

AGENDA
FOR THE
ORDINARY MEETING OF THE COUNCIL
TUESDAY, 17 MAY 2022
COMMENCING AT 6.30PM

**Held electronically in accordance with Regulation 14D(2)(a) of the
Local Government (Administration) Regulations 1996.**

Due to the State of Emergency declared in Western Australia, effective 16 March 2020 and the subsequent government public health and social directives, in order to meet the requirements of Regulation 14E(3)(b) of the *Local Government (Administration) Regulations 1996*, the public may view this meeting electronically and the minutes and audio recording of the meeting will be available on the City's website as soon as practicable after the meeting.

Use this link to attend electronically, [Register for the Ordinary Meeting of Council 17 May 2022](#).

The City of Melville acknowledges the Bibbulmun people as the Traditional Owners of the land on which the City stands today and pays its respect to the Whadjuk people, and Elders both past and present.

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Any person or entity who has an application before the City must obtain, and should only rely on, written notice of the City's decision and any conditions attaching to the decision, and cannot treat as an approval anything said or done at a Council or Committee meeting.

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The Audio Recording will be available within 10 days of the meeting and may be accessed at www.melvillecity.com.au in accordance with the provisions of the Policy.

DISTRIBUTED: 29 APRIL 2022

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NOTICE OF MEETING

I respectfully bring to the attention of Elected Members that an Ordinary Meeting of the Council will be held in the Council Chambers, Melville Civic Centre, 10 Almondbury Road, Booragoon on Tuesday, 17 May 2022 commencing at 6.30pm.

The business paper for the Meeting is scheduled below and your attendance is requested.

Marten Tieleman
Chief Executive Officer

AGENDA

1. OFFICIAL OPENING

The Presiding Member will cause the Acknowledgement of Country to be read aloud by an Elected Member.

The Presiding Member will bring to the attention of the meeting Disclaimer.

The Presiding Member will bring to the attention of the meeting the Affirmation of Civic Duty and Responsibility.

Affirmation of Civic Duty and Responsibility

I make this Affirmation in good faith on behalf of Elected Members and Officers of the City of Melville. We collectively declare that we will duly, faithfully, honestly and with integrity fulfil the duties of our respective office and positions for all the people in the district according to the best of our judgement and ability. We will observe the City's Code of Conduct and Meeting Procedures Local Law to ensure the efficient, effective and orderly decision making within this forum.

2. PRESENT

3. IN ATTENDANCE

4. APOLOGIES AND APPROVED LEAVE OF ABSENCE**4.1 APOLOGIES****4.2 APPROVED LEAVE OF ABSENCE**

Cr D Macphail – Bateman-Kardinya-Murdoch Ward

5. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION) AND DECLARATIONS BY MEMBERS

5.1 DECLARATIONS BY MEMBERS WHO HAVE NOT READ AND GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPERS PRESENTED BEFORE THE MEETING.

5.2 DECLARATIONS BY MEMBERS WHO HAVE RECEIVED AND NOT READ THE ELECTED MEMBERS BULLETIN.

6. QUESTION TIME**7. AWARDS AND PRESENTATIONS****8. CONFIRMATION OF MINUTES****8.1 ORDINARY MEETING OF THE COUNCIL – 19 APRIL 2022**
Minutes 19 April 2022**RECOMMENDATION**

That the Minutes of the Ordinary Meeting of the Council held on Tuesday, 19 April 2022 be confirmed as a true and accurate record.

8.2 GOVERNANCE COMMITTEE – 2 MAY 2022**RECOMMENDATION**

That the Minutes of the Governance Committee Meeting held on Monday 2 May 2022 be noted.

NB:

Minutes to be confirmed at next Governance Committee Meeting

8.3 FINANCIAL MANAGEMENT, AUDIT, RISK AND COMPLIANCE COMMITTEE – 9 MAY 2022

RECOMMENDATION

That the Minutes of the Financial Management, Audit, Risk and Compliance Committee Meeting held on Monday 9 May 2022 be noted.

NB:

Minutes to be confirmed at next Financial Management, Audit, Risk and Compliance Committee Meeting

8.4 NOTES OF AGENDA BRIEFING FORUM – 10 MAY 2022

(Notes of the Agenda Briefing Forum will be available on Friday, 13 May 2022)

RECOMMENDATION

That the Notes of Agenda Briefing Forum held on Tuesday, 10 May 2022, be received.

9. DECLARATIONS OF INTEREST

The Members' and Officers' attention is drawn to the following provisions of the *Local Government Act 1995* regarding disclosures of interest;

9.1 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.

9.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT

Councillors and staff are required, in addition to declaring any financial interest, to declare any interest arising from the City of Melville Code of Conduct, that might cause a conflict. The member/employee is also encouraged to disclose the nature of the interest. The member/employee must consider the nature and extent of the interest and whether it will affect their impartiality. If the member/employee declares that their impartiality will not be affected then they may participate in the decision making processes.

10. DEPUTATIONS

11. APPLICATIONS FOR NEW LEAVES OF ABSENCE

12. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

13. PETITIONS

13.1 Petition – Crossover 54b Lamond Street, Alfred Cove

A petition signed by 21 residents the City of Melville was received on 20 April 2022 and reads as follows:

“We, the undersigned, all being electors of the City of Melville, respectfully request that the Council:

Reinstate the crossover of 54b Lamond St from its current large incline, back to a level equal with the road, verge and property height – in its entirety without a change in gradient beyond the council stipulated guidelines of no more than 2 – 2.5% for disabled persons to transverse.

We support the Bolton family’s need for their disabled/elderly family to not walk either of the two cross streets for access at a council approved access point or for their deaf 9yo daughter to risk injury through falling due to her issues with vertigo caused by her medical condition and an unnecessary inclined access to her own home, which is greater than that stated as suitable by council for pedestrians.

OFFICER RECOMMENDATION

That the petition bearing 21 signatures of residents be acknowledged and a report be prepared.

14. REPORTS OF THE CHIEF EXECUTIVE OFFICER

This Item was deferred at the Ordinary Meeting of Council held 19 April 2022. An officer advice note was circulated in relation to the amendment submitted by Cr Mair in relation to this item - [Advice Note](#)

**P22/3981 - REVIEW OF LOCAL PLANNING POLICY 3.1 RESIDENTIAL DEVELOPMENT (REC)
(ATTACHMENT)**

Ward	:	All
Category	:	Policy
Application Number	:	Not applicable
Property	:	Not applicable
Proposal	:	Review of Local Planning Policy 3.1 Residential Development
Applicant	:	Not applicable
Owner	:	Not applicable
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	P11/3248 Final Adoption Urban Planning Policies – Residential Development Policy – 20 September 2011. P13/3438 Amendment to Council Policy 078 Residential Development 19 November 2013. P16/3728 Review of Council Policy CP-078 – Ordinary Meeting of Council held 15 November 2016. P16/3718 Review of Planning Policies – Ordinary Meeting of Council held 20 September 2016. P21/3934 Review Of Local Planning Policy 3.1 Residential Development and LPP 1.17 Additional Development Exemptions – Ordinary Meeting of Council held 20 July 2021. P21/3950 Review of Local Planning Policy 3.1 residential Development – Ordinary Meeting of Council held 16 November 2021.
Responsible Officer	:	Peter Prendergast Manager Statutory Planning

P22/3981- REVIEW OF LOCAL PLANNING POLICY 3.1 RESIDENTIAL DEVELOPMENT (REC)
(ATTACHMENT)

AUTHORITY / DISCRETION

DEFINITION

<input type="checkbox"/>	Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input checked="" type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes & policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
<input type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

KEY ISSUES / SUMMARY

- At the July 2021 Ordinary Council Meeting, Council resolved to advertise proposed changes to Local Planning Policy 3.1 Residential Development (LPP3.1).
- Two submissions were received during the consultation period, each making suggested changes to the planning policy which will be discussed in further detail below.
- Minor modifications are proposed in response to the submissions received.
- The matter was presented to Council for final consideration as part of the November 2021 OMC cycle, but was deferred to an Elected Members Education Session (EMES) after the Agenda Briefing Forum (ABF) due to the number of questions raised by Elected Members at the ABF meeting.
- An EMES was held on 22 March 2022, and a document circulated to Elected Members which answered all of the concerns and queries previously raised.
- A notice to advise the public of the changes to the local planning policies will be published in the local newspaper and on the City's website.

**P22/3981- REVIEW OF LOCAL PLANNING POLICY 3.1 RESIDENTIAL DEVELOPMENT (REC)
(ATTACHMENT)****BACKGROUND**

The City of Melville has maintained a Residential Development policy in its current format since 2011 and has reviewed this periodically in response to changes to the planning framework, including the R-Codes. The policy modifies a number of the deemed to comply provisions of the R-Codes to ensure that development is of a high quality, taking into account the character and amenity of residential areas, and those specific to certain aspects of residential development in the City of Melville.

During 2020 in response to the state of emergency brought about by COVID-19, the State Government initiated a range of planning reform measures aimed at stimulating the economy by making it easier for people to make minor changes to their homes or businesses. A review of State Planning Policy 7.3 Residential Design Codes Volume 1 (the R-Codes) also occurred in 2020, with the aim of simplifying the process and reducing “red tape” by exempting development from the need to obtain development approval. These changes to the R-Codes were gazetted in July 2021.

In July 2021, a report was presented to Council recommending a number of changes to Local Planning Policy 3.1 Residential Development (LPP3.1) in response to the changes to the R-Codes. At this meeting, Council resolved to require the proposed changes to the policy be advertised for public comment.

[3981 Previous Report July P20-3934](#)

[3981 LPP3.1 Residential Development Policy With Changes from June OMC Accepted](#)

[3981 LPP3.1 With Changes in Response to Submissions](#)

Scheme Provisions

MRS Zoning	:	N/A
LPS Zoning	:	N/A
R-Code	:	N/A
Use Type	:	N/A
Use Class	:	N/A

Site Details

Lot Area	:	N/A
Street Tree(s)	:	N/A
Street Furniture (drainage pits etc.)	:	N/A
Site Details	:	N/A

DETAIL

The detail regarding the proposed changes to LPP3.1 was provided previously (P21/3934 refers. see attachment). In response to the submissions received as a result of the advertising of this revised policy content, the following proposed further changes are of note:

**P22/3981- REVIEW OF LOCAL PLANNING POLICY 3.1 RESIDENTIAL DEVELOPMENT (REC)
(ATTACHMENT)****Garage Width**

One of the submissions received raised concerns and made recommendations regarding the removal of the garage width provisions from Local Planning Policy 3.1. This submission notes that narrow lots are common in the City of Melville and there is a market expectation to provide double garages when such lots are developed rather than single or tandem garages as envisaged by the R-Codes and the current LPP. By removing the garage width provisions from the policy, and placing full reliance on the R Code provisions, it is likely that the City will experience increased development application numbers for single homes where they are proposed on narrow lots and where a double width garage is included. To avoid this it is suggested that an updated clause to promote high quality design outcomes for single storey homes on lots between 10 and 12 metres wide be introduced.

The City acknowledges that in the absence of a policy to guide garage width, landowners, designers and developers would not have certainty in relation to the City's expectations leading to lengthy assessment timeframes and potentially inconsistent outcomes across the City. This is not consistent with the State Government's planning reform agenda, which promotes a planning system that is contemporary, easy to navigate, streamlined and consistent.

The proposed policy provisions are a minor modification to the garage width provisions in the existing adopted version of LPP3.1. The key changes being:

- Provisions expanded to capture lots between 10-12 metres, rather than 10.5-12 metres. 10 metre wide lots are common in the City of Melville and the City regularly deals with Development applications for single storey dwellings on 10 metre wide lots.
- The garage shall be setback a metre from the alignment of the habitable room, rather than 0.5 metres, thereby minimising and adverse streetscape impacts.
- Further guidance is provided regarding the design of the entry feature to improve the relationship with the street.
- A landscaping plan is required.

These provisions will ensure that landowners, designers and developers have certainty in relation the City's expectations for lots between 10 and 12 metres, while maintaining high levels of streetscape engagement.

Front setback

The policy is proposed to be modified to allow eaves of a building to protrude forward of the minimum setback. Eaves are considered to be a positive building element, contributing to the articulation of buildings and improving their environmental performance.

Boundary walls

The policy is proposed to be modified to clarify that boundary walls are permitted to each boundary in areas coded R30 and higher. This is consistent with the established approach in areas coded R20 and R25 and allows for the effective use of space on smaller lots associated with these density codes.

**P22/3981- REVIEW OF LOCAL PLANNING POLICY 3.1 RESIDENTIAL DEVELOPMENT (REC)
(ATTACHMENT)****STAKEHOLDER ENGAGEMENT**

Advertising Required:	Yes
Neighbour's Comment Supplied:	2 submissions received – refer comments below.
Reason:	As per council resolution
Support/Object:	Support with comments.

I. COMMUNITY

The *Regulations* came into effect on 19 October 2015. Clause 5 of Schedule 2 of the Regulations contains requirements for amending a local planning policy. At the July 2021 Ordinary Council Meeting, Council resolved to advertise proposed changes to Local Planning Policy 3.1 Residential Development (LPP3.1). A summary of the comments received during the consultation period along with an officer response is provided in the comment section below.

The proposed changes to the policy in response to the submissions received are minor in nature and are not considered to require further advertising. A notice of the revised policy will be published in the local newspaper and on the City's website if it is adopted by Council.

II. OTHER AGENCIES / CONSULTANTS

Clause 4(4) of Schedule 2 of the Regulations requires that Council advise the Western Australian Planning Commission (WAPC) if it is of the opinion that it is inconsistent with any State Planning Policy.

The proposed changes align LPP 3.1 with the recent changes made to the R-Codes. The changes to the R-Codes were advertised to various stakeholders for comment in 2020 by the Department of Planning, Lands and Heritage.

Clause 7.3.1(a) of the R-Codes allows local planning policies to be adopted which amend or replace specific deemed to comply provisions. The proposed policy provisions only deal with the allowed matters and as such are permitted without the involvement of the WAPC.

Given the above, the WAPC is not required to be consulted in relation to this matter.

STATUTORY AND LEGAL IMPLICATIONS

No statutory or legal implications have been identified as a part of this review. Properly adopted local planning policies are required to be given due regard by the decision maker.

FINANCIAL IMPLICATIONS

There are no financial implications identified in relation to this policy change.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

There are no strategic, risk or environmental management implications with this application.

P22/3981- REVIEW OF LOCAL PLANNING POLICY 3.1 RESIDENTIAL DEVELOPMENT (REC)
(ATTACHMENT)

POLICY IMPLICATIONS

The local planning policies which are the subject of this report have been reviewed to ensure they remain consistent with the current planning framework. This review will ensure these continue provide a sound basis for the assessment and determination of planning applications.

The proposed policy changes are considered to be consistent with the State Government's planning reform agenda, which promotes a planning system that is contemporary, easy to navigate, streamlined and consistent.

COMMENT

The following table contains a summary of the issues raised during the submission period and an officer comment in response.

Issue	Officer comment	Action taken
Policy should allow eaves to protrude forward of the building line.	Eaves are a positive building element in terms of building aesthetics and energy efficiency. This suggestion is supported.	Policy updated to include clarification regarding eaves.
Garage width provisions should be expanded to capture 10 to 12 metre wide lots and improve streetscape outcomes.	Comment provided under the detail section of this report.	Policy updated with garage width provisions.
Blade walls should be excluded from averaging.	This suggestion is considered to be too specific to include in a policy provision. Blade walls typically do not occupy a large footprint and therefore can be offset as a part of a buildings average front setback with limited impact on the functionality of the dwelling.	No change proposed.
Secondary street averaging should be as per the R-Codes.	This matter was detailed in the report to the July Council Meeting. The secondary street provisions result in higher levels of building articulation, better passive surveillance and reduced building bulk compared to the standard R-Codes provisions. These provisions have been in place for a number of years and operate successfully.	No change proposed.

P22/3981- REVIEW OF LOCAL PLANNING POLICY 3.1 RESIDENTIAL DEVELOPMENT (REC)
(ATTACHMENT)

Issue	Officer comment	Action taken
Policy should accommodate setbacks on lots with angled boundaries.	While the City is supportive of the sentiment expressed in the submission, Clause 7.3.1 of the R-Codes does not permit a change to the lot boundary setback provisions contained in Clause 5.1.3 C3.1 and therefore this change cannot be accommodated.	No change proposed.
Policy should accommodate a reduced setback for bench height kitchen or scullery windows.	Refer comment above.	No change proposed.
The policy should allow for a portion of solid fence for services.	This provision is contained under Clause C4.4 of Fences and Street Walls.	No further change proposed.
The permeability requirements of the policy should be updated to allow for solid fencing at T-junctions and round-a-bouts.	Allowing solid front fencing as of right is not supported. The design principles of the R-Codes allow for appropriate design responses to deal with traffic impacts on higher order roads, however this needs to be considered as a part of a development application.	No change proposed.
Residents should be able to choose solid fencing to the secondary street for privacy and security.	The policy provisions balance resident privacy and security with the need to create an engaging streetscape with opportunities for passive surveillance.	No change proposed.
Residents should be able to choose a fence higher than 1.8 metres where needed for security and privacy.	The policy provisions balance resident privacy and security with the need to create an engaging streetscape with opportunities for passive surveillance.	No change proposed.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Council may choose not to adopt the amended policy however this is not recommended as it may lead to inconsistency between the R-Codes and the City's Local Planning frameworks. Council may also choose to make further changes to the proposed policy however this may result in the need for the policy to be advertised to the general public and the WAPC.

**P22/3981- REVIEW OF LOCAL PLANNING POLICY 3.1 RESIDENTIAL DEVELOPMENT (REC)
(ATTACHMENT)****CONCLUSION**

It is proposed to amend LPP 3.1 Residential Development to take account of the changes proposed as outlined in this report. . The proposed changes to the policy which are proposed in response to the submissions received are minor and are permissible under the provisions of the R-Codes. LPP 3.1 retains key development controls relating to streetscapes which will continue to deliver quality residential development across the City.

The adopted changes would be advertised in the local newspaper and on the City's website following the Council decision as required by the Regulations.

OFFICER RECOMMENDATION (3981)**APPROVAL**

At 6:50pm (19 April 2022) Cr Fitzgerald moved, Seconded Cr Pazolli –

That the Council:

1. Pursuant to clause 4, Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* adopts the changes to Local Planning Policy 3.1 Residential Development.

[3981 LPP3.1 Residential Development Policy 3.1 With Changes in Response to Submissions.](#)

2. Endorses the publication of a notification of the changes in the local newspaper and on the City's website as required by the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Amendment

At 6:51pm, (19 April 2022) Cr Mair moved, seconded Cr Barber –

That a new Item 3. Fences and Street Walls be inserted:

3. **C4.7 Fencing at T-junctions and round-a-bouts on Local Distributor Roads may be solid.**

This item was deferred at the Ordinary Meeting of Council held 19 April 2022. At the time of the deferral the following Elected Members had spoken on the amendment:

- Cr Mair as the mover of the amendment
- Cr Fitzgerald against the amendment
- Cr Barber as the seconder of the amendment

Section 9.12 of the Meeting Procedures Local Law applies as follows:

“9.12 Speaking twice

A Member is not to address the Council more than once on any motion or amendment except-

- (a) as the mover of a substantive motion, to exercise a right of reply;*
- (b) to raise a point of order; or*
- (c) to make a personal explanation.”*

P22/3982 – NEW POLICY LOCAL PLANNING POLICY 1.22 - CONSTRUCTION MANAGEMENT PLANS (REC) (ATTACHMENT)

Ward : All
 Category : Operational
 Application Number : Not applicable
 Property : Not applicable
 Proposal : Not applicable
 Applicant : Not applicable
 Owner : Not applicable
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : Item 16.1 Policy for Major Development Construction Management Plans - Ordinary Council Meeting 18 May 2021
 Responsible Officer : Peter Prendergast
 Manager Statutory Planning

AUTHORITY / DISCRETION

DEFINITION

<input type="checkbox"/>	Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
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<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes & policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
<input type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

P22/3982 – NEW POLICY LOCAL PLANNING POLICY 1.22 - CONSTRUCTION MANAGEMENT PLANS (REC) (ATTACHMENT)**KEY ISSUES / SUMMARY**

- In May 2021, Council resolved to require the preparation of a Local Planning Policy to guide the management of the construction process.
- In response to this resolution, City officers have reviewed various examples of construction management policies across the Perth Metropolitan area and more broadly.
- Construction management plan policies vary in their breadth and scope however, in general these are aimed at minimising the impact of construction on adjoining land owners and businesses.
- The draft Local Planning Policy 1.22 Construction Management Plan (LPP1.22) is proposed to apply to major developments. It is designed to ensure that a suitable amount of information is provided to the City to ensure the City's assets are being appropriately protected, that the impact on amenity of neighbours is reduced, that stakeholder engagement occurs prior to construction and that complaints processes are clear and transparent. The draft LPP1.22 is proposed to be accompanied by a Pro Forma which will be completed by an applicant when submitting the Construction Management Plan (CMP).
- Under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations), a local government may prepare local planning policies on a range of matters. A local planning policy must be based on sound town planning principles and may address operational matters such as construction management.
- Where a local planning policy is based on sound town planning principles and is properly adopted under the provisions of the Regulations, it is to be given regard in the decision making process.
- It is recommended that the LPP1.22 be advertised for a minimum of 21 days. Following the advertising process a further report will be prepared which will analyse the submissions received and make recommendations on how to proceed with the policy.

BACKGROUND

At its meeting held on 18 May 2021 the Council resolved:

That Council requests that the Chief Executive Officer:

- 1. Prepare a Local Planning Policy that requires the Developers of any Major Development (being a development of more than 10 dwellings) in the City of Melville to include in their development's Construction Management Plan the details for the arrangement and provision of off-street parking for its workforce for the duration of that development's construction period and requires access by the public to view the details of the Construction Management Plan lodged with the City of Melville.*
- 2. Present the proposed Local Planning Policy to a Council Workshop for the discussion of Council, before submitting the Policy to a Council meeting for adoption.*
- 3. Amend the current Construction Management Plan condition ("the parking arrangements for contractors and sub-contractors") to include the requirements of the adopted above Local Planning Policy.*

P22/3982 – NEW POLICY LOCAL PLANNING POLICY 1.22 - CONSTRUCTION MANAGEMENT PLANS (REC) (ATTACHMENT)

The City has a standard condition which requires the submission of a CMP prior to the commencement of development. This condition is generally applied to major developments or where there is a particular site constraint such as access being from a higher order road. This condition has been applied for a number of years. The standard condition covers a range of matters including hours of operation, traffic management, parking arrangements, deliveries and storage of materials.

Scheme Provisions

MRS Zoning	:	N/A
LPS Zoning	:	N/A
R-Code	:	N/A
Use Type	:	N/A
Use Class	:	N/A

Site Details

Lot Area	:	N/A
Street Tree(s)	:	N/A
Street Furniture (drainage pits etc.)	:	N/A
Site Details	:	N/A

DETAIL

The objectives of the draft LPP 1.22 are summarised as follows:

- to minimise the impact that construction activity has on the surrounding community;
- to provide clear guidance on the information to be provided in a construction management plan;
- to ensure clear communication and effective complaints management;
- to protect City assets.

The proposed policy requirements contained in Clauses 1-7 are designed to ensure that the above objectives are delivered.

[3982 Local Planning Policy 1.22 Construction Management Plans](#)

The key policy clauses are discussed in detail below.

Policy Scope

It is proposed to require a construction management plan for all major developments across the City of Melville. Major development is defined in Local Planning Policy 1.1 Planning Process and Decision Making as development comprising more than 10 dwellings or more than 2,000m² of non-residential floor space. Due to the size of these developments, the amount of materials required and the workforce associated with the construction, there is potential for the construction phase to have negative amenity impacts.

P22/3982 – NEW POLICY LOCAL PLANNING POLICY 1.22 - CONSTRUCTION MANAGEMENT PLANS (REC) (ATTACHMENT)

In addition, it is proposed to include a secondary clause which allows the City to use its judgement to require a CMP for smaller projects. This requirement could be for a range of reasons including access or parking constraints in the proximity of the site, the size or complexity of the development or any other complicating factor.

Stakeholder engagement, complaints management and compliance.

The proposed LPP1.22 requires applicants to undertake a stakeholder engagement process, prior to submitting the CMP, in order to ensure that adjoining landowners, residents and businesses are aware of the proposed construction and the measures which are being put in place to manage this. Once approved the CMP will be made available to the public to view.

In relation to complaint management the CMP will detail the measures to be put in place to ensure that complaints are appropriately addressed, in the first instance by the builder on site. If complaints remain unresolved, then escalation to appropriate personnel will follow.

The responsibility for complying with the CMP rests with the landowner, the builder and associated staff. If it comes to the City's attention that the CMP is not being complied with, compliance action may be undertaken having regard to the provisions of the *Planning and Development Act 2005* and the City's compliance procedures.

Managing footpaths, verges, roads and City infrastructure

The CMP is required to demonstrate how City assets will be protected during the construction phase. In order to do this a dilapidation report will be required to be submitted along with the CMP. In addition, the CMP will be required to demonstrate how trees will be protected and cared for.

One of the objectives of the CMP is to ensure that vehicle, pedestrian and cyclist movement is safe and convenient. On this basis the CMP will be required to demonstrate how interruption or inconvenience is minimised during construction particularly in areas such as activity centres or along key transport routes.

The resolution of Council relating to the development of a Construction Management Plan was specific in requiring that all construction parking be off site. This requirement has not been placed in the draft LPP1.22. Clause 3d of the draft policy states that is a preference for all parking to be off street and requires a transport plan to accompany the CMP. This transport plan is required to cover a range of matters including;

- details of the details of the number of personnel on site at each stage of the development;
- any arrangements to secure parking in the local area;
- the location of all parking facilities and active transport options; and
- details of any measures being used to encourage active transport options.

P22/3982 – NEW POLICY LOCAL PLANNING POLICY 1.22 - CONSTRUCTION MANAGEMENT PLANS (REC) (ATTACHMENT)

The reasons for this recommendation are as follows:

- On street car parking is generally permitted across the City of Melville unless there are specific restrictions which apply. Where a vehicle is parked legally on the road there is no compliance action which can be taken by City staff including rangers or planning compliance. There is a risk that approval of a LPP which requires all parking to be on site may simply not be enforceable, and may therefore raise expectations for the surrounding community which are unable to be met.
- It is often difficult to determine if a vehicle is associated with a particular building site, is associated with trade activities at another premise, is a visitor or a landowner or resident in the area. It would therefore be very difficult to take compliance action as noted above.
- It is proposed that contractors are provided with information regarding the various parking options within an area, before they first visit the site so they are able to park conveniently and safely without causing congestion which is associated with vehicles circulating a precinct looking for a bay.
- Equally providing contractors with information regarding the various active transport options, such as public transport and cycle paths, may result in more people taking up these options particularly in a city centre type of environment like Canning Bridge where much of the parking is controlled.
- The City does not seek to control how any other employees or patrons arrive in a locality or where they park. For example, if a customer for a local hospitality venue decides to park in an area where free all day parking is available and walks to the site, this is a legitimate option.
- Under the provisions of the *Planning and Development (Local Planning Regulations) 2015* a Local Planning Policy may cover a range of matters however must be based on sound town planning principles. For the reasons outlined above, the requirement for all contractor parking to be on-site may be seen as onerous and not based on sound principles.
- Where a LPP is not based on sound planning principles there is a risk that it will be given little weight by the decision maker. This will limit its application.

Environmental Management

The proposed LPP1.22 requires an applicant to consider a range of matters to control the environmental impact of construction. This ensures the landowner is aware of the all the potential issues and put measures in place to address these.

Site storage, amenities and cranes

The CMP needs to consider these issues and obtain relevant approvals or consent from landowners.

P22/3982 – NEW POLICY LOCAL PLANNING POLICY 1.22 - CONSTRUCTION MANAGEMENT PLANS (REC) (ATTACHMENT)**CMP Proforma**

A draft proforma has been developed to help guide applicants through the range of information which is required for the CMP to be complete. This will be made publicly available along with the policy and will be required as a part of each CMP submitted to the City

[3982 Construction Management Plan Pro Forma](#)**STAKEHOLDER ENGAGEMENT**

Advertising Required:	Yes
Neighbour's Comment Supplied:	N/A
Reason:	To be advertised following Council approval
Support/Object:	N/A

I. COMMUNITY

As required by the *Planning and Development (Local Planning Regulations) 2015*, the draft LPP 1.22 is required to be advertised for a minimum of 21 days. This will occur via a range of formats including an advertisement in the local newspaper and information on Melville Talks. The final stakeholder engagement plan will be prepared in consultation with the City's Stakeholder Engagement services.

II. OTHER AGENCIES / CONSULTANTS

No other agencies are required to be consulted as a part of the stakeholder engagement process.

STATUTORY AND LEGAL IMPLICATIONS

As noted above, under the provisions of the *Planning and Development (Local Planning Regulations) 2015* a Local Planning Policy may cover a range of matters however must be based on sound town planning principles. Where a LPP is not based on sound planning principles there is a risk that it will be given lesser weight by the decision maker and not applied or not applied in full.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

There are not considered to be any strategic, risk or environmental management implications associated with this matter other than those identified elsewhere in this report.

P22/3982 – NEW POLICY LOCAL PLANNING POLICY 1.22 - CONSTRUCTION MANAGEMENT PLANS (REC) (ATTACHMENT)**POLICY IMPLICATIONS**

Once this policy is adopted it will become part of the local planning framework and will be given due regard during the assessment process.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Elected Members may resolve not to proceed with the policy or alternatively make modifications to the draft prior to it being advertised. Any amendments should be based on sound planning principles.

CONCLUSION**OFFICER RECOMMENDATION (3982)****APPROVAL**

1. That the Council endorse the new Local Planning Policy 1.22 Construction Management Plans, for advertising for a minimum of 21 days as required by the *Planning and Development (Local Planning Schemes) Regulations*.
2. If no submissions are received during the advertising period, the Council delegate authority to the CEO to proceed with the policy without modification and for a notice to be published in the local newspaper as required by the *Planning and Development (Local Planning Schemes) Regulations*

**T22/3979 - ATTADALE JUNIOR FOOTBALL CLUB REQUEST FOR PARKING AT TROY PARK
(REC)**

Ward : Bicton – Attadale – Alfred Cove
 Category : Operational
 Subject Index : Parking
 Customer Index : Attadale Junior Football Club
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : T22/3976 - Attadale Alfred Cove Foreshore Master Plan - Ordinary Meeting of Council 15 March 2022
 Item 13.1 Petition – Attadale Junior Football Club, Temporary Access to Troy Park – Ordinary Meeting of Council 19 April 2022.
 Works Programme : Not Applicable
 Funding : Not Applicable
 Responsible Officer : Mick McCarthy
 Director Technical Services

AUTHORITY / DISCRETION

DEFINITION

<input type="checkbox"/>	Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input checked="" type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes & policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
<input type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

**T22/3979 - ATTADALE JUNIOR FOOTBALL CLUB REQUEST FOR PARKING AT TROY PARK
(REC)****KEY ISSUES / SUMMARY**

- A 19 signature petition seeking permission to allow parking in an area directly to the west of Troy Park oval was received by the City on 17 March 2022 and presented to the 19 April Council Meeting.
- The Attadale Junior Football Club had been using this area sporadically over the years for overflow parking until 2020 when the City discovered Rain bow Bee-eaters using the area for nesting.
- Regular overflow parking at this location has never been formally authorised by the City.
- The area is an environmentally sensitive area and is within the Friends of the Melville Bird Sanctuary (FMBS) proposed boundary.
- At the March 2022 Ordinary Meeting of Council the Attadale Alfred Cove Foreshore Master Plan was acknowledged by Council and included rehabilitating the area requested to be used for overflow parking.
- Alternate location for the overflow parking for Troy Park within the Attadale Foreshore dog walking area has been presented to the Club as an alternative, which the club considers is too far away.
- The City is currently in the process of initiating works to verge parking on Burke Drive to address safety concerns, which includes shifting some bollards to make the verge wider.
- The City's preferred option is for the overflow parking for Troy Park to be accommodated at the Attadale Foreshore dog exercise area.

BACKGROUND

On 17 March 2022 a Petition with 19 signatures was received by the City requesting the following be considered by Council;

“Reinstate Attadale Junior Football Club’s temporary access to, and use of, the area outlined on the attached map, adjoining the Troy Park oval for the purpose of safe parking of vehicles during the 15 weeks of the junior football season, (from approximately 1 May 2022 to 28 August 2022).

The area is intended for weekend use only for parking of motor vehicles because of the large number of young children participating in Auskick and junior football and limited available parking area. Attadale Junior Football Club has previously used the area for approximately 15 years prior to 2021 and then in 2021, the City requested that Attadale Junior Football Club cease using the area.

We are informed that there will be no adverse environmental impacts on flora or fauna as a result of this temporary use. The Attadale Junior Football Club understands that it has no right or interest in the area other than for the limited use of parking.

We request your URGENT attention and consideration of this matter and look forward to receiving Council approval so that you can ensure local children can reasonably and safely use Troy Park away from the dangers and risks that result from parking on the surrounding roads.

The area highlighted in blue in the below picture is the area that the club has requested to be used for overflow parking for the 2022 football season.”

**T22/3979 - ATTADALE JUNIOR FOOTBALL CLUB REQUEST FOR PARKING AT TROY PARK
(REC)**



This report discusses the petition request and the City’s preferred option which is to designate an area on the Attadale Foreshore dog walking area to be used by the Attadale Junior Football Club for overflow parking.

DETAIL

The area being requested for overflow parking is located just to the west of Troy Park and consists of unirrigated turf and is used by the community as passive open space. The area also provides many important environmental benefits such as habitat for a number of local fauna.

For special club events, the Club had previously been granted permission to use the area being requested in the petition. In 2020, it was brought to the City’s attention that the area was being used on occasion for overflow parking outside of special events which had not been formally authorised by the City. Around this time, the City became aware of the use of the above overflow parking area being a nesting site for migratory Rainbow Bee-eaters, which burrow underground to build their nests. Given this, the City was concerned that the temporary use of the nesting area for car parking would result in the destruction of existing nests and compaction of the ground that could adversely affect future nesting sites.

**T22/3979 - ATTADALE JUNIOR FOOTBALL CLUB REQUEST FOR PARKING AT TROY PARK
(REC)**

As a result of the City becoming aware of the situation, an internal review was undertaken by the City which resulted in the City not supporting parking in this location due to the environmental concerns. This position was communicated to the Troy Park Sporting Association in October 2020 advising that access to the area in question was no longer available for overflow parking.

There were a number of factors that contributed to the City's decision to decline the access request to this location for overflow parking including:

- The access gate is actually not a City asset; it is the property of the Water Corporation.
- The area is sensitive and is within the Friends of the Melville Bird Sanctuary (FMBS) proposed boundary
- Using the site for car parking would compact the ground and compromise the nest sites for the Rainbow Bee-eaters.
- The City was at the time about to embark on the preparation of a Master Plan for the Attadale Alfred Cove Foreshore in order to provide a holistic guiding document for the area. It was expected that the Master Plan would assist in guiding decision making related to City and State managed lands.

The blue area on the map below was identified by the City as the preferred alternative option for overflow parking area at the eastern end of the Attadale Foreshore dog walking area. This area is less significant from an environmental perspective and is mainly used by dog walkers. The environmentally significant area known to contain Rainbow Bee-eater nesting sites is highlighted in red.



**T22/3979 - ATTADALE JUNIOR FOOTBALL CLUB REQUEST FOR PARKING AT TROY PARK
(REC)**

At the time the City also investigated a number of other options in seeking to establish an alternative overflow parking area closer to the Troy Park facilities including:

- Utilising the existing netball courts for parking - this option was not considered viable due to the potential of the asset becoming damaged with heavy traffic over the courts and potential slip hazards associated with oil and sand on the playing surface.
- Establishing parking area at the eastern end of Troy Park near Waylen Point – this area is in relatively close proximity to the Alfred Cove Nature Reserve wetlands and would require traversing the netball courts to gain access. This area was not supported due to concerns raised about vehicles damaging the netball surfaces and disturbance to wildlife in that area. There is also the potential for vehicles to become bogged during the winter months.

The City also made the decision to undertake improvements to the verge parking along Burke Drive to address safety concerns. This work involves shifting some bollards to make the verge wider and thereby reducing conflict with vehicles and cyclists passing through the area. Street parking on the roads in close proximity to Burke Drive has always been available and will not change. In addition, no parking signs will be installed on sections of the road deemed inappropriate for parking due to safety or other reasons.

As a result of the City's decision, the football club utilised the area that was designated as overflow parking in the Attadale Foreshore dog walking area. To the City's knowledge there were no major incidents that occurred as a result of this decision.

It is also recognised that there are a number of competing interests at this location and, due to the environmental constraints and lack of space, the available options in terms of additional parking space are very limited. As a result of the City decision to designate overflow parking further west of Troy Park at the Attadale dog exercise area, feedback from the clubs, members and their families raised concerns due to:

- Increased walking distance to the oval from the overflow parking area;
- The nesting season for the Bee-eaters is from October through to March each year, which is outside the football season when there is the greatest demand for additional parking.

The City recognises the preferred location for the overflow parking is a longer distance to traverse compared to previous areas, however this distance is considered appropriate given the environmental constraints associated with the clubs preferred location.

It is estimated that the City's preferred overflow parking area is approximately 550-600 meters from the Clubrooms if walking along the foreshore side of the bushland. The walking distance using the existing footpath adjacent to Burke Drive is approximately 600-650 meters. Those with prams or those with mobility requirements would also find the journey more challenging, however the option to drop off at the oval can be considered before the vehicle is parked. It is relevant to note that the proposed parking improvements along Burke Drive will include two short term drop off bays.

**T22/3979 - ATTADALE JUNIOR FOOTBALL CLUB REQUEST FOR PARKING AT TROY PARK
(REC)**

The Petition states that no adverse environmental impacts to flora or fauna will occur if the area was to be used for overflow parking, however the City does not agree with this statement particularly in relation to the impact vehicle parking would have on the Rainbow Bee-eater habitat and nesting sites. The Rainbow Bee-eater is one of the few Australian birds that nest in a burrow and requires open areas with friable, sandy soils with good visibility and convenient perches.

These birds are known to return to the same nesting sites each year. Nesting areas are often re-used and studies indicate that at least some migrant birds return to the same nesting area each year. However, pairs usually excavate a new nesting burrow for each breeding season.

The process of nest building can take as long as twenty days to complete. Nests are generally used only for a single season and rarely used twice by the bee-eaters, but abandoned bee-eater nests may be used by a host of birds, snakes and bats as shelter and breeding places. The City installs fencing from the edge of the oval to the western end of the bushland every breeding season and during this period the City asks for people to stay out of the area to ensure the nests are not disturbed.

It also should be noted that 147 bird species (Birdlife WA) including Trans equatorial/migratory species, like Grey-tailed Tattler and Common Sandpiper, as well as Black Cockatoos being known to forage within wider extent of the area.

Attadale Alfred Cove Foreshore Master Plan

At the March 2022 Ordinary Meeting of Council, the Attadale Alfred Cove Foreshore Master Plan was acknowledged by Council. The image below represents the future vision for the area under consideration. The area between Troy Park and the Attadale Foreshore dog walking area indicates substantial infill planting, along with paths and small turf areas to create increased fauna habitat and passive recreational uses.

**T22/3979 ATTADALE JUNIOR FOOTBALL CLUB REQUEST FOR PARKING AT TROY PARK
(REC)**

FINANCIAL IMPLICATIONS

There would be minimal financial impact if the area the area designated by the City was used or was not used for overflow parking.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement & Consequence	Level of Risk	Risk Treatment
Reputational damage due to not supporting the Club's desire to use the area requested for overflow parking.	Moderate consequences which are possible, resulting in a Medium level of risk	Allow parking in the area requested by the club.
Reputational damage due to not implementing elements of the Master Plan.	Moderate consequences which are possible, resulting in a Medium level of risk	Progress the recommendations in the Master Plan.
Reputational damage due to not observing the City's own management strategies (including the Natural Areas Asset Management Plan, Urban Forest Strategy and the Climate Change Emergency Declaration)	Moderate consequences which are possible, resulting in a Medium level of risk	During the decision making process ensure Council is aware and consider the following endorsed Council documents focused on the natural environment.

POLICY IMPLICATIONS

Environmental Policy CP-030 – Policy Statement

The City aims to prevent, manage and minimise environmental impacts associated with its activities, while conserving and enhancing the City of Melville's biodiversity and environmental quality, thereby maintaining and creating healthy surroundings for the community.

Urban Forest and Green Space Policy CP-102 – Policy Statement:

1. To protect, preserve and enhance the aesthetic character of the City of Melville.
2. To realise the social, environmental and economic benefits of trees and other vegetation as an integral element of the urban environment.
3. To contribute to community wellbeing by integrating and aligning the efficient provision of physical, social and green infrastructure and management of natural areas to achieve community wellbeing today and tomorrow.
4. To encourage a sense of shared responsibility and balance individual and community rights to equitably distribute the costs and the benefits of a greener City.
5. To ensure that the urban forest and green spaces that are integral to the City's sense of place are not compromised in areas of increased residential density.

**T22/3979 ATTADALE JUNIOR FOOTBALL CLUB REQUEST FOR PARKING AT TROY PARK
(REC)**

Physical Activity Policy (CP-028) – To increase opportunities for physical activities and improve health and wellbeing of the community.

ALTERNATE OPTIONS AND THEIR IMPLICATIONSAlternative Options

The Troy Park Sporting Association and the Attadale Football Club have also approached the City regarding the possible use of a temporary parking overflow area directly behind the goals at the western end of Troy Park. This area is within the levelled oval buffer. Access to this area is proposed around the northern boundary of the oval, with flagged of areas and marshals proposed to be used to guide the traffic.

Allowing the Attadale Junior Football Club to use the area adjoining the Troy Park oval for the purpose of parking of vehicles during the 15 weeks of the junior football season (from approximately 8 May 2022 to 28 August 2022) may be an option. This proposal could be established as a trial initially and reviewed regularly to ensure impacts on turf quality and accessibility are able to be managed appropriately.

The City is awaiting a proposal for this option to enable review, assessment and advice.

CONCLUSION

The City understands there is a need for overflow parking and has provided a suitable location, albeit some distance away but relatively close to Troy Park that can be used by the club when required. As highlighted in the Attadale Alfred Cove Foreshore Master Plan, there is provision for long term parking solutions which could be implemented in future years to improve capacity.

In the interim the City are planning to undertake minor works to verge parking along Burke Drive to improve safety including shifting bollards to make the verge wider and reducing conflict with vehicles and cyclists passing through the area this financial year. In addition, the City has prepared a concept design for the Troy Park entrance road to improve safety and access to the existing car park.

It is important to recognise that the City now has a long term vision for this area with a focus on increasing biodiversity along this stretch of foreshore. The City's preferred option is for the overflow parking to remain as designated at the Attadale Foreshore dog exercise area for the 2022 season and future years until a more permanent overflow parking solution is implemented.

OFFICER RECOMMENDATION (3979)**REFUSAL****That the Council:**

- 1. Does not support the overflow parking area identified by the Attadale Junior Football Club for the reasons outlined in this report**
- 2. Directs the CEO to advise the Attadale Junior Football Club that the current overflow parking designated area within the Attadale Foreshore dog walking area is available for use during high use periods.**
- 3. Directs the CEO to advise the lead petitioner in writing of this outcome.**

**T22/3983 - ATWELL ARTS CENTRE AND MELVILLE BOWLING CLUB PRECINCT – DRAFT
PROJECT PLAN (REC) (ATTACHMENT)**

Ward	: Bicton – Attadale – Alfred Cove
Category	: Strategic
Subject Index	: Project Planning and Development
Customer Index	: Atwell Arts Association Inc. and Melville Bowling Club
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: T22/3976 - Attadale Alfred Cove Foreshore Master Plan - Ordinary Meeting of Council held 15 March 2022
Works Programme	: Not Applicable
Funding	: Not Applicable
Responsible Officer	: Mick McCarthy Director Technical Services

AUTHORITY / DISCRETION

DEFINITION

<input type="checkbox"/>	Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input checked="" type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes & policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
<input type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

**T22/3983 - ATWELL ARTS CENTRE AND MELVILLE BOWLING CLUB PRECINCT – DRAFT
PROJECT PLAN (REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- This report has been prepared in response to a Council resolution at the 15 March 2022 Ordinary Meeting of Council (OMC), specifically in relation to Item 16.3, Resolution 2A and 2B namely:
 2. *Council directs the CEO to appoint a senior officer to prepare a report to be presented to an EMES within four weeks with a draft plan to:*
 - (A) *Consult with the MBC and Atwell Arts Centre to produce a layout plan that accommodates the needs of the various stakeholders who are likely to call the new facility home when complete; and*
 - (B) *includes a proposed timetable and estimated costs of preliminary work that is required to produce drawings and associated information and necessary approvals to take the project to the final design stage.”*
- In seeking to respond to the above resolution, senior officers have put forward two scenarios, with one based on project planning using existing information and work completed to date and the other scenario taking a more holistic approach to project planning based on the layout plan proposed in the Attadale Alfred Cover Foreshore Master Plan.
- The level of risks and extent of stakeholder engagement vary between the scenarios, with scenario one having increased risks and a limited engagement process and scenario two have less risks and a more extensive stakeholder engagement process.
- Officers are recommending scenario two as the preferred process.

BACKGROUND

The Council made two resolutions of relevance to this item at the 15 March 2022 Ordinary Meeting of Council.

The first was for item 16.3 “Funding Grant for Construction of New Premises for the Melville Bowling Club” as outlined below.

- “1. *Council resolves to investigate the funding of the replacement of the current 65 year old Melville Bowling Club rooms and facilities with new buildings and amenities to facilitate the expansion of this Community Association's Constitutional objectives to become the Melville Community Centre and Bowling Club.*

The project includes opening up the area around the Atwell Arts Centre and adjacent to the Melville Bowling Club to create an active and passive recreational precinct, accessible from and complementary to both Centres.

2. *Council directs the CEO to appoint a senior officer to prepare a report to be presented to an EMES within four weeks with a draft plan to:*
 - (A) *Consult with the MBC and Atwell Arts Centre to produce a layout plan that accommodates the needs of the various stakeholders who are likely to call the new facility home when complete; and*
 - (B) *includes a proposed timetable and estimated costs of preliminary work that is required to produce drawings and associated information and necessary approvals to take the project to the final design stage.”*

T22/3983 - ATWELL ARTS CENTRE AND MELVILLE BOWLING CLUB PRECINCT – DRAFT PROJECT PLAN (REC) (ATTACHMENT)

The second was in relation to the Attadale Alfred Cove Master Plan where Council resolved the following.

“That the Council:

1. *Acknowledge the Attadale Alfred Cove Foreshore Master Plan as advertised and the recommended changes to the Plan identified in the Summary Table of Key Issues and Enquiries Report.*
2. *Investigate the feasibility of progressing the whole of foreshore, precinct based and staging recommendations as the basis for implementing the Attadale Alfred Cove Foreshore Master Plan with funding for projects to be considered individually by Council as part of the annual budget process and Long-Term Financial Plan.*
3. *Approve the engagement of a suitably qualified consultant to prepare a layout plan for the Atwell Precinct and Melville Bowling Club (ACAH-08) as a Short-Term Recommendation.*
4. *Appoint a consultant to progress the establishment of the Melville Bird Sanctuary as a Short-Term Recommendation.”*

This report is aimed at addressing resolution 2A and B from the item 16.3 based on 2 scenarios being:

- Scenario 1 – Scope based on work completed to date for proposed new facilities.
- Scenario 2 – Whole of precinct scope based on recommendations in the Attadale Alfred Cove Foreshore Master Plan.

DETAIL

The City has an established City’s Project Management Framework that it uses to take a project from the project development phase through to the project execution phase. The project development phase includes three main components being concept, options, and business case.

Business cases are usually prepared by the City as a key input into the annual budget process. Business cases for new major projects are generally presented to Council following review by the Executive Leadership Team (ELT). The redevelopment of the Melville Bowling Club and the Atwell Gallery are both considered major new projects.

Each of the scenarios investigated have different timeframes, stakeholder engagement requirements and risks. A summary is provided below and the detailed report [3983 Melville Bowling Club Atwell Arts Timeline](#) provides further information.

Scenario 1 – Project proceeds from existing work done for Melville Bowling Club and Atwell Gallery Facilities.

This scenario would build upon the work completed to date for the Melville Bowling Club redevelopment and new building planned for the Atwell Gallery.

**T22/3983 - ATWELL ARTS CENTRE AND MELVILLE BOWLING CLUB PRECINCT – DRAFT
PROJECT PLAN (REC) (ATTACHMENT)**

As well as the building designs themselves, the scope of work would also include investigations into key factors impacted by the proposed buildings such as traffic, parking access and connectivity to prepare a limited layout plan covering a portion of the Melville Bowling Club/Atwell Arts Precinct.

The timeframe assumes that a business case would be prepared for the scenario, including a needs assessment. Stakeholder engagement would be limited to key stakeholders directly involved in the redeveloped facilities or required to be consulted to secure the necessary approvals. There are a number of risks related to this scenario related to extent of consultation, misalignment with the Master Plan recommendations, managing stakeholder expectations and progressing the projects without detailed site investigations.

Scenario 2 – Commence new project to develop all recommendations identified for the precinct in the Attadale Alfred Cove Foreshore Master Plan

This scenario is for a holistic layout plan and assessment of the MBC and Atwell precinct based on the Master Plan recommendations including the Atwell Common, Boardwalk, living stream and associated path connections.

The timeframe assumes a full business case, detailed needs assessment and the development of concept options in accordance with the City's Project Management Framework. A further and more extensive stakeholder engagement process would be undertaken that leverages off, and builds upon, the Master Plan consultation feedback and ideas including a wide variety of community engagement exercises across the diverse range of stakeholders with an interest in the area.

Although the timeframe is longer using this approach, there are considered less risks given the extent of community engagement and open process in gathering widespread feedback.

FINANCIAL IMPLICATIONS

It is estimated that Scenario 1 would take about 12 - 15 months to get to detailed design stage at a cost of \$100,000, with construction expected to be completed within 3 to 4 years if approved.

It is estimated that Scenario 2 would take about almost 2 years to get to detailed design stage at a cost of \$250,000 to \$300,000, with construction expected to be completed within 4 to 5 years if approved.

T22/3983 - ATWELL ARTS CENTRE AND MELVILLE BOWLING CLUB PRECINCT – DRAFT PROJECT PLAN (REC) (ATTACHMENT)

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement & Consequence	Level of Risk	Risk Treatment
Community criticism of the limited consultation and lack of transparency related to Scenario 1.	Moderate consequences which are likely, resulting in a High level of risk	Prepare communications strategy and opportunity for wider public to comment on Melville Talks.
Misalignment of Scenario 1 with Master Plan principles and recommendations.	Moderate consequences which are possible, resulting in a Medium level of risk	Progress the other recommendations in the Master Plan.
Setting of undesirable precedent in Council funding the project management process and costs associated with sport facility upgrades.	Moderate consequences which are possible, resulting in a Medium level of risk	Prepare communications strategy outlining rationale and ensure a wide range of community uses are incorporated into any redeveloped facilities.

POLICY IMPLICATIONS

Environmental Policy CP-030 – Policy Statement

The City aims to prevent, manage and minimise environmental impacts associated with its activities, while conserving and enhancing the City of Melville’s biodiversity and environmental quality, thereby maintaining and creating healthy surroundings for the community.

Urban Forest and Green Space Policy CP-102 – Policy Statement:

1. To protect, preserve and enhance the aesthetic character of the City of Melville.
2. To realise the social, environmental, and economic benefits of trees and other vegetation as an integral element of the urban environment.
3. To contribute to community wellbeing by integrating and aligning the efficient provision of physical, social, and green infrastructure and management of natural areas to achieve community wellbeing today and tomorrow.
4. To encourage a sense of shared responsibility and balance individual and community rights to equitably distribute the costs and the benefits of a greener City.
5. To ensure that the urban forest and green spaces that are integral to the City’s sense of place are not compromised in areas of increased residential density.

Physical Activity Policy (CP-028) – To increase opportunities for physical activities and improve health and wellbeing of the community.

**T22/3983 - ATWELL ARTS CENTRE AND MELVILLE BOWLING CLUB PRECINCT – DRAFT
PROJECT PLAN (REC) (ATTACHMENT)****ALTERNATE OPTIONS AND THEIR IMPLICATIONS**Alternative Options

Scenario 1 is considered an alternative option for the purposes of this report, given the reasons outlined above.

Another alternative option would be to not proceed with Scenario 1 or Scenario 2 based on the requirement to progress proposals to a detail design phase and progress the Council resolution 3 below related to the Master Plan.

- “3. Approve the engagement of a suitably qualified consultant to prepare a layout plan for the Atwell Precinct and Melville Bowling Club (ACAH-08) as a Short Term Recommendation.”*

This Master Plan recommendation alternative would be completed to include a precinct scale concept layout prior to progressing toward business plan preparation, schematic design and construction as a staged program in accordance with the City’s Project Management Framework for priority projects determined through a comprehensive consultation process. This alternative also enables the inclusion of multiple Master Plan recommendations additional to the layout plan including the Atwell Common, the Boardwalk near Atwell Common and viewing platform adjacent to Melville Bowling Club.

CONCLUSION

The Council resolution for item 16.3 from the 15 March 2022 requires somewhat of a departure from the City’s usual Project Management Framework process and is aimed at streamlining and advancing priority redevelopment projects to achieve detail design earlier than would otherwise be achieved. There are some risks identified in progressing Scenario 1 due to community concerns and equity in funding project management costs for sporting facilities upgrades that would usually be undertaken by Associations and Clubs benefitting.

Scenario 2 suggests a holistic approach more aligned to the Master Plan layout recommendation as resolved by Council, but with an abridged process which departs somewhat from the City’s usual Project Management Framework process. This scenario is preferred by officers, noting that its scope includes additional work to achieve final detail design stage and thereby would cost more (\$250,000 to \$300,000) compared to the layout plan recommended in the Master Plan (estimated cost \$150,000) which would achieve a concept design outcome for further consideration by Council in regards to projects requiring detail design.

An alternative could be to not progress the item 16.3 resolution from the 15 March 2022 Ordinary Meeting of Council and progress the Attadale Alfred Cove Foreshore Master Plan recommendation to engage a consultant to prepare a layout plan for the Atwell Precinct and Melville Bowling Club site as a short term recommendation.

T22/3983 - ATWELL ARTS CENTRE AND MELVILLE BOWLING CLUB PRECINCT – DRAFT PROJECT PLAN (REC) (ATTACHMENT)**OFFICER RECOMMENDATION (3983)****APPROVE**

That the Council progress the Scenario 2 approach described in the attached report [3983 Melville Bowling Club Atwell Arts Timeline](#) that is more aligned to the layout plan recommendation contained in the Attadale Alfred Cove Foreshore Master Plan for the Atwell Precinct and Melville Bowling Club site.

M22/5000 – COMMON SEAL REGISTER (REC)

Ward : All
 Category : Operational
 Subject Index : Legal Matters and Documentation
 Customer Index : City of Melville
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : Standard Item
 Works Program : Not applicable
 Funding : Not applicable
 Responsible Officer : Bruce Taylor
 Manager Governance and Property

AUTHORITY / DISCRETION

DEFINITION

<input type="checkbox"/>	Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes and policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
<input checked="" type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

KEY ISSUES / SUMMARY

This report details the documents to which the City of Melville Common Seal has been applied for the period from 17 March 2022 up to and including 19 April 2022 for the Council's noting.

M22/5000 – COMMON SEAL REGISTER (REC)

BACKGROUND

Section 2.5 of the *Local Government Act 1995* states that a Local Government is a Body Corporate with perpetual succession and a common seal. A document is validly executed by a Body Corporate when the common seal of the Local Government is affixed to it and the Mayor and the Chief Executive Officer (CEO) attest the affixing of the seal.

DETAIL

Register Reference	Parties	Description	ECM Reference
CS2197	City of Melville, Tamara Kauz and Landgate	Section 70A – 16 Dann Court, Willagee – Lot 600 & Lot 601 on Deposited Plan 422284.	DA-2022-210
CS2198	City of Melville & Kingspoint Corporation Pty Ltd	Common Seal & CEO Sign Off For Notification 70A for Lot 23 (57) Townsing Road, Kardinya 6163	DA-2022-157

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Not applicable.

II. OTHER AGENCIES / CONSULTANTS

Not applicable.

M22/5000 – COMMON SEAL REGISTER (REC)**STATUTORY AND LEGAL IMPLICATIONS**

Section 2.5(2) of the *Local Government Act 1995* states:

The local government is a body corporate with perpetual succession and a common seal.

Section 9.49A (3) of the *Local Government Act 1995* states:

(3) *The common seal of the local government is to be affixed to a document in the presence of —*

- (a) *the mayor or president; and*
- (b) *the chief executive officer or a senior employee authorised by the chief executive officer, each of whom is to sign the document to attest that the common seal was so affixed.*

FINANCIAL IMPLICATIONS

There are no financial implications in this report other than that held in any contract advised above.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

There are no strategic, risk or environmental management implications in this report.

POLICY IMPLICATIONS

There are no policy implications in this report.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable.

M22/5000 – COMMON SEAL REGISTER (REC)**CONCLUSION**

This is a standard report for the Elected Members' that details the documents to which the City of Melville Common Seal has been applied for the period from 17 March 2022 up to and including 19 April 2022 for the Council's noting.

OFFICER RECOMMENDATION (5000)**NOTING**

That the Council notes the actions of His Worship the Mayor and the Chief Executive Officer in executing the documents listed under the Common Seal of the City of Melville from 17 March 2022 up to and including 19 April 2022 for the Council's noting.

C22/6000 - INVESTMENT STATEMENTS FOR MARCH 2022 (REC)

Ward	:	All
Category	:	Operational
Subject Index	:	Financial Statements and Investments
Customer Index	:	Not applicable
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	Standard Item
Works Programme	:	Not applicable
Funding	:	Not applicable
Responsible Officer	:	Debbie Whyte – Manager Financial Services

AUTHORITY / DISCRETION

DEFINITION

<input type="checkbox"/>	Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
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<input type="checkbox"/>	Quasi-Judicial	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
<input checked="" type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

KEY ISSUES / SUMMARY

This report presents the investment statements for the period ending 31 March 2022 for the Council's information and noting.

C22/6000 - INVESTMENT STATEMENTS FOR 31 MARCH 2022 (REC)

BACKGROUND

The City has cash holdings as a result of timing differences between the collection of revenue and its expenditure. The City also holds funds in reserve which are required for future asset renewal/asset replacement or required for a future liability.

Whilst these funds are held by the City they are invested in appropriately rated and liquid investments.

The investment of cash holdings is undertaken in accordance with Council Policy CP-009 - Investment of Funds, with the objective of maximising returns whilst maintaining low levels of credit risk exposure.

DETAIL

The following statement details the investments held by the City as at 31 March 2022.

CITY OF MELVILLE STATEMENT OF INVESTMENTS FOR THE PERIOD ENDING 31 MARCH 2022		
SUMMARY BY FUND		
Municipal		\$45,291,001
Reserve		\$151,564,893
Trust		\$-
Citizen Relief		\$224,057
TOTAL		\$197,079,951
SUMMARY BY INVESTMENT TYPE		
11AM		\$8,757,428
31Days at Call		\$6,000,000
60Days at Call		\$2,000,000
90Days at Call		\$16,600,000
Term Deposit		\$163,722,523
TOTAL		\$197,079,951
SUMMARY BY CREDIT RATING		
AAA Category	AAA	
AA Category (AA+ to AA-)	AA-	\$136,079,235
	A+	\$11,500,716
A Category (A+ to A-)	A	
	A-	
BBB+ Category	BBB+	\$49,500,000
TOTAL		\$197,079,951

C22/6000 - INVESTMENT STATEMENTS FOR 31 MARCH 2022 (REC)

Exposure to an individual institution is limited according to Council policy and in March 2022 the investments were within the acceptable limits.

Investment with financial institutions						
Institution	Credit Rating	Credit Rating Category	Funds held at period end	Actual %	Limit Per Policy	
ANZ	AA-	AA Category	\$ 33,700,000	17.10%	30.00%	✓
AMP	BBB+	BBB+ Category	\$ -	0.00%	15.00%	✓
Bankwest	AA-	AA Category	\$ -	0.00%	30.00%	✓
Bank of Queensland	BBB+	BBB+ Category	\$ 24,500,000	12.43%	15.00%	✓
ING Bank	A-	A Category	\$ -	0.00%	25.00%	✓
Bendigo & Adelaide	BBB+	BBB+ Category	\$ 25,000,000	12.69%	15.00%	✓
CBA	AA-	AA Category	\$ 21,000,000	10.66%	30.00%	✓
Macquarie	A+	A Category	\$ 3,000,716	1.52%	25.00%	✓
NAB	AA-	AA Category	\$ 50,537,676	25.64%	30.00%	✓
St George	AA-	AA Category	\$ -	0.00%	30.00%	✓
Suncorp	A+	A Category	\$ 8,500,000	4.31%	25.00%	✓
Westpac	AA-	AA Category	\$ 30,841,560	15.65%	30.00%	✓
TOTAL			\$ 197,079,951	100%		

*Standard & Poor's ratings. Source: Policy No. CP-009: Investment of Funds

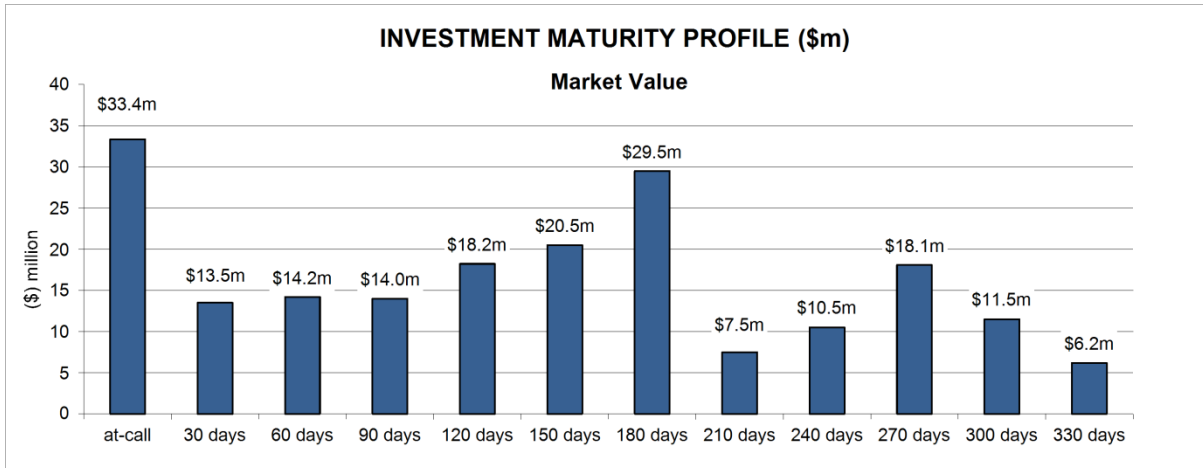
The City's investments were invested within the limits allowed within each category rating for March 2022.

Maximum Percentage of Average Investment Portfolio Balance				
Long Term Rating	Funds held at period end \$	Actual %	Limit Per Policy	
AAA Category	\$ -	0%	100%	✓
AA Category (AA+ to AA-)	\$ 136,079,235	69%	80%	✓
A Category (A+ to A-)	\$ 11,500,716	6%	50%	✓
BBB+ Category	\$ 49,500,000	25%	25%	✓
TOTAL	\$ 197,079,951	100%		

*Standard & Poor's ratings. Source: Policy No. CP-009: Investment of Funds

C22/6000 - INVESTMENT STATEMENTS FOR 31 MARCH 2022 (REC)

The below graph summarises the maturity profile of the City’s investments at market value as at 31 March 2022. The immediacy of the demand for funds depends on the particular Fund or Reserve Account(s) of the City. The maturity profile provided in the table above meets the liquidity requirements of the Council policy.

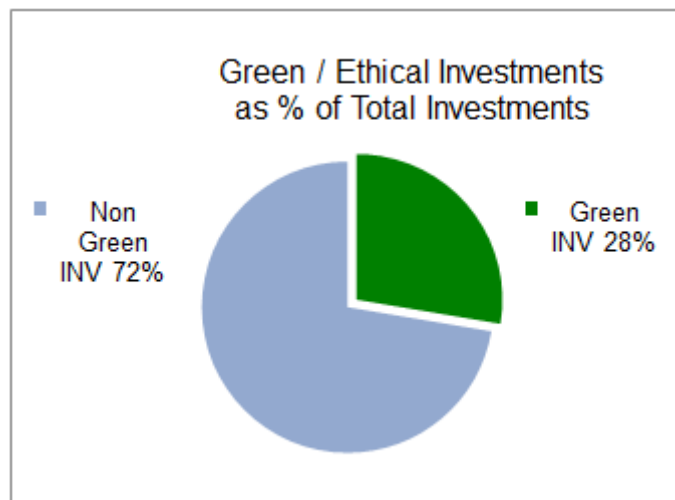


Green investments are authorised investment products made in authorised institutions that respect the environment by not investing in fossil fuel industries.

The City’s largest Green Term Deposits holder, the Commonwealth Bank of Australia (CBA), is not in a position to offer more Green Investments or roll them over as the pool of funds with them has reached full capacity. However, CBA offered the new Environmental, Social & Governance Term Deposit (ESGTD) which is a similar product to Green investments.

ESGTD’s provide the opportunity to invest in products that seek to mitigate environmental and social risks. In March the City invested \$2m and will continue to exercise a deliberative preference in favour of green/ethical investments. This preference will however only be exercised after the foremost investment considerations of credit rating, comparable rate of return and risk diversification are fully satisfied.

The total investment in green/ethical investments, as at 31 March 2022 was \$54,500,000 or 28% of total investment holdings, compared to \$55,000,000 (28%) in February 2022. The total investments holding for March and February were \$197,079,951 and \$199,379,462 respectively.



C22/6000 - INVESTMENT STATEMENTS FOR MARCH 2022 (REC)

Green / Ethical Investment with financial institutions			
Institution	Credit Rating	Credit Rating Category	Funds held at period end
Bendigo & Adelaide	BBB+	BBB+ Category	\$ 25,000,000
CBA	AA-	AA Category	\$ 21,000,000
Suncorp	A+	A Category	\$ 8,500,000
TOTAL			\$ 54,500,000

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

This report is available to the public on the City's web-site.

II. OTHER AGENCIES / CONSULTANTS

A wide range of suitably credit rated Authorised Deposit-taking Institutions (ADI's) were engaged with during the course of the month in respect to the placement and renewal of investments.

STATUTORY AND LEGAL IMPLICATIONS

The following legislation is relevant to this report:

- *Local Government (Financial Management) Regulations 1996* Regulation 19 – Management of Investments
- *Trustee Act 1962* (Part 3)

Authorised Deposit-taking Institutions are authorised under the *Banking Act 1959* and are subject to Prudential Standards oversight by the Australian Prudential Regulation Authority (APRA).

Effective from 13 May 2017 the *Local Government (Financial Management) Regulations 1996* were amended (regulation 19C) to allow local governments to deposit funds for a fixed term of three years or less. The regulation previously only allowed for deposits of 12 months or less. Deposits of greater than one year may, depending on the shape of the yield curve, enable the City to achieve better investment returns.

FINANCIAL IMPLICATIONS

For the period ending 31 March 2022:

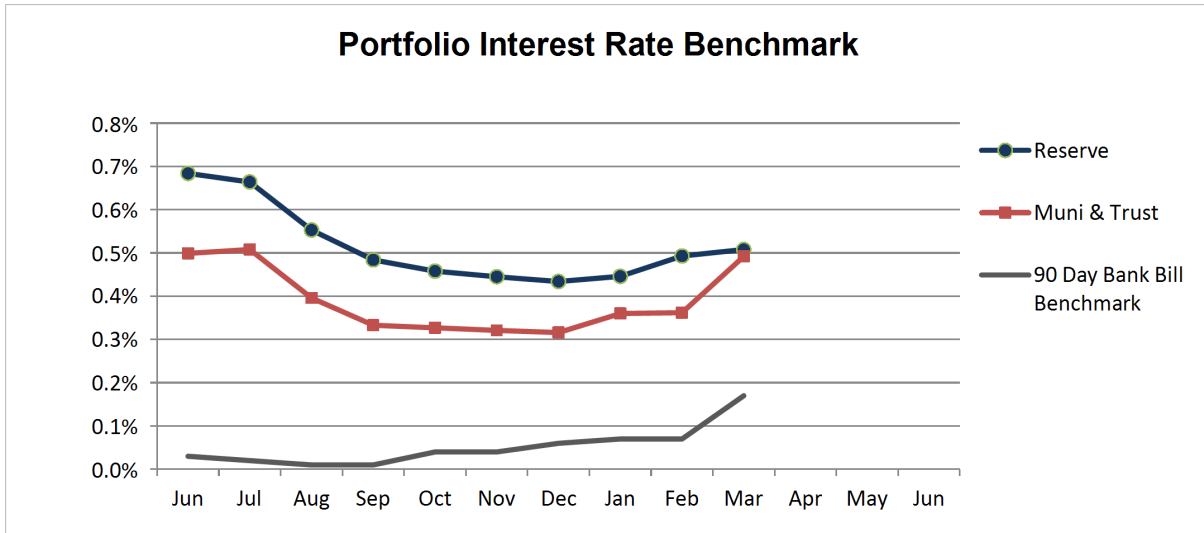
- Investment earnings on Municipal and Trust Funds were \$97,186 against a year to date budget of \$117,091 representing a negative variance of \$19,905.

The weighted average interest rate for Municipal and Trust Fund investments as at 31 March 2022 was 0.49% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 0.17%.

- Investment earnings on Reserve accounts were \$527,438 against a year to date budget of \$541,500 representing a negative variance of \$14,062.

C22/6000 - INVESTMENT STATEMENTS FOR MARCH 2022 (REC)

The weighted average interest rate for Reserve account investments as at 31 March 2022 was 0.51% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 0.17%.



STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Strategic

The interest earned on invested funds assists in addressing the following key priority area identified in The City of Melville Corporate Business Plan 2020-2024.

Priority Number One – “Restricted current revenue base and increasing/changing service demands impacts on rates”.

Risk

The Council’s Investment of Funds Policy CP-009 was drafted so as to minimise credit risk through investing in highly rated securities and diversification. The Policy also incorporates mechanisms that protect the City’s investments from undue volatility risk as well as the risk to reputation as a result of investments that may be perceived as unsuitable by the Community.

Environmental

When investing the City’s funds, a deliberative preference will be made in favour of authorised institutions that respect the environment by not investing in fossil fuel industries. This preference will however, only be exercised after the foremost investment considerations of credit rating, risk diversification and interest rate return are fully satisfied.

C22/6000 - INVESTMENT STATEMENTS FOR MARCH 2022 (REC)**POLICY IMPLICATIONS**

Council Policy CP-009 – Investment of Funds provides guidelines with respect to the investment of City of Melville (the City) funds by defining levels of risk considered prudent for public monies. Liquidity requirements are determined to ensure the funds are available as and when required and take account of appropriate benchmarks for rates of return commensurate with the low levels of risk and liquidity requirements. The types of investments that the City has the power to invest in is limited by prescriptive legislative provisions governed by the *Local Government Act 1995*, *Local Government (Financial Management) Regulations 1996* and Part III of the *Trustees Act 1962*.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable as this report only presents information for noting.

CONCLUSION

The City's investment portfolio is invested in highly secure investments with a low level of risk yielding a weighted average rate of return of 0.49% to 0.51% which exceeds the benchmark three month bank bill swap (BBSW) reference rate of 0.17%.

28% of the City's investment portfolio is invested in authorised deposit taking institutions that do not lend to industries engaged in the exploration for, or production of, fossil fuels. This compared to 28% in February 2022.

Future investment earnings will be determined by the cash flows of the City and movements in interest rates on term deposits.

OFFICER RECOMMENDATION (6000)**NOTING**

That the Council notes the Investment Report for the period ending 31 March 2022.

C22/6001 – SCHEDULE OF ACCOUNTS PAID FOR MARCH 2022 (REC) (ATTACHMENT)

Ward : All
 Category : Operational
 Subject Index : Financial Statement and Investments
 Customer Index : Not applicable
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : Standard Item
 Works Programme : Not Applicable
 Funding : Annual Budget
 Responsible Officer : Debbie Whyte – Manager Financial Services

AUTHORITY / DISCRETION

DEFINITION

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<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
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<input checked="" type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

KEY ISSUES / SUMMARY

This report presents the details of payments made under delegated authority to suppliers for the period of March 2022 and recommends that the Schedule of Accounts Paid be noted.

C22/6001 – SCHEDULE OF ACCOUNTS PAID FOR MARCH 2022 (REC) (ATTACHMENT)

BACKGROUND

Delegated Authority DA-035 has been granted to the Chief Executive Officer to make payments from the Municipal and Trust Funds. This authority has then been on-delegated to the Director Corporate Services. In accordance with Regulation 13.2 and 13.3 of the *Local Government (Financial Management) Regulations 1996*, where this power has been delegated, a list of payments for each month is to be compiled and presented to the Council.

The list is to show each payment, payee name, amount and date of payment and sufficient information to identify the transaction.

DETAIL

The Schedule of Accounts Paid for March including Payment Register numbers, Cheques: 815-816, Electronic Funds Transfers batches: 755-760, Trust Payments, Card Payments and Payroll was distributed to the Elected Members of the Council on 29 April 2022.

A total of \$9,855,845 direct creditor payments were paid during the month, of which, 23% of payments (excluding \$804,036 of payment of ESL payment to DFES) were paid to suppliers located within the City of Melville and 34% to suppliers within the South West Group, compared to 21% and 33% of total of \$9,894,607 direct creditor payments made over February 2022 respectively. The biggest payment of \$964,222 made during the month was the FOGO and over compaction charges to the Southern Metropolitan Regional Council (SMRC). Approximately 96% of supplier invoices are paid within 30 days of receipt of the invoices.

The below table details the Summary of Payments Made for the period:

SCHEDULE OF PAYMENTS MADE		
MARCH 2022		
<i>Payments made under Delegated Authority DA-035</i>		
MUNICIPAL FUNDS - DIRECT CREDITOR PAYMENTS		
Cheques	Chq Payment Register No. 815 and 816	\$848.27
	Chq Payment on Restricted Funds Register No.	\$0.00
	Less Cancelled Chqs	-
Electronic Funds Transfers	EFT Payment Register No. 756,758 and 760	\$9,103,293.55
	EFT Payment on Restricted Funds Register No. 755,757,759 and 118	\$204,828.15
	Less Cancelled EFTs	(\$7,530.79)
		\$9,301,439.18
Direct Debits	Bank Fees	\$25,509.92
	Ampol Fuel	\$127,891.57
Direct Payments		\$401,004.75
	Total Direct Creditor Payments	\$9,855,845.42
Payroll	Total Pay 18,19 and 20	\$5,717,468.17
	Total Payroll	\$5,717,468.17
Cards	Westpac Corporate Cards	\$14,981.20
	Westpac Purchase Cards	\$54,519.10
	American Express	\$3,942.30
	Total Card Payments	\$73,442.60
	Total Direct Creditor Payments from Municipal Account	\$15,646,756.19

C22/6001 – SCHEDULE OF ACCOUNTS PAID FOR MARCH 2022 (REC) (ATTACHMENT)

Schedule of Payments Made continued.

INTERFUND & INVESTMENT TRANSACTIONS			
<i>Interfund Transfers</i>			
Loan			\$0.00
Citizen Relief Trust			\$0.00
Citizen Relief Operating			\$0.00
Municipal			(\$2,435,786.30)
Reserve			\$2,435,786.30
Trust			\$0.00
<i>Total Interfund Transfers</i>			\$0.00
<i>New Municipal Investments</i>			
Westpac Bank	2/03/2022		\$1,000,000.00
Westpac Bank	3/03/2022		\$3,300,000.00
ANZ Bank	8/03/2022		\$1,500,000.00
ANZ Bank	8/03/2022		\$2,000,000.00
ANZ Bank	11/03/2022		\$1,500,000.00
ANZ Bank	11/03/2022		\$1,700,000.00
Westpac Bank	18/03/2022		\$1,300,000.00
Commonwealth Bank	23/03/2022		\$2,000,000.00
Westpac Bank	25/03/2022		\$500,000.00
<i>Total New Investments</i>			\$14,800,000.00
Grand Total			\$30,446,756.19

Details of the payments are shown in attachment [6001 Payment Details March 2022](#).

Any payment over and above \$25,000.00 has been highlighted under the Payment Amount column in the attachment to this statement named 'Listing of Payments made under Delegated Authority'.

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Not applicable.

II. OTHER AGENCIES / CONSULTANTS

Not applicable.

STATUTORY AND LEGAL IMPLICATIONS

This report meets the requirements of the *Local Government (Financial Management) Regulations 1996* Part 2: General financial management (s.6.10) regulations 11, 12 & 13.

C22/6001 – SCHEDULE OF ACCOUNTS PAID FOR MARCH 2022 (REC) (ATTACHMENT)**FINANCIAL IMPLICATIONS**

Expenditures were provided for in the adopted Budget as amended by any subsequent Budget reviews and amendments.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

There are no identifiable strategic, risk and environmental management implications.

POLICY IMPLICATIONS

Procurement of Products and Services is conducted in accordance with Council Policy CP-023 and Systems Procedure 019 Purchasing and Procurement.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable as this report presents information for noting only.

CONCLUSION

The Schedule of Payments for the month totals \$30,446,756.19.

The report and the attached Schedule of Accounts Paid are presented for the Council's information.

OFFICER RECOMMENDATION (6001)**NOTING**

That the Council notes the Schedule of Accounts paid for the period March 2022 as approved by the Director Corporate Services in accordance with delegated authority DA-035, and detailed in attachment [6001 Payment Details March 2022](#).

C22/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR MARCH 2022 (AMREC)
(ATTACHMENTS)

Ward : All
 Category : Operational
 Subject Index : Financial Reporting - Statements of Financial Activity
 Customer Index : Not applicable
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : Standard Item
 Works Programme : Not applicable
 Funding : Not applicable
 Responsible Officer : Debbie Whyte – Manager Financial Services

AUTHORITY / DISCRETION

DEFINITION

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<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes & policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
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<input type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

KEY ISSUES / SUMMARY

<p>This report presents:</p> <ul style="list-style-type: none"> • The Statements of Financial Activity by Nature or Type and Rate Setting Statement by Program and Nature or Type, for the period ending 31 March 2022 and recommends that they be noted by the Council. • The variances for the month of 31 March 2022 and recommends that they be noted by the Council. • The Budget amendments required for the month of 31 March 2022 and recommends that they be adopted by Absolute Majority decision of the Council.
--

**C22/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR MARCH 2022 (AMREC)
(ATTACHMENTS)****BACKGROUND**

The Statements of Financial Activity for the period ending 31 March 2022 have been prepared and tabled in accordance with the *Local Government (Financial Management) Regulations 1996*.

OVERALL SUMMARY OF THE CITY'S FINANCIAL POSITION

- The City's total investments holding for March were \$197.0m of which the Municipal cash balance at the end of the month was \$45.2m and \$151.6m was held in reserve accounts, which are restricted to the defined purpose for which the reserve account was established.
- The Green investment in authorised banking institutions as at 28 March 2022 was \$54.5m or 28% of total investment holdings, compared to \$55m (28%) in February 2022.
- Rates raised as at March 2022 were \$92.08m with a positive variance of \$0.36m compared to the approved budget of \$91.7m. This increase is mainly due to interim rate adjustments processed on various residential improved properties.
- Total debtor collections for March 2022 equalled \$8.8m. The Rates collection target is 92.5% and the actual collection is tracking slightly higher at 93%. The year to date total outstanding debtors (including all rates and sundry debtors) is \$9.98m.
- The Financial Management Review was completed by Moore Australia.

DETAIL

The attached reports have been prepared in compliance with the requirements of the legislation and Council policy. The three monthly reports that are presented are the:-

1. Statement of Financial Activity by Nature and Type
Provides details on the various categories of income and expenditure.
2. Rate Setting Statement by Program
Provides details on the Program classifications.
3. Rate Setting Statement by Nature or Type
Provides details on the Nature or Type classifications.

Variances

A detailed summary of variances and comments based on the Rate Setting Statement by Nature or Type is provided in attachments:

[6002B Statement Nature Type March 2022](#): Rate Setting Statement by Nature or Type

[6002H Statement of Variances March 2022](#): Statement of Variances in Excess of \$100,000

C22/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR MARCH 2022 (AMREC)
(ATTACHMENTS)

Revenue

Rates raised as at March were \$92,081,847, compared to a year to date budget of \$91,725,357. The positive variance of \$356,490 is due to interim rate adjustments processed on various residential improved properties.

Rates Collection

SUMMARY OF RATE DEBTOR MOVEMENT					
Detail	Actuals Current Month YTD	Actuals Previous Month YTD	% Diff Current Mth to Previous Mth	Actuals This Month Last Year YTD	% Diff Current Mth to Current Mth Last Yr
Opening Balance - 1 July	6,491,862	6,491,862	0%	9,142,487	-29%
Debtors Raised	118,508,431	118,458,117	0%	102,091,016	16%
Payments Received	(115,633,187)	(107,291,544)	8%	(101,037,145)	14%
Closing Balance	9,367,106	17,658,435	-47%	10,196,359	-8%

Total rate debtor collections for the month equalled \$8,341,643.

Sundry Debtor Movement

SUMMARY OF SUNDRY DEBTOR MOVEMENT					
Detail	Actuals Current Month YTD	Actuals Previous Month YTD	% Diff Current Mth to Previous Mth	Actuals This Month Last Year YTD	% Diff Current Mth to Current Mth Last Yr
Opening Balance - 1 July	882,151	882,151	0%	1,238,865	-29%
Invoices Raised	4,733,152	4,407,745	7%	4,649,762	2%
Receipts	(5,000,617)	(4,568,896)	9%	(5,038,667)	-1%
Prepayments	3,755	(32,602)	-112%	22,440	-83%
Closing Balance	618,440	688,398	-10%	872,400	-29%

Sundry debtor balances decreased by \$69,958 over the course of March from \$688,398 to \$618,440, of which, total 90 day sundry debtors over \$1,000 for the month is \$129,644, representing 17% of total sundry debtors.

Money Expended in an Emergency and Unbudgeted Expenditure

Not applicable for March 2022.

**C22/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR MARCH 2022 (AMREC)
(ATTACHMENTS)****Budget Amendments**

Details of Budget Amendments requested for the month of March 2022 that reflect effective changes to budgets are shown in attachment [6002J March 2022](#). Budget amendments that are purely administrative and detail movements between budget responsible officers are not included in the attachment. This reporting is aligned with legislative requirements.

Variances greater than \$100,000 processed in March 2022 are highlighted in the attachment.

Financial Management Review

The Local Government (Financial Management) Regulations require the Chief Executive Officer (CEO) to establish efficient financial management systems and procedures. Every 3 years the CEO is required to undertake a review of the appropriateness and effectiveness of the financial management systems and procedures and report to the results of those reviews.

An independent review was undertaken by Moore Australia during February/March 2022. There were a number of matters noted for improvement, with a report to be presented to the Financial Management, Audit, Risk and Compliance Committee in May. However, overall the City's systems and procedures were deemed to be robust.

Granting of concession or writing off debts owed to the City

Delegation DA-032 empowers the Chief Executive Officer (CEO) to grant concessions and write off monies owing to the City to a limit of \$10,000 for any one item. The CEO has partially on-delegated this to the Director Corporate Services to write off debts or grant concessions to a value of \$5,000.

There were no debts written off for the month of March 2022.

**C22/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR MARCH 2022 (AMREC)
(ATTACHMENTS)**

The following attachments form part of the Attachments to the Agenda for the month of March 2022.

DESCRIPTION	LINK
Statement of Financial Activity By Nature or Type	<u>6002A Statement Nature Type March 2022</u>
Rate Setting Statement by Program	<u>6002B Rate Setting Program March 2022</u>
Rate Setting Statement by Nature or Type	<u>6002B Rate Setting Nature Type March 2022</u>
Representation of Net Working Capital	<u>6002E Net Working Capital March 2022</u>
Reconciliation of Net Working Capital	<u>6002F Reconciliation Net Working Capital March 2022</u>
Notes on Rate Setting Statement reporting on variances of 10% or \$100,000 whichever is greater	<u>6002H Notes Rate Setting Statement March 2022</u>
Details of Budget Amendments requested	<u>6002J Budget Amendments March 2022</u>
Summary of Rates Debtors	<u>6002L Summary Rate Debtors March 2022</u>
Graph Showing Rates Collections	<u>6002M Rates Collections Graph March 2022</u>
Summary of General Debtors aged 90 Days Old or Greater	<u>6002N General Debtors Aged 90days March 2022</u>

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Not applicable.

II. OTHER AGENCIES / CONSULTANTS

Not applicable.

STATUTORY AND LEGAL IMPLICATIONS

Local Government Act 1995 Division 3 – Reporting on Activities and Finance Section 6.4 – Financial Report.

Local Government (Financial Management) Regulation 1996 Part 4 – Financial Reports Regulation 34 requires that:

**C22/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR MARCH 2022 (AMREC)
(ATTACHMENTS)****34. Financial activity statement report — s. 6.4**

(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —

- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
- (b) budget estimates to the end of the month to which the statement relates;
- (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
- (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- (e) the net current assets at the end of the month to which the statement relates.

(2) Each statement of financial activity is to be accompanied by documents containing —

- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
- (b) an explanation of each of the material variances referred to in subregulation (1)(d); and
- (c) such other supporting information as is considered relevant by the local government.

(3) The information in a statement of financial activity may be shown —

- (a) according to nature and type classification; or
- (b) by program; or
- (c) by business unit.

(4) A statement of financial activity, and the accompanying documents referred to in sub-regulation (2), are to be —

- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
- (b) recorded in the minutes of the meeting at which it is presented.

(5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

The variance adopted by the Council is 10% or \$100,000 whichever is greater.

Local Government Act 1995 Division 4 – General Financial Provisions Section 6.12; Power to defer, grant discounts, waive or write off debts.

FINANCIAL IMPLICATIONS**Variances**

Variances are detailed and explained in attachment

[6002H Notes Rate Setting Statement March 2022](#): Notes on Statement of Variances in excess of \$100,000 by Nature or Type.

**C22/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR MARCH 2022 (AMREC)
(ATTACHMENTS)****STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

The impact of Covid-19 on the services provided by the City, the health of the city employees and community itself as well as the financial impacts on the City, State and Federal economy is a significant strategic risk. The City has well developed business continuity plans in place and has enacted the Incident Response Team (IRT) to coordinate and plan the City's response to the Covid-19 crisis.

POLICY IMPLICATIONS

The format of the Statements of Financial Activity as presented to the Council and the reporting of significant variances is undertaken in accordance with the Council's Accounting Policy CP-025.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable.

CONCLUSION

The attached financial reports reflect a positive financial position of the City of Melville as at 31 March 2022.

**C22/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR MARCH 2022 (AMREC)
(ATTACHMENTS)**

OFFICER RECOMMENDATION (6002)

NOTING and ABSOLUTE MAJORITY

That the Council:

- 1. Notes the Rate Setting Statement and Statements of Financial Activity for the month ending 31 March 2022 as detailed in the following attachments:**

DESCRIPTION	LINK
Statement of Financial Activity By Nature or Type	<u>6002A Statement Nature Type March 2022</u>
Rate Setting Statement by Program	<u>6002B Rate Setting Program March 2022</u>
Rate Setting Statement by Nature or Type	<u>6002B Rate Setting Nature Type March 2022</u>
Representation of Net Working Capital	<u>6002E Net Working Capital March 2022</u>
Reconciliation of Net Working Capital	<u>6002F Reconciliation Net Working Capital March 2022</u>
Notes on Rate Setting Statement reporting on variances of 10% or \$100,000 whichever is greater	<u>6002H Notes Rate Setting Statement March 2022</u>
Details of Budget Amendments requested	<u>6002J Budget Amendments March 2022</u>
Summary of Rates Debtors	<u>6002L Summary Rate Debtors March 2022</u>
Graph Showing Rates Collections	<u>6002M Rates Collections Graph March 2022</u>
Summary of General Debtors aged 90 Days Old or Greater	<u>6002N General Debtors Aged 90days March 2022</u>

- 2. By Absolute Majority Decision adopts the budget amendments, as detailed in the attached Budget Amendment Reports for March 2022**
[6002J Budget Amendments March 2022](#)

15. EN BLOC ITEMS

16. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

17. MOTIONS WITHOUT NOTICE BY ABSOLUTE MAJORITY OF THE COUNCIL

18. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

19. CLOSURE