteeDetails.aspx?ID=1201\)](#) (Chair)
- [City Council Annual Meeting \(mgCommitteeDetails.aspx?ID=315\)](#)

- [City Council Budget Meeting \(mgCommitteeDetails.aspx?ID=308\)](#)
- [City Council Extraordinary Meeting \(mgCommitteeDetails.aspx?ID=321\)](#)
- [City Council Meeting \(mgCommitteeDetails.aspx?ID=305\)](#)
- [Highways and Public Spaces Representation Committee \(mgCommitteeDetails.aspx?ID=313\)](#)
- [Liverpool Health and Wellbeing Board \(mgCommitteeDetails.aspx?ID=1370\)](#) (Chair)

Terms of Office

07/05/1998 - 02/05/2002

02/05/2002 - 04/05/2006

04/05/2006 - 04/05/2012

03/05/2012 -

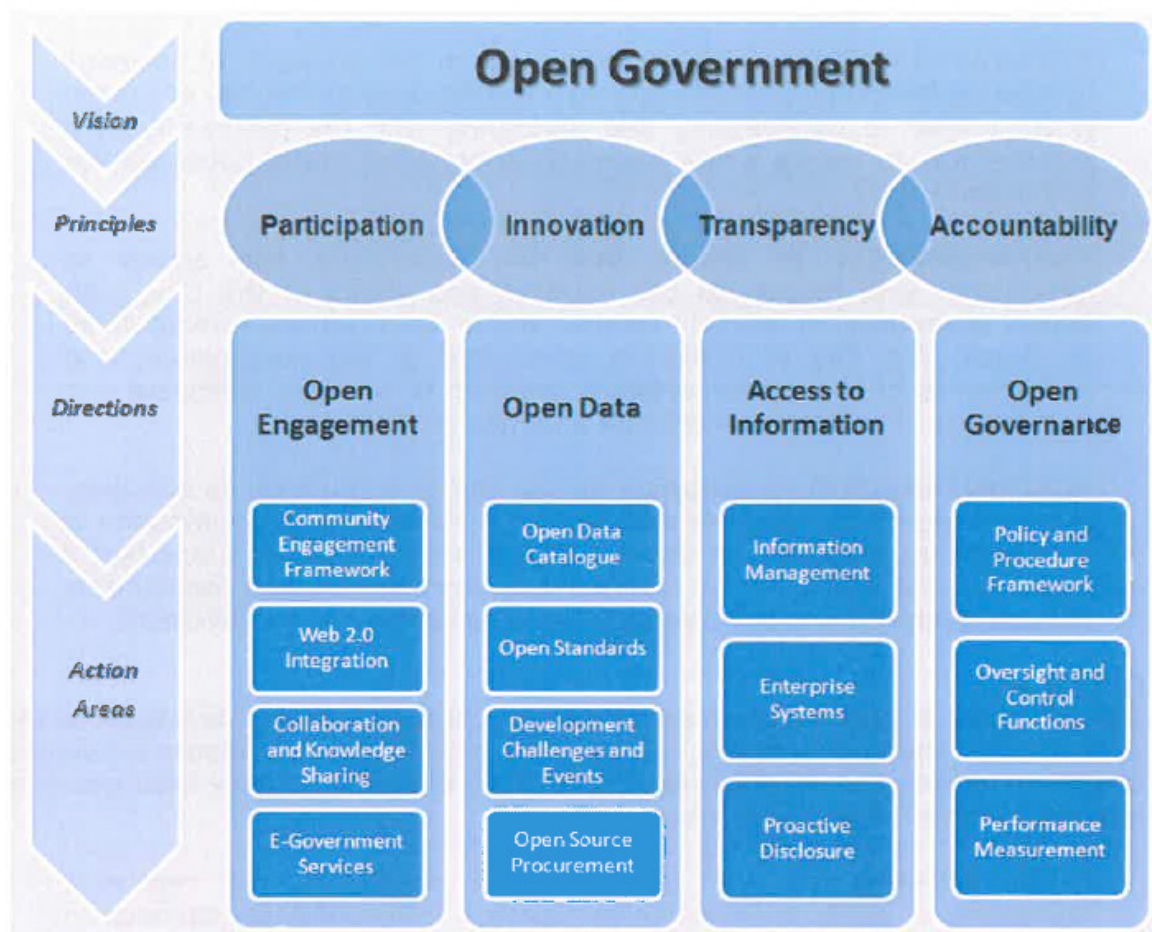
Appointments to outside bodies

- [ACC Liverpool Hotel Ltd \(mgOutsideBodyDetails.aspx?ID=1497\)](#)
- [Arena and Convention Centre \(mgOutsideBodyDetails.aspx?ID=989\)](#) - Riverside Ward
- [Council of the Liverpool Chamber of Commerce and Industry \(mgOutsideBodyDetails.aspx?ID=620\)](#) - Riverside Ward
- [DCLG Growth Programme Board \(mgOutsideBodyDetails.aspx?ID=1501\)](#)
- [LGA City Regions Board \(mgOutsideBodyDetails.aspx?ID=1423\)](#)
- [Liverpool Airport \(intermediate\) No 1 Ltd \(mgOutsideBodyDetails.aspx?ID=1500\)](#)
- [Liverpool City Region Combined Authority \(mgOutsideBodyDetails.aspx?ID=1433\)](#)
- [Liverpool City Region Local Enterprise Partnership \(mgOutsideBodyDetails.aspx?ID=1499\)](#)
- [Liverpool Direct Limited \(mgOutsideBodyDetails.aspx?ID=823\)](#)
- [Liverpool Land Development Company \(mgOutsideBodyDetails.aspx?ID=1044\)](#) - Riverside Ward
- [Liverpool Vision Advisory Board \(mgOutsideBodyDetails.aspx?ID=1396\)](#)
- [Local Enterprise Partnership \(mgOutsideBodyDetails.aspx?ID=1333\)](#)
- [Local Government Association General Assembly \(mgOutsideBodyDetails.aspx?ID=535\)](#)
- [Police and Crime Panel \(mgOutsideBodyDetails.aspx?ID=1346\)](#)
- [Regional Leaders Board for North West \(mgOutsideBodyDetails.aspx?ID=536\)](#) - Riverside Ward
- [The ACC Liverpool Group Ltd \(mgOutsideBodyDetails.aspx?ID=1498\)](#)

Appendix 7 - City of Guelph – Open Government Framework

framework, the vision of Open Government is supported by four interrelated principles driven through four key directions. There are a number of action areas tied to these directions, however, these are not meant to be exhaustive lists - they are identified only to provide central themes which may be used to inform further development.

The following section provides a summary of the proposed Open Government Framework for the City of Guelph. The attached paper references various examples in an attempt to better operationalize the concepts below.



Vision

The following definition attempts to classify Open Government as a broad and dynamic concept for the City of Guelph.

OPEN GOVERNMENT: To create a fully transparent and accountable City which leverages technology and empowers the community to generate added value as well as participate in the development of innovative and meaningful solutions.

Appendix 8 - City of Perth – Corporate Business Plan Actions Relevant to Open Government

No.	Operational Initiative	Lead Unit	Expected work undertaken			
			16/17	17/18	18/19	19/20
5.2	Develop a precinct and place management approach for the City	Business Support and Sponsorship	●	●		
6.1	Develop an Economic Development Strategy	Economic Development	●			
7.1	Develop City of Perth Public Wi-Fi Strategy	Directorate – Economic Development & Activation	●			
7.3	Develop a Strategy for Implementing Smarter Cities Report Initiatives	Data & Business Intelligence	●			
7.4	Establish business information and support program	Business Support & Sponsorship	●			
9.1	Review and manage the interface between the growing residential population and the City of Perth	Marketing & Communications	●	●		
9.4	Develop a system to gather and respond to information collected assisting the enhancement of the presentation of the City	Street Presentation & Maintenance	●			
9.5	Develop a Social Strategy to define social wellbeing outcomes and priorities	Strategic Planning	●	●		
14.2	Identify and commit to key stakeholders with a focus on communication relationship building, to address social issues	Community Services	●	●	●	
15.4	Develop a Community Development Strategy	Community Services	●			
18.7	Develop Organisational Development Strategy	Human Resources	●			
19.3	Develop a Customer Service Strategy and Contact Centre	Customer Service	●	●		
19.4	Conduct a review of the Strategic Community Plan	Governance	●			
19.5	Deliver Online Customer Service systems (including Approvals)	Customer Service	●			
20.1	Develop Community Engagement Capability	Marketing & Communications	●	●		
20.2	Develop an Information and Communications Infrastructure Strategy	Information Technology	●			
20.3	Develop an Information and Communications Data Strategy	Data & Business Intelligence	●			
20.5	Develop Social Media Usage Framework	Marketing & Communications	●			

Agenda Item 8.11	Third Party Travel Contribution – Participation in International Exchange Program
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Recommendation:***That Council:***

- 1. notes that a City of Perth Officer has been selected by the US Department of State to participate in an International Visitor Leadership Program in the United States from Monday, 17 July 2017 until Friday, 4 August 2017; and**
- 2. approves acceptance of third party contribution to travel to enable participation in the program.**

FILE REFERENCE:	P1029677
REPORTING UNIT:	Economic Development
RESPONSIBLE DIRECTORATE:	Economic Development and Activation
DATE:	17 January 2017
ATTACHMENT/S:	Nil

Legislation / Strategic Plan / Policy:

Legislation	s.5.82(4) of the <i>Local Government Act 1995</i>
Integrated Planning and Reporting Framework Implications	Corporate Business Plan / Strategic Community Plan Council Four Year Priorities: Capable and Responsive Organisation S18 Strengthen the capacity of the organisation
Policy	
Policy No and Name:	N/A

Financial Implications:

There are no financial implications for the City relating to the Officer's participation in this program outside of their paid leave entitlements.

Participation in the program is partially funded by the US Government. The US Department of State will cover the cost of internal US flights and provide a daily financial allowance for participants to pay for accommodation, meals and other travel expenses.

The total value of the US Government's financial contribution is estimated to be USD \$6,000.

The Officer will be responsible for meeting the costs associated with their return airfare to the United States and other incidental costs. The Officer will take Annual Leave and therefore, no overhead cost to the City will be incurred.

Purpose and Background:

The International Visitor Leadership Program (IVLP) is the US Department of State's premier professional exchange program.

Since its founding in 1940, this program has developed an impressive list of alumni, which includes more than 335 current or former Chiefs of State and Heads of Government from around the world. Notable Australian participants include four Prime Ministers and two Governors General. City of Perth Councillor Keith Yong was also a recent program participant.

The IVLP is a key diplomacy tool for the US Government. Through short-term visits to the US, current and emerging foreign leaders in a variety of fields experience the country first-hand and cultivate lasting relationships with their American counterparts. Each program is uniquely tailored to reflect the participants' professional interests and includes high-level meetings in key capital cities, as well as regional visits and activities.

The US Consulate General in Perth initially nominated the Officer for their professional experience and accomplishments working in Federal, State, and Local Government over the last decade.

The Officer competed against a number of high-quality nominees across Australia and was selected by the US Embassy in Canberra as one of a handful of people that were put forward for consideration to Secretary of State John Kerry's Office in Washington DC. After a competitive selection process between nominees across the region, the Officer was chosen to participate in a 2017 IVLP.

Details:

The program that the Officer has been selected to participate in is entitled "The Global Economy" and will take place from Monday, 17 July 2017 until Friday, 4 August 2017.

The program commences in Washington DC on Monday, 17 July 2017, will include visits to a number of cities across the US. Activities involve participation in meetings with Federal, State and Local Government officials, consultations with business and community leaders, site visits to key landmarks and community events.

Comments:

The United States is Australia's closest and most valuable political and military ally. It is the country's third largest trading partner by value (both with imports and exports) with two-way trade valued at over \$60.44 billion in 2014; and is our largest source of foreign direct investment.

Increased exposure to the US, its system of government and way of conducting business will assist in the performance of the Officer's duties at the City, particularly in dealing with American stakeholders. The City of Perth has two Sister City relationships with US cities – Houston, Texas; and San Diego, California; these relationships will benefit from the knowledge and contacts the Officer will undoubtedly gain through this experience.

The opportunity to participate in the International Visitor Leadership Program is regarded as an immense honour and represents a once in a lifetime personal and professional

development opportunity. Being selected to participate in the IVLP is a testament to the Officer's capability, strong-work ethic, leadership potential, and professional achievements to date. It is also a reflection of the high calibre of employees at the City of Perth.

It is recommended that Council approve the third party contribution to travel to enable the Officer's participation in the International Visitor Leadership Program.