



TOWN OF
VICTORIA PARK



Special Council Meeting Agenda – 3 June 2021



WE'RE OPEN
VIC PARK

Please be advised that a **Special Council Meeting** will be held at **6:30pm** on **Thursday 3 June 2021** in the **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

Ms Natalie Martin Goode – A/Chief Executive Officer
31 May 2021

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1 Declaration of opening

Acknowledgement of Country

Ngany yoowart Noongar yorga, ngany wadjella yorga. Ngany djerapiny Wadjak – Noongar boodja-k yaakiny, nidja bilya bardook.

I am not a Nyungar woman, I am a non-Indigenous woman. I am honoured to be standing on Whadjuk - Nyungar country on the banks of the Swan River.

Ngany kaaditj Noongar moort keny kaadak nidja Wadjak Noongar boodja. Ngany kaaditj nidja Noongar birdiya – koora, ye-ye, boorda, baalapiny moorditj Noongar kaaditjin, moort, wer boodja ye-ye.

I acknowledge the traditional custodians of this land and respect past, present and emerging leaders, their continuing cultural heritage, beliefs and relationship with the land, which continues to be important today.

Ngany youngka baalapiny Noongar birdiya wer moort nidja boodja.

I thank them for the contribution made to life in the Town of Victoria Park and to this region.

2 Announcements from the Presiding Member

2.1 Recording and live streaming of proceedings

In accordance with clause 39 of the *Town of Victoria Park Meeting Procedures Local Law 2019*, as the Presiding Member, I hereby give my permission for the administration to record proceedings of this meeting.

This meeting is also being live streamed on the Town's website. By being present at this meeting, members of the public consent to the possibility that their image and voice may be live streamed to public. Recordings are also made available on the Town's website following the meeting.

2.2 Public question time and public statement time

As this is a Special Council Meeting, any public questions or statements must relate to the business of the agenda.

There are guidelines that need to be adhered to in our Council meetings and during question and statement time people speaking are not to personalise any questions, or statements about Elected Members, or staff or use any possible defamatory remarks.

In accordance with clause 40 of the *Town of Victoria Park Meeting Procedures Local Law 2019*, a person addressing the Council shall extend due courtesy and respect to the Council and the processes under which it operates and shall comply with any direction by the presiding member.

A person present at or observing a meeting shall not create a disturbance at a meeting, by interrupting or interfering with the proceedings, whether by expressing approval or dissent, by conversing or by any other means.

When the presiding member speaks during public question time or public statement time any person then speaking, is to immediately stop and every person present is to preserve strict silence so that the presiding member may be heard without interruption.

2.3 No adverse reflection

In accordance with clause 56 of the *Town of Victoria Park Meeting Procedures Local Law 2019*, both Elected Members and the public when speaking are not to reflect adversely on the character or actions of Elected Members or employees.

2.4 *Town of Victoria Park Meeting Procedures Local Law 2019*

All meetings of the Council, committees and the electors are to be conducted in accordance with the Act, the Regulations and the *Town of Victoria Park Meeting Procedures Local Law 2019*.

3 Attendance

Mayor

Ms Karen Vernon

Banksia Ward

Cr Claire Anderson
Cr Ronhhda Potter
Cr Wilfred Hendriks
Cr Luana Lisandro

Jarraah Ward

Deputy Mayor Bronwyn Iffe
Cr Vicki Potter
Cr Brian Oliver
Cr Jesvin Karimi

A/Chief Executive Officer

Ms Natalie Martin Goode

Chief Operations Officer

Ms Natalie Adams

Chief Financial Officer

Mr Michael Cole

A/Chief Community Planner

Ms Lisa Tidy

A/Chief Community Planner

Mr Pierre Quesnel

Finance Manager

Mr Stuart Billingham

Coordinator Governance & Strategy

Ms Jasmine Bray

Secretary

Ms Natasha Horner

Public liaison

Ms Alison Podmore

3.1 Apologies

Chief Executive Officer

Mr Anthony Vuleta

3.2 Approved leave of absence

Nil.

4 Declarations of interest

Declarations of interest are to be made in writing prior to the commencement of the meeting.

Declaration of financial interests

A declaration under this section requires that the nature of the interest must be disclosed. Consequently, a member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration. An employee is required to disclose their financial interest and if required to do so by the Council must disclose the extent of the interest. Employees are required to disclose their financial interests where they are required to present verbal or written reports to the Council. Employees can continue to provide advice to the Council in the decision-making process if they have disclosed their interest.

Declaration of proximity interest

Elected members (in accordance with Regulation 11 of the Local Government [Rules of Conduct] Regulations 2007) and employees (in accordance with the Code of Conduct) are to declare an interest in a matter if the matter concerns: a) a proposed change to a planning scheme affecting land that adjoins the person's land; b) a proposed change to the zoning or use of land that adjoins the person's land; or c) a proposed development (as defined in section 5.63(5)) of land that adjoins the persons' land.

Land, the proposed land adjoins a person's land if: a) the proposal land, not being a thoroughfare, has a common boundary with the person's land; b) the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or c) the proposal land is that part of a thoroughfare that has a common boundary with the person's land. A person's land is a reference to any land owned by the person or in which the person has any estate or interest.

Declaration of interest affecting impartiality

Elected members (in accordance with Regulation 11 of the Local Government [Rules of Conduct] Regulations 2007) and employees (in accordance with the Code of Conduct) are required to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making process. The Elected Member/employee is also encouraged to disclose the nature of the interest.

5 Public question time

6 Public statement time

7 Presentations

7.1 Petitions

7.2 Presentations

7.3 Deputations

8 Method of dealing with agenda business

9 Chief Financial Officer reports

9.1 Independent Audit Report and Annual Financial Report 2019-2020

Location	Town-wide
Reporting officer	Stuart Billingham
Responsible officer	Michael Cole
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none">1. 2750 Annual Report 19-20 Revised A 4 [9.1.1 - 34 pages]2. 2020 Annual Financial Statement - Final [9.1.2 - 60 pages]3. Opinion - Town of Victoria Park - 30 June 2020 [9.1.3 - 2 pages]

Recommendation:

That Council:

1. Accepts the Annual Report 2019/2020 and the Annual Financial Report for the 2019/2020 financial year, as attached.
2. Notes the Independent Auditor's report on the Audit of the Financial Report
3. Requests the Chief Executive Officer to convene the Annual Meeting of Electors, to be held at 6pm on Tuesday 29 June 2021 in the Council Chambers, 99 Shepperton Road, Victoria Park WA 6100, for the purpose of presenting the Annual Report for 2019/2020 and any other general business.

Purpose

To present the Annual Report for 2019/219, inclusive of the Annual Financial Report for that year and the Independent Auditor's report for that audit and set the date for the Annual Meeting of Electors.

In brief

- As part of the Council's committee structure, the Audit and Risk Committee has been established to review areas of an audit or risk/compliance nature. The Audit Completion Report, draft Independent Auditor's Report and the Annual Financial Report for 2019/20 have been presented to the Audit and Risk Committee.
- The Annual Report and Annual Financial Report and the Independent Auditor's Report are attachments to the report.
- The Annual Financial Report gives a true and fair view of the financial position of the Town of Victoria Park as at 30 June 2020 and of its financial performance for the year ended on that date.
- The Annual Financial Report complies with the *Local Government Act 1995*, *Local Government (Financial Management) Regulations 1996* and the Australian Accounting Standards.

- The Annual Report 2019/2020 is a report on the operations and activities undertaken by the Town during the financial year.

Background

1. Each year, as part of Council's audit process, an independent audit is undertaken to assess the Annual Financial Report and the legitimacy and accuracy of the Town's accounts. An independent Audit Report is then produced by the Auditor. The Auditor, after completing the audit, is to forward a copy of the audit and/or management report to the:
 - a. Mayor
 - b. Chief Executive Officer
 - c. Minister for Local Government, via the Department of Local Government, Sport and Cultural Industries.
2. The Independent Audit Report is also required to be included in Town's Annual Report. Any issues arising from the Independent Audit Report are to be investigated and action taken to resolve those issues.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL06 - Finances are managed appropriately, sustainably, and transparently for the benefit of the community.	To make available timely and relevant information on the annual financial position and performance of the Town so Council and public can make informed decisions for the future.
CL10 - Legislative responsibilities are resourced and managed appropriately, diligently, and equitably.	Ensure the Town meets its legislative responsibility in accordance with Part 7 of the <i>Local Government Act 1995</i> .

Engagement

Internal engagement	
Service Area Leaders and Senior Management	Service area leaders were consulted and engaged during the external annual audit to provide information and responses to auditor enquiries.

External engagement	
Tamala Park Regional Council	Tamala Park Regional Council were contacted to obtain responses to additional auditor enquiries.
Mindarie Regional Council	Mindarie Regional Council were contacted to obtain responses to additional auditor enquiries.

Griffin Valuers	Griffin valuers were contacted to obtain responses to additional auditor enquiries.
Tallis	Tallis were contacted to obtain responses to additional auditor enquiries.
Western Australian Treasury Corporation	Western Australian Treasury Corporation were contacted to obtain responses to additional auditor enquiries.

Legal compliance

[Part 7 of the Local Government Act 1995](#)

[Section 5.27 of the Local Government Act 1995](#)

[Local Government \(Financial Management\) Regulations 1996](#)

[Australian Accounting Standards](#)

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Council not accepting Independent Auditor's report.	Moderate	Unlikely	Medium	Low	TREAT Risk by providing reasoning and detailed explanations to Council, to enable informed decision making.
	Misstatement or significant error in Annual Financial Report.	Major	Unlikely	Medium	Low	TREAT risk by conducting daily and monthly reconciliations and internal audits. External audits and audit of annual report.
	Fraud and illegal acts.	Major	Unlikely	Medium	Low	TREAT risk by ensuring stringent internal controls, internal audits and segregation of duties.
Environmental	Not applicable					
Health and safety	Not applicable					

Infrastructure/ ICT systems/ utilities	Not applicable					
Legislative compliance	Annual financial report not complying with the requirement of the <i>Local Government (Financial Management) Regulations 1996.</i>	Moderate	Unlikely	Medium	Low	TREAT risk by engaging with external auditors to audit the annual financial statements.
Reputation	Council does not accept the Independent Auditor's report, and this delays the Annual Meeting of Electors.	Moderate	Likely	High	Low	TREAT risk by ensuring Council have been kept up to date in relation to current delays with the external audit, which have been out of the Town's control. The proposed meeting date is the soonest possible date following adoption of the Auditors Report and within regulatory requirements.
Service delivery	Not applicable					

Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address this recommendation.
Future budget impact	Acceptance of the Annual Financial Report will confirm the closing financial position for the 2019/2020 financial year which was estimated during the preparation of the 2020/2021 Annual Budget. Once accepted, a report will be forwarded to Council with recommendations on any adjustments which may be required to the 2019/2020 budget to accommodate movements within opening position and adjustments to carry forward budgets.

Analysis

Audited Financial Report 2019/2020

3. The Annual Financial Report was audited by KPMG on behalf of the Office of Auditor General and there were no identified areas of non-compliance. It was recommended that the Audit and Risk Committee recommend that Council to accept the 2019/2020 Annual Financial Report. In accordance with section 7.12A *Local Government Act 1995*, a representative(s) who conducted the audit, attended the meeting to speak to the audit and answer questions from committee members.
4. That said, a few matters were identified by the Auditor in their report which is explained in further detail below.
5. The Auditor notes that the financial report:
 - a. Gives a true and fair view of the financial position of the Town of Victoria Park as at 30 June 2020 and its financial performance for the year ended on that date.
 - b. Complies with the *Local Government Act 1995* and the Australian Accounting Standards.
 - c. In the auditor's report the previous material matter of significant adverse trend in the financial position of the Town in relation to the Asset Sustainability Ratio, has been rectified and is on an upward trend as at 30 June 2020. The ratio is now above the Office of the Auditor General benchmark Asset Sustainability Ratio standard of 0.8 after being below for the previous three years.
6. The Auditors have inserted two matters:
 - Emphasis of Matter – Basis of Accounting; and
 - Emphasis of Matter – Land Assets Revaluation.

No further action is required on these two above mentioned items as they have both been noted and should not need to be raised in the future.

Annual Report 2019-2020

7. In accordance with section 5.53(2) of the *Local Government Act 1995*, it is proposed that the additional information (attached as Annual Report 2019/2020) be adopted by Council alongside the Annual Financial Report 2019/2020.
8. Once the above content and the audited financial statements are received by Council, the final Annual Report 2019/2020 will be collated and published shortly after.

Annual Meeting of Electors

9. Section 5.27 of the *Local Government Act 1995* requires that the Annual Meeting of Electors be held on a day and time selected by the local government, but not more than 56 days after the annual report is accepted. The Town also needs to give 14 days public notice of the meeting.
10. In order to comply with its statutory obligations, following the adoption of the Annual Report 2019/2020, it is recommended that the Annual Meeting of Electors be held on 29 June 2021, commencing at 6pm in the Council Chambers (99 Shepperton Road, Victoria Park WA 6100) for the purpose of discussing the annual report and any other general business.

Relevant documents

[Policy 053 – Meetings of electors](#)

10 Motion of which previous notice has been given

10.1 Australian Local Government Association's 2021 National General Assembly

In accordance with clause 4.3 of the *Town of Victoria Park Meeting Procedures Local Law 2019*, Mayor Karen Vernon has submitted the following notice of motion.

Motion

That Council approves the Mayor to attend Australian Local Government Association National General Assembly, Canberra from 20 to 23 June 2021, and to be a voting delegate for the Town.

Reason

The ALGA annual National General Assembly is an opportunity to network with local government elected members throughout Australia, to develop community leadership skills and to engage in advocacy on behalf of the Town.

Strategic alignment

Civic leadership	
Strategic outcome	Intended public value outcome or impact
CL6 – Finances are managed appropriately, sustainably and transparently for the benefit of the community.	The community is aware of expenditure on professional development undertaken by elected members through conference attendances, that benefit the community as per Policy 022.

Officer response to notice of motion

Location	Town-wide
Reporting officer	Natasha Horner
Responsible officer	Bana Brajanovic
Voting requirement	Simple majority
Attachments	1. NGA Program Details [10.1.1 - 20 pages]

Officer comment

1. The Australian Local Government Association's 2021 National General Assembly (NGA) is being held in Canberra from 20 to 23 June 2021.
2. As per Policy 022 - Elected Member Professional Development, authorisation to attend an interstate conference is to be through a resolution of Council.
3. The NGA is the most influential local government conference in Australia for Mayors, Councillors, chairs, and officials. The theme for the 2021 NGA is 'working together for our communities'. It states that it is being held at a critical juncture in Australia's recent history with the national roll-out of the COVID-19 vaccine beginning, border restrictions being eased, and a growing sense of optimism that life will again return to normal within the community.
4. All motions supported at the NGA are submitted to the Australian Local Government Association board for consideration and, ultimately, to advance the cause of local government and the communities they seek to serve.
5. There will be a number of notable guest speakers presenting including:
 - a. The Hon Scott Morrison MP – Prime Minister
 - b. The Hon Jason Clare MP – Shadow Minister for Regional Services, Territories and Local Government
 - c. The Hon Mark Coulton MP – Federal Local Government Minister
 - d. Cr Linda Scott – Australian Local Government Association President
 - e. Craig Foster AM – Human Rights and Refugee Ambassador
 - f. Peter Van Onselen – Political Editor
 - g. Professor Mary-Louise McLaws – Epidemiologist
 - h. Professor Gigi Forster – School of Economics
 - i. Professor Sanjaya Senanayake – Infectious Diseases Specialist
6. The NGA aligns with the Town's professional development key focus areas of community leadership, planning for the future and effective decision-making as per Policy 022 – Elected Member Professional Development.
7. Mayor Vernon has expressed an interest in attending the conference.
8. The breakdown of approximate costs are as follows:

Item	Approximate cost
Event cost	\$1274
Accommodation	\$1930
Flights	\$850
Total	\$4,054

Legal compliance

Not applicable.

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Not applicable.					
Environmental	Not applicable.					
Health and safety	Not applicable.					
Infrastructure/ ICT systems/ utilities	Not applicable.					
Legislative compliance	Not applicable.					
Reputation	Not applicable.					
Service delivery	Not applicable.					

Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address this recommendation.
Future budget impact	Not applicable.

Relevant documents

[Policy 022 - Elected Member Professional Development](#)

11 Public statement time

12 Public question time

13 Closure