



**MINUTES  
OF THE  
ORDINARY MEETING OF THE COUNCIL  
HELD ON  
TUESDAY 15 NOVEMBER 2016  
AT 6.30PM IN THE COUNCIL CHAMBERS  
MELVILLE CIVIC CENTRE**

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**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL HELD IN THE COUNCIL CHAMBERS, MELVILLE CIVIC CENTRE, 10 ALMONDBURY ROAD, BOORAGOON, COMMENCING AT 6.30PM ON TUESDAY, 15 NOVEMBER 2016.**

**1. OFFICIAL OPENING**

The Presiding Member welcomed those in attendance to the meeting and declared the meeting open at 6:30pm. Mr J Clark, Governance and Compliance Program Manager read aloud the Disclaimer that is on the front page of these Minutes and then Deputy Mayor R Aubrey, read aloud the following 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 Standing Orders to ensure the efficient, effective and orderly decision making within this forum.

**2. PRESENT**

**COUNCILLORS**

Cr R Aubrey (Deputy Mayor)  
Cr N Pazolli, Cr C Schuster  
Cr M Woodall, Cr C Robartson  
Cr L O'Malley  
Cr T Barling, Cr N Foxton  
Cr G Wieland, Cr J Barton

**WARD**

City  
Applecross/Mount Pleasant  
Bull Creek/Leeming  
Palmyra/Melville/Willagee  
University  
Bicton/Attadale

**3. IN ATTENDANCE**

Mr M Tieleman	A/Chief Executive Officer
Mr J Christie	Director Technical Services
Mr S Cope	Director Urban Planning
Ms C Young	Director Community Development
Mr L Hitchcock	Executive Manager Legal Services
Mr G Ponton (Until 8.11pm)	Manager Strategic Urban Planning
Mr B Taylor	Manager Financial Services
Ms L Reid (Until 7.59pm)	Manager Cultural Services
Mr M Scarfone (Until 8.11pm)	Planning Services Coordinator
Mr J Clark	Governance and Compliance Program Manager
Mr N Fimmano	Governance and Property Officer
Ms G Healey-Burgess	Minute Secretary

At the commencement of the meeting there were 17 members of the public and one member from the Press representing the Melville Times in the Public Gallery.

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

Mayor R A Aubrey	
Dr S Silcox	Chief Executive Officer

**4.2 APPROVED LEAVE OF ABSENCE**

Cr D Macphail	City Ward
Cr P Phelan	Palmyra/Melville/Willagee 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.**

Nil

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

Nil

**6. QUESTION TIME****6.1 Mr G Gear – Alfred Cove**Question 1

*Will Council ensure that any private sector proposal has received all necessary approvals from State and Federal government departments in addition to any local government approvals that may be needed before the project can proceed?*

Response

The decision to merge and relocate Melville and Mount Pleasant Bowling Clubs is not reliant on or linked to any proposals for the use of the existing Melville Bowling Club site. The intended outcome of the Lawn Bowls Strategy 2016 is to provide future sustainability for the sport of Bowls as well as the City.

Question 2

*Will Council insist that any proposal from a private sport and recreation company subject its business plan and its financial capability statements to a tier one accounting firm, at the proposer's expense, so that an independent assessment will satisfy ratepayers, that the proposer has the financial and management capability to undertake the project?*

Response

Yes, a thorough due diligence process would be undertaken.

Question 3

*To protect ratepayers from the cost of cleaning up any improvements on council land should the business fail in the first 5 years will council insist that sufficient funds are placed in an escrow account to remove any improvements that are left after the company is wound up?*

Response

It is the City's intent to have appropriate strategies in place to mitigate this risk.

**6.2 Ms E Nicholson - Applecross**Question

*Has the Public Art Budget/Fund ever been audited? If so, when was it last audited and by whom? What was the result of the audit? Were there any inconsistencies or errors found by the auditor?*

Response

This account and transactions are presented to the external auditor as part of the annual audit. The account is also reconciled by Financial Services on a regular basis and no external audit or internal reconciliation has identified any inconsistencies or errors.

**6.3 Mr M McLerie – Bicton**

Mr McLerie referred to responses provided to questions he raised at the 18 October 2016 Ordinary Meeting of the Council.

Question 1

Council, that is all Councillors including the Mayor, have read and understood the questions and the City's responses.

Question 2

Council, that is all Councillors including the Mayor, fully endorse the City's responses as accurate, honest, full and forthright answers to the questions.

Question 3

Which Councillors can not, or will not, positively respond to questions 1 and 2 above.

Response

The three points made under the heading "Questions" by Mr McLerie referred to questions by him at the 18 October 2016 Council Meeting which, have been fully dealt with in terms of the requirements of the *Local Government Act 1995*.

**6.4 Mr R Willis – Bull creek**Question 1

*Is the future development of Garden City exempt from providing public art estimated to be 4.5 million? If not why not?*

Response

The City does not know the amount of the public art contribution because the City does not know precisely the total value of the development at this stage.

Question 2

*The recently completed 4 storey dwelling at 880 Canning Highway does not appear to provide any public art? Why not?*

Response

This question was taken on notice.

Question 3

*Why did the report not include not for profit institutions such as private schools where parents would be required to pay for public art which is completely different to developments that are built for profit?*

Response

The policy that is currently being reviewed is based on the existing policy and should the Elected Members desire to change what is contained in the policy that could be done at the meeting this evening.

The report also notes that the percent for art requirement applies in Public Schools and buildings and equally to the private developments which would also include private schools

Question 4

*Were Elected Members given copies of submissions as the officer's report and responses appear very abbreviated and not responding to community concerns just like Brexit and the USA Elections?*

Response

Elected Members have received correspondence from people within the community and there was also an opportunity to give deputations at the agenda briefing forum.

The administration summarises the submissions. A submission from All Saints private school was distributed in full to Elected Members.

**7. AWARDS AND PRESENTATIONS**

Nil

**8. CONFIRMATION OF MINUTES****8.1 ORDINARY MEETING OF THE COUNCIL – 18 OCTOBER 2016**  
[Minutes 18 October 2016](#)**COUNCIL RESOLUTION**

At 6:50pm Cr Robartson moved, seconded Cr Foxton–

**That the Minutes of the Ordinary Meeting of the Council held on Tuesday, 18 October 2016, be confirmed as a true and accurate record.**

At 6:50pm the Deputy Mayor submitted the motion, which was declared  
**CARRIED UNANIMOUSLY (10/0)**

**8.2 NOTES OF AGENDA BRIEFING FORUM – 1 NOVEMBER 2016**  
[Notes 1 November 2016](#)**COUNCIL RESOLUTION**

At 6.50pm Cr Wieland moved, seconded Cr O'Malley –

**That the Notes of the Agenda Briefing Forum held on Tuesday, 1 November 2016, be received.**

At 6.50pm the Deputy Mayor submitted the motion, which was declared  
**CARRIED UNANIMOUSLY (10/0)**

**8.3 FINANCIAL MANAGEMENT, AUDIT, RISK AND COMPLIANCE COMMITTEE – 14 NOVEMBER 2016****COUNCIL RESOLUTION**

At 6.51pm Cr Foxton moved, seconded Cr Wieland –

**That the Minutes of the Financial Management, Audit, Risk and Compliance Committee Meeting held on Monday, 14 November 2016 be noted.**

At 6.51pm the Deputy Mayor submitted the motion, which was declared  
**CARRIED UNANIMOUSLY (10/0)**

**NB:**

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

**9. DECLARATIONS OF INTEREST****9.1 FINANCIAL INTERESTS**

Nil

**9.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT**

- Item P16/3717 – Cr Pazolli – Interest under the Code of Conduct
- Item P16/3723 – Cr Wieland – Proximity Interest

**10. DEPUTATIONS**

Nil

**11. APPLICATIONS FOR NEW LEAVES OF ABSENCE**

At 6.51pm Cr Schuster moved, seconded Cr Barton-

**That the application for new leave of absence submitted by Cr O'Malley on 15 November 2016 be granted.**

At 6:51pm the Deputy Mayor submitted the motion which was declared

**CARRIED UNANIMOUSLY (10/0)**

**12. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED**

Nil

**13. PETITIONS****13.1 Petition – Potential Local Scheme and MRS Amendment for Rezoning Part of TOD Corridor in Myaree**

A petition signed by six residents was received by the City of Melville on Wednesday, 26 October 2016. The petition reads as follows –

*“We, the undersigned, all being Electors of the City of Melville, do humbly pray that – You consider our petition and documents attached for the increase in zoning within Myaree, particularly the houses on Evershed Street and Bolas Court. We hope that this will be considered at the next Council Meeting and then put forward at the next LPS6 Omnibus”.*

**COUNCIL RESOLUTION**

At 6.47pm Cr Schuster moved, seconded Cr O’Malley -

**That the petition bearing six signatures be received and acknowledged in writing to the lead petitioner with the advice that a report will be presented to a future meeting of the Council.**

At 6.48pm the Deputy Mayor submitted the motion which was declared

**CARRIED UNANIMOUSLY (10/0)**

**13.2 Petition – Request for Improvement to Murray Road Entrance to the Melville Shopping Centre**

A petition signed by 50 residents was received by the City of Melville on Tuesday, 8 November 2016. The petition reads as follows –

*“We, the undersigned, all being Electors of the City of Melville, do humbly pray that – The Murray Road entrance to the Melville Shopping Centre be improved to ensure the safety of pedestrians. We suggest that the northern fence be shortened to allow access to the footpath and that this footpath be levelled to allow use at this point.”*

**COUNCIL RESOLUTION**

At 6.49pm Cr Wieland moved, seconded Cr O’Malley -

**That the petition bearing 50 signatures be received and acknowledged in writing to the lead petitioner.**

At 6.50pm the Deputy Mayor submitted the motion which was declared

**CARRIED UNANIMOUSLY (10/0)**

**14.1 FINANCIAL MANAGEMENT, AUDIT, RISK & COMPLIANCE COMMITTEE –  
14 NOVEMBER 2016**

The following item was presented by the Deputy Presiding Member of the Financial Management, Audit, Risk and Compliance Committee.

**C16/6105 – CITY OF MELVILLE ANNUAL FINANCIAL REPORT FOR 2015-2016 (REC)  
(ATTACHMENT)**

Ward	: All
Category	: Operational
Subject Index	: Financial Reporting - Annual Financial Reports
Customer Index	: Grant Thornton
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: C15/5450 – City of Melville Annual Financial Statements for 2014/2015 – 17 November 2015
Works Programme	: Not Applicable
Funding	: Not Applicable
Responsible Officer	: Bruce Taylor 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 checked="" type="checkbox"/>	<b>Executive</b>	<b><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></b>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes &amp; 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>

**C16/6105 – CITY OF MELVILLE ANNUAL FINANCIAL REPORT FOR 2015-2016 (REC)  
(ATTACHMENT)****KEY ISSUES / SUMMARY**

- This report presents the 2015-2016 Annual Financial Report, the Independent Audit Findings Report, Management Representation Letter and Rate Setting Statement analysis. It is recommended that after review and discussion with the City's Auditors the Committee recommends acceptance to the Council.
- The overall closing funds/unrestricted cash amount available to be carried forward to 2016-2017 is \$2,942,921. This is \$2,792,921 more than the \$150,000 opening funds required to balance the 2016-2017 Annual Budget. In accordance with Council resolution (Special Meeting of Council held 24 June 2015 Item 15/6083 – Consideration and Adoption of the 2015-16 Budget) the surplus has been transferred to the Rates Equalisation Reserve.

The balance of the City's Reserve accounts for 30 June 2016 was \$112,193,310, which represents an increase of \$16,435,955 over 2014-2015.

**BACKGROUND**

In accordance with Section 5.53(1) of the *Local Government Act 1995* (the Act), a local government is required to prepare an Annual Report for each financial year. Section 5.54 of the Act requires that the Annual Report (which includes the financial report for the year) be accepted by the Local Government no later than 31 December for the previous financial year. Section 5.27 requires the Annual Report be accepted prior to the Annual Meeting of Electors. The Community Annual Report will be presented to the Council at the Ordinary Council Meeting on Tuesday 15 November 2016. This year the Community Annual Report consists of two parts, Part A and Part B. Part A contains the full text summary and an extract from the Annual Financial Report, with Part B containing the full Annual Financial Report and copy of the independent audit letter.

This report is the vehicle whereby the Council will have presented for acceptance the full Annual Financial Report for 2015-2016 after consideration by the Financial Management, Audit, Risk and Compliance Committee (FMARCC). The Council is required to accept the full Annual Financial Report by the 31 December as per Section 6.4(2) of the Act. Electors will be made aware that in addition to the Community Annual Report Part A, which includes an extract of the Annual Financial Report, the complete Annual Financial Report (Part B) will be available on the City's website or in hard copy format on request.

The Community Annual Report Parts A and B for 2015-2016 requires acceptance by the Council prior to the Annual General Meeting of Electors to be held on Wednesday, 7 December 2016. This will occur at the Council meeting to be held on Tuesday 15 November 2016.

**C16/6105 – CITY OF MELVILLE ANNUAL FINANCIAL REPORT FOR 2015-2016 (REC)  
(ATTACHMENT)****DETAIL**

Section 5.53 of the Act requires the Annual Report to contain, among other things, the financial report for the financial year under review.

This financial report which is titled City of Melville Annual Financial Report for 2015-2016 has been prepared and included in this item along with the following:

1. Variances Report on Rate Setting Statement [6105A](#)
2. Independent External Auditor's Audit Findings Report [6105B](#)
3. Audited Annual Financial Report (including):  
[6105 Annual Financial Report 2015-2016](#)
  - a. Independent Auditor's Report
  - b. Statement by the Chief Executive Officer
  - c. Management Representation Letter
  - d. Statements of Comprehensive Income by Nature or Type
  - e. Statements of Comprehensive Income by Program
  - f. Statement of Financial Position
  - g. Statement of Changes in Equity
  - h. Statement of Cash Flows
  - i. Rate Setting Statement
  - j. Notes to and Forming Part of the Annual Financial Report.

The 2015-2016 Annual Financial Report shows a positive end to the 2015-2016 financial year for the City, with an overall cash surplus of \$2,942,921. This is \$2,792,921 more than the \$150,000 budgeted to balance the 2016-2017 budget. In accordance with previous Council resolutions the additional surplus has been transferred to the Rates Equalisation Reserve to be used to reduce the need to raise rates in future years or to meet any budget shortfalls identified during budget reviews. A brief analysis of the significant variances which contributed to this positive position is included in the Variance Report on Rate Setting Statement Attachment [6105A](#).

The financial outcomes for the year are specified in the Audited Annual Financial Report and are summarised in the Financial Implications section of this report.

The Independent Auditor's Report provides an unqualified audit opinion in respect to the 2015-2016 Annual Financial Report. A number of observations were made during the Audit which Management have responded to in the Independent External Auditor's Audit Findings Report.

**C16/6105 – CITY OF MELVILLE ANNUAL FINANCIAL REPORT FOR 2015-2016 (REC)  
(ATTACHMENT)****STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

No external public consultation has been carried out.

**II. OTHER AGENCIES / CONSULTANTS**

The Council's independent external auditors Grant Thornton Australia have audited the 2015-2016 Annual Financial Report.

Grant Thornton Australia, the City's external independent auditors will be attending the Financial Management, Audit, Risk and Compliance Committee (FMARCC) meeting to discuss the Audit Completion Report including the Proposed Independent Auditor's unqualified report prepared by them.

**STATUTORY AND LEGAL IMPLICATIONS**

Section 5.53 of the Act headed "Annual reports" specifies that:-

- "(1) The local government is to prepare an annual report for each financial year and that.*
- (2) The annual report is to contain... (f) the financial report for the financial year; ..."*

Section 5.54 of the Act headed "Acceptance of annual reports" specifies that the Annual Report for the financial year is to be accepted by the Local Government no later than 31 December after that financial year.

Section 5.27 of the Act specifies that a General Meeting of Electors is to be held within fifty-six (56) days after the local government accepts the Annual Report for the previous financial year.

Section 5.94 of the Act provides that *"a person can attend the office of a local government during office hours and, unless it would be contrary to section 5.95, inspect, free of charge, in the form or medium in which it is held by the local government and whether or not it is current at the time of inspection — ... (c) any annual report;"*

Section 6.4 of the Act headed "Financial report" specifies that:-

- "(1) A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.*
- (2) The financial report is to —*
  - (a) be prepared and presented in the manner and form prescribed; and*
  - (b) contain the prescribed information.*
- (3) By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor —*
  - (a) the accounts of the local government, balanced up to the last day of the preceding financial year; and*
  - (b) the annual financial report of the local government for the preceding financial year."*

The Annual Financial Report has been prepared in accordance with all relevant legal requirements and accounting standards.

**C16/6105 – CITY OF MELVILLE ANNUAL FINANCIAL REPORT FOR 2015-2016 (REC)  
(ATTACHMENT)****FINANCIAL IMPLICATIONS**

The net result for the 2015-2016 financial year was an operating surplus identified on the Statement of Comprehensive Income of \$22 million on total operating revenues of \$112.9 million, operating expenses of \$97.65 million, non-operating revenues of \$3.15 million, decrease in equity from the City's joint venture with the Southern Metropolitan Regional Council of \$2.46 million and a gain from investments of \$6.34 million. This investment gain represents a write back of Collateralised Debt Obligations (CDO) investments as a result of distributions and dividends from liquidator actions. This operating surplus of \$22 million is different to the cash surplus, previously mentioned, of \$2.9 million. The operating surplus measures the ability of the City to cover its operational costs and have revenues available for capital funding. The cash surplus is calculated after the inclusion of capital outlays. The Department of Local Government and Communities (DLG) set a nominal standard for the Operating Surplus Ratio of greater than 0.15 (the higher the better). The City achieved a ratio of 0.17 which is comfortably above the standard.

As required under the Accounting Standards and *Local Government Act 1995* a major revaluation for fair valuation was undertaken in 2015-2016 for the City's Plant and Equipment assets. This resulted in an increase in revaluation values of \$900,559.

The Rate Setting Statement reveals an overall unrestricted cash amount / surplus available to be carried forward of \$2,942,921, after taking into account capital expenditures, reserve account transfers and the reversal of non-cash items such as asset depreciation. The City budgeted for a \$150,000 opening funds surplus for the 2015-2016 financial year when setting the budget for 2016-2017 resulting in an unallocated opening funds surplus of \$2,792,921.

The balance of the City's cash backed Reserve accounts for 30 June 2016 was \$112,193,310, which represents an increase of \$16,435,955 over 2014-2015 levels. This is due mainly to:

- Interest earnings of \$3.24 million on reserve account balances;
- Reduction in Plant replacement reserve funds to be used as Waste truck purchases were deferred to 2016-2017 \$2,414,684;
- Increase in Land and Property funds to be used \$7,812,800 for strategic property purchases;
- Decrease in Infrastructure Asset Management funds to be used as actual expenditure was \$3,668,552 less than anticipated;
- 2014-2015 Surplus funds of \$1,075,135 set aside for the Rates Equalisation Reserve, and a further \$951,267 set aside being rates paid in advance which as required by accounting standards then had to be treated as income in the year of receipt when in prior years it was treated as a prepayment and brought to income in the year in which the prepaid rates related to.;
- Savings from Waste operations of \$1,992,656;
- Distribution payouts from legal action on the City's former Collateralised Debt Obligations (CDO) investments of \$6,600,845.

The net effect is that the cash/investment backed value of the City's longer term reserve accounts increased by \$15,278,971, from \$89,254,693 to \$104,533,659 (excluding carry forward works and unexpended tied grants).

**C16/6105 – CITY OF MELVILLE ANNUAL FINANCIAL REPORT FOR 2015-2016 (REC)  
(ATTACHMENT)**

The overall financial performance for the City as reported in the Annual Financial Report and the accompanying notes is positive. The table below outlines the seven financial ratios for 2015-2016, with comparisons to 2014-2015. All of the City's financial ratios continue to perform above the recommended benchmark set by DLG as shown below:

Ratio (higher the better)		DLG Standard *	2015-2016	2014-2015	Comments
<b>Liquidity Ratio</b>					
Current Ratio	Ability to meet short-term financial obligations out of unrestricted current assets	> 1	1.46	1.70	Ratio has declined due to an increase in current liabilities (trade creditors) relative to current assets.
<b>Debt Ratio</b>					
Debt Service Cover Ratio	Ability to produce enough cash to cover debt payments	> 5	66.05	76.16	Ratio has declined due to a lower operating surplus.
<b>Coverage Ratio</b>					
Own Source Revenue Coverage Ratio	Ability to cover costs through own taxing and revenue	> 0.90	1.10	1.14	Ratio has declined slightly but remains comfortably above DLG standard.
<b>Financial Performance Ratio</b>					
Operating Surplus Ratio	Ability to cover operational costs and have revenues available for capital funding or other purposes	> 0.15	0.17	0.18	Ratio has declined slightly but remains comfortably above DLG standard.
<b>Asset Ratios</b>					
Asset Sustainability Ratio	Extent to which assets are being replaced as they reach the end of their useful lives	between 0.90 and 1.10	1.35	1.45	Ratio has declined due to lower expenditure on assets but remains comfortably above DLG standard.
Asset Consumption Ratio	Extent to which depreciable assets have been consumed	between 0.60 and 0.75	0.96	0.68	Ratio has improved due to the City continuing to invest in its asset renewals.
Asset Renewal Funding Ratio	Ability to fund projected asset renewals / replacements in the future	between 0.95 and 1.05	1.04	1.00	Ratio has improved slightly due to the City's planned capital renewals being funded over the long term.

\*These are the advanced standards set by the Department of Local Government Operational Guidelines on Financial Ratios.

**C16/6105 – CITY OF MELVILLE ANNUAL FINANCIAL REPORT FOR 2015-2016 (REC)  
(ATTACHMENT)****STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

There are no environmental management implications associated with this report.

**POLICY IMPLICATIONS**

CP - 025 Accounting Policy – defines the policy relating to the preparation of the Annual Financial Report. It should be noted that the Council Policy defines some of the accounting policies that are applied to the preparation of the annual financial report and other requirements are set and described in the Accounting Standards.

CP – 008 Financial Sustainability - Forward Financial Planning and Funding Allocation

As part of the adoption of the 2015-2016 Budget (Item 15/6083 – Consideration and Adoption of the 2015-16 Budget) the following purpose of the Rates Equalisation Reserve, was set -

***To temporarily retain any surplus carried forward funds as shown in the audited Annual Financial Report Rate Setting Statement in excess of the estimated surplus funds brought forward amount identified in the following year's Annual Budget Rate Setting Statement to subsequently be used to reduce the need to raise rates in future years or to meet any budget shortfalls identified during the mid-year or other budget reviews.***

At the adoption of the 2016-2017 Budget (Item 16/6099 – Consideration and Adoption of the 2016-17 Budget) the words “the mid-year or other” were deleted. Resolution 15/6083 applies to the 2015/2016 period.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Should the Annual Report (including the Annual Financial Report) not be adopted by the Council, this would delay the annual general meeting of electors until such time as it is adopted.

**CONCLUSION**

The 2015-2016 Annual Financial Report has been completed and an extract will be included in the Community Annual Report for 2015-2016 (Part A), with the full Annual Financial Report (Part B) being made available on the City's web-site, at its five libraries, the Civic Centre and in printed form to individuals upon request.

An unqualified auditor's report was received following the final audit. This report will be discussed by the auditors with the FMARCC at its meeting to be held on 14 November 2016, following which the complete 2015-2016 Community Annual Report will be presented to the Council for acceptance.

The Annual Financial Report is presented to the Committee for noting and for recommendation to the Council for acceptance (along with the Community Annual Report for 2015-2016 that will be submitted to the Council) by absolute majority decision

**C16/6105 – CITY OF MELVILLE ANNUAL FINANCIAL REPORT FOR 2015-2016 (REC)  
(ATTACHMENT)****OFFICER RECOMMENDATION AND COMMITTEE RESOLUTION (6105) APPROVAL**

At 6.36pm Cr Wieland moved, seconded Cr Aubrey –

**That the Financial Management, Audit, Risk and Compliance Committee:**

- 1. Notes the City of Melville 2015-2016 Annual Financial Report, the Independent External Auditor's Audit Findings Report and Independent External Auditor's Unqualified Audit Report.**
- 2. Recommends to the Council -**

**That the Council, by Absolute Majority Decision, accepts the City of Melville 2015-2016 Annual Financial Report and the Independent External Auditor's Unqualified Audit Report forming Part B of the 2015-2016 Community Annual Report as contained in attachment [6105 Annual Financial Report 2015-2016](#).**

**Footnote:**

**1 When the Council accepts the Annual Financial Report and the Independent External Auditor's Unqualified Audit Report as attached to this report, an extract of the Annual Financial Report will be included in the Community Annual Report Part A. Part B of the Community Annual Report will contain the full Annual Financial Report and Audit Letter. The extract from the Annual Financial Report will be included in the Community Report following consideration of and decision on Item C16/5514 of the 15 November 2016 Ordinary Meeting of Council.**

**2 The Financial Management, Audit, Risk and Compliance Committee requested the External Auditors to review the Asset Consumption Ratio and advise the City prior to the Ordinary Meeting of the Council on 15 November 2016.**

At 6.56pm the Deputy Presiding Member submitted the motion, which was declared

**CARRIED (5/1)**

For: Cr Aubrey, Cr Foxtan, Cr Wieland, Cr Woodall and Mr Woodgate

Against: Cr Pazolli

**C16/6105 – CITY OF MELVILLE ANNUAL FINANCIAL REPORT FOR 2015-2016 (REC)  
(ATTACHMENT)**

**COMMITTEE RECOMMENDATION/COUNCIL RESOLUTION (6105)  
MAJORITY**

**ABSOLUTE**

At 8.04pm Cr Schuster moved, seconded Cr Foxton -

**That the Council, by Absolute Majority Decision, accepts the City of Melville 2015-2016 Annual Financial Report and the Independent External Auditor's Unqualified Audit Report forming Part B of the 2015-2016 Community Annual Report as contained in attachment [6105 Annual Financial Report 2015-2016](#).**

At 8.04pm the Deputy Mayor submitted the motion which was declared

**CARRIED (8/2)**

**Footnote:**

- 1 When the Council accepts the Annual Financial Report and the Independent External Auditor's Unqualified Audit Report as attached to this report, an extract of the Annual Financial Report will be included in the Community Annual Report Part A. Part B of the Community Annual Report will contain the full Annual Financial Report and Audit Letter. The extract from the Annual Financial Report will be included in the Community Report following consideration of and decision on Item C16/5514 of the 15 November 2016 Ordinary Meeting of Council.**
- 2 The Financial, Audit, Risk and Compliance Committee requested the External Auditors to review the Asset Consumption Ratio and advise the City prior to the Ordinary Meeting of the Council on 15 November 2016.**

<b>Vote Result Summary</b>	
Yes	8
No	2

<b>Vote Result Detailed</b>	
Cr Aubrey	Yes
Cr Barling	Yes
Cr Foxton	Yes
Cr O'Malley	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Wieland	Yes
Cr Woodall	Yes
Cr Barton	No
Cr Pazolli	No

## 14.2 REPORTS OF THE CHIEF EXECUTIVE OFFICER

At 6.51pm the Deputy Mayor requested that Items P16/3726, P16/3717 and P16/3730 be brought forward for discussion.

At 6.52pm Mr Hitchcock left the meeting and returned at 6.53pm.

### **P16/3726 - REVIEW OF COUNCIL POLICY CP-085 PROVISION OF PUBLIC ART IN DEVELOPMENT PROPOSALS (REC) (ATTACHMENT)**

Ward	: All
Category	: Policy
Application Number	: Not applicable
Property	: Not applicable
Proposal	: Review of Council Policy CP-085 - Provision of Public Art in Development Proposals
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	: P16/3704 : Review Of Council Policy CP-085 - Provision Of Public Art In Development Proposals – Ordinary Meeting of Council – May 2016
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>
<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"/>	<b>Legislative</b>	<b><i>Includes adopting local laws, town planning schemes &amp; policies.</i></b>
<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>

**P16/3726 - REVIEW OF COUNCIL POLICY CP-085 PROVISION OF PUBLIC ART IN DEVELOPMENT PROPOSALS (REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- At the Ordinary Council Meeting held in May 2016, the Council endorsed proposed modifications to Council Policy CP-085 'Provision of Public Art in Development Proposals' for advertising.
- Public advertising took place by way of a letter to landowners in the Melville City Centre Structure Plan area, an email to 228 people on the Melville City Centre project update database, an advertisement in the Melville Times and a notice on the City's website.
- A total of 16 submissions were received during the consultation period, which are detailed in the stakeholder engagement section of the report. The submissions received include objections, support and comments.
- A number of further modifications are proposed to the policy as a result of submissions received and consideration by City staff.
- These modifications proposed are intended to ensure that the policy fulfils the strategic goal of the provision of high quality public art in conjunction with applicable development, and streamlining the Policy by removing some operational detail which is more administrative in nature.
- It is recommended that the Council resolves to proceed with the policy in its modified form and that notice to this effect be published in a local newspaper.

**BACKGROUND**

In May 2016, the Council endorsed modifications to Council Policy CP-085 'Provision of Public Art in Development Proposals' for advertising in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*. The key changes to the previously adopted policy are as follows:

- a) mandate a cash in lieu payment in respect of those developments with a value of between \$1million and \$5million;
- b) provide for consideration of public art as early as possible in the development process;
- c) provide clarity regarding the requirements for public art in the Melville City Centre and Murdoch Mixed Use Activity Centre precincts;
- d) provide additional details regarding the installation and maintenance of public art;
- e) provide additional detail regarding information requirements;
- f) incorporate the Melville City Centre Public Art Strategy as an attachment to the policy.

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**P16/3726 - REVIEW OF COUNCIL POLICY CP-085 PROVISION OF PUBLIC ART IN DEVELOPMENT PROPOSALS (REC) (ATTACHMENT)****DETAIL**

At the Ordinary Council meeting held on 17 May 2016, the Council resolved to adopt the revised Council Policy CP-085 for the purpose of public consultation. Advertising took place from 14 June to 8 July, and this resulted in 16 submissions. A response to the issues raised by these submissions is provided in the stakeholder engagement section of this report. The submissions received have been carefully considered. Significant variations to the policy text are not recommended.

Officers have however provided additional modifications to the advertised version of the policy to streamline its content, removing reference to workflow processes, and ensuring the policy is strategic in its emphasis. Despite these modifications, the overall intent of the policy remains unchanged.

The main proposed changes to the policy are:

- a) minor modifications to the definitions;
- b) clarity regarding the options for cash in lieu;
- c) a requirement that public art concepts be brought forward as early as possible within the development process;
- d) clarity regarding requirements within Structure Plan and Activity Centre Plan areas, and/or where a public art strategy applies;
- e) reference to the Melville City Centre Public Art Strategy as a guiding document for public art proposals within the Melville City Centre Activity Centre Plan area.

[3726 CP 085 Public Art Policy Final](#)

**STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

Advertising the proposed changes to CP-085 took place from 14 June to 8 July 2016, for a total of 24 days. This included a letter to all landowners in the Melville City Centre Structure Plan area, an email to 228 people on the Melville City Centre project update database and a notice in the local newspaper and on the City's website. Letters were sent to landowners in the Melville City Centre Structure Plan area because it is now proposed that the provisions of the Public Art Policy apply to the Structure Plan area; this was previously not the case. It is noted that consultation is not required in respect of public art requirements in the Murdoch Activity Centre as the public art requirement already exists. A total of 16 submissions were received in response, the majority of which focused on the amendments to the policy text, although a small proportion of comments received focussed on the Melville City Centre Public Art Strategy, which is referred to in the Policy.

A summary of responses is provided in the tables below, together with an officer comment on each.

**P16/3726 - REVIEW OF COUNCIL POLICY CP-085 PROVISION OF PUBLIC ART IN DEVELOPMENT PROPOSALS (REC) (ATTACHMENT)**

Summary Submissions	Officer Response
Existing public art in the City of Melville is of a low quality.	This statement of opinion is noted. The requirements of CP-085 aim to ensure work is undertaken by a qualified artist and is supported by relevant information. These measures will ensure that the quality and integrity of public art installations in the City is to the required standard.
Money should be spent on functional amenities such as footpaths, improved bus shelters, and improved parking.	Noted. The City of Melville's capital works program aims at improving infrastructure such as footpaths. The City could only require such works as a part of development applications by first adopting a developer contributions scheme.
This cost will be passed on to the purchaser which will have an impact on affordability and may result in uncompetitive pricing compared with development in surrounding areas.	Noted. The approach is consistent with that taken by surrounding local governments and the state government.
The policy is overly restrictive in terms of the definition of an artist, it does not allow for place making activities or works by emerging artists. The definition does not take into account the range of tools at the developer's disposal to create enjoyable spaces such as internal key nodes, graphic treatments, facades, furniture, skylights, atriums, internal graphic walls, play scapes and bespoke lighting treatments.	Not supported. The definition of an artist is consistent with that of other Local Governments and the State Government. The City has acknowledged that in some instances this definition can be relaxed to encourage emerging artists. This policy applies to Public Art in developments, provided within the public realm not internal to the development. Place making activities are not public art. Public art can however contribute to a sense of place in a space.
The requirement for a mandatory contribution where the value of the development is between one and five million dollars, is essentially a tax on development and inappropriate to be levied by the local government.	Not supported. Whether the requirements of the policy are met via cash in lieu or the provision of public art, the cost to the developer is identical.
The requirement to provide a one percent contribution to public art will place a significant burden on developers and may be enough to stop development from going ahead.	Not supported. The requirement to provide a one percent contribution to public art currently exists across the City of Melville with the exception of the Melville City Centre Structure Plan area. This Policy is consistent with the approach taken by surrounding local governments and the State Government.
Good public art outcomes are not necessarily based on the total spend, the approval process allows the City to ensure good design outcomes are achieved, making the one percent requirement unnecessary.	Not supported. While the quality of public art provided is not necessarily linked to its cost, the one percent requirement allows the City to require the provision of public art equitably across all relevant development projects.

**P16/3726 - REVIEW OF COUNCIL POLICY CP-085 PROVISION OF PUBLIC ART IN DEVELOPMENT PROPOSALS (REC) (ATTACHMENT)**

<b>Summary Submissions</b>	<b>Officer Response</b>
Where a mandatory requirement is imposed the City should consider a sliding scale or upper limit to ensure public art is provided in a way that does not impact development feasibility.	Not supported. The preferred approach of the City is that a contribution cap is not applied, as it would result in inequity, serve to minimise the impact and compromise the outcomes for public art throughout the City. The cap that applies in the Canning Bridge Activity Centre Plan area recognises that the benchmark for sustainable building design within that area is set high, with associated costs.
Consider exempting not-for-profit education establishments which are involved in the education, creation and promotion of public art. These institutions invest significant sums to the arts annually and it would be unfair to require further contribution.	Not supported. The teaching of arts, theatre and manual arts form part of the core focus for schools. The percent for art policy requires the provision of public art as a means to improving the public realm and add to the character of localities. The State government mandates the percent for art requirement in all state education facilities developments.
It is understood the City of Melville is following the lead of the State Government on this issue, however the State does not apply the same level of rigour to development. .	Noted. The State Government Percent for Art Scheme applies to major new public buildings such as schools, police stations and hospitals.
Will the City apply the requirements of this policy to its own new buildings and infrastructure projects?	Noted. Yes, the City is required to provide public art in accordance with policy requirements.
The policy does not accommodate community art where the developer engages the community to produce work.	Community art projects may be considered to satisfy the public art requirement however must be led by public artists as defined by the policy.
Planning for public art should occur early in the process however it may be inappropriate to engage an artist prior to development approval being granted.	Supported. The revised policy advocates that this should occur.
The decisions regarding public art should be made by a committee involving the Mayor, Councillors, and relevant Planning and Arts staff. The decisions made impact on the amenity of the community and elected members are best qualified to evaluate submissions rather than delegating this to officers.	Not supported. Legislative guidelines stipulate that it is inappropriate for the Mayor and Elected Members to be involved in operational matters. A Public Art panel comprising relevant officer input, complemented by a peer assessor and an art consultant, is best placed to determine the suitability of individual public art proposals.
Consider extra community consultation as it appears most interested parties are not aware of this policy change.	Noted. The City considers that the consultation exercise followed in this case was sufficient and in accordance with the Regulations. (refer to stakeholder engagement section of this report)

**P16/3726 - REVIEW OF COUNCIL POLICY CP-085 PROVISION OF PUBLIC ART IN DEVELOPMENT PROPOSALS (REC) (ATTACHMENT)**

Summary Submissions	Officer Response
Number of suggested modifications to the wording of the policy to improve its operations.	Noted and supported where considered appropriate by the revisions to the policy that are now proposed.
Suggest all structure plans should be consistent in their approach to the provision of public art and should be written with this in mind.	Noted. Structure plans are generally consistent in their approach to public art. It is recognised however that an element of variation to reflect area specific circumstances, is required.
Suggest public art plan should be prepared for each activity centre.	Noted. It is proposed that a city wide Public Art Strategy be prepared.
Portioning a percentage of the cash-in-lieu received towards administration of the fund is a great idea; suggest a specialist coordinator is appointed.	Partially supported. The Policy has been updated to allow for expenditure of up to 15% of cash in lieu on administration.
Five years may not be long enough to spend the cash-in-lieu funds.	Noted
Support the policy which is consistent with the State and other local governments.	Noted
Applaud the adoption of this policy – consider the multiplier effect is worth \$5-8 dollars for every dollar awarded to artists. Money flows to foundries, transport companies, local stores, hire companies, engineers and general material merchants.	Noted. The economic benefit to the business community is recognised.
Improves the culture of a place and its level of interest improving Perth's reputation internationally.	Noted. This comment is consistent with the objectives of the policy.
Seek to expand art items to flooring and landscape features	Noted. There is no impediment to public art installations being used to enhance flooring, or to complement landscaped areas, provided such installations are designed and developed in accordance with the policy requirements.
Good idea to keep the location of cash in lieu projects broad	Noted
Good idea to document the overall cost of the public art	Noted

**P16/3726 - REVIEW OF COUNCIL POLICY CP-085 PROVISION OF PUBLIC ART IN DEVELOPMENT PROPOSALS (REC) (ATTACHMENT)**

Summary of comments –Melville City Centre Public Art Strategy	Officer Response
Reference made to Public Art Policy. This policy does not apply in the MCCSP area and therefore all references should be deleted.	Not supported – The proposed amendments to the MCCSP (Melville City Centre Structure Plan or Activity Centre Plan) and Policy CP-085 are designed to formalise the requirement to provide public art in the City Centre area.
Fixed art contribution does not take into account other contributions as noted above.	Noted. See comments above
The definition of an artist is overly restrictive and does not allow for emerging artists to produce significant art works that may otherwise meet the intention of the strategy.	Noted. See comments above
The assessment of the public art by an appointed Public Art Panel adds extra integrity to the process and ensures works are of a high quality.	Noted.

**II. OTHER AGENCIES / CONSULTANTS**

No consultation with other agencies or consultants was required in this instance and therefore has not been undertaken.

**STATUTORY AND LEGAL IMPLICATIONS**

The City will follow the requirements of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

There are not considered to be other statutory or legal implications in relation to the policy changes detailed in this report.

**FINANCIAL IMPLICATIONS**

There are not considered to be financial implications in relation to the policy changes detailed in this report.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

There are not considered to be strategic, risk or environmental management implications in relation to the policy changes detailed in this report.

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**P16/3726 - REVIEW OF COUNCIL POLICY CP-085 PROVISION OF PUBLIC ART IN DEVELOPMENT PROPOSALS (REC) (ATTACHMENT)****POLICY IMPLICATIONS**

CP- 085 enables a consistent approach to be taken by the City in relation to the provision of public art. The proposed modifications will improve its implementation.

**COMMENT**

The changes outlined in this report will result in a planning policy which focuses on the main objective of requiring public art or an equivalent cash in lieu contribution where development exceeds \$1 million.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

There are no alternative options presented as part of this report however the Council may choose not to adopt the changes outlined in the report and may adopt an alternative approach. Should Council choose to adopt an alternative approach it is noted that this may require readvertising in accordance with the Regulations.

**CONCLUSION**

It is considered that the revisions to the policy will provide the City with the ability to achieve high quality Public Art outcomes. The submissions made in response to the policy review have, been taken into account where relevant. It is recommended that Council adopts the policy.

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**P16/3726 - REVIEW OF COUNCIL POLICY CP-085 PROVISION OF PUBLIC ART IN DEVELOPMENT PROPOSALS (REC) (ATTACHMENT)****OFFICER RECOMMENDATION (3726)****APPROVAL**

At 6:52pm Cr Wieland moved, seconded Cr Barton –

**That the Council;**

1. **Adopts Council Policy CP-085 - Provision of Public Art in Development Proposals as modified.**

**3726 CP 085 Public Art Policy Final**

2. **Directs that notification is published in a local newspaper informing the community of the adoption of revised Council Policy CP - 085.**
3. **Directs the Chief Executive Officer to notify the submitters in writing of the Council's decision**
- 4.

**Amendment 1**

***That the Council amend the Officer's Recommendation as follows:***

1. ***Amend the draft Policy CP-085 that is the subject of this Item as follows:***
  - a. ***Delete Clauses 2,3 and 4 in the section headed Policy Statement on page 3 of 6; and,***
  - b. ***Add a new Clause 2 worded as follows " For developments subject to this Policy (ie those with a value over \$1 million) proponents can elect either to provide the public art themselves, or contribute a Cash in Lieu payment to the City for use in accord with Clause 7 of this Section."***
  - c. ***Add a new Clause 3 worded as follows "Applicants shall confirm their preference to either provide the public art or the cash in lieu payment at the time of lodgement of the development application.", and,***
  - d. ***Add a new Clause 4 worded as follows " Where it is proposed to provide public art, the applicant must provide details of the proposed public art to the City at the time of lodgement of the development application."***
2. ***Amend the draft Policy CP-085 by adding the following sentence to the Section titled Policy Scope:***
  - a. ***The public art contribution in respect to any single development will be limited to a maximum of \$500,000.***

**P16/3726 - REVIEW OF COUNCIL POLICY CP-085 PROVISION OF PUBLIC ART IN DEVELOPMENT PROPOSALS (REC) (ATTACHMENT)**

**Amendment 2**

*That the Council amend the Officer's Recommendation as follows:*

*Resolve to amend draft Policy CP-085 by adding the following sentence to the Section titled Policy Scope:*

*Not for profit organisations are exempt of this policy however the City on receiving a development proposal of value \$1million or above will advise the applicant of Policy CP-085 and encourage the applicant to participate in full or following mediation with the City's Public Art Panel participate by the contribution of an agreed lesser amount.*

**Procedural Motion**

At 6:53pm Cr Foxtton moved, seconded Cr Barling, the following Procedural Motion in accordance with Clause 11.1(b) of Standing Orders Local Law 2003 -

**That this item be deferred to a future meeting of Council in 2017.**

At 6.56pm the Deputy Mayor submitted the motion, which was declared

**CARRIED (7/3)**

<b>Vote Result Summary</b>	
Yes	7
No	3

<b>Vote Result Detailed</b>	
Cr Barling	Yes
Cr Barton	Yes
Cr Foxtton	Yes
Cr O'Malley	Yes
Cr Pazolli	Yes
Cr Wieland	Yes
Deputy Mayor Cr Aubrey	Yes
Cr Robartson	No
Cr Schuster	No
Cr Woodall	No

**P16/3717 - INITIATION OF AMENDMENT NO.2 TO LOCAL PLANNING SCHEME 6 – VARIOUS RESIDENTIAL UPCODINGS (REC)**

Disclosure of Interest

Item No.	P16/3717
Elected Member/Officer	Cr N Pazolli
Type of Interest	Interest under the Code of Conduct
Nature of Interest	My residence is within 100m of the Mount Pleasant North proposed in the item
Request	To leave the meeting
Decision of Council	Not Applicable
Ward	: Applecross/Mt Pleasant Palmyra/Melville/Willagee
Category	: Strategic
Application Number	: Not Applicable
Property	: 205 properties in Mount Pleasant and Melville
Proposal	: Initiation of Amendment No.2 to Local Planning Scheme 6 – Various Residential Upcoding
Applicant	: Not Applicable
Owner	: Various
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: P15/3628 – Report on Submissions and Modifications to Local Planning Scheme 6 Following Advertising – Ordinary Meeting of Council (12 May 2015)
Responsible Officer	: Gavin Ponton Manager Strategic Urban Planning

**P16/3717 - INITIATION OF AMENDMENT NO.2 TO LOCAL PLANNING SCHEME 6 – VARIOUS RESIDENTIAL UPCODINGS (REC)**

**AUTHORITY / DISCRETION**

**DEFINITION**

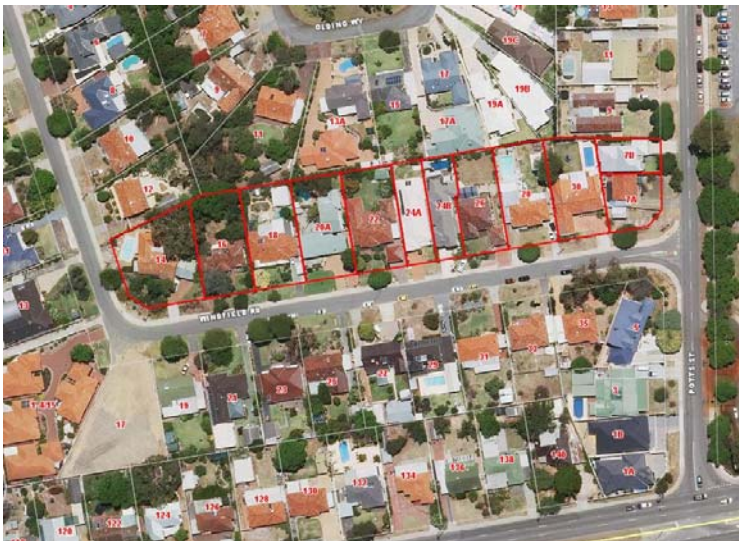
<input type="checkbox"/>	Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. E.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input checked="" type="checkbox"/>	<b>Legislative</b>	<b><i>Includes adopting local laws, town planning schemes &amp; policies.</i></b>
<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>



**P16/3717 - INITIATION OF AMENDMENT NO.2 TO LOCAL PLANNING SCHEME 6 –  
VARIOUS RESIDENTIAL UPCODINGS (REC)**



Item 2 of 3 – Mount Pleasant North



Item 3 of 3 – Windfield Road, Melville

**P16/3717 - INITIATION OF AMENDMENT NO.2 TO LOCAL PLANNING SCHEME 6 –  
VARIOUS RESIDENTIAL UPCODINGS (REC)****BACKGROUND**

A draft of LPS6 was advertised for public comment from November 2014 to January 2015. A total of 380 submissions were received. It was noted at the time that many of the submissions requested housing densities over and above those proposed in the draft.

The Scheme was adopted by the Council 12 May 2015. At this meeting the Council also resolved in part as follows:

*[Council] notes that those modifications not able to be included in Local Planning Scheme 6, without a need for further advertising, are to be considered for progression via inclusion in an omnibus scheme amendment to be initiated on gazettal of Local Planning Scheme 6.*

As LPS6 was gazetted on 27 May 2016, it is timely to consider an omnibus scheme amendment covering at least some of the suggested modifications.

The purpose of the relevant sections of the May 2015 report was to flag changes for further scrutiny. In the intervening period the suggested modifications have been considered by officers. Only three suggested modifications are considered to be appropriate for progression. These were selected on the basis of consistency with the Local Planning Strategy, planning merit, and the strength of community support.

Those changes to LPS6 which were suggested for further consideration in the May 2015 resolution but which have not been considered suitable for progression to a Scheme Amendment either lacked planning merit, are inconsistent with the Local Planning Strategy, or proposed land uses that could not be reconciled with the LPS6 zoning. These items are not likely to be considered again until the next formal Scheme review.

**Scheme Provisions**

MRS Zoning	:	Urban
LPS6 Zoning	:	Residential
R-Code	:	R12.5 (Mount Pleasant lots) and R20 (Melville lots)
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

**P16/3717 - INITIATION OF AMENDMENT NO.2 TO LOCAL PLANNING SCHEME 6 – VARIOUS RESIDENTIAL UPCODINGS (REC)**

**DETAIL**

As stated it is proposed to amend LPS6 to accommodate three changes that were suggested by the public during advertising of the LPS6 draft.

The three proposed changes are:

1. Changing the R12.5 density code of the area surrounded by Riverview Terrace (south of Gunbower Road), Cowrie Crescent, Springside Avenue, and the lots abutting the eastern side of Bateman Road (between Canning Avenue and Gunbower Road), to R20.



**EXISTING ZONING**

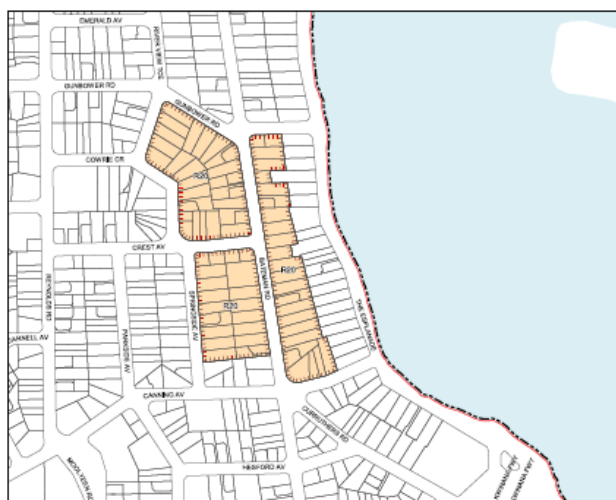
**SCHEME LEGEND**

Local Planning Scheme 6

- Residential
- Public Open Space
- District Distributor Road
- Local Distributor Road

Regional Reserves

- Parks & Recreation
- Primary Regional Roads



**SCHEME (AMENDMENT) MAP**

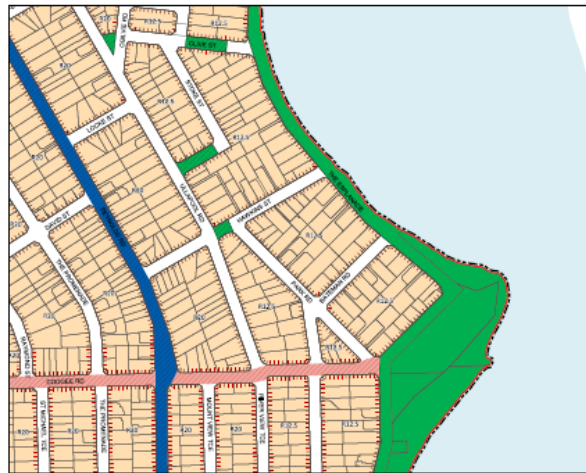


Scale 1:5000 (at A3)  
30th September 2016

LPS6 Amendment 2  
Map 1

**P16/3717 - INITIATION OF AMENDMENT NO.2 TO LOCAL PLANNING SCHEME 6 – VARIOUS RESIDENTIAL UPCODINGS (REC)**

2. Changing the R12.5 density code on lots in Mount Pleasant within the area surrounded by The Esplanade, Coogee Road, rear lot boundaries of lots abutting Bateman Road on the west, rear lot boundaries of lots abutting Park Road to the west, rear lot boundaries of lots abutting the north of Hawkins Street to R20.



EXISTING ZONING

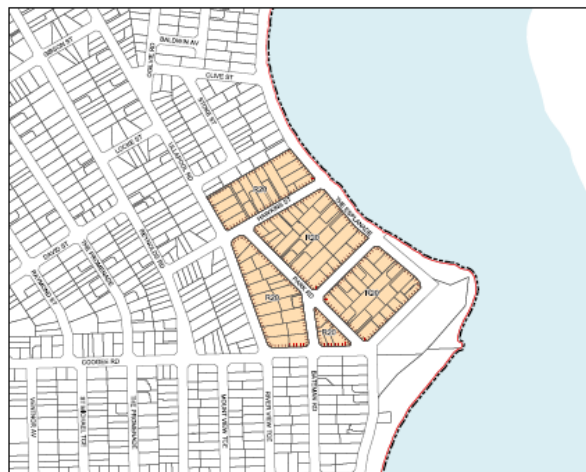
**SCHEME LEGEND**

Local Planning Scheme 6

- Residential
- Public Open Space
- District Distributor Road
- Local Distributor Road

Regional Reserves

- Parks & Recreation



SCHEME (AMENDMENT) MAP

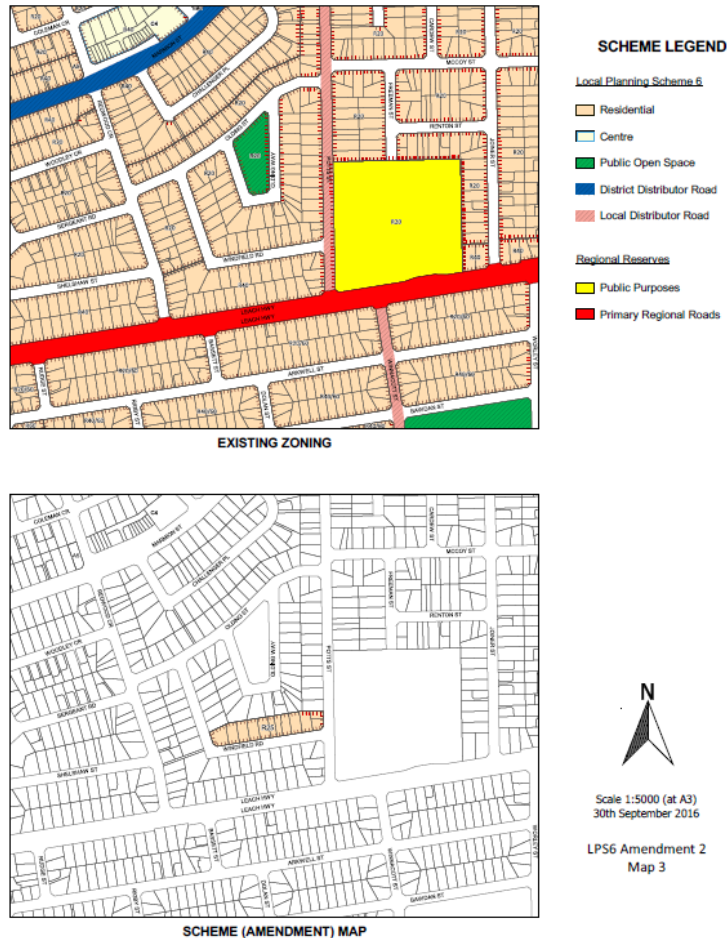


Scale 1:5000 (at A3)  
30th September 2016

LPS6 Amendment 2  
Map 2

**P16/3717 - INITIATION OF AMENDMENT NO.2 TO LOCAL PLANNING SCHEME 6 – VARIOUS RESIDENTIAL UPCODINGS (REC)**

3. Changing the R20 density code of lots abutting the north side of Windfield Road, Melville, to R25.



The current proposed amendment wording is slightly different from the suggested future amendment items identified in the May 2015 report. The intent and general content of the items identified for inclusion however remains the same. The differences are attributed to the need for greater precision now that the suggestions have evolved to the stage of a formal omnibus Scheme Amendment.

All of the subject areas are already zoned for residential use. The proposals do not seek change to the residential zoning and there are no implications for maximum building heights.

The proposed density codes of R20 and R25 offer almost no potential for apartments as a minimum site area per dwelling (450m<sup>2</sup> in R20 and 350m<sup>2</sup> in R25) applies. It can be expected that the buildings in each subject area will be low-key and suburban in nature.

**P16/3717 - INITIATION OF AMENDMENT NO.2 TO LOCAL PLANNING SCHEME 6 – VARIOUS RESIDENTIAL UPCODINGS (REC)**

The slight increase in density codes will see a slight increase in dwelling yields within each subject area. These increases will assist the achievement of the City's dwelling targets under Directions 2031, the State Government's strategic planning framework. More information regarding the dwelling yields is included in the Comment section of this report.

Density code changes will see slight changes to some development requirements such as minimum frontages and outdoor living area requirements. Differences between the requirements for various density codes are summarised in the table below.

Density Code	Average Site Area Per Dwelling (including apartments)	Minimum Frontage	Open Space	Min Outdoor Living Area	Primary street setbacks/ secondary street setbacks
R12.5	800m <sup>2</sup>	17m	55%	No min	7.5m/2m
R20	450m <sup>2</sup>	10m	50%	30m <sup>2</sup>	6m/1.5m
R25	350m <sup>2</sup>	8m	50%	30m <sup>2</sup>	6m/1.5m

**STAKEHOLDER ENGAGEMENT**

Should the Council resolve to initiate the amendment, formal advertising will be required in accordance with procedures prescribed within the *Planning and Development (Local Planning Schemes) Regulations 2015*.

All affected landowners, including those of properties abutting the subject areas, will be contacted by mail and invited to comment. A notice will also be circulated in a local newspaper.

**OTHER AGENCIES / CONSULTANTS**

There are no referrals to Government Agencies required prior to the initiation of the Scheme Amendment. Under normal process the relevant agencies are contacted after initiation.

**STATUTORY AND LEGAL IMPLICATIONS**

Pursuant to Part 5 of the *Planning and Development Act 2005*, should the Council resolve to adopt the proposed scheme amendment, the proposal has to be forwarded to the Minister for Planning (the Minister) for determination.

The decision from the Council on whether or not to adopt the subject amendment is final and no right of appeal exists.

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**P16/3717 - INITIATION OF AMENDMENT NO.2 TO LOCAL PLANNING SCHEME 6 – VARIOUS RESIDENTIAL UPCODINGS (REC)****FINANCIAL IMPLICATIONS**

There are not considered to be financial implications associated with the proposed Scheme Amendment.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

There are not considered to be strategic, risk or environmental management implications associated with the proposed Scheme Amendment.

**POLICY IMPLICATIONS**

There are not considered to be policy implications in relation to the proposed Scheme Amendment.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The Council could elect not to progress the three suggested modifications to LPS6 which are the subject of the proposed Scheme Amendment. Should the Council elect not to progress the suggested modifications this would have minor effect on the residential densities in Mount Pleasant and Melville. In Mount Pleasant the effect of gazettal of LPS6 is the retention of large areas of R12.5, a code associated with very low densities. Choosing not to initiate the suggested change in Melville would simply mean an opportunity not taken to increase the density of the catchment associated with the high school and transport route catchments.

**COMMENT**

As outlined above, the proposed Amendment seeks to progress three modest up coding suggestions made by the community during the public comment phase of LPS6.

**Mount Pleasant South**

Surrounded almost entirely by R20 areas, the R12.5 subject area comprises 82 properties. R12.5 is generally regarded as a very low density in the inner ring suburban context and given the support for change in this area (eight requests during LPS6 advertising) an up code to R20 can be justified. The relatively built-up nature of the subject area suggests that sudden, drastic change is unlikely. Furthermore, it will not be possible for multiple dwellings to be approved at the R20 density code.

Changes could yield up to 36 additional dwellings over the long term. An up code of this modest nature remains consistent with the Local Planning Strategy, which states that suburban areas should remain at low densities.

**P16/3717 - INITIATION OF AMENDMENT NO.2 TO LOCAL PLANNING SCHEME 6 –  
VARIOUS RESIDENTIAL UPCODINGS (REC)**

It should be noted that the small R12.5 area south of Canning Avenue was considered for up coding to R20. It was decided to leave the area at R12.5 due to the isolating effects of the Carruthers Street cul-de-sac, and the negative impact of Kwinana Freeway on local traffic movement, which limit the desirability of even slightly higher densities.

Mount Pleasant North

Close to Deep Water Point, the R12.5 subject area comprises 110 dwellings. R12.5 is generally regarded as a very low density in the inner ring suburban context and given the high levels of support for change in this area (28 requests during LPS6 advertising) an up code to R20 can be justified. The relatively built-up nature of the subject area suggests that sudden, drastic change is unlikely. Furthermore, it will not be possible for multiple dwellings to be approved at the R20 density code. Changes could yield up to 31 new dwellings over the long term.

An up code of this modest nature remains consistent with the Local Planning Strategy, which states that suburban areas should remain at low densities.

Windfield Road, Melville

The section of Windfield Road, Melville, proposed for up coding from R20 to R25 is also considered a good candidate for gradual redevelopment. Windfield Road is within 110m of a high-frequency public transport route (Leach Highway), and under the Local Planning Strategy is ideal for slightly higher density. The activity centre on Marmion Street/Redwood Crescent is less than 400m to the north. Lots abutting the south of Windfield Road have already been up coded to R40. As the homes in the subject area are relatively old, and most lots are larger than 700m<sup>2</sup> minimum required for subdivision under an R25 coding, it can be expected that a coding of R25 will prove effective. It will not be possible for multiple dwellings to be approved under this coding.

There are 12 homes in the subject area. During public advertising of LPS6 there were seven formal requests for up coding. The proposed changes could yield up to 11 more dwellings, most likely via side-by-side subdivision.

**CONCLUSION**

In all cases the proposed residential up codes are relatively minor and are unlikely to lead to drastic changes. Only low density, suburban style development can be permitted.

The changes respond positively to suggestions made by the community and subsequently supported by Council in May 2015.

**P16/3717 - INITIATION OF AMENDMENT NO.2 TO LOCAL PLANNING SCHEME 6 – VARIOUS RESIDENTIAL UPCODINGS (REC)**

At 7:16pm Cr Woodall left the meeting and returned at 7:18pm

At 7:37pm Cr Robartson left the meeting and returned at 7:39pm

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3717)                      APPROVAL**

At 6:58pm Cr Foxton moved, seconded Cr Barling –

**That the Council:**

**Pursuant to Section 75 of the *Planning and Development Act 2005*, resolves to initiate Scheme Amendment No. 2 to Local Planning Scheme 6 as follows:**

1. Changing the R12.5 density code of the area surrounded by Riverview Terrace (south of Gunbower Road), Cowrie Crescent, Springside Avenue, and the lots abutting the eastern side of Bateman Road (between Canning Avenue and Gunbower Road), to R20;
  2. Changing the R12.5 density code on lots in Mount Pleasant within the area surrounded by The Esplanade, Coogee Road, rear lot boundaries of lots abutting Bateman Road on the west, rear lot boundaries of lots abutting Park Road to the west, rear lot boundaries of lots abutting the north of Hawkins Street to R20; and
  3. Changing the R20 density code of lots abutting the north side of Windfield Road, Melville, to R25.
- A. Directs the Chief Executive Officer to advise the Western Australian Planning Commission that the proposal is considered to be a standard amendment to Local Planning Scheme 6 in accordance with regulation 35 (2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as:
1. It is an amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;
  2. It is an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;
  3. It is an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment; and
  4. It is an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.
- B. Authorises public advertising of the draft Scheme Amendment No.2 to allow for comments to be received and considered.
- C. Authorises His Worship the Mayor and the Chief Executive Officer to endorse the Amendment document.
- D. Directs that the City of Melville forward a copy of the Amendment documentation to:
- The Environmental Protection Authority in accordance with *Section 81 of the Planning and Development Act 2005*; and,
  - The Western Australian Planning Commission for information.

**P16/3717 - INITIATION OF AMENDMENT NO.2 TO LOCAL PLANNING SCHEME 6 – VARIOUS RESIDENTIAL UPCODINGS (REC)**

- E. Directs, on receipt of advice from the Environmental Protection Authority under *Section 48A* of the *Environmental Protection Act 1986* indicating that the amendment need not be subject to an environmental assessment, that the Amendment be advertised in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* for not less than 42 days.
- F. Notes that a further report will be presented to the Council following the public advertising process.

**Amendment**

At 6:59pm Cr Schuster moved, seconded Cr O’Malley –

***The Council amends the Officer’s Recommendation by adding a Recommendation G as follows:***

***“G. Requests the Chief Executive Officer to consider the request for changes to zonings in Myaree as presented in a petition accepted at this Council meeting, and report to the Council in respect to any planned actions”***

At 7:14pm the Deputy Mayor submitted the Amendment, which was declared

**CARRIED (8/2)**

Vote Result Summary	
Yes	8
No	2

Vote Result Detailed	
Cr Aubrey	Yes
Cr Barling	Yes
Cr Barton	Yes
Cr Foxtton	Yes
Cr O’Malley	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Woodall	Yes
Cr Pazolli	No
Cr Wieland	No

**Reasons for Amendment**

Cr Schuster provided the following reasons in support of the amendment.

1. *The petition from a group of residents in Bolas Court and Evershed Road in Myaree, as presented to this Council meeting sets out their case for zoning in their location to be upgraded from R 20 to R 40 –whether that is appropriate needs to be examined of course, but there are several Councillors who believe their proposal should at least be assessed;*
2. *As a location this area of Myaree seems to me to have many of the characteristics required for medium density living with a high frequency bus route on Marmion Street;*

**P16/3717 - INITIATION OF AMENDMENT NO.2 TO LOCAL PLANNING SCHEME 6 – VARIOUS RESIDENTIAL UPCODINGS (REC)**

*two parks within easy walking distance; local shops close at hand and Garden City only 2 km away, and all the necessary infrastructure in place;*

**COUNCIL RESOLUTION (3717)****APPROVAL**

**That the Council:**

**Pursuant to Section 75 of the *Planning and Development Act 2005*, resolves to initiate Scheme Amendment No. 2 to Local Planning Scheme 6 as follows:**

- 1. Changing the R12.5 density code of the area surrounded by Riverview Terrace (south of Gunbower Road), Cowrie Crescent, Springside Avenue, and the lots abutting the eastern side of Bateman Road (between Canning Avenue and Gunbower Road), to R20;**
- 2. Changing the R12.5 density code on lots in Mount Pleasant within the area surrounded by The Esplanade, Coogee Road, rear lot boundaries of lots abutting Bateman Road on the west, rear lot boundaries of lots abutting Park Road to the west, rear lot boundaries of lots abutting the north of Hawkins Street to R20; and**
- 3. Changing the R20 density code of lots abutting the north side of Windfield Road, Melville, to R25.**
  - A. Directs the Chief Executive Officer to advise the Western Australian Planning Commission that the proposal is considered to be a standard amendment to Local Planning Scheme 6 in accordance with regulation 35 (2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as:**
    - 5. It is an amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;**
    - 6. It is an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;**
    - 7. It is an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment; and**
    - 8. It is an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.**
  - B. Authorises public advertising of the draft Scheme Amendment No.2 to allow for comments to be received and considered.**
  - C. Authorises His Worship the Mayor and the Chief Executive Officer to endorse the Amendment document.**
  - D. Directs that the City of Melville forward a copy of the Amendment documentation to:**
    - The Environmental Protection Authority in accordance with *Section 81 of the Planning and Development Act 2005*; and,**
    - The Western Australian Planning Commission for information.**
  - E. Directs, on receipt of advice from the Environmental Protection Authority under *Section 48A of the Environmental Protection Act 1986* indicating**

**P16/3717 - INITIATION OF AMENDMENT NO.2 TO LOCAL PLANNING SCHEME 6 – VARIOUS RESIDENTIAL UPCODINGS (REC)**

**that the amendment need not be subject to an environmental assessment, that the Amendment be advertised in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* for not less than 42 days.**

- F. Notes that a further report will be presented to the Council following the public advertising process.**
- G. *Requests the Chief Executive Officer to consider the request for changes to zonings in Myaree as presented in a petition accepted at this Council meeting, and report to the Council in respect to any planned actions***

At 7:43pm the Deputy Mayor submitted the substantive motion as amended which was declared carried -

**CARRIED (7/3)**

<b>Vote Result Summary</b>	
Yes	7
No	3

<b>Vote Result Detailed</b>	
Cr Aubrey	Yes
Cr Barling	Yes
Cr Foxtton	Yes
Cr O'Malley	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Woodall	Yes
Cr Barton	No
Cr Pazolli	No
Cr Wieland	No

**T16/3730 – MACRAE ROAD, APPLECROSS TRAFFIC TREATMENT (REC)**  
**(ATTACHMENT)**

Ward : Applecross/Mt Pleasant  
 Category : Operational  
 Subject Index : Traffic Management  
 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 : T15/3643 Macrae Road Applecross - Existing Perth Bike Network (PBN) Route Review and Traffic Treatments – Ordinary Meeting of Council - July 2015, T16/3696 Macrae Road Applecross, results of trial traffic treatment – Ordinary Meeting of Council - March 2016  
 Works Programme : Capital Works Program 2016-2017  
 Funding : \$220,000 from Federal Black Spot Funding Implementation 2015-2016  
 Responsible Officer : Kamal Khalil  
 Traffic and Road Safety Coordinator

**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"/>	<b>Executive</b>	<b><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></b>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes &amp; 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>

**T16/3730 – MACRAE ROAD, APPLECROSS TRAFFIC TREATMENT (REC)  
(ATTACHMENT)****KEY ISSUES / SUMMARY**

- During the review and investigation for the preparation of the City of Melville Bike Plan, it was identified that 14 crashes involving cyclists occurred on Macrae Road over a five year period; a road nearly three kilometres in length.
- A Blackspot application for the relocation of the Perth Bicycle Network Route was made in anticipation that the alternative route of Kishorn Road, MacKenzie Road and Kinross Road would be safer for cyclists, both commuter and leisure cyclists. However, it was concluded that the treatment option submitted for Blackspot Funding may not resolve the safety issue on Macrae Road, as cyclists although directed elsewhere, could still use Macrae Road which is the more direct route.
- On 21 July 2015 an Item was presented to the Council detailing the outcome of a traffic study and the consultation process that followed the traffic study to discuss the various options that were proposed..
- At this Ordinary Meeting the Council resolved the following:
  - “1. Approves the temporary installation of cul-de-sacs on Macrae Road at Gairloch Street and an elbow closure at the intersection of Gairloch Street/Munro Road as shown in [Final Concept 1 - Creation of cul-de-sacs on Macrae Road - Elbow at Munro Road](#) for a minimum trial period of four (4) months.
  - 2. Approves to investigate and consult on the possible temporary installation of a cul-de-sac on Macrae Road at Ardross Street, on the North East side as a second trial for a minimum period of (4) months.
  - 3. Notes that the outcome of the trial will be reported back to the Council.”
- On 27 August 2015 letters were distributed to Applecross residents advising them of the Council’s decision to implement trial road closures and inviting them to send their comments and feedback.
- 185 individual comments and two petitions have been received.
- In order to assess traffic impact on the surrounding streets due to the trial traffic treatment on Macrae Road and Gairloch Street and on Munro Road and Gairloch Street, traffic surveys were conducted in the surrounding streets before and during the trial road closures. The survey results indicated that the impact on Local Access Roads is very minimal.
- On 15 March 2016 a Report was presented to the Council detailing traffic studies results and comments and feedback received from residents following the installation of the trial traffic treatment.

**T16/3730 – MACRAE ROAD, APPLCROSS TRAFFIC TREATMENT (REC)**  
**(ATTACHMENT)**

- At its Ordinary Meeting of 15 March 2016, the Council resolved the following:
  1. *Defers consideration of this matter to allow for further consultation and review;*
  2. *Notes and appreciates the significant consultation and work involved in bringing this matter to the Council for consideration;*
  3. *Notes that the issue of commuter traffic using Macrae Road as an apparent alternative to Canning Highway, and the interaction between cyclists using the Perth Bicycle Network and motor vehicles needs to be resolved as a priority;*
  4. *Requests the Chief Executive Officer to convene further discussions with relevant Council staff, Main Roads WA and relevant interested parties to review and consider all the possible solutions raised in the discussion;*
  5. *Requests the Chief Executive Officer to enter into discussion with Main Roads WA in respect to alternate options for traffic management including inter alia temporary timed road closure technologies;*
  6. *Requests the Chief Executive Officer to report back to the Council in November 2016 with a recommendation arising from these further discussions; and,*
  7. *Requests the Chief Executive Officer to remove the temporary street diversions installed at Munro Road as part of the trial, while conducting further traffic monitoring as the discussions continue.”*
- On 24 March 2016 the temporary street diversion installed at Munro Road and Gairloch Street was removed.
- Following the removal of the street diversion treatment on Munro Road at the intersection with Gairloch Street, traffic surveys were conducted to assess the impact on the surrounding streets due to the removal of the diversion treatment.
- Site observations have concluded that Macrae Road is safer for all road users including bike riders and pedestrians which are the most vulnerable road users.
- Workshops were held with the lead petitioners and interested parties to review options for the Macrae Road traffic treatments.
- It is recommended that the closure on Macrae Road at Gairloch Street be made permanent.

**BACKGROUND**

Macrae Road is classified as a Local Access Road in the Metropolitan Road Hierarchy adopted by Main Roads WA. Local Access Roads generally cater for a traffic volume of up to 3,000 vehicles per day (vpd). Macrae Road extends for approximately three kilometres between MacLeod Road to the west and Kishorn Road to the east. It is a six metre wide, two-way road with residential properties on both sides of the road.

During the review and investigation for the preparation of the City of Melville Bike Plan in 2012, it was identified that 14 crashes involving cyclists occurred on Macrae Road over a five year period. The Bike Plan also identified that during peak periods many motorists use Macrae Road in order to avoid congestion on Canning Highway.

**T16/3730 – MACRAE ROAD, APPECROSS TRAFFIC TREATMENT (REC)  
(ATTACHMENT)**

The recommendations from the City of Melville Bike Plan were:

- *Wherever possible, limit the desirability and thus traffic diversion along Macrae Road.*
- *Carry out detailed assessment of cyclists' crash types and consider remedial works to specifically address the predominant crashes.*

Many complaints have been received from the residents along Macrae Road expressing their concern regarding the lack of safe access to their premises due to the large number of vehicles during peak hours and requesting traffic treatments to improve safety.

As Macrae Road runs parallel to Canning Highway, a large (and increasing) volume of motorists use Macrae Road as a regional east-west connection to bypass the most congested sections of Canning Highway (identified to be approximately from Riseley Street to the Kwinana Freeway interchange) in the morning peak hour periods. Recent manual traffic counts during peak hour shows approximately 800 vehicles and 60 cyclists per hour use Macrae Road during the morning peak period.

Macrae Road has been identified by the City of Melville and the Department of Transport (DoT) as an important cycling route and forms part of the Perth Bicycle Network (PBN) Routes. It is noted that the DoT is currently reviewing all the PBN Routes and Macrae Road is expected to remain as a strategic bicycle route due to the following factors:

- It provides direct cycling links to the Canning Bridge Precinct. A key element of the Canning Bridge Precinct Vision is to improve pedestrian and cyclists connections to the Canning Bridge Station.
- It has been identified as the preferred route for cyclists travelling from Applecross to Fremantle.
- Its proximity to Canning Bridge Station and the Kwinana Freeway Principal Shared Path (PSP).
- There is great potential for commuters to combine cycle trips with train journeys. The DoT has identified that cycling routes within a 3km radius of railway stations need to be established to make cycling a safer and convenient option for one leg of a commute. Macrae Road falls within this catchment area.

On 21 July 2015, an item was presented to the Council detailing recorded crash history on Macrae Road over five years period involving cyclist due to high traffic volume during peak hour using Macrae Road to bypass traffic signals on Canning Highway. The report also detailed the study undertaken by Cardno and the various remedial treatments that were proposed by Cardno, including the consultation process that followed to discuss the various treatment options that were proposed. The report presented to the Council recommended the installation of closures as a trial for a minimum of four months on Macrae Road at the intersection with Gairloch Street and an elbow treatment on Gairloch Street at the intersection with Munro Road.

**T16/3730 – MACRAE ROAD, APPLECROSS TRAFFIC TREATMENT (REC)  
(ATTACHMENT)**

At its ordinary meeting of 21 July 2015 the Council resolved the following:

1. *Approves the temporary installation of cul-de-sacs on Macrae Road at Gairloch Street and an elbow closure at the intersection of Gairloch Street/Munro Road as shown in Figure 4 - Creation\_of\_cul-de-sacs\_on\_Macrae\_Road - Elbow\_at\_Munro\_Road for a minimum trial period of four (4) months.*
2. *Approves to investigate and consult on the possible temporary installation of a cul-de-sac on Macrae Road at Ardross street, on the North East side as a second trial for a minimum period of (4) months.*
3. *Notes that the outcome of the trial will be reported back to the Council.*

Following the completion of the 28 days road closure advertisement period, the trial treatments were installed on 29 September 2015. The road closure was advertised in the City's website and in the Melville Times reminding and encouraging residents to submit their comments and feedback.

On 15 March 2016 a Report was presented to the Council detailing the traffic studies results and comments and feedback received from residents following the installation of the trial traffic treatment. The report presented to the Council recommended the permanent closure of Macrae Road, Applecross at Gairloch Street as a through route and the elbow treatment at the intersection of Gairloch Street and Munro Road for implementation as part 2015-2016 Capital Works Budget.

At its Ordinary Meeting of 15 March 2016, the Council resolved the following:

- “1. *Defers consideration of this matter to allow for further consultation and review;*
2. *Notes and appreciates the significant consultation and work involved in bringing this matter to the Council for consideration;*
3. *Notes that the issue of commuter traffic using Macrae Road as an apparent alternative to Canning Highway, and the interaction between cyclists using the Perth Bicycle Network and motor vehicles needs to be resolved as a priority;*
4. *Requests the Chief Executive Officer to convene further discussions with relevant Council staff, Main Roads WA and relevant interested parties to review and consider all the possible solutions raised in the discussion;*
5. *Requests the Chief Executive Officer to enter into discussion with Main Roads WA in respect to alternate options for traffic management including inter alia temporary timed road closure technologies;*
6. *Requests the Chief Executive Officer to report back to the Council in November 2016 with a recommendation arising from these further discussions; and,*
7. *Requests the Chief Executive Officer to remove the temporary street diversions installed at Munro Road as part of the trial, while conducting further traffic monitoring as the discussions continue.”*

**T16/3730 – MACRAE ROAD, APPECROSS TRAFFIC TREATMENT (REC)  
(ATTACHMENT)****DETAIL**

On 24 March 2016 the temporary street diversion installed on Munro Road at the intersection with Gairloch Street was removed in accordance to Council resolution of 15 March 2016.

Following the removal of the street diversion, additional traffic investigations and surveys were conducted to assess traffic impact on Munro Road and surrounding streets due to the removal the street diversion. The survey results were compared with the previously conducted traffic survey, namely the traffic survey prior to the installation of the trial treatment, during the trial traffic and after the removal of the street diversion as shown in [Table 1 Traffic Survey Data](#) (traffic data summary 1).

It was perceived that the closure of Macrae Road without the diversion treatment (elbow treatment) on Munro Road at the intersection with Gairloch Street, would result in Munro Road and Kishorn Road to be used by rat-runners as an alternative to Macrae Road. However, as shown in Table 1 Traffic Survey Results, following the removal the street diversion treatment, the new traffic survey showed a daily traffic volume of 470vpd which indicates an increase in daily traffic volume of 111vpd. Munro Road is classified as a Local Access Street in the Metropolitan Road Hierarchy and the maximum desirable traffic volume is 3,000vpd. The traffic volume of 470vpd recorded on Munro Road following the removal of the diversion treatment is well within the capacity of the road.

Cardno was engaged to arrange and analyse an Origin Destination (OD) survey for traffic entering the Applecross area. On June 2016 an OD was conducted at seven locations between 7am and 9am.

[Figure 1A Origin Destination Survey Locations](#), shows the stations of the OD survey.

The OD survey was undertaken by installing cameras at the locations shown in Figure 1A to record the license-plates for all vehicles passing these locations. If a license plate is 'matched' at two locations, this is then classified as a non-local trip as the vehicles origins and destinations are located outside of the study area. If the license plate is not matched, the trip is classified as a local trip as this vehicle either has an origin or destination within the study area. The key data obtained from this survey is summarised in [Table 2 Orqin Destination Survey Results](#).

It should be noted that the rows in Table 2 show the data recorded for vehicles going in to the Applecross area, while the columns show the data recorded for vehicles going out of the Applecross area. The abbreviations EB, WB, NB and SB refer to the direction of the traffic at these locations (i.e. East-Bound, West-Bound, North- Bound and South-Bound). For example, station 6 is the location at Cunningham Street and counts vehicle traffic entering the study area. A total of 601 vehicles were observed entering the study area from Canning Highway at this station, and a total of 144 vehicles were observed exiting the study area at other stations (82 at station 1, 20 at station 2, 36 at station 3, 3 at station 6 and 3 at station 7) the remaining 457 vehicles out of 601 vehicles which entered the study area at station 6 remained within the study area and therefore considered to be local traffic.

Similarly 529 vehicles were observed entering from Canning Highway the study area at station 1 (Kintail Road) travelling west along Kintail Road. 58 of these vehicles were observed exiting the study area at other stations (19 at station 1 travelling east, 27 at station 2 travelling south, 8 at station 3 travelling south and 3 at station 7 travelling south). The remaining 471 vehicles which stayed within the study area are considered to be local traffic.

**T16/3730 – MACRAE ROAD, APPECROSS TRAFFIC TREATMENT (REC)  
(ATTACHMENT)**

The percentage of vehicles that entered the study area at one station and were observed exiting the study area at other stations represents approximately 24% of the total vehicles that were observed at the station. It could be concluded that approximately 24% of the trips recorded at the survey locations consist of non-local (regional) traffic. The predominant routes involve vehicles going northbound on Cunningham Street and Melville Beach Road/Dunkley Avenue and leaving the network at Kintail Road or Sleat Road.

The City officers met with Main Roads WA (MRWA) officers and discussed various treatment options including the closure of Macrae Road options. MRWA indicated that as Macrae Road is under the care and management of City of Melville, that MRWA would support the best options that the City adopts.

**Traffic survey analysis**

[Figure 3](#) shows the Metropolitan Road Hierarchy within the Applecross area. As shown in Figure 3, Melville Beach Road, Dee Road, MacLeod Road and Ardross Street are classified as Local Distributor Roads. The maximum desirable daily traffic on these roads is 6,000 vehicles per day (vpd). Kintail Road is classified as District Distributor B Road and is expected to cater for a traffic volume of up to 8,000vpd. The remaining streets shown in figure 3 are classified as Local Access Roads with a maximum desirable traffic volume of 3,000vpd.

Table 1 Traffic Survey Data shows traffic survey results conducted before the trial treatments, while the trial treatments were in place and after the removal of the diversion treatment. As shown in the Table 1 Traffic Survey Data, the Local Distributor Roads that are Melville Beach Road, MacLeod Road and Ardross Street and the District Distributor B Road which is Kintail Road, recorded an increase in daily and peak hour traffic volume.

Traffic surveys were conducted at three locations along Melville Beach Road, the increase in traffic volume was between 150vpd – 500vpd, and peak hour traffic between 30vph – 50vph. The maximum traffic volume along Melville Beach Road when the diversion treatment was removed was recorded 150 metres north of Nairn Street with a total of 1,634vpd that is an increase of approximately 250vpd. Melville Beach Road is classified as a Local Distributor Road in the Metropolitan Road Hierarchy and expected to cater for traffic volume of up to 6,000vpd. Therefore, the increase in traffic volume in Melville Beach Road is not considered to be significant.

The traffic survey along MacLeod Road was conducted at four locations; the increase in traffic volume was in the range between 130vpd to 160vpd and an increase of peak hour traffic of up to 20kph. The maximum traffic volume of 2,744vpd on MacLeod Road was recorded 25m south of Fletcher Street with an increase of 458vpd from the survey results conducted prior to the installation of traffic treatment. As MacLeod Road is classified as a Local Distributor Road, the increase in traffic volume, which brings the total volume in MacLeod Road to be 2,744vpd, is considered to be within the traffic volume expected for this road class.

The traffic survey along Ardross Street was also conducted at four locations; the increase in traffic volume was in the range between 75vpd – 600vpd, and the peak hour traffic increase between 10vph – 120vph. The maximum traffic volume after the removal of the diversion treatment of 3,140vpd on Ardross Street was recorded 100 metres north of Canning Highway with an increase of 573vpd than the survey results conducted at the same location prior to the installation of the traffic treatment.

**T16/3730 – MACRAE ROAD, APPLECROSS TRAFFIC TREATMENT (REC)  
(ATTACHMENT)**

As Ardross Street is classified as a Local Distributor Road, the traffic volume recorded in Ardross Street is considered to be within the capacity expected for this road class.

The traffic survey was conducted on Kintail Road at two locations, 50m east of Glenelg Street and 130m east of Ardross Street. Kintail Road has recorded a significant increase in daily traffic volume; the increase was in the range between 900vpd to 1,130vpd. The maximum traffic volume recorded in Kintail Road was 6,538vpd at a location 130m east of Ardross Street.

Although the increase in traffic was significant, the total daily traffic volume is considered to be within the expected traffic volume for a District Distributor Road class which is a maximum desirable daily volume of 8,000vpd.

Applecross Primary School is located adjacent to Kintail Road and due to heavy traffic on Kintail Road there has always been congestion in the vicinity of the School during start and finish times. The increase in peak hour traffic in Kintail Road due to the road closures has increased the delay experienced by motorists using Kintail Road. Over time this may discourage external rat runners from using Kintail Road due to the delays. This will be monitored and further traffic investigations will be undertaken.

The closure of Macrae Road at the intersection with Gairloch Street resulted in a significant decrease in daily and peak hour traffic volume, the reduction in daily traffic volume was in the range between 900vpd to 1,500vpd and the peak hour traffic volume was in the range between 200vph to 300vph. No traffic survey was conducted on Macrae Road after the removal of the traffic diversion treatment.

Following the removal of the traffic diversion treatment, traffic surveys were conducted at two locations along Matheson Road south of Spey Road and south of Ness Street. The traffic counts conducted recorded a decrease in traffic volume in the range between 10vpd to 340vpd. The maximum traffic volume recorded on Matheson Road was 2,232vpd which is within the capacity (3,000vpd) of a local access road. The peak hour traffic in Matheson Road also recorded a decrease in the range between 10vph to 130vph.

Traffic survey results for MacDonald Road following the removal of the traffic diversion treatment revealed a decrease in daily traffic volume of 14vpd bringing the total volume to be 395vpd. The peak hour traffic volume remained unchanged.

Other Local Access Roads within the Applecross area that have been surveyed, did not record a significant change in traffic volume. The changes in traffic volume on these streets are below a 100vpd increase or decrease.

The traffic survey results indicated that due to the road closure on Macrae Road at the intersection with Gairloch Street, the increase in traffic volume was mainly on Local Distributor Roads except MacDonald Road. The survey also revealed:

- a reduction in daily traffic volume on Macrae Road by approximately 1,500vpd
- an increase by 1,130vpd on Kintail Road
- an increase by approximately 500vpd on Melville Beach Road
- an increase in Ardross Street by 600vpd

**T16/3730 – MACRAE ROAD, APPLECROSS TRAFFIC TREATMENT (REC)  
(ATTACHMENT)**

From the traffic survey results discussed above, it could be concluded that some traffic from outside the Applecross area are using Melville Beach Road and Kintail Road as an alternative to Macrae Road. The increase in traffic volume in Ardross Street is mainly due to local traffic as the result of the elbow treatment on Munro Road at the intersection with Gairloch Street. The removal of the elbow treatment reduced the increase in traffic on Ardross Street due to the closures.

The latest traffic survey that was conducted at 41 locations through the Applecross area revealed very minor changes to the 85<sup>th</sup> percentile traffic speed which is the speed at which 85 percent of traffic travel at or below. The speed results obtained from recent survey before and during the trial traffic treatment are shown in Table 1 Traffic Survey Data, as above.

The volume and the speed of traffic in Matheson Road before and during the road closure is high in comparison to other local streets within the area. Further traffic investigations and consultation needs to be undertaken to reduce the speed and traffic on Matheson Road and this would be the next priority when Macrae Road has been finalised.

**Crash History during the trial period**

Since the trial closure was installed on Macrae Road at the intersection with Gairloch Street for almost a year there has been no crash recorded involving bike riders.

**Comments and Feedback received following the installation of the temporary trial treatments**

A total of 185 individual comments were received from residents in the Applecross area. 99 of the comments received represented approximately 54% support of the trial treatments and requested the trial treatment to become permanent. 86 of the comments and feedback received represented approximately 46% opposition of the trial treatment and requested that the traffic treatment be modified or removed.

[Figure 2A](#) shows approximately the locations within the Applecross area where the residents submitted their comments and feedback. The green dots indicate the residents who supported the trial treatment and the red dots indicate the residents who opposed the trial treatment.

A petition signed by 301 residents was received by the City of Melville on Monday, 15 February 2016. The petition reads as follows:

*“We, the undersigned, all being Electors of the City of Melville, support the permanent installation of traffic treatments on Macrae Road which are designed to improve cyclists and residents safety by discouraging drivers rat-running along Macrae Road. Furthermore, we give authority to Mr Ross Stuart of 11C Macrae Road Applecross to represent us on the matter of traffic treatments in Applecross at an Agenda Briefing Forum and/or Council Meeting of the City of Melville.”*

**T16/3730 – MACRAE ROAD, APPLECROSS TRAFFIC TREATMENT (REC)  
(ATTACHMENT)**

A petition signed by 551 residents was received by the City of Melville on 16 February 2016. The petition reads as follows:

*“We, the petitioners whose signatures appear hereafter, who are residents and rate payers residing in Applecross and/or the City of Melville, oppose the recent trial of traffic closures on Gairloch and Munro as a means of relieving traffic congestion on Macrae Road which -*

- *Result in massive and disproportionate increases in traffic volumes on normally quiet, non-distributor streets such as Gairloch, Glenelg and MacDonald and*
- *hazard the safety of local residents, particularly children.*
- *Significantly increase traffic volumes in the vicinity of Applecross Primary School and distributor streets including MacLeod, Matheson, Ardross and Kintail.*
- *Seriously impede access to local amenities including the primary school, Gairloch Oval and the Applecross Village.*

*Further, we urge the City of Melville to examine alternative strategic options which reduce opportunities for, and the attractiveness of commuter traffic leaving Canning Highway and using Applecross streets.”*

The main reasons for the residents who supported and those who opposed the traffic treatments are listed below.

**The main reasons residents supported the road closures were:**

- Macrae Road is safer for all road users including pedestrians and cyclists.
- The traffic on Macrae Road has reduced significantly.
- Traffic has reduced on other adjoining roads.
- Easier to exit driveways at peak hour on Macrae Road.
- Easier and safer for children to access the park.
- Safer for children to walk to school.
- Noticed decrease in rubbish that was previously thrown from cars.
- Noise pollution has decreased on Macrae Road.
- Greater sense of community with more people in the street.
- Noted there is an inconvenience but the benefits far out way the negatives.

**The main reasons residents opposed the trial treatment:**

- Driving through the suburb takes longer and is less convenient.
- Higher volumes on other roads such as Kintail Road, Ardross Street and MacLeod Street.
- Higher volumes of traffic past the school on Kintail Road.
- Higher volumes of traffic travelling down Glenelg Street past the school and at a higher speed than allowed.
- Safety concerns for children due to increased traffic to previously quieter streets especially near the school.
- Decreased property prices to previously quieter streets.
- Dislike the elbow at Gairloch Street/Munro Road as cuts off access to the school.
- Munro Road has at least three stop signs so will hardly be a fast rat run between MacLeod and Kishorn as an alternative to Macrae Road.

**T16/3730 – MACRAE ROAD, APPLECROSS TRAFFIC TREATMENT (REC)  
(ATTACHMENT)**

A detail of all the comments received has been attached.

[Appendix A Comments from Residents Agree](#)  
[Appendix B Comments from Residents Disagree](#)

**Site Observations**

The primary reason for installing the trial road closures was to improve cyclist safety on a PBN route. For every cyclist using Macrae Road there is one less motorist on the road contributing to the increasing congestion.

Site observations since the closure have shown that Macrae Road is significantly safer for cyclists using the PBN route. The reduction in vehicles using Macrae Road has decreased the risk of cyclist/car crashes. Now cyclists are not surrounded on all sides by vehicles during peak times. Cyclist groups such as Bicycling Western Australia have indicated their full support for the closure. Their members have reported that the improvement to safety has been significant and the change in cycling environment has been remarkable.

Site observations of the Applecross Primary School at peak times have not presented further safety issues due to the road closures. The School is congested at peak times but the traffic flows reasonably well albeit it is busy for 15 minutes a day. The School have indicated that they haven't seen an impact on school traffic flow and people have not been complaining to them regarding the merits or problems of the trial.

**STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

In October 2014, six options were presented on 'We're Listening', the City's previous community consultation website with the opportunity for people to provide comment and vote for their preferred option. 90 people responded to the invitation.

In November 2014, another opportunity to view the options developed by the consultant, ask questions and provide comment was provided at a community workshop. Letters were sent to approximately 750 Applecross residents inviting them to attend. 50 people responded to this invitation.

Based on the comments received via We're Listening and the workshop, the six options were reduced to two and were reflective of community's issues, concerns and ideas.

In March 2015, the catchment area for consultation was expanded and on this occasion 900 residents were invited to attend a second community workshop to review and comment on two options or Final Concepts presented for their consideration. 80 people responded to this invitation.

In July 2015 letters were again sent to the expanded list of Applecross residents advising them of the Council's decision to implement trial road closures and inviting them to send their comments and feedback.

**T16/3730 – MACRAE ROAD, APPECROSS TRAFFIC TREATMENT (REC)  
(ATTACHMENT)**

By 15 February 2016 closing date for the consultation:

- 185 individual comments had been received from residents in the Applecross area. 99 people (approximately 54%) supported the trial road closures and requested they become permanent. 86 people (approximately 46%) opposed the road closures and requested further modifications or removal.
- A petition to keep Macrae Road closed signed by 301 people was received having been generated by a member of the public.
- Another petition signed by 551 people was received requesting that alternative strategic options to the road closure were considered.

On 22 February 2016, a request was received by the lead petitioner to make a deputation to Council on the negative consequences of continuing with the Macrae Road traffic diversions and to present alternative solutions. At about the same time, the lead petitioner in support of continuing with the road closure also requested to make a deputation to the Council.

At the March 2016 Ordinary Council meeting it was resolved to continue the trial having amended the option, to conduct further traffic studies and to continue with community consultation. A working group was formed with the lead petitioners and interested parties which met on three occasions between July and September 2016 before reaching agreement on what should be done to prevent road accidents involving cyclists and other vehicles. In essence it was agreed that Macrae Road should be closed at the intersection with Gairloch Street on a permanent basis.

On October 2016 the City's website in relation to Macrae Road was updated to inform residents of the progress of the project and that an item will be presented to the Council in November 2016 with recommendation for the permanent closure of Macrae Road. The information was also placed on Melville Talks for comment. A media release incorporating the updated information was also put out.

## **II. OTHER AGENCIES / CONSULTANTS**

A road closure notification form was distributed to Main Roads WA and other service authorities advising them of the scheduled road closure. Main Roads WA and the Department of Transport have indicated their support of the treatment.

## **STATUTORY AND LEGAL IMPLICATIONS**

Under *Land Administration Act 1997* – Section 58:

*When a local government wishes a road in its district to be closed permanently, the local government may, subject to subsection (3), request the Minister to close the road.*

- (2) *When a local government resolves to make a request under subsection (1), the local government must in accordance with the regulations prepare and deliver the request to the Minister.*
- (3) *A local government must not resolve to make a request under subsection (1) until a period of 35 days has elapsed from the publication in a newspaper circulating in its district of notice of motion for that resolution, and the local government has considered any objections made to it within that period concerning the proposals set out in that notice.*

**T16/3730 – MACRAE ROAD, APPECROSS TRAFFIC TREATMENT (REC)  
(ATTACHMENT)**

- (4) *On receiving a request delivered to him or her under subsection (2), the Minister may, if he or she is satisfied that the relevant local government has complied with the requirements of subsections (2) and (3) -*
- (a) *by order grant the request; or*
  - (b) *direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or*
  - (c) *refuse the request.*
- (5) *If the Minister grants a request under subsection (4) -*
- (a) *the road concerned is closed on and from the day on which the relevant order is registered; and*
  - (b) *any rights suspended under section 55(3)(a) cease to be so suspended.*

In accordance with section 3.50 of the *Local Government Act 1995*, letters were sent to residents in the Applecross area and road closure notification signs were installed along Macrae Road, Gairloch Street and Munro Road four weeks prior to the trial road closure to notify motorists using Macrae Road and Munro Road of the proposed road closure and intersection modification. Also Main Roads WA and other service agencies were notified of the road closure.

**FINANCIAL IMPLICATIONS**

The City was successful in applying for a National Black Spot Grant of \$220,000 to move the PBN Route away from Macrae Road. The period to complete the project has elapsed and therefore an extension and change of scope request has been submitted. If the scope change application is not successful, Bike Plan Implementation Works 2016-2017 funds will be used instead.

The extension of the trial, removal of the elbow and extra traffic investigations have incurred a cost of \$15,409.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

The recommendations in this report align with the strategies from the Community Plan - People, Places, Participation 2012 – 2022 Aspiration of Sustainable and Connected Transport such as:

- *“Plan for and maintain a network of shared-use walkways, footpaths and cycle ways that provide access to facilities and services across the City.*
- *Identify and work to manage the impacts of transport on our communities.”*

As the crash record on Macrae Road shows a high number of crashes and traffic congestion, if the road environment remains unchanged, the current safety issues will remain unchanged.

There are no environmental management implications associated with this report.

**T16/3730 – MACRAE ROAD, APPLECROSS TRAFFIC TREATMENT (REC)  
(ATTACHMENT)**

Risk Statement	Level of Risk	Risk Mitigation Strategy
If Macrae Road is reopened it will result in continued rat running and significant safety issues for road users especially cyclists.	Moderate/Likely <b>High</b>	Cul-de-sac Macrae Road at the intersection with Gairloch Street to discourage rat-running.

**POLICY IMPLICATIONS**

There are no policy implications associated with this report.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

One option is to remove the trial treatments. This would bring back the issues of:

- Cyclist safety.
- Pedestrian safety (especially for school children accessing the school and park).
- Rat running.
- Lack of safe access to residents properties.

Several alternative treatment options were considered and these options were discussed at the public workshop held on 19 November 2014. The advantages and disadvantages of these options were discussed in detail during the workshop, however the installation of a cul-de-sac on Macrae Road as a trial option was considered to be the most practical and cost effective. The Cardno Report details the alternative options and their implications.

During the workshops with the lead petitioners and other interested parties alternative options to the closures were discussed such as:

- Installation of a boom gate or retractable bollard.
- Installation of a roundabout on Macrae Road at the intersection with Gairloch Street which restricts eastbound traffic to mitigate the morning peak hour traffic flow and allows all the other movements.
- Installation of the closure at Gairloch Street but allowing a right or left turn out of Macrae Road into Gairloch Street adjacent to the reserve.

**T16/3730 – MACRAE ROAD, APPLCROSS TRAFFIC TREATMENT (REC)  
(ATTACHMENT)**

These suggestions were considered as part of the workshops and were not recommended for the following reasons:

- A boom gate/retractable bollard if installed will require continuous monitoring to ensure proper operation.
- The installation of a boom gate will require an ongoing operational budget.
- Boom gates are subject to vandalism.
- The installation of boom gate may require ministerial approval.
- Could pose further safety issues as when closures are only active for a short period of time during the day a person who generally travels through the area out of peak times may forget during peak and crash into the closure even with extensive signage.
- The boom gate/retractable bollard could result in vehicles 'racing' through as it closes. This could have safety implications for vehicles on the other legs of the intersection, as well as for cyclists along Macrae Road.
- This proposal could mitigate the morning peak hour traffic flow, but not the safety risk to bike riders as nine crashes of the 18 crashes that involve bike riders took place during afternoon peak hour.
- Partial closures are subject to people's misuse and illegal use to avoid the closure.

**CONCLUSION**

Macrae Road is a PBN route and therefore the safety of bike riders is a high priority. Bike riders and pedestrians are the most vulnerable road users. The reduction in traffic along Macrae Road has significantly improved safety for the City's most vulnerable road users.

Traffic counts have been conducted before and during the trial period and after the removal of the diversion treatment that was installed on Munro Street at the intersection with Gairloch Street to monitor if the surrounding streets were adversely affected by the closures and by the removal of the diversion treatment. The result from the traffic survey showed that the increase in traffic was mainly on Distributor Roads which are expected to cater for higher traffic volumes. Traffic impact on Local Access Roads due to Macrae Road closure and the removal of diversion treatment on Munro Road is minimal.

The trial road closures which presented physical barriers made:

- Macrae Road unviable as a rat-running route;
- Increased the safety for all road users including pedestrians and cyclists; and
- Much lower traffic volumes in Local Access Streets as most of the internal traffic diverted to Distributor Roads which are designed to cater for higher traffic volume.
- Although the road closure at Macrae Road, Gairloch Street causes some inconvenience to some local residents who have to choose different routes to complete their journey, the gain in road safety far outweighs the negative impact achieved by the road closures.

Therefore it is concluded that the installation of cul-de-sacs on Macrae Road at Gairloch Street which has been trialed since 29 September 2015 has been successful.

**T16/3730 – MACRAE ROAD, APPLECROSS TRAFFIC TREATMENT (REC)  
(ATTACHMENT)****OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3730) APPROVE**

At 7:44pm Cr Schuster moved, seconded Cr Pazolli –

**That the Council:**

1. Approves the permanent closure of Macrae Road, Applecross at Gairloch Street as a through route in accordance with detailed design [Figure 4A Macrae Road Cul De Sac Concept Plan](#) to be implemented as part of the approved 2016-2017 Capital Works Budget.
2. Directs the Chief Executive Officer to write to the Minister for Transport requesting the closure of Macrae Road at Gairloch Street following the 35 days advertisement period.
3. Directs the Chief Executive Officer to advise all submitters in writing, of the proposed permanent closure of Macrae Road at Gairloch Street.

At 7:51pm the Deputy Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (10/0)**

At 8:06pm Cr Wieland having declared an interest in item P16/3723 left the meeting.

**P16/3723 - ENDORSEMENT OF THE MELVILLE DISTRICT ACTIVITY CENTRE PLAN AND SCHEME AMENDMENT NO. 3 (REC) (ATTACHMENT)**

Disclosure of Interest

Item No.	P16/3723
Elected Member/Officer	Cr G Wieland
Type of Interest	Proximity Interest
Nature of Interest	Proximity
Request	To leave the meeting
Decision of Council	Not Applicable
Ward	: Bicton/Attadale Palmyra/Melville/Willagee
Category	: Policy
Application Number	: Not Applicable
Property	: Various
Proposal	: Endorsement of the Melville District Activity Centre Plan
Applicant	: City of Melville
Owner	: Various
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: P16/3712 – Public Advertising of the Draft Melville District Activity Centre Plan and Scheme Amendment No. 3 – Ordinary Meeting of Council June 2016
Responsible Officer	: Gavin Ponton Manager Strategic Urban Planning

**AUTHORITY / DISCRETION**

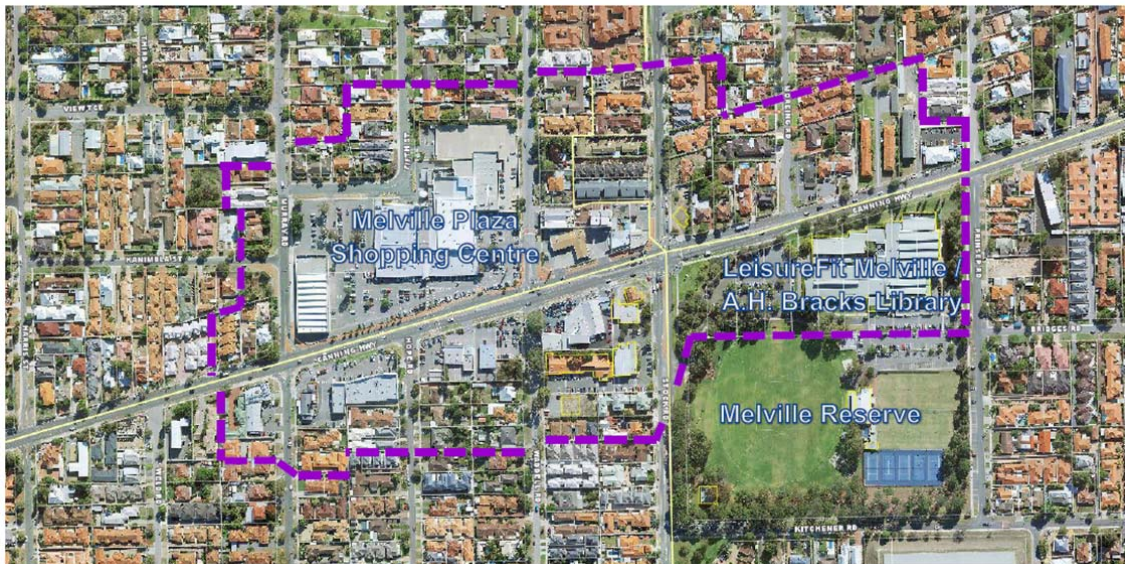
**DEFINITION**

<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>
<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"/>	<b>Legislative</b>	<b><i>Includes adopting local laws, town planning schemes &amp; policies.</i></b>
<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>

**P16/3723 - ENDORSEMENT OF THE MELVILLE DISTRICT ACTIVITY CENTRE PLAN AND SCHEME AMENDMENT NO. 3 (REC) (ATTACHMENT)**

**KEY ISSUES / SUMMARY**

- The City's Local Planning Strategy seeks to concentrate population growth and development in activity centres and along public transport routes, allowing suburban areas to remain relatively unchanged and similar to the way they are now.
- The Western Australian Planning Commission's (WAPC) *State Planning Policy 4.2: Activity Centres for Perth and Peel* (SPP 4.2) requires that activity centre plans be prepared for all 'District Centres' (as this centre is designated in SPP 4.2)
- An 'Activity Centre Plan' is very similar to a structure plan. Plans have previously been prepared for other key activity centres in the City including Canning Bridge, Murdoch, Melville City Centre and the Riseley Centre. The Melville District Centre is one of six strategically important 'District Centres' in the City that are places of focus for population growth and redevelopment.
- The Melville District Activity Centre Plan (the Plan) will be the principal planning document for this activity centre. It is a proactive, future-focussed plan that will help guide redevelopment to deliver a vibrant, mixed use activity centre. New development is encouraged in the Centre, but it must improve the look and feel of the area.
- The Plan and Scheme Amendment 3 were publicly advertised for 30 days and 42 days respectively. A total of 32 submissions were received, with 10 in support, 18 providing comments and four objecting to the proposed plans. A number of modifications are proposed to address some of the issues raised in the submissions.
- It is recommended that the Council endorses the updated Plan and scheme amendment and that the documents be referred to WAPC for final determination.



**Legend**

Activity Centre  
Boundary



Note

- The Activity Centre Plan Boundary defines the area where the plan will apply. Lots outside the boundary will not be directly affected by the plan.

**P16/3723 - ENDORSEMENT OF THE MELVILLE DISTRICT ACTIVITY CENTRE PLAN AND SCHEME AMENDMENT NO. 3 (REC) (ATTACHMENT)****BACKGROUND**

The City's Local Planning Strategy seeks to concentrate population growth and development in activity centres and along public transport routes, which will allow suburban areas to remain relatively unchanged and similar to the way they are now. The Melville District Centre is one of six strategically important 'District Centres' in the City that are places of focus for population growth and redevelopment.

The Plan is required for the following reasons:

- The Melville District Centre is an important activity centre that is expected to accommodate around 350 additional dwellings by 2031.
- The existing planning framework does not provide a vision for the Centre, detailed planning controls nor the necessary incentives for landowners to redevelop sites.
- The WAPC's SPP 4.2 policy requires that activity centre plans be prepared for all centres that are classified as 'District Centres' and above in the Activity Centre hierarchy.

**Scheme Provisions**

MRS Zoning	: Urban
LPS6 Zoning	: Various
R-Code	: Various
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****[3723 Attachment 1 Updated Melville District Activity Centre Plan](#)**

The purpose of the Activity Centre Plan is to establish clear town planning requirements for the development of private land based on the specific context of the Activity Centre. New development is encouraged in the Centre, but it must improve the look and feel of the area and contribute to creating a vibrant, mixed use place.

**P16/3723 - ENDORSEMENT OF THE MELVILLE DISTRICT ACTIVITY CENTRE PLAN AND SCHEME AMENDMENT NO. 3 (REC) (ATTACHMENT)**

Objectives of the Plan

The objectives for the Plan are to:

1. Facilitate a more sustainable urban form and environmentally sustainable development.
2. Improve the 'look and feel' of the Activity Centre.
3. Promote high quality, larger-scaled development along a key public transport route.
4. Limit building heights in the Mixed Use and Residential zones to provide a measured transition from taller building heights in the core of the Centre to surrounding residential areas.
5. Allow intensive redevelopment of sites within the specified built form controls.
6. Encourage walking, cycling and public transport use.
7. Develop a new 'main street' environment over time along Waddell Road north of Canning Highway.
8. Better connect and integrate the major land uses in the Centre.
9. Facilitate local employment and business opportunities.
10. Provide certainty to encourage investment.

Activity Centre Plan Area

The area for the Plan is shown in the map above. The boundary for the Activity Centre west of Stock Road is largely based on the existing zonings of Centre C3 and Mixed Use in Local Planning Scheme 6 (LPS6). The Centre is proposed to be extended along Canning Highway east of Stock Road to incorporate some existing non-residential development and existing old-style, higher density residential. The proposed Centre boundary is considered appropriate for this context and was generally accepted by the community.

Zoning

The current zonings in LPS6 and the proposed zonings are shown in Attachment 2. The intent of the proposed zones are summarised below.

Zone	Density Coding	Character Statement
Centre C2	R-AC0	The mixed use core of the Activity Centre. Retail and commercial uses are envisaged on the ground floor, with residential and office uses on the upper floors.
Mixed Use	R-AC0	Provides a transition area between the core of the activity centre and surrounding medium density residential areas. Residential and compatible commercial uses are promoted.
Residential	R60	Provides for medium density residential close to the Centre and the Canning Highway public transport corridor.
Public Open Space	N/A	Provides for local and district recreational and sporting uses.

The Centre C2 zone is the main commercial/mixed use area and the Mixed Use zone provides for higher residential densities in the immediate catchment area of the Activity Centre. The Mixed Use zone also provides an area of transition between the core of the Centre and surrounding medium density residential, particularly in relation to building height and scale.

**P16/3723 - ENDORSEMENT OF THE MELVILLE DISTRICT ACTIVITY CENTRE PLAN AND SCHEME AMENDMENT NO. 3 (REC) (ATTACHMENT)**Scheme Amendment 3[3723 Attachment 2 Updated LPS 6 Amendment 3 Map](#)

The Activity Centre Plan will provide the design and development requirements, but does not automatically rezone the centre in accordance with the Plan. An amendment to LPS6 is required to do this. The proposed amendment will rezone the area as per the Plan and make minor textual updates to LPS6 to help implement the Plan. The Amendment is referred to as Amendment 3 (Amendments 1 and 2 are being separately progressed).

Building Heights

The plan proposes to carefully manage building heights to reduce from the middle to the edge of the Centre. This will help provide a buffer between more intensive development in the middle of the Centre and surrounding residential areas.

The building heights proposed in the plan generally reflect what is possible to build in LPS6 and are essentially equivalent to the surrounding buildings heights outside the Centre as currently permitted in LPS6. Refer to pages 15, 24 and 25 of the Plan for more information.

The plan specifies building heights of between three storeys (for 'buffer' areas adjoining residential areas outside the centre), four storeys for lots on the eastern and western edges of the centre and five storeys in the core of the Centre.

Additional building height beyond five storeys may be appropriate in the Centre C2 zone. If additional building height is proposed in the Centre C2 zone, section 4.5 of Part One states that the applicant must provide community benefit in proportion to the additional development being proposed by achieving one or more of the community benefits specified in clause 4.5.25. The maximum additional building height permitted is two storeys.

This approach may allow for additional building height beyond that already allowed in LPS6 in return for providing community benefits. The approach provides information and clarity to applicants, decision makers and the community on the circumstances in which the City would consider additional building height. This approach is also being used in the Canning Bridge Activity Centre Plan.

Height variations would generally not be considered in the Mixed Use and Residential zones.

The approach to managing building heights was generally supported by the community.

Meeting WAPC Dwelling Targets

The plan estimates a total of 550 dwellings will be in the Centre by 2031, which would be an additional 354 dwellings over 15 years (an average of 24 new dwellings per year). The plan aims to achieve 31 dwellings per gross hectare by 2031, which slightly exceeds the desirable target of 30 dwellings per hectare listed for District Centres in the WAPC's SPP4.2. This outcome would deliver on the expectations of *Directions 2031 and Beyond* and the City's Local Planning Strategy.



**P16/3723 - ENDORSEMENT OF THE MELVILLE DISTRICT ACTIVITY CENTRE PLAN AND SCHEME AMENDMENT NO. 3 (REC) (ATTACHMENT)**

A Stakeholder Engagement and Communications Plan was prepared to guide the engagement process. The public advertising phase included:

- Letters to all landowners and residents in the activity centre plan area and within 400 metres of the activity centre boundary (a total of 2,895 letters).
- Information and an invitation to comment on the City's website and Melville Talks.
- Information at the Planning and Building Counter and A.H. Bracks Library.
- Email to people registered on the project update database (50 people).
- Two 'About Melville' advertorials and a media release.
- Social media promotion.
- Flyers sent to landowners and residents and dropped off to local businesses.
- Two pop-up information sessions at A.H. Bracks Library.
- My Future Melville presentation at A.H.Bracks Library.

**II. OTHER AGENCIES / CONSULTANTS**

Correspondence was sent to all relevant agencies and five submissions were received as detailed in Attachment 4. No issues were raised.

Submissions Received

A total of 32 submissions were received, which are summarised below.

<b>Response</b>	<b>Number</b>	<b>Percentage</b>
Support the plan	<b>10</b>	<b>31%</b>
Object to the plan	<b>4</b>	<b>13%</b>
Comments/suggestions	<b>18</b>	<b>56%</b>
<b>TOTAL</b>	<b>32</b>	<b>100%</b>

[3723 Attachment 3 Public Submissions Table](#)

There were also comments provided through Melville Talks.

[3723 Attachment 4 Melville Talks Comments](#)

**P16/3723 - ENDORSEMENT OF THE MELVILLE DISTRICT ACTIVITY CENTRE PLAN AND SCHEME AMENDMENT NO. 3 (REC) (ATTACHMENT)**

Main Issues Raised

The main issues raised by the community in the order of the number of mentions are summarised below.

No.	Issue Raised	Comments
1.	The need to improve walking and cycling in and around the area	<p>Agreed. Footpaths around the area should be improved and road crossings made safer and more convenient. Some of the issues include lack of shade, car-dominated streetscapes, lack of active building frontages and poor overall amenity.</p> <p>These issues can't be directly addressed by the Plan (which is primarily a regulatory town planning document). But addressing the issues is an important part of creating a successful place. There are a wide range of social, health, environmental and economic benefits to improving walking and cycling. It would help the Centre develop to its full potential. A report prepared by the Heart Foundation titled <i>Good for Business\$\$: the benefits of making streets more walking and cycling friendly</i>, states that:</p> <p><i>"High quality pedestrian and cycling conditions are absolutely integral to retail and business success in activity centres. There is a strong business case for improving walking and cycling conditions."</i></p>
2.	Traffic speeds are too high on local streets	<p>Agreed. The traffic data for local streets indicates 85<sup>th</sup> percentile speeds are above the speed limit of 50km/h on local streets.</p> <p>Traffic speeds can't be directly addressed by the Plan (which is primarily a regulatory town planning document). But addressing the issues is an important part of creating a successful place. It is suggested that streetscape changes and/or local area traffic management be considered for this area.</p>
3.	The need to improve streetscapes and the amenity of the area	<p>Agreed. This was also discussed in the Plan and recognised as a priority to be addressed.</p>
4.	Support for higher densities in the activity centre	<p>Whilst a few submissions also raised concerns, there was a general acknowledgement that this is an activity centre and that higher densities should therefore be planned for and expected by the community</p>
5.	The need to improve pedestrians crossings over roads and Canning Highway in particular	<p>Agreed. This was also discussed in the Plan and recognised as a priority to be addressed.</p>
6.	The need for more street trees	<p>Agreed. This was also discussed in the Plan and recognised as a priority to be addressed.</p>

**P16/3723 - ENDORSEMENT OF THE MELVILLE DISTRICT ACTIVITY CENTRE PLAN AND SCHEME AMENDMENT NO. 3 (REC) (ATTACHMENT)**Waddell Road Main Street

'Main streets' or 'high streets' are vibrant, active and pedestrian friendly precincts with a mix of shops, cafes, restaurants, offices and residential. They typically have slower vehicle speeds, on-street parking and enhanced streetscapes. They are very different to 'main roads', where vehicle movement is prioritised.

The previous concept planning for the Centre in 2013 identified that Waddell Road north of Canning Highway could become a 'main street' environment over time. This idea was also generally supported by the community during this public advertising period. There was initial concern from some people that a 'main street' was the same as a "main road" aimed at encouraging more cars travelling at high speed. But once it was explained that a 'main street' is a pedestrian-friendly, vibrant and high amenity street for people, it was generally supported. Several people suggested that it could include a cul-de-sac or one way point to discourage through vehicle movement. This kind of detail is not part of the scope of this plan. These ideas can be further explored if the Council decides to upgrade the streetscape as recommended by the plan.

Several nearby residents raised concerns about possible shops, restaurants or small bars creating issues, however these kinds of uses are possible in the existing zoning for this section of Waddell Road. Such issues can be addressed through the development application process.

Car Parking

The Council adopted a Car Parking Strategy at its meeting held on 17 June 2014 (P14/3502). The Strategy guides how parking can be managed. It suggests that parking management is more effective, cheaper and easier than trying to provide "enough" bays so that there is never a "parking problem". Most successful places are considered by the general public to have "parking problems". Unsuccessful places have no parking problems as no one wants to go there. Similar to economics, it is about supply and demand plus pricing. Car parking is never free and is in fact very expensive to provide (up to \$73,500 per ground-level car bay). Someone always has to pay, which means that everyone pays for "free" parking through their rates, taxes and/or prices paid for goods and services.

The Plans strongly encourages on-street car parking wherever it is safe to do so. On-street car parking has been shown to slow vehicle speeds, protect pedestrians, support local businesses and reduce the cost of development. Each on-street car bay is estimated to be between \$46,500 and \$70,000 cheaper per car bay compared with providing a new off-street car bay. The City could provide between 14 and 21 on-street car bays for the same price as one off-street car bay.

There are 1,041 car bays in the Centre, not including parking for residential lots. The City is responsible for managing 200 bays or 19% of the total. Private landowners are responsible for managing 841 or 81% of the bays.

The Plan requires car parking for new development to be provided in accordance with the Residential Design Codes and/or the City's policy CP079 – Car Parking and Access. The Plan does not change existing parking requirements.

**P16/3723 - ENDORSEMENT OF THE MELVILLE DISTRICT ACTIVITY CENTRE PLAN AND SCHEME AMENDMENT NO. 3 (REC) (ATTACHMENT)**

Modifications Proposed to the Plan

The 32 submissions received during the public advertising period were carefully reviewed and a number of modifications are proposed to address some of the issues raised, as outlined below. The proposed modifications to the Plan text are highlighted in red in Attachment 1.

No.	Proposed Modification	Comments
1.	Change the draft R-AC3 coding in the Mixed Use zone to R-AC0.	<p>One submission raised the possibility, even if unlikely, of the potential for future confusion between whether the requirements of the R-Codes apply or the Plan in the R-AC3 coding.</p> <p>The main difference between R-AC3 and R-AC0 is that Table 4 of the R-Codes specifies some development requirements, such as building height, in a R-AC3 coding, with a note that these requirements can be varied by an activity centre plan, whereas R-AC0 contains no development requirements and refers all standards back to the adopted activity centre plan.</p> <p>For example, Table 4 of the R-Codes allows buildings up to 21 metres high (five or six storeys) to be built in an R-AC3 coding, whereas the Plan limits building heights to three or four storeys. This could potentially be confusing for some people unfamiliar with the Plan.</p> <p>It is recommended that the R-AC3 coding be changed to R-AC0 to alleviate any confusion and make it clear that the provisions of the activity centre plan apply. The recommended update changes nothing in terms of building height, density, development requirements etc.</p>
2.	Textual changes to Parts One and Two to further clarify the plan.	Feedback from the community and further analysis of the draft document indicated that some modifications to the text could be made to further clarify and improve the plan. The changes are highlighted in red in Attachment 1.
3.	Reformat land use controls into a Zoning Table format.	Previous advice from the Department of Planning indicated that Zoning Tables should not be used in activity centre plans. Subsequent advice from the Department following the adoption of LPS6 indicates that a zoning table format may be clearer and therefore acceptable. The reformatting does not change anything in planning terms, but it is considered that it would be clearer for all if it is formatted into a table layout.

**P16/3723 - ENDORSEMENT OF THE MELVILLE DISTRICT ACTIVITY CENTRE PLAN AND SCHEME AMENDMENT NO. 3 (REC) (ATTACHMENT)**

4	Amend lot boundary setback provisions for the Mixed Use Zone	<p>One submission raised concerns that the Plan allowed two storey parapet walls with nil setbacks in and abutting the Mixed Use zone. It was felt that this would prejudice the amenity of existing residential dwellings in the Mixed Use Zone as lots were developed over time.</p> <p>Upon further analysis and discussion, this concern is acknowledged and the plan has been amended to address the concern. The amended plan (in clauses 4.5.20 g. and 4.5.29 d.) allows a one storey parapet wall rather than a two storey parapet wall, which is more consistent with the existing R-Codes.</p>
5	Updating section 7.2 of Part Two to provide information on the draft Perth Transport Plan for 3.5million and Beyond	<p>The Department of Transport released the Perth Transport Plan for 3.5million and Beyond in August 2016. Transport @ 3.5 Million provides a long term plan to guide development of a strategic, sustainable and robust transport network for Perth and Peel. The plan was released following the commencement of public advertising of the plan. The updated section 7.2 provides an overview of the plan and relevance for this activity centre.</p>

Scheme Amendment 3 Modification

No.	Proposed Modification	Comments
1	Change the draft R-AC3 coding in the Mixed Use zone to R-AC0.	As discussed above.

**STATUTORY AND LEGAL IMPLICATIONS**

The process undertaken is being followed as per LPS6 and the *Planning and Development (Local Planning Schemes) Regulations 2015*.

**FINANCIAL IMPLICATIONS**

The proposed activity centre plan, if endorsed, will require the consideration by the City of potential options for funding streetscape improvements.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

There are no strategic, risk or environmental management implications. The main risks were during the public advertising phase, which has been completed.

It is noted that the Council is not the final decision-maker. The WAPC is the determining authority for both the Plan and the scheme amendment.

**P16/3723 - ENDORSEMENT OF THE MELVILLE DISTRICT ACTIVITY CENTRE PLAN AND SCHEME AMENDMENT NO. 3 (REC) (ATTACHMENT)**

**POLICY IMPLICATIONS**

The Plan, once given final approval, will be the principal planning document for this activity centre. It will work in conjunction with the R-Codes and the City's policies to control development in the Centre. The scheme amendment will need to be approved by the WAPC and gazetted before the zoning will officially change in LPS6.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

There are a number of alternate options available for the Council to consider which are summarised below.

<b>Alternate Option</b>	<b>Implication</b>
Request that changes be made to the Plan or Scheme Amendment 3 prior to its endorsement.	Changes can be made via a resolution of the Council.
Do not support the Plan or Scheme Amendment 3.	The Plan and scheme amendment would be referred to the WAPC for final determination in accordance with the Regulations, noting that Council does not support the Plan and/or the amendment.

**CONCLUSION**

The Activity Centre Plan provides a vision for the future of the Centre and design requirements to align with the vision. It can provide a catalyst for positive change and encourage investment in the centre.

The Plan and Scheme Amendment 3 were publicly advertised for 30 days and 42 days respectively in accordance with the relevant regulations. A total of 32 submissions were received, with 10 in support, 18 providing comments and four objecting to the proposed plans. A number of modifications are proposed to address some of the issues raised in the submissions.

It is recommended that the Council supports the updated Plan and Scheme Amendment. The WAPC is responsible for determining both the Plan and the Scheme Amendment following the Council's decision.

**P16/3723 - ENDORSEMENT OF THE MELVILLE DISTRICT ACTIVITY CENTRE PLAN AND SCHEME AMENDMENT NO. 3 (REC) (ATTACHMENT)****OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3723) APPROVAL**

At 8:07pm Cr Schuster moved, seconded Cr O'Malley –

**That the Council:**

1. Notes the submissions received during the public advertising of the Melville District Activity Centre Plan and Scheme Amendment 3 and advises all submitters in writing of the Council's resolution.
2. Recommends, pursuant to Part 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, that the Western Australian Planning Commission (WAPC) approves the modified Melville District Activity Centre Plan as detailed in Attachment 1.

[3723 Attachment 1 Updated Melville District Activity Centre Plan](#)

3. Endorses, pursuant to Section 87 of the *Planning and Development Act 2005*, the modified Amendment No. 3 to Local Planning Scheme No. 6 as follows:
  - a. Rezone all the lots in the Melville District Activity Centre Plan area in accordance with the proposed scheme amendment map, including:
    - i. Rezone the Centre C3 R80 area to Centre C2 R-AC0
    - ii. Rezone the Mixed Use R50 area to Mixed Use R-AC0
    - iii. Rezone the following lots from Mixed Use R50 to Centre C2 R-AC0:
      1. Lot 1, No. 374 and 374a Canning Highway, Bicton
      2. Lot 1, No. 35a Murray Road and 376a Canning Highway, Bicton
      3. Lot 3, No. 42 Waddell Road, Bicton
      4. Lot 4, No. 44 Waddell Road, Bicton
      5. Lot 1, No. 1-5/46 Waddell Road, Bicton
      6. Lot 1, No. 1-5/159 Stock Road, Attadale
      7. Lot 1, No. 1-7/161 Stock Road, Attadale
      8. Lot 830, No. 38a Waddell Road, Palmyra
      9. Lot 831, No. 38 Waddell Road, Palmyra
      10. Lot 55, No. 391 Canning Highway, Palmyra
    - iv. Rezone Lot 1, No. 1-5/167 Stock Road, Palmyra and Lots 1-5, No. 169, 169b and 169c Stock Road, Palmyra from Residential R50 to Mixed Use R-AC0
    - v. Rezone Lot 1, 160 Stock Road, 1-9/162 Stock Road, 164a and 164b Stock Road, Attadale from Residential R40 to Mixed Use R-AC0
    - vi. Rezone Lot 1, No. 166a and 166b Stock Road and Lot 15, No. 168 Stock Road from Residential R40 to Centre C2 R-AC0
    - vii. Rezone Lot 14, No. 170 Stock Road and Lot 13, No. 412 Canning Highway from Residential R30/40 to Centre 2 – R-AC0
    - viii. Rezone lots fronting Canning Highway between Lot 5, No. 414 Canning Highway, Attadale and Lot 901, 432-434 Canning Highway, Attadale from Residential R30/40 to Mixed Use R-AC0

**P16/3723 - ENDORSEMENT OF THE MELVILLE DISTRICT ACTIVITY CENTRE PLAN AND SCHEME AMENDMENT NO. 3 (REC) (ATTACHMENT)**

- ix. Rezone Lot 1, 1-3/165 Moreing Road, Attadale, Lot 1, No. 1-3/167 Moreing Road, Attadale, Lot 1, 1-6/118 Moreing Road, Attadale and Lot 3, 120 Moreing Road, Attadale from Residential R40 to Residential R60
  - x. Rezone Lots 878, 879, 880 and 881, No. 431 Canning Highway, Melville from Public Open Space to Centre C2 R-AC0
- b. Amend the text of Local Planning Scheme 6 as follows:
- i. Amend the notation for C2 underneath the Zoning Table in Clause 17 by adding new text to state: “District Centre - Melville - Due regard to be given to the Melville District Activity Centre Plan” following the words “Canning Bridge Activity Centre Plan”.
  - ii. Delete Additional Use No. 15 relating to Lot 55 (No. 391) Canning Highway, Lot 831 (No. 38) and Lot 830 (No. 38A) Waddell Road, Palmyra in Clause 19 and renumber the remaining Additional Uses accordingly.
  - iii. Delete the words “Melville – 1.2” in development requirement “3 Building bulk a) total plot ratio” in the Centre C3 zone of Clause 32 (1).
4. Notes that the amendment is considered to be a standard amendment to Local Planning Scheme No. 6 in accordance with regulation 35 (2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as:
- i. It is an amendment that is consistent with a local planning strategy that has been endorsed by the WAPC;
  - ii. It is an amendment to the scheme map that is consistent with an activity centre plan; and
  - iii. It would not result in any significant environmental, social, economic or governance impacts on land in the scheme area.
5. Considers the potential for streetscape upgrades and improvements to walking and cycling access in and around the Melville District Activity Centre Plan area in future budgets.

At 8:07pm the Deputy Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (9/0)**

At 8.08pm Cr Wieland returned to the meeting.

**P16/3725 - THE IMPLEMENTATION OF PUBLIC ART IN THE MELVILLE CITY CENTRE  
STRUCTURE PLAN AREA (REC) (ATTACHMENT)**

Ward	:	Applecross/Mt Pleasant, City Ward
Category	:	Policy
Application Number	:	Not applicable
Property	:	All Properties in the Structure Plan area
Proposal	:	The Implementation of Public Art in the Melville City Centre Structure Plan Area
Applicant	:	City of Melville
Owner	:	Various
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	P16/3706 The Implementation of Public Art in the Melville City Centre Structure Plan Area – Ordinary Meeting of Council (May 2016).
Responsible Officer	:	Peter Prendergast Manager Statutory Planning

**AUTHORITY / DISCRETION**

**DEFINITION**

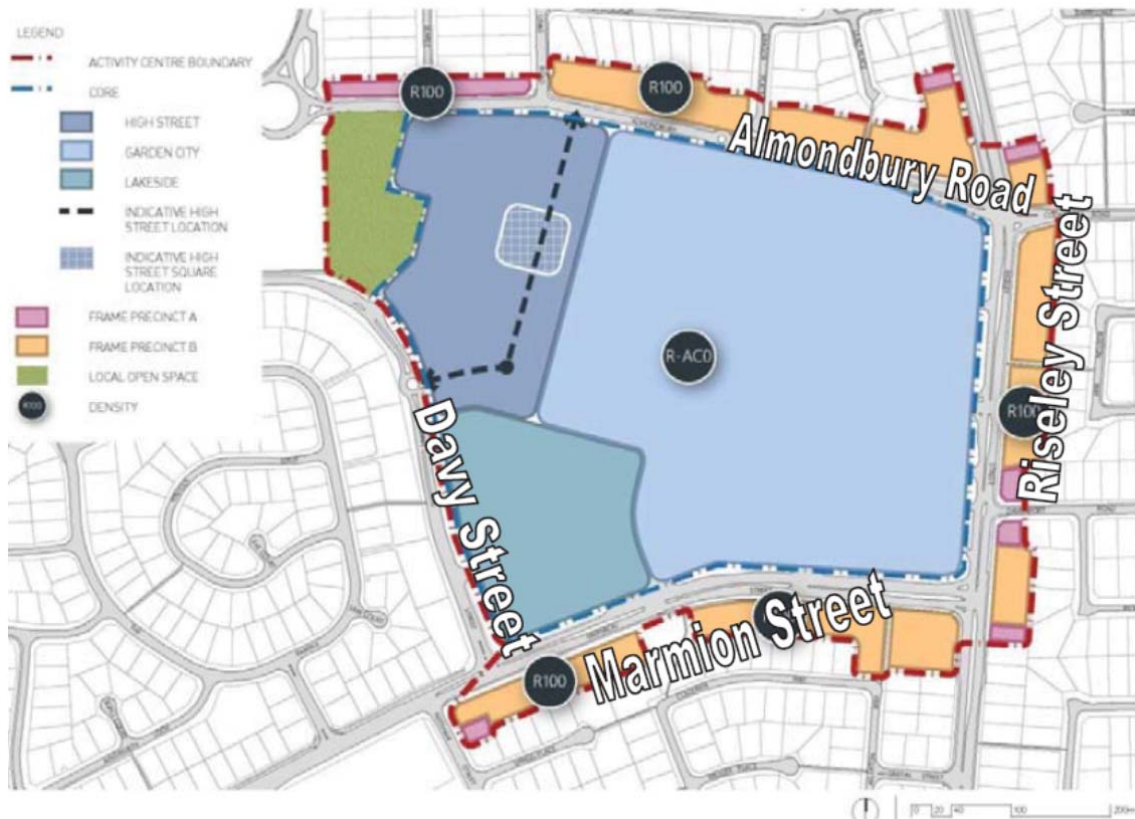
<input type="checkbox"/>	Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input checked="" type="checkbox"/>	<b>Legislative</b>	<b><i>Includes adopting local laws, town planning schemes &amp; policies.</i></b>
<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>

**P16/3725 - THE IMPLEMENTATION OF PUBLIC ART IN THE MELVILLE CITY CENTRE  
STRUCTURE PLAN AREA (REC) (ATTACHMENT)**

**KEY ISSUES/SUMMARY**

- A report outlining proposed changes to the Melville City Centre Structure Plan (the Structure Plan) was presented to the May 2016 Ordinary Council meeting;
- At this meeting, the Council resolved to authorise public advertising of changes to the Structure Plan;
- Public advertising took place by way of a letter to landowners in the Structure Plan area, an email to 228 people on the Melville City Centre project update database, an advertisement in the Melville Times and a notice on the City's website.
- Two objections to the proposed modifications were received; these objections are addressed in the body of this report.
- Following advice from the Department of Planning (DoP), minor modifications to and wording of the Structure Plan are required to bring it into line with DoP requirements for an Activity Centre Plan; these changes are administrative in nature and do not require readvertising.
- For the reasons outlined in the report it is recommended that the Council endorse the modifications to the Structure Plan and this recommendation be forwarded to the Western Australian Planning Commission for its consideration in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations).

Melville City Centre Structure Plan Map



**P16/3725 - THE IMPLEMENTATION OF PUBLIC ART IN THE MELVILLE CITY CENTRE  
STRUCTURE PLAN AREA (REC) (ATTACHMENT)****BACKGROUND**

In May 2016, Council endorsed modifications to the Structure Plan for advertising. These modifications included the introduction of a public art requirement in accordance with Council Policy CP-085, and minor changes to the text of the plan which was previously approved by Council in March 2015.

**DETAIL**

At the meeting held on 17 May, the Council was requested to consider two actions:

1. Authorise public advertising of updates to the Structure Plan text to introduce a public art requirement; and
2. Authorise public advertising of other updates to the Structure Plan text as previously approved by Council at its Ordinary Meeting held on 5 March 2015, but which now require formal WAPC approval. These modifications are contained in Table 1 of Attachment 1.

This report now proposes that the Council:

1. Considers the submissions received during neighbour consultation period and make a recommendation for the Western Australian Planning Commission to approve the proposed amendments to the Structure Plan; and
2. Authorises minor modifications, as detailed in Table 2 of Attachment 1 to bring the document into alignment with the Regulations – these changes are administrative in nature and do not require readvertising.

**Advertising of updates**

Advertising in respect of this matter took place between 14 June and 8 July 2016, by way of a letter to landowners in the Structure Plan area, an email to 228 people on the Melville City Centre project update database, an advertisement in the Melville Times and a notice on the City's website. Two submissions were received, both objecting to the introduction of a formal requirement for public art in developments within the area. The submissions did not raise any objection or concern in relation to the other proposed text changes.

The content of the submissions is summarised in the stakeholder engagement section below followed by an officer comment. Two key issues are raised by the submissions received. Firstly that a requirement to provide Public Art does not account for other contributions developers make as part of the development process, and secondly the notion that it should be the City's responsibility to provide Public Art, not developers.

It is acknowledged that the provisions of the City's Public Art policy do not currently apply in the Structure Plan area. The City considers it appropriate and reasonable that public art provisions should apply in the Structure Plan area. It was not the City's intention to exclude the application of public art provisions when the Structure Plan was approved. As it currently stands the situation is considered to be inequitable, given that developers across the remainder of the City are required to comply with the City's Public Art policy. The fact that

**P16/3725 - THE IMPLEMENTATION OF PUBLIC ART IN THE MELVILLE CITY CENTRE  
STRUCTURE PLAN AREA (REC) (ATTACHMENT)**

development of a certain scale within the Structure Plan area triggers a need for infrastructure improvements required by the Structure Plan itself, does not negate the need for Public Art to also be provided. Accordingly, the concerns expressed by the submitter in this respect are not considered valid and are not supported.

The practice that developers contribute one percent of development value to public art is broadly acknowledged by planning policy across the State. It is considered both reasonable and necessary to divert a small proportion of the value that is created when land is developed towards the provision of public art. The notion that costs associated with the provision of public art should be borne by local governments does not reflect standard or best practice and is not supported. The City of Melville has a capital funded arts program, which delivers public art pieces across the City. In addition, the City as developer of land would be required to satisfy the requirements of Council Policy CP - 085, in the same way as any developer.

The submissions received are not upheld for the reasons stated above. It is recommended that Council approve the modification to the Structure Plan to incorporate a formal public art requirement without modification.

Renaming and reformatting the Structure Plan.

Melville City Centre is nominated as a secondary centre under the provisions of State Planning Policy 4.2 'Activity Centres for Perth and Peel'. It is proposed to rename the document Melville City Centre Activity Centre Plan, in accordance with the recently updated naming protocols of the Department of Planning.

The remaining changes are outlined in Table 2 of Attachment 1 and involve updating the document to take into consideration the current planning framework.

Attachment 2 is the formatted version of the Melville City Centre Structure Plan taking into consideration all the changes identified in Attachment 1 and this report.

[3725 Amendments to the Melville City Centre Structure Plan](#)[3725 Melville City Centre Structure Plan Proposed Changes](#)**STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

Advertising of the proposed changes to the Structure Plan took place from 14 June to 8 July 2016, a total of 24 days via a letter to all landowners in the Structure Plan area, a notice in the local newspaper and a notice on the City's website. Two objections to the proposed Structure Plan modifications were received; these focused on the requirement to provide public art.

**P16/3725 - THE IMPLEMENTATION OF PUBLIC ART IN THE MELVILLE CITY CENTRE  
STRUCTURE PLAN AREA (REC) (ATTACHMENT)**

The table below summarises the submission and provides officer comment in response.

<b>Summary of Submissions – Amendments to Melville City Centre Structure Plan</b>	<b>Officer Response</b>
The requirement to provide public art does not take into account other contributions being made by the landowner in terms of the preparation of the structure plan, upgrades of infrastructure, development of a main street, construction of war memorial and community facility, provision of residential development.	Noted. Refer to Advertising of Updates section of this report.
The substantial financial contribution by the landowner will result in the creation of a town centre.	Noted. This is a requirement of the structure plan.
The extra financial burden of public art provision will result in a reduced quality of built form as limited funds would need to be spread across the project.	Not supported. The provision of public art as required by CP-085 is expected to improve the public realm rather than detract from it.
The existing structure plan seeks to prioritise built form and place making outcomes, it is inappropriate to redirect funds to only one factor of place making through the requirement of a public art contribution.	Not supported. An applicant will be required to design a building having regard to the requirements of the Structure Plan while making budget decisions which enable them to fulfil their obligations in relation to public art.
Lack of consultation with landowners prior to consideration of this change.	Not supported. Consultation with landowners occurred informally as part of the preparation of the strategy. Formal consultation has occurred by way of a letter to the landowners during the advertising of the proposed revised Policy CP - 085.
City of Melville will receive substantial increase in rates base through development in the structure plan area; it should spend a portion of this on public art projects.	Noted. The City has a capital arts program separate to public art provided by private entities as part of the development process.
A public art strategy should be prepared for the whole of the City of Melville and the City should fund its implementation from rate revenue.	Noted. A City wide public art strategy is in the process of development, the implementation of which is likely to be funded by a combination of City and developer funds.
The current Structure Plan has been effective in facilitating development without the requirement for public art to be assessed against a mandatory value. Proponents have been working collaboratively with the City in producing public art outcomes.	Noted. At present there is no legislative or policy requirement for public art to be provided as a part of the development within the Melville City Centre Structure Plan area.

**P16/3725 - THE IMPLEMENTATION OF PUBLIC ART IN THE MELVILLE CITY CENTRE  
STRUCTURE PLAN AREA (REC) (ATTACHMENT)****II. OTHER AGENCIES / CONSULTANTS**

The City has liaised with the Department of Planning (DoP) with regard to the process for adopting the proposed changes to the Structure Plan. The advice provided by the DoP is that the City should follow the process set out in Part 5 – Activity Centre Structure Plans of Schedule 2 of the Regulations. This includes a requirement to make minor modifications to the text of the document, to bring it into line with the expectations of the DoP. These minor modifications are discussed in the detail section of this report.

**STATUTORY AND LEGAL IMPLICATIONS**

The City will follow the requirements of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

There are not considered to be other statutory or legal implications in relation to this report.

**FINANCIAL IMPLICATIONS**

There are not considered to be financial implications in relation to this report.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

There are not considered to be strategic, risk or environmental management implications associated with this report.

**POLICY IMPLICATIONS**

There are not considered to be policy implications in relation to this report. A separate report in this agenda deals with a review of CP-085 - Provision of Public Art in Development Proposals.

**COMMENT**

The changes proposed in this report would result in the following:

- A requirement within the Structure Plan area to provide public art in accordance with CP-085 Provision of Public Art in Development Proposals. This would ensure consistency in the application of public art provisions throughout the City and is expected to enhance the overall amenity of the precinct for the benefit of residents, workers and visitors.
- An updated document, taking into consideration the relevant planning framework.

**P16/3725 - THE IMPLEMENTATION OF PUBLIC ART IN THE MELVILLE CITY CENTRE  
STRUCTURE PLAN AREA (REC) (ATTACHMENT)****ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

There are no alternative options presented as part of this report however the Council may choose not to adopt the changes outlined in the report and may adopt an alternative approach. Should Council choose to adopt an alternative approach it is noted that this may require readvertising in accordance with the Regulations.

**CONCLUSION**

The updates to the Structure Plan will ensure the equitable application of Council Policy CP-085 across the City and incorporate reference to Activity Centre Plan rather than Structure Plan, as well as other textual changes to align the document to the requirements of the DoP. The proposed changes to the Policy are recommended for final approval on that basis.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3725)****APPROVAL**

At 7:52pm Cr Robartson moved, seconded Cr Foxtan –

**That the Council;**

1. **Recommends to the Western Australian Planning Commission (WAPC) that the proposed modifications to the Melville City Centre Structure Plan be approved by the WAPC;**
2. **Forwards a copy of Council Report reference P16/3725, Council Report reference P16/3706, and associated attachments to the Department of Planning for its consideration.**
3. **Directs the Chief Executive Officer to notify the submitters in writing of the Council's decision.**

**P16/3725 - THE IMPLEMENTATION OF PUBLIC ART IN THE MELVILLE CITY CENTRE  
STRUCTURE PLAN AREA (REC) (ATTACHMENT)**

**Procedural Motion**

At 7:53pm Cr Schuster moved, seconded Cr Woodall, the following Procedural Motion in accordance with Clause 11.1(b) of Standing Orders Local Law 2003 -

**That this item be deferred to the same discussion as the Public Art Policy Item (P16/3726) returning to Council in 2017.**

At 7:57pm the Deputy Mayor submitted the motion, which was declared

**CARRIED (7/3)**

At 7.59pm Ms L Reid left the meeting

<b>Vote Result Summary</b>	
Yes	7
No	3

<b>Vote Result Detailed</b>	
Cr Barton	Yes
Cr O'Malley	Yes
Cr Pazolli	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Wieland	Yes
Cr Woodall	Yes
Cr Aubrey	No
Cr Barling	No
Cr Foxtton	No

**P16/3727 – PROPOSED UPDATE TO COUNCIL POLICY – CP-098 ADDITIONAL DEVELOPMENT EXEMPTIONS (REC) (ATTACHMENT)**

Ward	: All
Category	: Policy
Application Number	: Not applicable
Property	: Not applicable
Proposal	: Proposed update to Council Policy CP-098– Additional Development Exemptions
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	: P16/3702 Proposed Council Policy – CP-098 Additional Development Exemptions – April 2016
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>
<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"/>	<b>Legislative</b>	<b><i>Includes adopting local laws, town planning schemes and policies.</i></b>
<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>

**P16/3727 – PROPOSED UPDATE TO COUNCIL POLICY – CP-098 ADDITIONAL DEVELOPMENT EXEMPTIONS (REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- Council Policy CP-098 'Additional Development Exemptions' (CP-098) was first considered by Council at its Ordinary meeting held in April 2016. No submissions were received during the community consultation period, therefore final adoption of the policy was undertaken by the Chief Executive Officer (CEO) in accordance with the Council's resolution.
- Under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations), development approval is not required for the demolition of a single house and associated structures, unless heritage considerations apply.
- All other demolition work, including the demolition of grouped dwellings, multiple dwellings and non-residential buildings currently requires development approval from the City. Development approval was not required for this type of work under Community Planning Scheme No.5.
- In view of this anomaly, brought about by the introduction of the Regulations, It is considered appropriate to update CP-98 to exempt demolition works from the need for planning approval, except where heritage considerations are at stake, in which case development approval would be required. It is recommended that the Council adopt the updates to CP-098 without public consultation as permitted under Clause 5(2) of Schedule 2 of the Regulations

**BACKGROUND**

The Regulations were gazetted in August 2015 and came into effect on 19 October 2015. Clause 61 of Schedule 2 of the Regulations, details the types of works and land uses for which development approval is not required.

Council Policy CP-098 'Additional Development Exemptions' was considered by the Council at its meeting held April 2016. No submissions were made in relation to the proposal, and as such, approval to adopt the policy was granted by the CEO in June 2016.

**DETAIL**

Under the provisions of the Regulations, development approval is not required for the demolition of a single house and associated structures, unless these are impacted by relevant heritage considerations. All other demolition work, including the demolition of grouped dwellings, multiple dwellings and non-residential buildings currently requires development approval from the City. The Regulations enable certain works to be exempt from requiring development approval, where these are detailed in a local planning policy.

It is proposed to update CP-085 to remove the need for development approval for the demolition of all buildings, unless heritage considerations apply, as listed in sub-clauses 61(e) (i – v) of the deemed provisions of the Regulations.

**P16/3727 – PROPOSED UPDATE TO COUNCIL POLICY – CP-098 ADDITIONAL DEVELOPMENT EXEMPTIONS (REC) (ATTACHMENT)**

For ease of reference, these heritage considerations apply where development (demolition) is proposed of a building that is:

- (i) located in a place that is entered in the Register of Heritage Places under the *Heritage of Western Australia Act 1990*; or
- (ii) the subject of an order under the *Heritage of Western Australia Act 1990* Part 6; or
- (iii) included on a heritage list prepared in accordance with this Scheme; or
- (iv) located within an area designated under this Scheme as a heritage area; or
- (v) the subject of a heritage agreement entered into under the *Heritage of Western Australia Act 1990* section 29.

**3727 Council Policy CP 098 Additional Development Exemptions**

Where a building is impacted by heritage considerations, it is certainly appropriate that the proposed demolition be assessed, taking into account relevant issues including the historic value of the buildings and its contribution to the streetscape. In all other instances, it is not considered appropriate to require development approval for demolition. It is noted that Clause 7.3(e) of Community Planning Scheme No. 5 (CPS5) excluded all demolition from requiring planning approval, irrespective of any heritage impact.

**STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

Under the provisions of the Regulations, amendments to planning policy must be advertised unless the City is of the opinion that the changes are minor. As noted above, demolition of buildings was previously exempt from requiring planning approval under CPS5, the proposed update to the policy reduces red tape and is considered to be in line with community expectations. It is recommended that the policy is adopted without advertising.

**II. OTHER AGENCIES / CONSULTANTS**

Clause 4(4) of Schedule 2 of the Regulations requires that the Council advise the Western Australian Planning Commission (WAPC) if it is of the opinion that the policy is inconsistent with any State Planning Policy. The WAPC need not be informed in this instance.

**STATUTORY AND LEGAL IMPLICATIONS**

The City will follow the requirements of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

There are not considered to be other statutory or legal implications in relation to the policy changes detailed in this report.

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**P16/3727 – PROPOSED UPDATE TO COUNCIL POLICY – CP-098 ADDITIONAL DEVELOPMENT EXEMPTIONS (REC) (ATTACHMENT)****FINANCIAL IMPLICATIONS**

There are not considered to be financial implications in relation to this report.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

There are not considered to be strategic, risk or environmental management implications in relation to the policy changes detailed in this report.

**POLICY IMPLICATIONS**

There are not considered to be other policy implications associated with the proposed update to the local planning policy.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The Council could choose not to adopt this policy update. This would result in a requirement for a development application to be lodged for all demolition work in the City other than the demolition of single houses or where heritage considerations apply. This will potentially influence decision making timeframes, and would likely be viewed as onerous by stakeholders including residents.

**COMMENT**

Updates to CP-098 are necessary to ensure that demolition of grouped housing, multiple dwellings and other building types can occur without the need for development approval of the City, except where heritage considerations apply. The requirement for a demolition permit under the provisions of the Building Act will continue to apply, and this will ensure that building demolition activity throughout the City is managed appropriately.

**CONCLUSION**

Under the provisions of Clause 61(i) of the Regulations, works specified in a local planning policy can be exempt from requiring development approval. The proposed update to the policy will enable demolition to occur without development approval, except where heritage considerations apply.

It is recommended that Council resolve to adopt the proposed policy without consultation in accordance with Clause 5 of the Regulations.

**P16/3727 – PROPOSED UPDATE TO COUNCIL POLICY – CP-098 ADDITIONAL DEVELOPMENT EXEMPTIONS (REC) (ATTACHMENT)**

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3727) (ADOPTION)**

**That the Council resolves:**

- 1 Pursuant to Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015* to adopt the proposed update to Council Policy 098: Additional Development Exemptions without community consultation.**

**[3727 Council Policy CP 098 Additional Development Exemptions](#)**

- 2 Directs the Chief Executive Officer to publish a notification in a local newspaper informing the community of this decision.**

At 8.56pm the Deputy Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (10/0)**

**P16/3728 – REVIEW OF COUNCIL POLICY CP-078 RESIDENTIAL DEVELOPMENT (REC)  
(ATTACHMENT)**

Ward	: All
Category	: Policy
Application Number	: Not applicable
Property	: Not applicable
Proposal	: Review of Council Policy CP-078 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	: P16/3709 – Review of CP-078 Residential Development – Ordinary Meeting of Council on 21 June 2016
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>
<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"/>	<b>Legislative</b>	<b><i>Includes adopting local laws, town planning schemes &amp; policies.</i></b>
<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>

**P16/3728 – REVIEW OF COUNCIL POLICY CP-078 RESIDENTIAL DEVELOPMENT (REC)  
(ATTACHMENT)****KEY ISSUES / SUMMARY**

- The *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) came into effect on 19 October 2015 and contain provisions to enable the Council to prepare, adopt and amend local planning policies.
- Council Policy CP-078 Residential Development (CP-078) was adopted in September 2011 and was subject to modification in November 2013.
- Further modifications have been proposed to the policy and on 21 June 2016, the Council resolved to endorse revised CP-078 for purposes of public consultation for a period of not less than 21 calendar days.
- Revised CP-078 was advertised in accordance with Clause 4(1) (a) of Schedule 2 of the Regulations for 21 days.
- One submission was made in response to the revised policy.
- In response to the issue raised during public consultation, one modification to the content of the policy has been made. Several administrative changes have also been made to improve the policy content.
- The proposed changes are not considered to materially affect the content of the revised policy. As such, further public consultation is not considered to be required.
- It is recommended that the Council adopt the revised and updated policy as presented.

**BACKGROUND**

CP-078 Residential Development was adopted by the Council in 2011 and was subject to amendments in 2013 to take into consideration modifications to State Planning Policy 3.1 – Residential Design Codes (R-Codes). Further modifications to the policy are now required. These modifications were detailed in the June report to Council (P16/3711).

At the Ordinary Council Meeting held on 21 June, the Council resolved to endorse revised CP-078 for purposes of public consultation for a period of not less than 21 calendar days. The period for public consultation concluded on 12 August 2016.

**[3728 CP 078 Residential Development Policy](#)****DETAIL**

The following post advertising changes to the policy are now proposed:

- Modification of garage width provisions to ensure consistency with the R-Codes, improve implementation and to take into account the issue raised by the submission.
- Addition of a new clause C2.1 to state that a garage and supporting structures should not occupy more than 50% of the lot frontage. This clause is consistent with the deemed to comply with provisions contained in Clause 5.2.2 of the R-Codes.

**P16/3728 – REVIEW OF COUNCIL POLICY CP-078 RESIDENTIAL DEVELOPMENT (REC)  
(ATTACHMENT)**

- Clause C2.2 provides guidance for single storey dwellings on narrow lots, with wording consistent with Planning Bulletin 112/2016. This clause has been renumbered from the previous advertised version of this policy however no change to the wording is proposed.
- The following sentence has now been removed from the policy:

*‘For front loaded single storey dwellings on street frontage less than 10.5m or not compliant with above require single or tandem garaging’.*

Where a development meets the narrow lot provisions contained in Clause 2.2 a development application will not be required. If the applicant chooses to pursue an alternative design, they can seek approval from the City having regard to the Design Principles contained in Clause 5.2.21 of the R-Codes. The modification is not considered to materially change the intent of the advertised policy, therefore further public consultation is not considered to be required.

The following administrative changes have also been made:

Clause Number	Change	Reason
C2.2(iii)	Change from:  <i>Buildings and structures on properties with a density coding of R50 and greater, setback a minimum of 1.0 metres and an average of 1.5m from the secondary street and the corner truncation boundary.</i>  To  <i>Buildings and structures on properties with a density coding of R30 and greater, setback a minimum of 1.0 metres and an average of 1.5m from the secondary street and the corner truncation boundary.</i>	To ensure the policy provision applies to R30, R35 & R40 areas
(3)	Include the following provision:  <i>A garage door and supporting structures shall not occupy more than 50% of the lot frontage.</i>	This is discussed in the detail section above. This is proposed in order to provide consistency with the R-Codes where the intent is to minimise the impact garage doors and supporting structures have on the streetscape. Refer to the detail section of this report for further explanation.
C3.2(ii)	This Clause is replaced with a new Clause C3.2(ii). Refer to policy attachment.	To provide clarity that boundary walls are only permitted development where located behind the primary street setback line specified in Table 1 of the R-Codes.

**P16/3728 – REVIEW OF COUNCIL POLICY CP-078 RESIDENTIAL DEVELOPMENT (REC)  
(ATTACHMENT)**

C3.2(v)	Remove the word <i>minimum</i> . Refer to policy attachment.	To ensure the streetscape impacts of boundary walls are controlled.
C3.4 (note)	Reinstate the original definition of 'up to a lot boundary' to state:  <i>The term 'up to a lot boundary' means a wall, on or less than 600mm, from any lot boundary, other than a street boundary.</i>	To provide consistency with the R-Codes which have recently been reviewed.

**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

One submission was received during the public consultation process. The submission is summarised below:

<b>Comment</b>	<b>Summary of Submission</b>	<b>Support/ Objection</b>	<b>Officer's Comment</b>	<b>Action (Condition/ Uphold/ Not Uphold)</b>
1.	The limitation of developments on narrow lots (<10.5m) to have a single or tandem garage will by default cause there to be an increase in on street and verge parking. This will continue the loss of streetscape amenity that already exists with infill developments as a result of mass amounts of verge and on street parking.	Object	The requirement for developments on narrow lots (<10.5m) to be serviced by a tandem or single garage has been removed. Assessment of garages on narrow lots will be based on whether or not the garage will have a dominant impact when viewed from the street and how it interacts with the rest of the building.	Uphold
2.	Nobody will continually shift their vehicles to park 'tandem' style.	Object	Not a material planning consideration.	Not uphold

**P16/3728 – REVIEW OF COUNCIL POLICY CP-078 RESIDENTIAL DEVELOPMENT (REC)  
(ATTACHMENT)**

3.	The City needs to proactively ensure more than just adequate parking is provided throughout any residential and commercial development as the contrary to this is clearly happening and causing long term amenity loss throughout the City.	Object	The policy does not apply to commercial development proposals, and it does not limit the space for car parking in respect of residential developments.	Not uphold
4.	There is no evidence that any reduction in parking causes any reduction in car ownership.	Object	The policy does not seek to vary the amount of residential car parking that is provided. The evidence provided by contemporary planning and land use transportation literature supports the view that there is reduced reliance on the use of private vehicles when development is proposed in close proximity to activity centres or along transport corridors where high frequency public transport options are available.	Not uphold
5.	If the policy of allowing side by side double garaging is not going to be permitted on these narrow lots, a solution could be putting in place the requirement for a minimum of a “side by side driveway width”.	Object	The policy does not compromise the ability to provide a double width driveway.	Not uphold

**II. OTHER AGENCIES / CONSULTANTS**

Clause 4(1)(a)(iii) of Schedule 2 of the Regulations requires that the Council give notice to the Western Australian Planning Commission (WAPC) if it is of the opinion that the policy is inconsistent with any State Planning Policy. The City considers that it is not required to give notice to the WAPC as the policy is not inconsistent with any State Planning Policy.

**P16/3728 – REVIEW OF COUNCIL POLICY CP-078 RESIDENTIAL DEVELOPMENT (REC)  
(ATTACHMENT)****STATUTORY AND LEGAL IMPLICATIONS**

The City will follow the requirements of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

There are not considered to be other statutory or legal implications in relation to the policy changes detailed in this report.

**FINANCIAL IMPLICATIONS**

There are not considered to be financial implications in relation to this report.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

There are not considered to be strategic, risk or environmental management implications in relation to the policy changes detailed in this report.

**POLICY IMPLICATIONS**

CP- 078 enables a consistent approach by the City ensuring new development is consistent with or enhances the desired streetscape. There are not considered to be other policy implications associated with the proposed update to the local planning policy.

**COMMENT**

The R-Codes allow for this type of policy to be adopted by Councils in order to better control desired streetscapes taking into account local circumstances. The proposed modifications are considered to be sufficiently flexible to allow development to occur and sufficiently robust to ensure development achieves the City's desired outcomes.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The Council may choose not to adopt the changes outlined in the report and may adopt an alternative approach. Should Council choose to adopt an alternative approach it is noted that this may require readvertising in accordance with the Regulations.

**CONCLUSION**

The proposed modifications will improve the overall operations of the policy and therefore the overall quality of streetscapes across the City. As such it is recommended that the Council adopt the modified CP-078 policy.

**P16/3728 – REVIEW OF COUNCIL POLICY CP-078 RESIDENTIAL DEVELOPMENT (REC)  
(ATTACHMENT)**

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3728)      APPROVAL**

**That the Council;**

- 1. Adopts Council Policy CP-078 Residential Development, as modified.  
[3728 CP 078 Residential Development Policy](#)**
- 2. Directs the Chief Executive Officer to publish a notification in a local newspaper informing the community of this decision.**
- 3. Directs the Chief Executive Officer to notify the submitter, in writing, of the Council's decision.**

At 8.56pm the Deputy Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (10/0)**

**M16/5510 - COUNCIL MEETING CYCLE (REC) (ATTACHMENT)**

Ward : All  
 Category : Operational  
 Subject Index : Schedule of Meetings  
 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 : M14/5445 – Council Meeting Cycle – November 2015 – Ordinary Meeting of Council  
 Works Programme : Not Applicable  
 Funding : Not Applicable  
 Responsible Officer : Jeff Clark  
 Governance & Compliance Program Manager

**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"/>	Information	<i>For the Council/Committee to note.</i>

**M16/5510 - COUNCIL MEETING CYCLE (REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- This report summarises the monthly Ordinary Meetings of Council cycle to commence in February 2017.
- The report recommends adoption of the proposed meeting schedule.

**BACKGROUND**

The Council Meeting Cycle was last reviewed in November 2015 and it was resolved to continue a monthly meeting cycle whereby the Agenda Briefing Forum would be scheduled for the first Tuesday of each month and the Ordinary Meeting of Council to be held on the third Tuesday of every month except in January when Council is in recess.

It was also resolved that the Ordinary Meeting of Council and the Council Agenda Briefing Forums would be rescheduled in October of each Local Government Election year. The rescheduling of the October meetings allows the meeting cycle to be completed prior to the commencement of the newly Elected Members. Due to the date of the election being 21 October 2017, the meeting dates for the Agenda Briefing Forum and Council Meeting for October 2017 will not need to be changed as they will occur before the election date.

The Ordinary Meeting of Council and the Council Agenda Briefing Forum are both open to the public with decision making by the Council only taking place at the Ordinary Meeting of Council.

**DETAIL**

An attachment showing the proposed meeting cycle has been prepared to inform Elected Members [5510 Meeting Cycle Calendar](#) of the proposed meeting schedule.

The meeting dates for December 2017 have been brought forward to allow completion of the meeting cycle on the second Tuesday of December as is the practice in 2016.

**STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

The City informs the public of the dates that meetings will be held through the media, press releases and notices at the Civic Centre, Libraries and website. When adopted, the meeting schedule for the 2017 year will be advertised in a local newspaper.

**M16/5510 - COUNCIL MEETING CYCLE (REC) (ATTACHMENT)****II. OTHER AGENCIES / CONSULTANTS**

Whilst no direct consultation has taken place with other agencies the views of the Department of Local Government and Communities as expressed in the Local Government Operational Guideline Number 05 relating to Council Forums, Operations and Procedures has been taken into account in the preparation of this report

**STATUTORY AND LEGAL IMPLICATIONS**

*The Local Government Act 1995*, Section 5.3 - Ordinary and Special Council Meetings provides that:-

- (1) *A Council is to hold ordinary meetings and may hold special meetings.*
- (2) *Ordinary meetings are to be held not more than three months apart.*

Council must formally resolve to provide its meeting schedule for the next 12 months and advertise the times and date for future meetings of the Council and the Ordinary Meeting of Council Agenda Briefing Forum. Should Council resolve to adopt the proposed meeting cycle, Section 5.25(1) (g) of the *Local Government Act 1995* requires that local public notice of meetings is provided.

The *Local Government (Administration) Regulations 1996* require at Regulation 12(2), that the Local Government give local public notice of any change to advertised meetings date, time or place.

**FINANCIAL IMPLICATIONS**

A provision for the cost of advertising is held in an operational budget cost centre.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

Matters will be brought to the Council on 11 occasions and where required, a Special Meeting of Council will be held to resolve urgent matters or those matters that will absorb a full Council agenda. There is no risk or environmental management implications in this report.

**POLICY IMPLICATIONS**

There are no policy implications in this report.

**M16/5510 - COUNCIL MEETING CYCLE (REC) (ATTACHMENT)****ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The current model provides for 11 scheduled meetings per annum with a provision to call Special Meetings of Council where a matter requires urgent attention.

There is an option to revert to a prior model which provided for 12 meetings of Council from January to December. A more frequent cycle of Ordinary Meetings of Council will have the effect of increasing the amount of decision making opportunities for Council, increase the timeliness of responses to customers awaiting Council decisions but additional staff resources may be required to service the increased frequency of meetings.

**CONCLUSION**

The current monthly Council meetings cycle was adopted with the intention of providing a stable meeting date for all Ordinary Meetings of Council and Ordinary Meetings of Council Agenda Briefing Forums. The current model has been successful in achieving the requirements of Council and it is recommended that it be maintained.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5510)****APPROVAL**

At 8:09pm Cr Foxtan moved, seconded Cr Barling –

**That the Council:**

1. Approves the Ordinary Meetings of Council to be held on the third Tuesday of each month, commencing in February 2017 to November 2017 and on the second Tuesday of December 2017.
2. Approves the Agenda Briefing Forums to be held on the first Tuesday of each month, commencing in February 2017 to November 2017 and also on 28 November 2017 and be chaired by the Mayor or his delegate.
3. Go into recess in January 2017 and neither the Ordinary Meeting of Council nor a Council Agenda Briefing Forum will be held.
4. Endorses that Elected Member Information Sessions occur as required on any Tuesday evenings that are not required for Ordinary Meetings of Council, Agenda Briefing Forums or meetings of Standing Committees.
5. Directs the Chief Executive Officer to advertise the Schedule of Council Meetings in order to inform the community of the Council Meeting dates.

At 8:10pm the Deputy Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (10/0)**

At 8.11pm Messrs Ponton and Scarfone left the meeting

The Deputy Mayor read aloud the Purpose and Effect of the proposed Local Law.

The *purpose* of the proposed City of Melville Meeting Procedure Local Law 2016 is to provide the rules for the conduct of meetings of the Council and Council appointed Committees and Electors.

The *effect* of the City of Melville Meeting Procedure Local Law 2016 is that there is a better understanding of the process of all Council meetings, Council appointed Committee meetings and meetings of Electors and these shall be conducted in an orderly manner in accordance with this local law unless otherwise provided in the Act, Regulations or other written law.

**M16/5513 – PROPOSED CITY OF MELVILLE MEETING PROCEDURE LOCAL LAW 2016  
(REC) (ATTACHMENT)**

Ward	:	All
Category	:	Operational
Subject Index	:	Acts, Statutes and Local Laws
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	:	C09/5096 Review of Local Laws (November 2009)
Works Programme	:	Not Applicable
Funding	:	Not Applicable
Responsible Officer	:	Corrine Newman Executive Support & Governance Officer

**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>
<input checked="" type="checkbox"/>	<b>Legislative</b>	<b><i>Includes adopting local laws, town planning schemes &amp; policies.</i></b>
<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>

**M16/5513 – PROPOSED CITY OF MELVILLE MEETING PROCEDURE LOCAL LAW 2016  
(REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- Council resolved at its meeting in November 2009 to review the Standing Orders Local Law 2003.
- The Standing Orders Local Law 2003 has been revised to create the proposed Meeting Procedures Local Law, which provides a more contemporary version of the local law that better defines the processes for the orderly conduct of formal meetings of Council, Council appointed Committees and meetings of Electors.
- The *Local Government Act 1995* requires that the City advertise the proposed local law for a period of at least six weeks and receive submissions from the community during this time.

**BACKGROUND**

The City of Melville Standing Orders Local Law 2003 was originally published in the *Government Gazette* on 12 May 2003 and was subsequently amended on 12 May 2004.

The Standing Orders Local Law was considered in the 2009 Review of Local Laws and resolved for amendment/ repeal based on the following comments:

*“It is proposed that a new Standing Orders Local Law be made. The current Standing Orders require amendment to ensure consistency with changes to the Act and regulations. The current local law also contains a number of provisions that are very narrowly worded and specific. The local law could be better drafted to ensure a more workable document.”*

Additionally, section 3.16 of the *Local Government Act 1995* requires that local laws are reviewed every eight years and it is timely to undertake this review to meet that requirement.

**DETAIL**

The local law has undergone a comprehensive review in order to make it a more contemporary local law which allows for a clearer understanding of the process and conduct of formal meetings of Council, which has translated into a number of modifications.

The review has included:

- modernising the terminology used within the local law, including the title to enable the community to better understand its purpose;
- the regrouping of clauses into more logical sequences;
- the review of clauses to ensure relevance;
- the implications of new and amended legislation; and
- reformatting in accordance with the Department of Local Government and Communities' guidelines.

The table below highlights the variations between the existing local law and the proposed new local law and provides the rationale for each of these changes:

**M16/5513 – PROPOSED CITY OF MELVILLE MEETING PROCEDURE LOCAL LAW 2016  
(REC) (ATTACHMENT)**

	<b>Proposed Meeting Procedures Local Law</b>	<b>Existing Standing Orders Local Law</b>
<b>Title</b>	Meeting Procedures Local Law 2016	Standing Orders Local Law
	<b>Rational:</b> The Local Law deals with how meetings of the Council are to be conducted. The name of the Local Law has been changed to more common terminology that reflects its purpose.	
<b>Part 1 - Interpretation</b>	<p>New:</p> <ul style="list-style-type: none"> <li>• absolute majority;</li> <li>• committee meeting;</li> <li>• deputation;</li> <li>• Department;</li> <li>• elector;</li> <li>• local government;</li> <li>• presiding member;</li> <li>• Rules of Conduct;</li> <li>• special majority; and</li> <li>• written response.</li> </ul>	<p>Deleted:</p> <ul style="list-style-type: none"> <li>• City;</li> <li>• clause;</li> <li>• Code of Conduct;</li> <li>• Committee member;</li> <li>• Councillor;</li> <li>• document;</li> <li>• minor amendment;</li> <li>• other committee;</li> <li>• order;</li> <li>• ordinary meeting;</li> <li>• Policy;</li> <li>• special meetings;</li> <li>• standing committee; and</li> <li>• without discussion.</li> </ul>
	<b>Rational:</b> In modernising the Local Law, a number of definitions are no longer required and have been deleted, new definitions have been included and some definitions have been redefined to provide relevance to the new local law and ease of reference. To ensure consistency in City of Melville local laws and terminology used by the Department of Local Government and Communities, the term “City” has been removed and replaced with “local government”.	
<b>Part 2 – Establishment and Membership of Committees</b>	<p>These clauses provide that:</p> <ul style="list-style-type: none"> <li>• Council must resolve to establish a committee, the type of committee, whether it will have delegated powers and the limits of these and appoint the members;</li> <li>• That the Meeting Procedures Local Law applies to conduct of committees established under the Act.</li> </ul>	Not applicable
	<b>Rational:</b> Committees of Council are established under the <i>Local Government Act 1995</i> and are an important function of the Council in ensuring good governance practices. These new clauses provide clarity on process and reference to the <i>Local Government Act 1995</i> .	
<b>Part 3 – Calling and Convening Meetings</b>	<p>The clauses in this part deal with:</p> <ul style="list-style-type: none"> <li>• the calling of Ordinary and Special Meetings of Council and Committee meetings; and</li> <li>• the requirement to give Public Notice of meetings.</li> </ul>	Clauses 2.1, 2.2, 2.3 and 2.4
	<b>Rational:</b> These clauses provide clarity in when Ordinary Council meetings are held and when a Special Meeting of Council or meetings of Committees can be called in accordance with the requirements with the <i>Local Government Act 1995</i> .	

**M16/5513 – PROPOSED CITY OF MELVILLE MEETING PROCEDURE LOCAL LAW 2016  
(REC) (ATTACHMENT)**

<b>Part 4 – Presiding Member</b>	These Clauses deal with: <ul style="list-style-type: none"> <li>• who is able to preside over a meeting and who acts if the Presiding Member is unable to;</li> <li>• the election of Presiding Members;</li> <li>• the function of deputy presiding members.</li> </ul>	Clauses 2.10 and 2.11
	<b>Rational:</b> These clauses provide clarity and guidance on who presides at Council and Committee Meetings and who can act if no Presiding Member is available.	
<b>Part 5 – Quorum</b>	These clauses deal with: <ul style="list-style-type: none"> <li>• what is a quorum</li> <li>• the requirement for a quorum,</li> <li>• the procedure when there isn't a quorum</li> </ul>	Clauses 6.1 and 6.2
	<b>Rational:</b> These clauses offer guidance on quorums at meetings, that the Council/Committee is not to transact business without a quorum and procedures for dealing with a lack of quorum.	
<b>Part 6 – Business of a Meeting</b>	These clauses deal with: <ul style="list-style-type: none"> <li>• the types of business that is to be dealt with at Council and Committee meetings;</li> <li>• the order in which business shall appear in the agenda for these meetings</li> <li>• motions of notice</li> <li>• urgent business</li> <li>• announcements by the Presiding Member and</li> <li>• Reports to meetings</li> <li>• Leave of Absence</li> </ul>	Clauses 2.9, 3.1, 3.2, 3.3, 3.6, 3.10 and 3.12
	<b>Rational:</b> These clauses have been grouped together to provide clarity on the order of business at a Council or Committee meeting and how business before the meetings will be dealt with.	
<b>Part 7 – Public Participation</b>	These clauses deal with <ul style="list-style-type: none"> <li>• Meetings open to the public;</li> <li>• Meetings not open to the public</li> <li>• Question time;</li> <li>• Distinguished visitors</li> <li>• Deputations</li> <li>• Petitions</li> <li>• Presentations</li> <li>• Public Inspection of agendas</li> <li>• Confidentiality of information withheld</li> <li>• Recording of proceedings</li> <li>• Prevention of disturbance</li> <li>• Media attendance</li> </ul>	Clauses 2.6, 3.8, 3.4, 8.10, 3.15, 3.5, 4.1, 8.6 and 8.7,
	<b>Rational:</b> This Part specifically references the involvement, participation and expected behaviour of the public at Council and Committee meetings. It also provides the Presiding Member with the ability to acknowledge distinguished visitors and the recording of those in the official minutes. This part also provides guidance to the public when wishing to view agendas and minutes of meetings and provides guidance on dealing with confidential information considered at Council and Committee meetings.	

**M16/5513 – PROPOSED CITY OF MELVILLE MEETING PROCEDURE LOCAL LAW 2016  
(REC) (ATTACHMENT)**

<p><b>Part 8 – Questions</b></p>	<p>These clauses deal with:</p> <ul style="list-style-type: none"> <li>• Questions without notice and during debate</li> <li>• Restrictions on questions and answers</li> <li>• Members present at Committee Meetings ability to ask questions.</li> </ul>	<p>Clauses 3.13 and 10.7</p>
<p><b>Rational:</b> This Part provides for Members to ask questions and seek general information on matters on the agenda for Council and Committee meetings and for responses at the meeting, where possible, or within a fixed timeframe.</p> <p>It also provides guidance to members wishing to ask questions during the discussion and debate on a motion.</p>		
<p><b>Part 9 – Conduct of Members</b></p>	<p>These clauses deal with:</p> <ul style="list-style-type: none"> <li>• Seating allocations in the Council Chamber</li> <li>• Respect for the Presiding Member</li> <li>• Using official titles</li> <li>• Advice of entry and departure</li> <li>• Crossing the floor</li> <li>• Indicating intention to speak</li> <li>• Priority speaking</li> <li>• Presiding member taking part in debate</li> <li>• Members not to interrupt</li> <li>• Relevance of remarks</li> <li>• Limitation on members speaking</li> <li>• Personal explanations</li> <li>• Not reopening discussion</li> <li>• Adverse reflection</li> <li>• Recording of specific words</li> <li>• Behaviour and offensive language</li> </ul>	<p>Clauses 8.1, 8.2, 8.3, 9.1, 9.8, 9.9, 9.10 and 10.18</p>
<p><b>Rational:</b> This Part provides guidance on the protocols to be followed at Council and Committee meetings, including seating arrangements, leaving or entering the meeting, indicating a desire to speak, restricting comments to the matter being considered, personal explanations and authority of the Presiding Member.</p>		
<p><b>Part 10 – Preserving Order</b></p>	<p>These clauses deal with:</p> <ul style="list-style-type: none"> <li>• Preserving order</li> <li>• Points of order</li> <li>• Breaches</li> <li>• Ruling by the Presiding Member</li> </ul>	<p>Clauses 15.1, 15.3, 15.6, 15.7 and 15.8</p>
<p><b>Rational:</b> This Part provides for meetings of Council and Committees to be held in an orderly manner under the control of the Presiding Member, and allows for any Member to call attention to a breach of the Meeting Procedures and for the Presiding Member to rule on such.</p> <p>It also provides mechanisms for the Presiding Member to preserve and order or adjourn the meeting in order to regain order.</p>		

**M16/5513 – PROPOSED CITY OF MELVILLE MEETING PROCEDURE LOCAL LAW 2016  
(REC) (ATTACHMENT)**

<b>Part 11 – Substantive Motions</b>	<p>These clauses deal with:</p> <ul style="list-style-type: none"> <li>• Recommendations in reports</li> <li>• Adoption of recommendations en bloc</li> <li>• Motions</li> <li>• Unopposed business</li> <li>• Substantive motions</li> <li>• Amendments</li> </ul>	Clauses 10.1, 10.2, 10.5, 10.8 and 10.16
	<p><b>Rational:</b> This Part deals with recommendations contained within the reports presented to Council and Committees and provides guidance on the different formats these can be accepted:</p> <ul style="list-style-type: none"> <li>• collectively,</li> <li>• with and without discussion and debate,</li> <li>• with and without amendments.</li> </ul>	
<b>Part 12 – Debate of Motions</b>	<p>These clauses deal with:</p> <ul style="list-style-type: none"> <li>• Order and limits of debate</li> <li>• Consent for alteration of motions</li> <li>• Right of reply</li> <li>• Personal explanation</li> <li>• Motion without Notice by absolute majority.</li> </ul>	Clauses 10.9, 10.10, 10.11, 10.12 and 3.14
	<p><b>Rational:</b> This Part provides for discussion and debate on matters before Council and Committee and ensures that discussion and debate follows a format that provides all participating members with the opportunity to provide input or seek clarification on the matter being considered. It also provides guidance on wording motions without notice requiring an absolute majority vote.</p>	
<b>Part 13 – Procedural Motions</b>	<p>These clauses deal with:</p> <ul style="list-style-type: none"> <li>• Permissible procedural motions</li> <li>• Processes and effects of procedural motions.</li> </ul>	Clauses 11.1, 11.2, 12.1, 12.3, 12.4, 12.5, 12.6 and 12.7
	<p><b>Rational:</b> There are a number of procedural motions that may be moved against a recommendation. This Part provides information on the different forms of a procedural motion and the process, format and effect of each.</p>	
<b>Part 14 – Disclosure of Interests</b>	<p>These clauses deal with:</p> <ul style="list-style-type: none"> <li>• Disclosure of financial and proximity interests</li> <li>• Participation of members disclosing interests</li> <li>• Disclosure of Interest in Matters raised without Notice</li> </ul>	Clauses 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8 and 5.9,
	<p><b>Rational:</b> Participating members are required to be transparent in their dealings with issues before Council. This Part provides guidance on the obligation to disclosure of interests and potential conflicts as part of the conduct of meetings and where a member:</p> <ul style="list-style-type: none"> <li>• is not permitted to participate in the discussion and debate on a particular matter;</li> <li>• may be permitted to participate in the discussion and debate on a particular matter; or</li> <li>• may be able to provide additional information on the matter, to the meeting</li> <li>• must disclosure, as soon as possible, any interest or conflict when a matter is raised without notice.</li> </ul>	

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<b>Part 15 – Voting</b>	These clauses deal with: <ul style="list-style-type: none"> <li>• Voting</li> <li>• Majorities required for decisions</li> <li>• Methods of voting</li> </ul>	Clauses 13.1 and 13.3
	<b>Rational:</b> This Part provides guidance to the Presiding Member and members participating in the meeting as to the format and requirements of a voting process.	
<b>Part 16 – Minutes of Meetings</b>	These clauses deal with: <ul style="list-style-type: none"> <li>• The keeping and contents of minutes</li> <li>• Confirmation of minutes</li> <li>• Public inspection of unconfirmed minutes.</li> </ul>	Clauses 3.7, 7.1 and 7.2.
	<b>Rational:</b> The <i>Local Government Act 1995</i> and the <i>Local Government (Administration) Regulations 1996</i> require that minutes of meeting are kept and confirmed as a permanent record of the business of the local authority. This Part provides guidance on the keeping of minutes of Council and Committee meetings as required by other legislation.	
<b>Part 17 – Adjournment of Meeting</b>	These clauses deal with when a meeting may be adjourned and the effect of the adjournment.	Clause 12.3
	<b>Rational:</b> The Meeting Procedures Local Law provides a number of instances when a meeting may be adjourned for various reasons. This Part deals with how the meeting is to be adjourned and information required to ensure the meeting is resumed effectively and relevant information is recorded.	
<b>Part 18 – Revoking or Changing Decisions</b>	These clauses deal with: <ul style="list-style-type: none"> <li>• Requirement to revoke a decision</li> <li>• Revocation at the same meeting</li> <li>• Revocation after the meeting</li> <li>• Implementation of a decision</li> </ul>	Clauses 14.2 and 14.1
	<b>Rational:</b> From time to time it may be necessary to revoke a decision of Council, given the implications of undertaking a revocation, this Part provides guidance on how and when this can occur.	
<b>Part 19 – Other Procedural Matters</b>	These clauses deal with: <ul style="list-style-type: none"> <li>• Presiding member ensuring compliance</li> <li>• Briefings and other information meetings</li> <li>• Meeting procedure – suspension and when they do not apply</li> <li>• Representation on public bodies</li> <li>• Improper use of information</li> </ul>	Clauses 20.3, 17.1 and 17.2
	<b>Rational:</b> This Part deals with other miscellaneous practical matters associated with the conduct of official meetings	

**M16/5513 – PROPOSED CITY OF MELVILLE MEETING PROCEDURE LOCAL LAW 2016  
(REC) (ATTACHMENT)**

<b>Part 20 – Meeting of Electors</b>	These clauses deal with the convening and conduct of Electors meetings.	Clauses 19.1 and 19.2
	<b>Rational:</b> Under the <i>Local Government Act 1995</i> the City is required to hold general electors meetings. The part deals with the convening, conduct and business discussed at those meetings.	
<b>Part 21 – Enforcement</b>	These clauses deal with penalties and prosecutions for breaches of the Meeting Procedure Local Law.	Clauses 20.4 and 20.5
	<b>Rational:</b> Under the <i>Local Government Act 1995</i> , a person who breaches the provisions of this Meeting Procedure Local Law may commit an offence. This Part provides information dealing with the breach and the associated penalties.	
<b>Part 22 – Common Seal</b>	This clause deals with the application and reporting on the use of the City of Melville Common Seal	Clause 20.2
	<b>Rational:</b> The Common Seal is applied to official documents of the local government, and these are recorded in a register which is reported to Council on a monthly basis.	

Due to the large number of proposed changes, it is suggested that the existing local law be repealed and a new local law be made, rather than amending the existing local law. This will provide the City with a clear and concise new local law.

Section 3.12 of the *Local Government Act 1995* sets out the process to be undertaken to make a local law, and it should be noted that commencing the local law making process does not bind the Council to adopt the local law, but rather gives approval to start the process by giving Statewide notice of the intention to make the local law and requesting public submissions on the proposed new local law.

## **STAKEHOLDER ENGAGEMENT**

### **I. COMMUNITY**

Clause 3.12(3) of the *Local Government Act 1995* requires that the City of Melville give Statewide notice of its intention to make a local law and advise that it will receive submissions on the local law for a period of at least six weeks.

### **II. OTHER AGENCIES / CONSULTANTS**

In accordance with s 3.12(3)(b), once the City has given Statewide notice of its intention to make the local law and invited submissions from the community, a copy of the local law is required to be lodged with the Minister for Local Government for consideration.

Following the submission period, and once the local law has been adopted by the Council and gazetted, the Joint Standing Committee on Delegated Legislation will also review the local law.

**M16/5513 – PROPOSED CITY OF MELVILLE MEETING PROCEDURE LOCAL LAW 2016  
(REC) (ATTACHMENT)****STATUTORY AND LEGAL IMPLICATIONS**

The *Local Government Act 1995* outlines the process that the City must undertake to make a local law and requires that Council endorse the initial step of advertising the proposal to make the local law for public submission. Following the submission period a further report will be presented to Council advising of the submissions received.

**FINANCIAL IMPLICATIONS**

There are costs associated with advertising the proposed local law in accordance with the requirements of the *Local Government Act 1995*. These costs can be accommodated in the adopted 2016-2017 Budget. Further costs will be associated with the advertising and gazettal of the Local Law once adopted and these have been included in the 2016-2017 adopted Budget.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

Under the *Local Government Act 1995*, local governments are empowered to make local laws to help perform their functions as long as the Local Laws are not inconsistent with the Act or any other written law.

The creation adequate and appropriate local laws benefits the community by ensuring the regulation of activities within the district

**POLICY IMPLICATIONS**

There are two Council Policies that are directly associated with this local law:

- CP-014 Question Time at Committee and Council Meetings; and
- CP-088 Recording of Meetings

Both of these policies would be reviewed in conjunction with the creation of the new local law.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Not applicable.

**CONCLUSION**

The *purpose* of the proposed City of Melville Meeting Procedure Local Law 2016 is to provide the rules for the conduct of meetings of the Council and Council appointed Committees and Electors.

**M16/5513 – PROPOSED CITY OF MELVILLE MEETING PROCEDURE LOCAL LAW 2016  
(REC) (ATTACHMENT)**

The *effect* of the City of Melville Meeting Procedure Local Law 2016 is that there is a better understanding of the process of all Council meetings, Council appointed Committee meetings and meetings of Electors and these shall be conducted in an orderly manner in accordance with this local law unless otherwise provided in the Act, Regulations or other written law.

The proposed new City of Melville Meeting Procedures Local Law 2016 provides the City with a modern and concise local law that governs the processes and conduct of formal meetings of Council for the benefit of its community

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5513)                      APPROVAL****That the Council:**

1. **Authorises the Chief Executive Officer to advertise the proposed City of Melville Meeting Procedure Local Law 2016 as contained in [Proposed Meeting Procedures Local Law](#) for public comment, in accordance with the requirements of Section 3.12(3) of the *Local Government Act 1995*.**
2. **Directs that a copy of the proposed City of Melville Proposed Meeting Procedure Local Law 2016 be forwarded to the Minister for Local Government in accordance with section 3.12(3) of the *Local Government Act 1995*.**
3. **Directs the Chief Executive Officer to arrange for the proposed Meeting Procedure Local Law 2016 to be referred to an Elected Member Information Session for discussion prior to the final report being presented to Council.**
4. **Directs the Chief Executive Officer to prepare a further report at the conclusion of the public advertising period to enable the Council to consider the submissions made.**

At 8.56pm the Deputy Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (10/0)**

**M16/5515 – COUNCIL POLICY CP-091 ELECTED MEMBERS ALLOWANCES AND EXPENSES REVIEW (REC) (ATTACHMENT)**

Ward	: All
Category	: Operational
Subject Index	: Leases, Licences, Agreements, Contracts
Customer Index	: Department of Lands
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: M15/5458 – Policy Review Management Services Ordinary Meeting of Council 8 December 2015
Works Programme	: Not Applicable
Funding	: Not Applicable
Responsible Officer	: Jeff Clark Governance and Compliance Program Manager

**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"/>	<b>Executive</b>	<b><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></b>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes &amp; 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>

**M16/5515 – COUNCIL POLICY CP-091 ELECTED MEMBERS ALLOWANCES AND EXPENSES REVIEW (REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- The Council Policy CP-091 requires updating to include revised allowance values previously approved by the Council.
- A provision within the Policy is required to facilitate and reimburse the Mayor for expenses incurred in representing the City.
- The amended Policy is recommended for approval.

**BACKGROUND**

The Council adopted a recommendation from the Salaries and Wages Tribunal on 17 May 2016 and this report will update the Council Policy CP-091 with the revised figures. The Policy has been reviewed and found that a provision to reimburse the Mayor for representation expenses should be included in the Policy. A provision was held in previous versions of this Policy and this report recommends that this provision be re-inserted. When the original Policy was split into Elected Members Allowances and Expenses and a new policy, Elected Members Professional Development, the provision was inadvertently removed.

**DETAIL**

The revised figures previously approved by the Council have been inserted in the Summary Table in the Policy to ensure that any reference to the Policy is consistent with the Council resolution. When reviewing the Policy, the administration noted that the Policy did not include a provision to reimburse the Mayor for expenses incurred while attending meetings, functions or events when representing the City. A provision has been inserted at clause 2.6 to provide authority for payment of expenses incurred. [Elected Members Allowances and Expenses](#)

**STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

No comment has been sought from the community.

**II. OTHER AGENCIES / CONSULTANTS**

No comment has been sought from other agencies or consultants..

**STATUTORY AND LEGAL IMPLICATIONS**

The *Local Government Act 1995* provides at Section 5.98 (2), (3) and (4) that expenses incurred may be reimbursed specifically or generally. This information is confirmed in the Local Government (Administration) Regulations 1996 at Regulation 32 (1) (c) which states:

**M16/5515 – COUNCIL POLICY CP-091 ELECTED MEMBERS ALLOWANCES AND EXPENSES REVIEW (REC) (ATTACHMENT)**

32. *Expenses that may be approved for reimbursement*

*(Act s. 5.98(2)(b) and (3))*

*(1) For the purposes of section 5.98(2)(b), the kinds of expenses that may be approved by any local government for reimbursement by the local government are —*

*(a) an expense incurred by a council member in performing*

*a function under the express authority of the local government; and*

*(b) an expense incurred by a council member to whom paragraph (a) applies by reason of the council member being accompanied by not more than one other person while performing the function if, having regard to the nature of the function, the local government considers that it is appropriate for the council member to be accompanied by that other person; and*

*(c) an expense incurred by a council member in performing a function in his or her capacity as a council member.*

**FINANCIAL IMPLICATIONS**

There is a provision in the Operational Budget for such representation expenses.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

There are no strategic, risk and environmental management implications with this report.

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
That the City is not represented at community and significant local government functions and events due to the cost of attendance.	Minor consequences which are possible, resulting in a <b>Medium</b> level of risk	Provide reimbursement for expenses incurred by the Mayor or his duly nominated, and authorised, representative in representing the City.

**POLICY IMPLICATIONS**

The Council Policy CP-091 Elected Members Allowances and Expenses requires updating to include a provision to allow for representation of the City.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The Council may choose to not provide reimbursement to the Mayor for expenses incurred in representing the City at significant community and local government meetings, functions and events. The Mayor may choose to personally pay for attendance when required or only attend selected events. The outcome of reduced attendance could be a limited representational presence at significant events and community engagement.

**M16/5515 – COUNCIL POLICY CP-091 ELECTED MEMBERS ALLOWANCES AND EXPENSES REVIEW (REC) (ATTACHMENT)****CONCLUSION**

The Council and City has an expectation that the Mayor of the City will be present at significant community and other relevant events. Often these events incur a cost that should be met by the City rather than as a personal expense of the Mayor, or his duly nominated, and authorised, representative.

**OFFICER RECOMMENDATION (5515)****APPROVAL**

At 8:18 pm Cr Wieland moved, seconded Cr Robartson–

**That the Council approves the amended Council Policy CP-091 Elected Members Allowances and Expenses as attached Elected Members Allowances and Expenses**

**Amendment**

At 8:18pm Cr Schuster moved, seconded Cr O'Malley –

***That the Council amend Council Policy CP-091 Elected Members Allowances and Expenses Review by replacing items 1.3 and 1.4 of the Policy with the text below;***

**1.3 Meeting Attendance Fee - Mayor**

***The Mayor shall be entitled to an Annual Meeting Attendance Fee of not more than the maximum amount permitted to be paid to the Mayor for this purpose, as determined by the Salaries and Wages Tribunal and adopted by Council by Absolute Majority.***

***This allowance will continue to be paid during absences of the Mayor on leave (or for any other reason) where two ordinary meetings of the Council are not attended. For periods of absence where additional ordinary meeting/s of the Council is/are not attended in a financial year, the allowances will be pro-rated according to the number of ordinary meetings that are not attended. If the Mayor takes leave of absence where ordinary meeting/s are not attended (except leave of absence on Council business being absences while performing services on Council related organisations such as the Southern Metropolitan Regional Council, South West Group, Western Australian Local Government Association or similar bodies and attendance at approved conferences, seminars or training), and another Elected Member is acting as Mayor, then that Elected Member shall be entitled to the higher pro rata Annual Meeting Attendance Fee for attendance at ordinary meetings in the role of acting Mayor.***

**1.4 Meeting Attendance Fee – Deputy Mayor and Elected Members**

***The Deputy Mayor and Elected Members shall be entitled to an Annual Meeting Attendance Fee of not more than the maximum amount permitted to be paid for this purpose, as determined by the Salaries and Wages Tribunal and adopted by Council by Absolute Majority.***

**M16/5515 – COUNCIL POLICY CP-091 ELECTED MEMBERS ALLOWANCES AND EXPENSES REVIEW (REC) (ATTACHMENT)**

*This allowance will continue to be paid during absences of the Deputy Mayor and Elected Members on leave (or for any other reason) where two ordinary meetings of the Council are not attended. For periods of absence where additional ordinary meeting/s of the Council is/are not attended in a financial year, the allowances will be pro-rated according to the number of ordinary meetings that are not attended.*

*If the Deputy Mayor takes leave of absence where ordinary meeting/s are not attended (except leave of absence on Council business being absences while performing services on Council related organisations such as Southern Metropolitan Regional Council, South West Group, Western Australian Local Government Association or similar bodies and attendance at approved conferences, seminars or training), and another Elected Member is acting as Deputy Mayor, then that Elected Member shall be entitled to the higher pro rata Annual Meeting Attendance Fee for attendance at ordinary meetings in the role of acting Deputy Mayor.*

With the approval of the mover and seconder the amendment was withdrawn.

**Procedural Motion**

At 8.30pm Cr Pazolli moved, seconded Cr Wieland, the following Procedural Motion in accordance with Clause 11.1(b) of Standing Orders Local Law 2003 -

**That this item be deferred to a future Elected Members Information Session for further discussion in 2017.**

At 8.33pm the Deputy Mayor submitted the motion, which was declared

**CARRIED (6/4)**

Vote Result Summary	
Yes	6
No	4

Vote Result Detailed	
Cr Barton	Yes
Cr Foxtton	Yes
Cr O'Malley	Yes
Cr Pazolli	Yes
Cr Schuster	Yes
Cr Wieland	Yes
Cr Aubrey	No
Cr Barling	No
Cr Robartson	No
Cr Woodall	No

**M16/5000 – 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	: Jeff Clark – Governance and Compliance Program Manager

**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 &amp; 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	<b><i>For the Council/Committee to note.</i></b>

**KEY ISSUES / SUMMARY**

This report details the documents to which the City of Melville Common Seal has been applied for the period from 23 September 2016 up to and including 20 October 2016 for the Council's noting.

**M16/5000 – 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**

<b>Register Reference</b>	<b>Parties</b>	<b>Description</b>	<b>ECM Reference</b>
1248	The City of Melville and Activate Life Rehabilitation Pty Ltd and Hayden Fisher	Deed of Variation to Lease pursuant to a deed of Licence for a period of 2 years from 1 February 2016 and expiring 31 January 2018	3971134
1278	The City of Melville	Local Planning Scheme 6 Amendment No 1 To Make Administrative Changes and Correct Anomalies	4024825
1280	The City of Melville and Narelle Maree Lullfitz	Replacement Agreement: on Land Being Lot 300 (No. 63) McKimmie Road, Palmyra	4026856
1282	The City of Melville and 73 Kintail Road, Applecross	Notification Under Section 70A – Factor Affecting Use or Enjoyment of Land at 73 Kintail Road, Applecross	4030155

**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

Not applicable.

**II. OTHER AGENCIES / CONSULTANTS**

Not applicable.

**M16/5000 – 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 the contracts 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.

**CONCLUSION**

This is a standard report for Elected Members' information.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (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 23 September 2016 up to and including 20 October 2016.**

At 8.56pm the Deputy Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (10/0)**

**C16/5506 – BICTON NORTH UNDERGROUND POWER PETITION (REC)**

Ward : Bicton/Attadale  
 Category : Operational  
 Subject Index : Underground Power  
 Customer Index : Ms S Pember – as Lead Petitioner  
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
 Previous Items : Special Meeting of Council 28 June 2016 Item C16/6099 - Consideration and Adoption of the 2016/2017 Budget  
 Ordinary Meeting of Council held 20 September 2016 Petition – Bicton North Underground Power Project  
 Works Programme : Not Applicable  
 Funding : Not Applicable  
 Responsible Officer : Bruce Taylor  
 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 checked="" type="checkbox"/>	<b>Executive</b>	<b><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></b>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes &amp; 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>

**C16/5506 - BICTON NORTH UNDERGROUND POWER PETITION (AMREC)****KEY ISSUES / SUMMARY**

- A petition has been received requesting that the Council reconsider the payment schedule, and repayment options and charging of interest associated with the underground power program.
- This report considers permitting a repayment period of five years at the interest rate applicable to rates payments made by instalments with the late payment interest rate to be applied to any unpaid balance after five rather than three years.

**BACKGROUND**

A petition signed by 100 residents was received by the City of Melville on Thursday 8 September 2016.

The petition reads as follows –

*“We the undersigned, all being Electors of the City of Melville, do humbly pray that –*

*The Council will reconsider the payment schedule and repayment options associated with the underground power program. The following petition demonstrates the community view that the Council has not provided a fair and responsible repayment schedule.*

*It is also noted through the limited consultation process undertaken that:*

- 1. Repayment options were identified as either 2 or 3 years, and*
- 2. The limited timeline for current payment options and interest charges were not detailed through the consultation process.*

*It is therefore the community’s opinion (as demonstrated by the following signatures) that two different payment options be considered (based on suggestions during the consultation process):*

- 1. A repayment option of instalments over 5 years at 4 percent interest, with no interest being charged until the completion of the project.*
- 2. A repayment option of instalments over 3 years with no interest charged (as discussed in the original consultation process).*

*It should be noted that the option of a 5 year repayment is based on what comparable Councils are providing. While Melville Council did not provide this option within their limited consultation process, it is the community’s view that this option should be included.*

*It is requested that all changes achieved through this process should be applied retrospectively and to all future ratepayer accounts.”*

**C16/5506 - BICTON NORTH UNDERGROUND POWER PETITION (AMREC)**

**Note:** Whilst the covering letter to the petition is titled “Petition Submission Cover Letter – Bicton North Underground Power Project” any decision that the Council makes in relation to the Bicton North underground power project, will need to be applied to the Melville South project and to all outstanding balances from previously completed projects.

At the Special Council Meeting held 28 June 2016 Item C16/6099 – Consideration and Adoption of the 2016-2017 Budget, the Council adopted the following charges for the Bicton North Underground Power Project Area.

**That by Absolute Majority Decision of the Council**

**Properties included in the Bicton North Underground Power Project Area shall be charged a Network Charge of \$4,434.20 per property.**

**Properties included in the Bicton North Underground Power Project Area shall be charged, where required, a Standard Network Connection Charge of \$1,750.00 per property or a Modified Network Connection Charge of \$875.00 per property.**

The Underground Power Network Service Charge of \$4,434.20 being to recover the cost of cash calls in the 2016-2017 financial year for the Bicton North Underground Power project area and the Underground Power Network Connection Charges of \$1,750 per property or a Modified Network Connection Charge of \$875 per property, as required, being to recover the cost of cash calls in the 2016-2017 financial year for the Bicton North Underground Power project area.

The Council also resolved to apply interest charges to underground power charges as follows:

**That by Absolute Majority Decision of the Council, an interest charge of 4% be imposed on all outstanding underground power and streetscape service charges or specified area rate debts that remain unpaid and this concessional interest charge be applicable for a period of three years from 1 July in the year in which the specified area rate or service charge was first levied, after which time the standard interest charge (8% proposed for 2016/2017) is to be applied**

It should be noted that this interest applies not only to the Bicton North underground power project, but also to Melville South and previously completed projects that remain unpaid and are therefore still covered by existing repayment arrangements.

**C16/5506 - BICTON NORTH UNDERGROUND POWER PETITION (AMREC)****DETAIL**

Nine underground power projects have been completed in the City of Melville in previous years. Applecross, Booragoon, Ardross East, Ardross West, Attadale North, Attadale South, Mount Pleasant, a small portion of the west side of Bicton and Melville South, which is due for completion this financial year.

Each project is funded by contributions from Western Power, the State Government and the City of Melville, with the City of Melville's contribution being fully funded by ratepayers in each respective project area. Ratepayers are currently offered the option to pay in full, pay by four instalments or set up an individual payment plan. The payment plan is tailored to suit the individual according to their ability to pay, preferably within the three year timeframe, however extensions are granted with the higher late payment interest rate applying.

A survey of residents within the Bicton North project area was carried out by Asset Research in 2014 on behalf of Western Power.

57% of owners responded to the survey indicating a very high degree of survey reliability. 88.7% of respondents indicated that they were in support of the proposal to install underground power in the proposed Bicton North underground power project area.

The following options for payment of the underground power charge were offered in the survey;

- Option 1: Full up-front payment.
- Option 2: Payment by instalment over a period of:

If respondents selected Option 2 they were asked to nominate an instalment period from the following two choices:

- Option 2a: **2 years.**
- Option 2b: **3 years.**

64.5% of respondents indicated a preference to pay by instalments. This also included respondents who wanted to pay using an instalment period other than those mentioned. The most popular payment option was option 2b, with payments made by instalments over a period of three years (44.4%). This was followed by option 2a (16.0%) with payments over two years. Respondents wanting an alternate period to those offered represented 4.1% of the sample.

32.0% of respondents indicated that they would prefer to provide a full up-front payment. 3.4% of respondents chose not to respond to this question.

Unfortunately no reference was made of payment interest in the survey. This will be referred to in future surveys.

**C16/5506 - BICTON NORTH UNDERGROUND POWER PETITION (AMREC)**

The City's billing cycle for the Bicton North project is aligned with the following schedule of cash calls that are required to be made to Western Power under contract.

Cash Call 1	15 June 2016	\$750,000.00
Cash Call 2	16 July 2016	\$750,000.00
Cash Call 3	15 October 2016	\$750,000.00
Cash Call 4	15 December 2016	\$750,000.00
Cash Call 5	15 February 2017	\$650,000.00
Cash Call 6	15 March 2017	\$604,672.50

The City has an obligation to pay the cash call commitments to Western Power on their due dates regardless of whether or not the funds have been received from ratepayers. As this results in the City having to either use working capital, or if insufficient working capital bank overdraft, it is not unreasonable for the City to charge interest. The petitioners requested options of

1. *A repayment option of instalments over 5 years at 4 percent interest, with no interest being charged until the completion of the project.*
2. *A repayment option of instalments over 3 years with no interest charged (as discussed in the original consultation process).*

This would result in the City either forgoing interest on funds that would have otherwise been invested or, to incur an interest cost to take out an overdraft or other cash flow funding mechanism. The forgone interest or cost of borrowings would then be an impost on all ratepayers which is an inequitable result given that the underground power projects are benefitting a small number of ratepayers in the City.

An interest rate of 4% is currently imposed on all outstanding underground power and streetscape service charges, which increases to 8% for payments outstanding after three years. The increase in the interest rate is applied as an incentive for residents to pay the charge within the three year timeframe. Due to the current period of low interest rates being experienced, it is not unreasonable that an interest rate of 4% be applied over a longer period and that a rate equivalent to the instalment interest be applied after that period. The instalment interest rate for 2016-2017 is 4%.

The above changes, if supported, would need to be applied to existing and previously completed projects. The City has future underground projects planned and a decision made in relation to the payment period and charges for the Bicton North and the Melville South projects will set a precedent for these future projects.

In order to offer a compromise position to those proposed by the petitioners that ensures that the cost of financing the cash calls for underground power projects is equitably distributed, this report recommends extending the underground power projects repayment option to a period of five years, with a reasonable interest charge being applied.

**C16/5506 - BICTON NORTH UNDERGROUND POWER PETITION (AMREC)****STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

Residents within the Bicton North project area were surveyed by Asset Research in 2014 on behalf of Western Power. Residents were advised of the outcome of the survey, the approximate length of the project and the average contribution for a typical single residential property. Instalment and penalty interest rates are set by the Council when adopting the annual budget and property owners are advised in the “Your guide to what you pay and the A-Z of what you get” booklet that is distributed each year with the annual Rate Notice. Western Power also sends a Start Up Newsletter as well as project update newsletters.

**II. OTHER AGENCIES / CONSULTANTS**

Communication and consultation plans are well established with Western Power and occur in relation to this and other underground power programs.

**STATUTORY AND LEGAL IMPLICATIONS**

Not applicable

**FINANCIAL IMPLICATIONS**

If the City were to adopt a formal five year repayment program for underground power charges, it would not be unreasonable to expect that the percentage of ratepayers currently paying by either the four instalment program or a three year repayment program to decrease, and move to a five year arrangement.

This would have two financial impacts on the City. Firstly there is a potential adverse effect on the City’s cash flow, and its ability to meet the repayment of cash calls to Western Power.

The cash call payments to Western Power would be need to be prepaid from the municipal fund, which would be reimbursed as payments and late payment interest are received. Secondly, extending the repayment period and reducing the late payment interest rate would generate less late payment interest over a five year period than would be generated over the current three year repayment period. As a minimum an interest rate greater than those interest rates obtained on invested funds, would need to be set by the Council each year to ensure that the City (and ratepayers) is not incurring a loss on undertaking underground power projects.

**C16/5506 - BICTON NORTH UNDERGROUND POWER PETITION (AMREC)**

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
As a result of a proposed change in payment arrangements available to ratepayers in any given underground power project area, the City could be exposed to a potential cash flow shortage, where that payment arrangement does not align with the City's repayment obligations to Western Power.	Minor consequences which are likely, resulting in an <b>Medium</b> level of risk	To apply a late payment interest rate that covers the cash costs incurred by the City in funding underground power projects. This would result in a <b>Low</b> level of risk.

**POLICY IMPLICATIONS**

There are no policies that relate to underground power projects, the repayment plans or interest rates being applied. In each instance the administration and charges relating to underground power project are set by resolution of the Council when adopting the annual budget.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

There are several options available to the Council in relation to changing the repayment period and interest charges to be applied as proposed in this petition. The options presented by the petitioners that -

1. A repayment option of instalments over 5 years at 4 percent interest, with no interest being charged until the completion of the project.
2. A repayment option of instalments over 3 years with no interest charged (as discussed in the original consultation process) are not supported as interest rates and late payment interest have been applied and are being applied to all previous projects, and is applied to cover the interest foregone by the City between meeting its cash call commitments and receiving payments from residents.

The Council also has the option to retain the existing administration arrangements and charges that have been adopted.

**C16/5506 - BICTON NORTH UNDERGROUND POWER PETITION (AMREC)****CONCLUSION**

The petition received has prompted a review of payment and late payment interest arrangements currently applied to the charges levied in respect of underground power projects.

This report proposes to;

- 1 retain a late payment interest rate
- 2 to change the period increase of late payment interest from three years to five years and to
- 3 after five years apply the same interest rate as that imposed by the Council on payments by instalment when adopting the Annual Budget.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5506)****ABSOLUTE MAJORITY**

At 8.35pm Cr Wieland moved, seconded Cr Barton –

- A That by Absolute Majority Decision of the Council, the Council amend the following resolution appearing in the Report of the Chief Executive Officer C16/6099 - Consideration and Adoption of the 2016-2017 Budget contained in the minutes of the Special Meeting of Council held 28 June 2016 -**

**“That by Absolute Majority Decision of the Council, an interest charge of 4% be imposed on all outstanding underground power and streetscape service charges or specified area rate debts that remain unpaid and this concessional interest charge be applicable for a period of three years from 1 July in the year in which the specified area rate or service charge was first levied, after which time the standard interest charge (8% proposed for 2016-2017) is to be applied.”**

To read;

**“An interest charge of 4% be imposed on all outstanding underground power and streetscape service charges or specified area rate debts that remain unpaid. For all existing unpaid Underground Power Projects a repayment period of five years, from the date of imposition by the Council of the underground power project charge, be permitted at the same interest rate as that imposed by the Council on payments by instalment when adopting the Annual Budget.”**

- B That the lead petitioner be advised in writing of the Council’s decision.**
- C That all ratepayers who currently have a formal repayment arrangement with the City over the current three year period be contacted to offer them an extension of time for payment to the period adopted by the Council above and that the interest rate on any outstanding underground power project debts aged between three to five years be adjusted to the interest rate also adopted by the Council above.**

At 8.35pm the Deputy Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (10/0)**

**C16/5514 - CITY OF MELVILLE COMMUNITY ANNUAL REPORT 2015-2016 (AMREC)**  
**(ATTACHMENT)**

Ward	: All
Category	: Operational
Subject Index	: City of Melville Annual Report
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	: C15/5457 – City of Melville Community Annual Report 2014-2015
Works Programme	: Not Applicable
Funding	: Not Applicable
Responsible Officers	: Marten Tieleman Director Corporate 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"/>	<b>Executive</b>	<b><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></b>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes &amp; 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>

**C16/5514 - CITY OF MELVILLE COMMUNITY ANNUAL REPORT 2015-2016 (AMREC)  
(ATTACHMENT)****KEY ISSUES / SUMMARY**

- This report presents the finalised 2015-2016 Community Annual Report for the Council's acceptance by absolute majority decision.
- The text and design component of the 2015-2016 Community Annual Report, excluding the financial data, was provided to the Elected Members for information and feedback through the Elected Member Bulletin (EMB) in September 2016.
- The financials were finalised, audited and then considered by the Financial Management Audit and Risk Compliance Committee on 14 November 2016, and have now been incorporated in the finalised Community Annual Report.
- The Community Annual Report includes the information required by the *Local Government Act 1995*.
- In accordance with the *Local Government Act 1995* section 5.54, the Community Annual Report is to be accepted by absolute majority decision of the Council.

**BACKGROUND**

In accordance with Section 5.53(1) of the *Local Government Act 1995* (the Act), a local government is required to prepare an Annual Report for each financial year. Section 5.54 of the Act requires that the Annual Report be accepted by the local government no later than 31 December after that financial year, and that that decision is to be by absolute majority.

Section 5.27 of the Act specifies that a General Meeting of Electors is to be held within fifty-six (56) days after the local government accepts the Annual Report for the previous financial year. The Annual Report is required to be prepared and printed in time for that meeting.

The format of this year's Annual Report consists of two parts, part A which features a full text summary and unaudited extracts from the Annual Financial Report and part B the Audited Annual Financial Report, which together comprise the City's Annual Report.

**DETAIL**

The 2015-2016 Community Annual Report has been prepared and meets the requirements of the Act. It is designed to report directly on the goals and strategies detailed in the document "The City of Melville Corporate Plan 2012-2016". It also references and reinforces the importance of the Strategic Community Plan, which aligns with the Department of Local Government and Communities Integrated Planning Framework.

The text of this Annual Report was developed from information gathered from all areas of the organisation from end-of-year reports, information requested directly from employees and various corporate documents. This text was reviewed by the Operational Management Team and the Executive Management Team. The Governance and Compliance Program Manager also completed an audit of the text against the specific legislative requirements and confirmed relevant requirements had been addressed.

**C16/5514 - CITY OF MELVILLE COMMUNITY ANNUAL REPORT 2015-2016 (AMREC)  
(ATTACHMENT)**

The text and design component of the 2015-2016 Community Annual Report, excluding the financial data, was provided to Council through the EMB, for feedback in late September 2016.

The complete audited Annual Financial Report will be placed before the Financial Management, Audit, Risk and Compliance Committee on 14 November 2016 for their noting and discussion with the Auditor. For the purposes of containing the cost of graphic design and printing, the complete audited 50 plus page Annual Financial Report 2015-2016 will be made available as Part B of the final Community Annual Report. Key financial information has been extracted from the complete audited Annual Financial Report 2015-2016 and is included in Part A of the final Community Annual Report. In the interest of saving additional audit costs, these extracts have not been separately audited and are therefore clearly marked as an unaudited abridged Financial Extract of the Annual Financial Report. Electors will be made aware that the full version of the Community Annual Report consists of two parts:

- Part A which features a full text summary, which will be printed and provided in hard copy and on the City's website; and
- Part B the complete Audited Annual Financial Report, which is available on request and on the City's website.

Section 5.53 of the Act requires the Annual Report to contain the following:

- a report from the Mayor;
- a report from the CEO;
- an overview of the plan for the future including major initiatives that are proposed to commence or to continue in the next financial year;
- the financial report for the financial year;
- such information as may be prescribed in relation to the payments made to employees;
- the auditor's report for the financial year;
- a matter on which a report must be made under section 29(2) of the *Disability Services Act 1993*;
- details of entries made under section 5.121 regarding complaints against Council Members;
- details of FOI applications made under *Freedom of Information Act 1992*
- such other information as may be prescribed. (Inc. Regulations 19CA requiring information about modifications made during the year to the Strategic Community Plan and Corporate Business Plan).

Regulations 36 to 50 inclusive of the *Local Government (Financial Management) Regulations 1996* prescribe the information to be disclosed in the Annual Financial Report which is then itself, as noted in Section 5.53 above, included in the Annual Report.

Section 6.4(2) of the Act stipulates that the Council is required to, by absolute majority decision, accept the complete Community Annual Report' which as detailed above includes Part A and Part B. See Attachment [Community Annual Report Part A](#)

**C16/5514 - CITY OF MELVILLE COMMUNITY ANNUAL REPORT 2015-2016 (AMREC)  
(ATTACHMENT)**

In accordance with Section 5.27 of the Act, a general meeting of electors is required to be held at least once in every financial year and not more than 56 days after the local government accepts the annual report for the previous financial year and stipulates that the matters to be discussed are to be those prescribed.

Regulation 15 of the *Local Government (Administration) Regulations 1996* sets out the prescribed matters in accordance with Section 5.27(3) of the Act as follows: “*the matters to be discussed at a general electors meeting are, firstly, the contents of the annual report for the previous financial year and then any other general business.*”

**STAKEHOLDER ENGAGEMENT**

In accordance with section 5.55 of the Act the Chief Executive Officer (CEO) is to give local public notice of the availability of the Annual Report as soon as practicable after the report has been accepted by the local government. As noted above the Annual Report is also discussed at the annual general meeting of electors.

**I. COMMUNITY**

No external public consultation has been carried out as the Annual Report is a report on the business activities of the City of Melville.

**II. OTHER AGENCIES / CONSULTANTS**

Apart from the engagement of the independent external auditor and the graphic design and printing consultants, no consultation with other agencies/consultants has been carried out.

**STATUTORY AND LEGAL IMPLICATIONS**

Section 5.27 of the Act specifies that a general meeting of electors is to be held on a day selected by the local government but not more than 56 days after the local government accepts the Annual Report for the previous financial year.

Section 5.53 of the Act specifies requirements for information to be included in the Annual Report as noted previously.

Regulations 19B and 19CA of the *Local Government (Administration) Regulations 1996* require additional information to be included in the Annual Report.

Section 5.54 of the Act specifies that the Annual Report for the financial year is to be accepted by the Local Government by absolute majority decision no later than 31 December after that financial year.

Section 5.55 of the Act specifies that the Chief Executive Officer is to give local public notice of the availability of the Annual Report as soon as practicable after the report has been accepted by the local government.

**C16/5514 - CITY OF MELVILLE COMMUNITY ANNUAL REPORT 2015-2016 (AMREC)  
(ATTACHMENT)**

Section 6.4 of the Act specifies that

- (1) A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.
- (2) The financial report is to —
  - (a) be prepared and presented in the manner and form prescribed; and
  - (b) contain the prescribed information.

Regulations 36 to 50 inclusive of the *Local Government (Financial Management) Regulations 1996* prescribe the information required by Section 6.4 of the Act which is to be disclosed in the Annual Financial Report.

**FINANCIAL IMPLICATIONS**

Funds have been provided in the 2016-2017 budget to enable graphic design, publication, promotion and distribution of Part A of the Annual Report. As per the previous years, minimal hard copy Annual Reports will be published, and more environmentally responsible distribution methods, such as through CD's, USB's and access via the City of Melville website will be utilised. Part B will be printed in house as the need arises.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
Not publishing an Annual Report in accordance with all relevant legal requirements and accounting standards would result in non-compliance with required legislative and regulatory requirements.	Moderate consequences which are likely, resulting in a <b>High</b> level of risk	Ensure the Annual Report conforms to all requirements through assessment by the Governance and Compliance Program Manager and of the complete Financial report by the independent external auditors, prior to going to the Ordinary Meeting of the Council in November.

**POLICY IMPLICATIONS**

There are no policy implications for the Council to consider as part of this report.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The production and acceptance of an Annual Report is a legislative requirement.

The Council could choose to have Part B, the full Annual Financial Report, also graphically designed, typeset and printed however this would incur significant additional cost and delay the printing of the Annual Report and the General Meeting of Electors. In addition the Council could also choose to have the Financial Report Extracts audited at an additional cost of \$4,500.00

**C16/5514 - CITY OF MELVILLE COMMUNITY ANNUAL REPORT 2015-2016 (AMREC)  
(ATTACHMENT)**

At 8:40pm Cr Pazolli left the meeting and returned at 8:42pm  
At 8:43pm Cr O'Malley left the meeting and returned at 8:46pm

**CONCLUSION**

Part A of the Annual Report is a succinct and accurate reflection of the activities undertaken by the City of Melville in 2015-2016, and has been prepared in accordance with legislative and regulatory requirements.

Part B, being the complete Annual Financial Reports, have been certified by the external auditors and were presented to the Financial Management, Audit, Risk and Compliance Committee on 14 November 2016 for discussion with the Auditor. An abridged unaudited financial extract has been integrated into the Community Annual Report, along with further explanatory comment to enhance the financial information presented to the community. The full Community Annual Report i.e. Parts A and B, is presented to the Council for approval by absolute majority decision. Part B will be provided after review by the Financial Management, Audit, Risk and Compliance Committee.

Following adoption by the Council the Annual Report will be made available for all stakeholders in various formats, including CD, the City's website and hard copy.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5514)  
ABSOLUTE MAJORITY**

At 8:36pm Cr O'Malley moved, seconded Cr Robartson –

**That the Council, by Absolute Majority Decision, accepts the City of Melville 2015-2016 Community Annual Report. [Community Annual Report Part A](#)**

**AMENDMENT**

At 8:52pm Cr Schuster moved, seconded Cr Robartson -

**That Council notes that the amendments circulated on an Advice Note by the Director of Corporate Services on the 11<sup>th</sup> of November 2016 have been included in the Community Report Part A presented to this meeting along with the change to the Asset Consumption Ratio on page 48 as tabled at this meeting.**

At 8.52pm the Deputy Mayor submitted the amendment, which was declared  
**CARRIED UNANIMOUSLY (10/0)**

**C16/5514 - CITY OF MELVILLE COMMUNITY ANNUAL REPORT 2015-2016 (AMREC)  
(ATTACHMENT)****COUNCIL RESOLUTION**

That the Council:

1. **By Absolute Majority Decision, accepts the City of Melville 2015-2016 Community Annual Report. [Community Annual Report Part A](#) and [Community Annual Report Part B](#) (Annual\_Financial\_Report\_2015-2016).**
2. *Notes that the amendments circulated on an Advice Note by the Director of Corporate Services on the 11<sup>th</sup> of November 2016 have been included in the Community Report Part A presented to this meeting along with the change to the Asset Consumption Ratio on page 48 as tabled at this meeting.*

At 8.53pm the Deputy Mayor submitted the motion as amended, which was declared  
**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (10/0)**

**C16/6102 – AMENDMENTS TO THE 2016-2017 FEES AND CHARGES (AMREC)  
(ATTACHMENT)**

Ward	: All
Category	: Operational
Subject Index	: Fees and Charges
Customer Index	: Impacts on all Ratepayers of the 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	: Special Meeting of Council 28 June 2016 Item C16/6099 Consideration and Adoption of the 2016-2017 Budget
Works Programme	: Not Applicable
Funding	: Not Applicable
Responsible Officer	: Bruce Taylor 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 checked="" type="checkbox"/>	<b>Executive</b>	<b><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></b>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes &amp; 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>

**C16/6102 AMENDMENTS TO 2016-2017 FEES AND CHARGES (AMREC) (ATTACHMENT)**

**KEY ISSUES / SUMMARY**

- This report proposes amendments to the adopted 2016-2017 Fees and Charges schedule

**BACKGROUND**

Subsequent to the recent adoption of the 2016-2017 annual budget, an internal audit, and requests from various officers to include or amend fees and charges are recommended to the Schedule of Fees and Charges for 2016-2017.

**DETAIL**

Following the adoption of the 2016-2017 Annual Budget, the Internal Auditor and officers, when reviewing the published budget document, have indicated that the fees listed below need to be amended.

**Building Services**

The following fees were inadvertently omitted from the Fees and Charges Schedule during the preparation of the 2016-2017 Annual Budget.

Copies of Permits, Building Approval Certificates (s. 129)	\$99.00
Copies of Building Records to an interested person (s. 131)	\$99.00
Residential Buildings (plus off-site recovery cost - includes printing to A3)	\$99.00

**Health Services**

The application fees for Stall Holders and Street traders were inadvertently grouped together and adopted as one charge of \$110.00. The Fees should have been listed separately and have different charges.

Street Traders application fee	\$110.00
Stall Holders application fee	\$ 55.00

**Recreation Services**

The following fees were inadvertently omitted from the Fees and Charges Schedule during the preparation of the 2016-2017 Annual Budget.

Hire of the Civic Centre Main Hall (private rate)	\$ 75.00 per hour
Hire of the Civic Centre Main Hall (commercial rate)	\$115.00 per hour

**Library Services**

The following fee was adopted at the 2016-2017 Annual Budget, however based on feedback from customers, officers recommend an amendment to the adopted fee.

**C16/6102 AMENDMENTS TO 2016-2017 FEES AND CHARGES (AMREC) (ATTACHMENT)****DETAIL (continued)**

Overdue fee per item overdue - as adopted	\$2.00
Overdue fee per item overdue - recommended	\$1.00

**Museums**

Hire fees for Artist Studios 1 and 2 were inadvertently transposed during budget preparation and require amendment as below. Fees for the "Museum in a Box" program have been added as below.

The City also sells art on consignment for artists and takes a commission on those sales.

Room Hire for Artist Studio 1 is currently \$260 per month and should be \$230 per month

Room Hire for Artist Studio 3 is currently \$230 per month and should be \$260 per month

Museum in a Box program – Teacher professional development session \$150 per hour

Museum in a Box program - \$17 per student

Commission on art sales – 20% on sale price

**Hire rates on Community Facilities**

Hire Fees for City facilities include fees for Commercial and Community rates. Officers are finding an increase in demand from small, start-up businesses wishing to hire facilities such as the Main Hall, Heathcote, and Reserves for predominantly market activities. Such activities are free for the community to attend, with the organiser typically charging a low stall holder fee. While these hirers are small businesses they currently attract the Commercial fee which in most instances is prohibitive for them to proceed.

Small, start up businesses that are facilitating community events will be charged the community hire rate for the use of the City's facilities. This supports community aspirations as outlined in the Community Plan, where the community expressed a desire to attend free localised events that add vibrancy and activity to the City.

**STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

Local Public Notice of the proposed Amendments to the Schedule of Fees and Charges will be undertaken by public advertisement in the Melville Times, in respect of the above fees and charges if they are adopted by the Council.

**II. OTHER AGENCIES / CONSULTANTS**

Not Applicable

**STATUTORY AND LEGAL IMPLICATIONS**

6.16. Imposition of fees and charges

(1) A local government may impose\* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

\* Absolute majority required.

**C16/6102 AMENDMENTS TO 2016-2017 FEES AND CHARGES (AMREC) (ATTACHMENT)****STATUTORY AND LEGAL IMPLICATIONS (continued)**

(2) A fee or charge may be imposed for the following —

- (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;
- (b) supplying a service or carrying out work at the request of a person;
- (c) subject to section 5.94, providing information from local government records;
- (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;
- (e) supplying goods;
- (f) such other service as may be prescribed.

(3) Fees and charges are to be imposed when adopting the annual budget but may be —

- (a) imposed\* during a financial year; and
- (b) amended\* from time to time during a financial year.

6.19. Local government to give notice of fees and charges.

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

- (a) its intention to do so; and
- (b) the date from which it is proposed the fees or charges will be imposed.

**FINANCIAL IMPLICATIONS**

It is not expected that the amendments to the Fees and Charges Schedule presented in this report will have a material impact on the City's budget. Consequently, changes to the income budgets are not proposed in this report but will be considered, if necessary, as part of the Mid Year Budget Review.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

None

**POLICY IMPLICATIONS**

None

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The Council may choose not to approve the Amended Fees and Charges presented. This would result in a loss of income that would otherwise be used to offset the cost of providing the services indicated.

**C16/6102 AMENDMENTS TO 2016-2017 FEES AND CHARGES (AMREC) (ATTACHMENT)****CONCLUSION**

This report presents Fees and Charges that were either not included in the 2016-2017 Annual Budget for approval, or recommended for change by the City's officers.

This report recommends that the Schedule of Amended Fees and Charges presented as an attachment to this report be approved.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (6102)****ABSOLUTE MAJORITY**

At 8:55pm Cr Barling moved, seconded Cr Wieland –

**That by Absolute Majority Decision of the Council in accordance with Section 6.16 of the Local Government Act 1995, the attached Schedule of Amended Fees and Charges [6102A Schedule of Amended Fees & Charges 2016-2017](#) be adopted and the new fees be imposed from 2 December 2016 after advertising of the Local Public Notice required in accordance with the Act.**

At 8.56pm the Deputy Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (10/0)**

**C16/6000 - INVESTMENT STATEMENTS FOR SEPTEMBER 2016 (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	: Bruce Taylor – 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>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes &amp; 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	<b><i>For the Council/Committee to note.</i></b>

**KEY ISSUES / SUMMARY**

This report presents the investment statements for the period ending 30 September 2016 for the Council's information and noting.

**C16/6000 - INVESTMENT STATEMENTS FOR SEPTEMBER 2016 (REC)**

**BACKGROUND**

The City has cash holdings as a result of timing differences between the collection of revenue and its expenditure. 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**

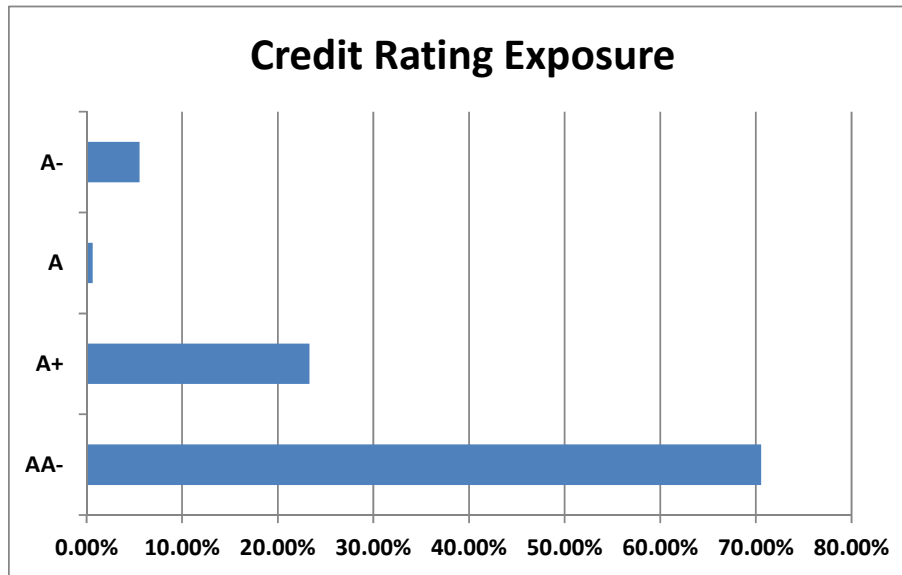
Summary details of investments held as at 30 September 2016 are shown in the tables below. The following statements detail the investments held by the City as at 30 September 2016.

<b>STATEMENT OF INVESTMENTS FOR THE PERIOD ENDING 30 September 2016</b>	
<b>SUMMARY BY FUND</b>	<b>AMOUNT \$</b>
MUNICIPAL	\$ 50,094,099
RESERVE	\$ 111,340,365
TRUST	\$ 856,257
CITIZEN RELIEF	\$ 206,154
	<b>\$ 162,496,875</b>
<b>SUMMARY BY INVESTMENT TYPE</b>	<b>AMOUNT \$</b>
11AM	\$ 4,975,034
31DAYS AT CALL	\$ 1,000,000
60DAYS AT CALL	\$ 2,000,000
90DAYS AT CALL	\$ 5,000,000
TERM DEPOSIT	\$ 147,291,196
FRTD	\$ 2,000,000
UNITS (Local Govt Hse)	\$ 230,645
	<b>\$ 162,496,875</b>
<b>SUMMARY BY CREDIT RATING</b>	<b>AMOUNT \$</b>
AA-	\$ 114,466,230
A+	\$ 37,800,000
A	\$ 1,000,000
A-	\$ 9,000,000
UNITS (Local Govt Hse)	\$ 230,645
	<b>\$ 162,496,875</b>

**C16/6000 - INVESTMENT STATEMENTS FOR SEPTEMBER 2016 (REC)**

STATEMENT OF INVESTMENTS FOR THE PERIOD ENDING 30 September 2016					
INSTITUTION / INVESTMENT	INVESTMENT TYPE	Interest Rate %	S & P RATING	AMOUNT \$	MATURITY DATE
WESTPAC (MAXI DIRECT)	11AM	1.70%	AA-	\$1,600,000	On call
WESTPAC (MAXI BONUS 1)	11AM	1.95%	AA-	\$2,343,869	On call
WESTPAC (MAXI BONUS 2)	11AM	1.95%	AA-	\$1,031,165	On call
				<b>\$4,975,034</b>	
WESTPAC (31DAYS AT CALL)	31DAYS AT CALL	2.15%	AA-	\$1,000,000	On call
				<b>\$1,000,000</b>	
WESTPAC (60DAYS AT CALL)	60DAYS AT CALL	2.95%	AA-	\$2,000,000	On call
				<b>\$2,000,000</b>	
WESTPAC (90DAYS AT CALL)	90DAYS AT CALL	3.05%	AA-	\$5,000,000	On call
				<b>\$5,000,000</b>	
BANK OF QUEENSLAND (TERM)	TERM	Various	A-	\$2,000,000	Various
BANKWEST (TERM)	TERM	Various	AA-	\$21,000,000	Various
BENDIGO AND ADELAIDE BANK (TERM)	TERM	Various	A-	\$3,000,000	Various
COMMONWEALTH BANK (TERM)	TERM	Various	AA-	\$30,500,000	Various
AMP BANK (TERM)	TERM	Various	A+	\$5,000,000	Various
ANZ BANK (TERM)	TERM	Various	AA-	\$11,500,000	Various
ING BANK (TERM)	TERM	Various	A-	\$2,000,000	Various
MACQUARIE BANK (TERM)	TERM	Various	A	\$1,000,000	Various
NAB (TERM)	TERM	Various	AA-	\$29,503,726	Various
ST GEORGE BANK (TERM)	TERM	Various	AA-	\$1,000,000	Various
SUNCORP METWAY LTD (TERM)	TERM	Various	A+	\$21,300,000	Various
WESTPAC (TERM)	TERM	Various	AA-	\$19,487,470	Various
				<b>\$147,291,196</b>	
ING BANK (FRTD)	FRTD	3.27%	A-	\$2,000,000	7-Mar-17
				<b>\$2,000,000</b>	
UNITS IN LOCAL GOVT HOUSE	NA	NA	NA	\$230,645	NA
<b>TOTAL FUNDS INVESTED</b>				<b>\$162,496,875</b>	
CREDIT RISK COMPARISON					
CREDIT RISK	AMOUNT \$	ACTUAL PROPORTION	MAX. % AMOUNT IN TOTAL PORTFOLIO	Comments	
AA-	\$125,966,230	78%	80%		
A+	\$26,300,000	16%	50%		
A	\$1,000,000	1%	50%		
A-	\$9,000,000	6%	50%		
UNITS IN LOCAL GOVT: HOUSE	\$230,645	0%	0.1%		<b>Council Decision</b>
<b>TOTAL</b>	<b>162,496,875</b>	<b>100%</b>			

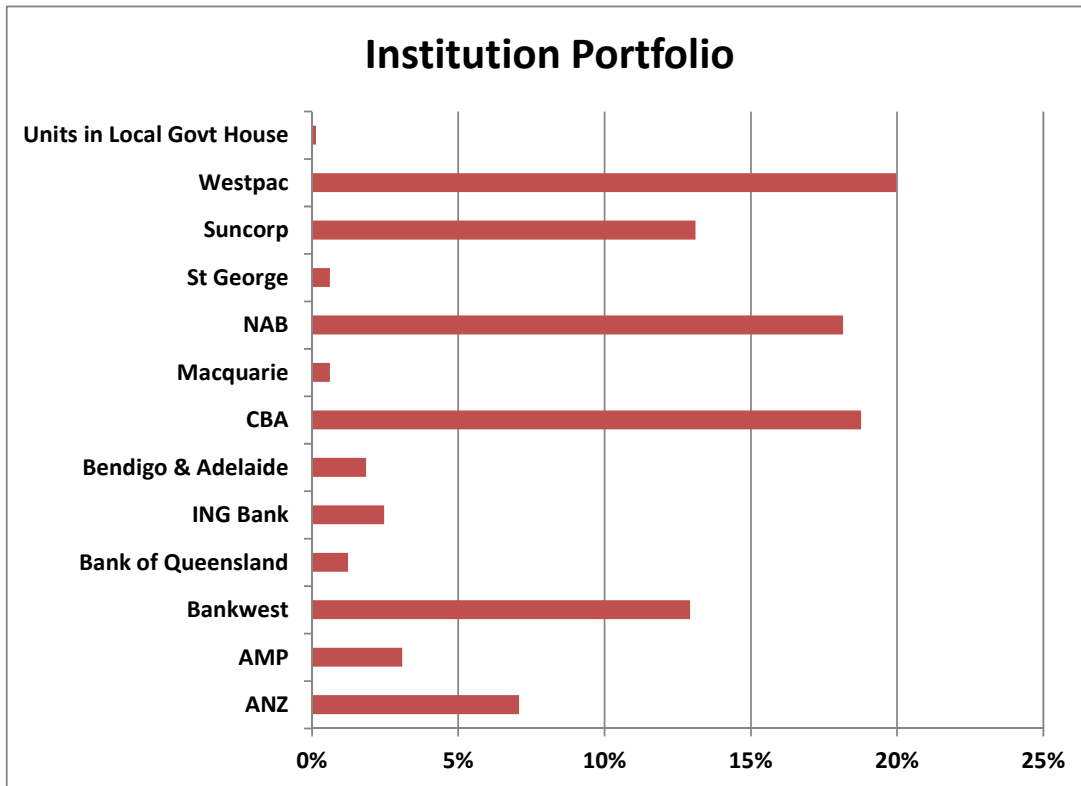
C16/6000 - INVESTMENT STATEMENTS FOR SEPTEMBER 2016 (REC)



DIVERSIFICATION RISK						
INSTITUTION	INVESTMENT TYPE	S & P RATING	AMOUNT \$	ACTUAL PROPORTION	INSTITUTION PROPORTION	MAX. % WITH ANY ONE INSTITUTION
ANZ BANK (TERM)	TERM	AA-	11,500,000	7.08%	7.08%	25%
AMP BANK (TERM)	TERM	A+	5,000,000	3.08%	3.08%	20%
BANKWEST (TERM)	TERM	AA-	21,000,000	12.92%	12.92%	25%
BANK OF QUEENSLAND (TERM)	TERM	A-	2,000,000	1.23%	1.23%	20%
BENDIGO AND ADELAIDE BANK (TERM)	TERM	A-	3,000,000	1.85%	1.85%	20%
COMMONWEALTH BANK (TERM)	TERM	AA-	30,500,000	18.77%	18.77%	25%
ING BANK (TERM)	TERM	A-	2,000,000	1.23%		20%
ING BANK (FRTD)	FRTD	A-	2,000,000	1.23%	2.46%	20%
MACQUARIE BANK (TERM)	TERM	A	1,000,000	0.62%	0.62%	20%
NAB (TERM)	TERM	AA-	29,503,726	18.16%	18.16%	25%
ST GEORGE BANK (TERM)	TERM	AA-	1,000,000	0.62%	0.62%	25%
SUNCORP METWAY LTD (TERM)	TERM	A+	21,300,000	13.11%	13.11%	20%
WESTPAC (MAXI BONUS 1)	11AM	AA-	2,343,869	1.44%		
WESTPAC (MAXI BONUS 2)	11AM	AA-	1,031,165	0.63%		
WESTPAC (MAXI DIRECT)	11AM	AA-	1,600,000	0.98%		
WESTPAC (31DAYS AT CALL)	31DAYS AT CALL	AA-	1,000,000	0.62%		
WESTPAC (60DAYS AT CALL)	60DAYS AT CALL	AA-	2,000,000	1.23%		
WESTPAC (90DAYS AT CALL)	90DAYS AT CALL	AA-	5,000,000	3.08%		
WESTPAC (TERM)	TERM	AA-	19,487,470	11.99%	19.98%	25%
UNITS IN LOCAL GOVT HOUSE	NA	NA	230,645	0.14%	0.14%	
			<b>162,496,875</b>	<b>100%</b>	<b>100%</b>	

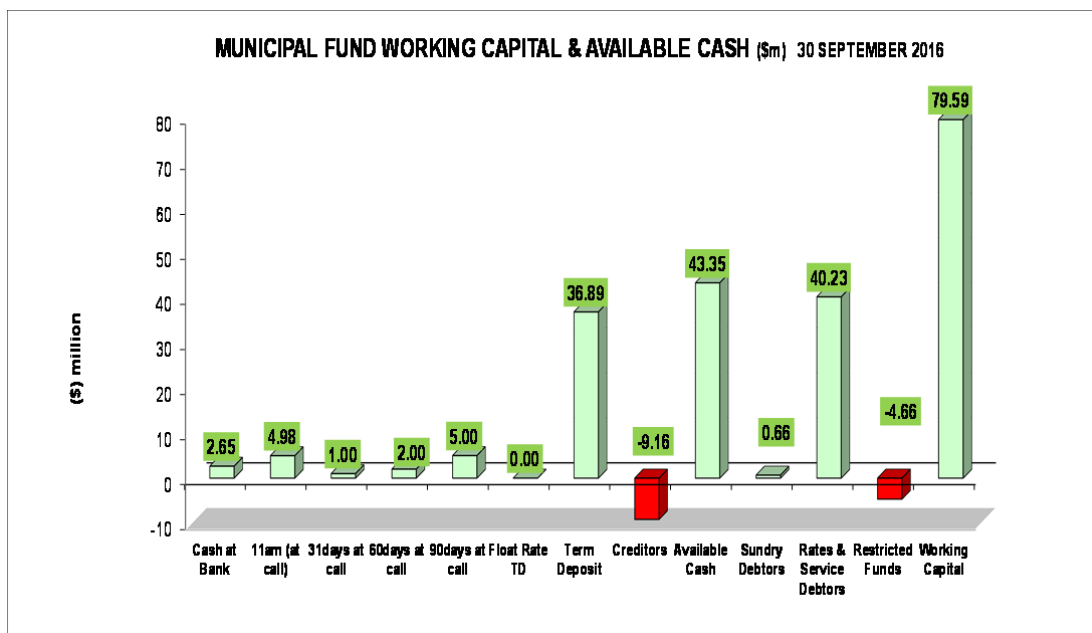
MATURITY COMPARISON				
TERM to MATURITY	AMOUNT \$	ACTUAL PROPORTION	MAX. % IN ANY ONE YEAR	Comments
MUNICIPAL & TRUST FUNDS				
< 1 year	50,719,711	100%	100%	
	<b>50,719,711</b>	<b>100%</b>		
RESERVE FUNDS				
< 1 year	111,340,365	100%	100%	
	<b>111,340,365</b>	<b>100%</b>		

C16/6000 - INVESTMENT STATEMENTS FOR SEPTEMBER 2016 (REC)

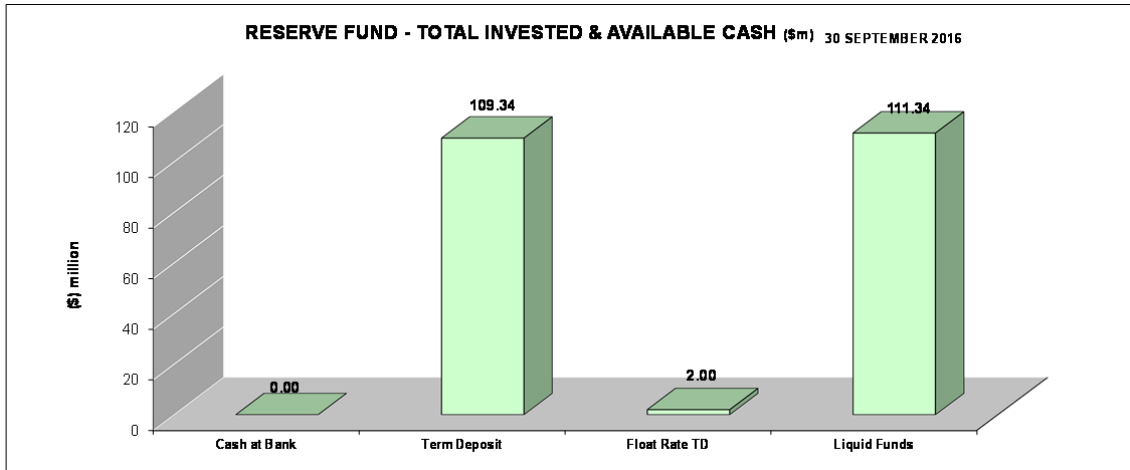


**Net Funds Held**

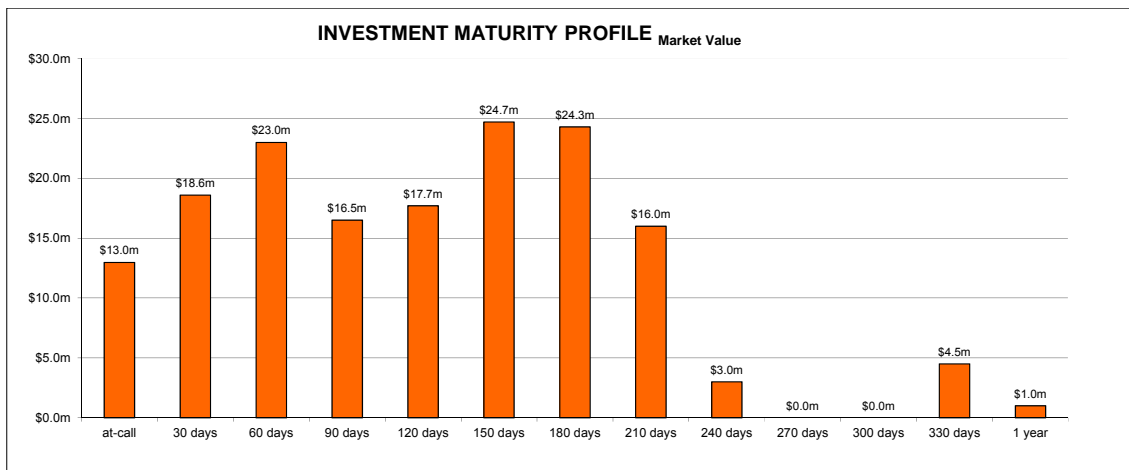
The graphs below summarise the Municipal Fund working capital and available cash and the funds held in the Reserve Fund as at 30 September 2016.



**C16/6000 - INVESTMENT STATEMENTS FOR SEPTEMBER 2016 (REC)**



The graph below summarises the maturity profile of the City's investments at market value as at 30 September 2016.



**C16/6000 - INVESTMENT STATEMENTS FOR SEPTEMBER 2016 (REC)****STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

This report is available to the public on the City's web-site and hard copies of this agenda and attachments are available for viewing at the City's five public libraries.

**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 oversighted by the Australian Prudential Regulation Authority (APRA).

**FINANCIAL IMPLICATIONS**

For the period ending 30 September 2016:

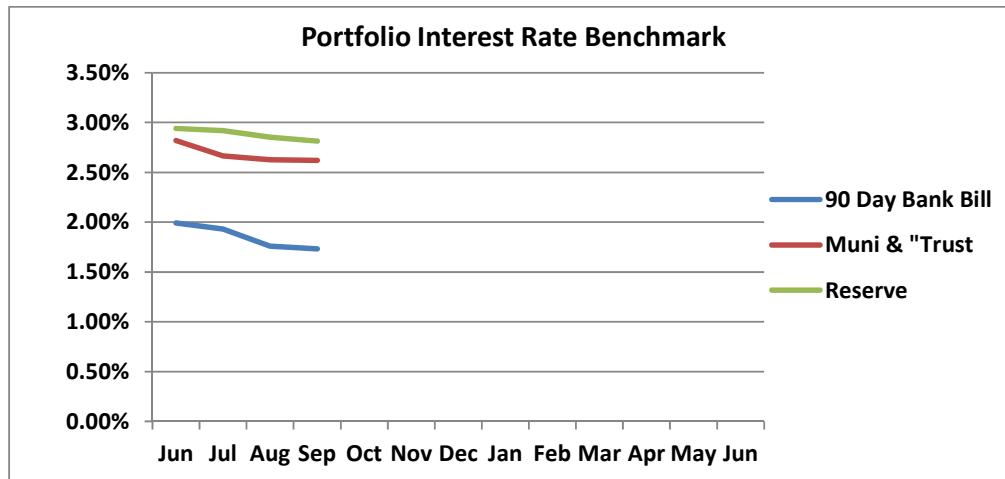
- Investment earnings on Municipal and Trust Funds were \$150,406 against a year to date budget of \$160,258 representing a \$9,852 negative variance.

The weighted average interest rate for Municipal and Trust Fund investments as at 30 September 2016 was 2.62% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 1.73%.

- Investment earnings on Reserve accounts were \$816,010 against a year to date budget of \$576,041 representing a \$239,969 positive variance.

The weighted average interest rate for Reserve account investments as at 30 September 2016 was 2.81% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 1.73%.

**C16/6000 - INVESTMENT STATEMENTS FOR SEPTEMBER 2016 (REC)**



**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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.

The interest rate risk is high due to the short-term nature of the City's investments and the inability, due to legislative restrictions, to lock into longer dated investments which attract higher interest rates and help reduce exposure to reductions in interest rates.

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

**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.

**C16/6000 - INVESTMENT STATEMENTS FOR SEPTEMBER 2016 (REC)****CONCLUSION**

The City's investment portfolio is invested in highly secure investments that are returning low investment returns which are commensurate with the low level of risk of the portfolio.

Future investment earnings are expected to continue to decrease when compared to previous years as interest rates continue to stay low and the Reserve Bank of Australia (RBA) continues to show a bias towards further reducing the official cash rate. Furthermore legislative restrictions that have been implemented by the Western Australian State Government limiting term deposits to a maximum term of 12 months, has resulted in the City not being able to invest in longer term deposits which, depending on the interest rate yield curve, can attract higher interest rates than shorter term investments.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (6000)****NOTING**

**That the Council notes the Investment Report for the period ending 30 September 2016.**

At 8.56pm the Deputy Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (10/0)**

**C16/6001 – SCHEDULE OF ACCOUNTS PAID FOR SEPTEMBER 2016 (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	Bruce Taylor – 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>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes &amp; 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	<b><i>For the Council/Committee to note.</i></b>

**KEY ISSUES / SUMMARY**

This report presents the details of payments made under delegated authority to suppliers for the month of September 2016 and recommends that the Schedule of Accounts Paid be noted.

**C16/6001 – SCHEDULE OF ACCOUNTS PAID FOR SEPTEMBER 2016 (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 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 the period ending 30 September 2016 ([6001 September 2016](#)), including Payment Registers numbers, Cheques 533 to 537 and Electronic Funds Transfers batches 408 to 411, Trust Payments, Card Payments and Payroll was distributed to the Elected Members of the Council on 15 November 2016.

Payments in excess of \$25,000 for the period are detailed as follows:

Supplier Name	Remittance Number	Remittance Details	Amount
Australian Taxation Office	Direct Bank Transfer	Pay as You-Go taxation and other deductions from employee payroll for pays 5 and 6	\$625,949.00
AV Truck Services Pty Ltd	E051619 & E051856	Purchase of three Dennis Eagle side loader waste trucks	\$1,400,781.78
Building & Construction Industry Training Office (ATO)	007146	Remittance of the building construction training levy collected by the City with building licence applications	\$35,499.95
City of Cockburn	E051711	Commercial waste tip fees for August 2016	\$39,177.93
Department of Commerce	E051525	Remittance of Building Service Levy collected on building licence applications	\$36,400.85
Department of Fire & Emergency Services	E051859	ESL remittance for August 2016	\$7,016,537.70
EMSO Maintenance T/A Crabclaw Holdings P/L Trustee for EMSO Investment Trust	E051579 & E051779	Building maintenance	\$57,632.74
Flexi Staff	E051550 & E051742	Temporary employment	\$64,243.62
Fujitsu Australia Limited	Chq 065705	SCCM Architect and application package for SCCM Server	\$28,971.95
Horizon West Landscape & Irrigation P/L	E051910	Irrigation infield for Bicton Quarantine Park	\$65,047.40
Lawn Doctor	E051581 & E051787	Lawn maintenance	\$26,070.40
Main Roads Western Australia	E051786	Reseal works at South Street and North Lake Road and installation of signs and pavement marks at Wichmann Road and Willcock Street	\$230,973.71
Mastec Australia Pty Ltd	E051624	Mobile garbage bins	\$69,432.00
Natural Area Management & Services	E051681 & E051950	Weed control at various Reserves, tubestock and sedges, quiz treatment at various Reserves and revetment works at Point Heathcote and Jeff Joseph Reserve	\$106,485.34
Octy Water Pty Ltd T/A Aquamonix	E051903	Irrigation controllers for various Reserves	\$52,127.90
RBM Drilling	E051759	Bore replacement at Layman Park	\$25,718.00

**C16/6001 – SCHEDULE OF ACCOUNTS PAID FOR SEPTEMBER 2016 (REC)  
(ATTACHMENT)**

Reino International Pty Ltd	E051677 & E051944	Supply and installation of three parking meters	\$29,284.14
Rhysco Electrical Services	E051601 & E051827	Electrical services	\$35,782.96
Sirsidynix Pty Ltd	E051739	Maintenance and operation of Symphony SAAS LMS for Libraries	\$36,768.96
Southern Metropolitan Regional Council	E051794	MSW, MRF and green waste gate fees for August and RRRC loan repayment	\$910,559.56
Synergy	E051549 & E051741	Electricity charges	\$303,654.60
TJS Cleaning Services Perth Pty Ltd	E051883	Cleaning services for LeisureFit Booragoon and Melville and AH Bracks Library	\$28,428.40
Turfmaster	E051735	Mowing and weed control maintenance to various Reserves	\$44,326.43
Water Corporation	Chq's 065564 & 065701	Water charges	\$33,615.82
Wattleup Tractors	E051772	Purchase of Landini Technofarm 60-4R tractor	\$49,995.00
Western Power	E051546	Relocation of street lighting at Farrington Road and Henley Road	\$111,798.00
Westpac Bank	Direct Bank Transfer	Payment of salaries and wages to City employees net of tax and deduction for pays 5 and 6	\$2,106,780.04
Youngs Plumbing Service Pty Ltd	E051594 & E051811	Building maintenance	\$35,566.30

**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* Regulation 11 - Payment of Accounts, Regulation 12 - List of Creditors and Regulation 13 - Payments from the Trust Fund and the Municipal Fund.

**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.

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**C16/6001 – SCHEDULE OF ACCOUNTS PAID FOR SEPTEMBER 2016 (REC)  
(ATTACHMENT)****ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Not applicable.

**CONCLUSION**

This is a regular monthly report for the Council's information.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (6001) NOTING**

**That the Council notes the Schedule of Accounts paid for the period ending 30 September 2016 as approved by the Director Corporate Services in accordance with delegated authority DA-035, and detailed in attachment [6001 September 2016](#)**

At 8.56pm the Deputy Mayor submitted the motion, which was declared  
**CARRIED UNANIMOUSLY EN BLOC (10/0)**

**C16/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR SEPTEMBER 2016 (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	: Bruce Taylor – 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 checked="" type="checkbox"/>	<b>Executive</b>	<b><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></b>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes &amp; policies.</i>
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<input type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

**KEY ISSUES / SUMMARY**

This report presents:

- The Statements of Financial Activity by Program, Sub-Program and Nature and Type, for the period ending 30 September 2016 and recommends that they be noted by the Council.
- The variances for the month of September 2016 and recommends that they be noted by the Council.
- Budget amendments for the period ending 30 September 2016 and recommends that they be adopted by Absolute Majority decision of the Council.

**C16/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR SEPTEMBER 2016 (AMREC)  
(ATTACHMENTS)**
**BACKGROUND**

The Statements of Financial Activity for the period ending 30 September 2016 have been prepared and tabled in accordance with the *Local Government (Financial Management) Regulations 1996*.

**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. Rate Setting Statement by Program, which provides details on the Program classifications,
2. Rate Setting Statement by Sub-Program, which provides further details on the Program classifications and,
3. Statement of Financial Activity by Nature and Type, which provides details on the various categories of income and expenditure.

For the period ending 30 September 2016, net (i.e. incomes less expenditure) operating positive variances of \$4.57 million and net capital positive variances of \$856k were recorded.

**Variances**

CITY OF MELVILLE STATEMENT OF VARIANCES IN EXCESS OF \$50,000 by Program for the Period 1 July 2016 to 30 September 2016							
	September Actual \$	YTD Rev. Budget \$	YTD Actual \$	Variance \$	Variance %	Annual Budget \$	Annual Rev. Budget \$
<b>Revenue</b>							
General Purpose Funding	377,578	7,437,944	7,662,795	224,851	3%	12,931,170	12,931,170
Health	30,388	87,340	232,870	145,530	167%	349,360	349,360
Community Amenities	157,218	1,991,527	2,076,889	85,361	4%	3,136,387	3,236,387
Recreation and Culture	717,509	2,117,524	1,855,394	(262,130)	-12%	8,469,621	8,469,621
Transport	90,603	515,617	427,039	(88,578)	-17%	4,641,787	5,054,358
Other Property and Services	61,885	164,780	460,319	295,539	179%	3,356,430	3,356,430
	1,706,899	15,671,611	16,128,913	579,755	3%	35,739,377	36,350,078
<b>Expenses</b>							
Governance	(229,390)	(1,133,980)	(726,570)	407,409	-36%	(4,110,317)	(4,299,013)
General Purpose Funding	(56,513)	(3,301,664)	(3,363,842)	(62,178)	2%	(6,919,538)	(6,919,538)
Law, Order, Public Safety	(321,179)	(953,755)	(889,206)	64,550	-7%	(4,051,723)	(4,159,633)
Community Amenities	(2,293,212)	(7,032,202)	(5,747,990)	1,654,712	-24%	(24,619,692)	(25,419,269)
Recreation and Culture	(2,232,357)	(7,011,887)	(6,022,275)	989,612	-14%	(28,710,832)	(28,911,630)
Transport	(1,055,030)	(3,745,205)	(3,099,232)	645,974	-17%	(15,078,943)	(15,133,578)
Other Property and Services	(553,371)	(3,933,794)	(3,427,033)	506,761	-13%	(11,740,320)	(11,756,053)
	(7,214,789)	(28,505,890)	(24,639,542)	6,078,453	-14%	(101,232,456)	(102,591,055)
<b>Net Result Excluding Rates</b>	<b>(5,507,890)</b>	<b>(12,834,279)</b>	<b>(8,510,628)</b>			<b>(65,493,079)</b>	<b>(66,240,977)</b>
<b>Capital Revenue &amp; Expenditure</b>							
Purchase of Furniture & Equipment	(113,693)	(363,543)	(164,223)	199,320	-55%	(1,454,494)	(2,338,989)
Purchase of Plant & Equipment	(1,346,769)	(1,086,932)	(1,386,016)	(299,084)	28%	(2,441,631)	(4,687,329)
Purchase of Land & Buildings	(35,737)	(750,935)	(164,410)	586,525	-78%	(3,786,000)	(8,457,372)
Purchase of Infrastructure Assets	(879,849)	(2,533,995)	(1,928,563)	605,432	-24%	(15,935,141)	(21,035,187)

**C16/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR SEPTEMBER 2016 (AMREC)  
(ATTACHMENTS)**

A more detailed summary of variances and comments based on the Rate Setting Statement by Sub-Program ([6002A Sub Program September 2016](#)) is provided in attachment [6002H September 2016](#).

**Revenue**

\$82.63 million in Rates was raised to 30 September 2016. This is compared with a revised year to date budget of \$82.65 million, resulting in an immaterial negative variance of \$20k.

**Money Expended in an Emergency and Unbudgeted Expenditure**

Not applicable for September 2016.

**Budget Amendments**

Details of Budget Amendments requested for the month of September 2016 are shown in attachment [6002J September 2016](#). Highlighted are two budget amendment journals greater than \$50,000 that were processed in September 2016.

- \$140,000 – Consolidation of Bull Creek Library and Hall refurbishment.
- \$717,340 – Transfer from Clearing account to Fleet Plant Charge and Fleet Depreciation.

**Rates Collections and Debtors**

Rates, Refuse, Fire and Emergency Service Authority and Underground Power payments totalling \$6,102,268 were collected over the course of the month. Rates collection progress for the month of September is 3.1% below the target of 65%. This represents a dollar value of \$2,672,213. As at 30 September, 61.9% of 2016/2017 rates had been collected, compared with 63% collected for the same time last year.

Total sundry debtor balances decreased by \$298,465 over the course of the month from \$996,518 to \$668,053. The 90+ day's debtor balance increased by \$141,383 from \$112,068 to \$253,451.

**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.

An amount of \$434.85 was written off under delegated authority in the month of September 2016 as the City had exhausted all avenues to recover charges for illegal dumping.

**C16/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR SEPTEMBER 2016 (AMREC)  
(ATTACHMENTS)**

The following attachments form part of the Attachments to the Agenda.

DESCRIPTION	LINK
Rate Setting Statement by Program – September 2016	<a href="#">6002A September 2016</a>
Rate Setting Statement by Sub-Program – September 2016	<a href="#">6002A Sub Program September 2016</a>
Statement of Financial Activity – September 2016	<a href="#">6002B September 2016</a>
Representation of Net Working Capital – September 2016	<a href="#">6002E September 2016</a>
Reconciliation of Net Working Capital – September 2016	<a href="#">6002F September 2016</a>
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater – September 2016	<a href="#">6002H September 2016</a>
Details of Budget Amendments requested – September 2016	<a href="#">6002J September 2016</a>
Summary of Rates Debtors – September 2016	<a href="#">6002L September 2016</a>
Graph Showing Rates Collections – September 2016	<a href="#">6002M September 2016</a>
Summary of General Debtors aged 90 Days Old or Greater – September 2016	<a href="#">6002N September 2016</a>

**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:

**34. Financial activity statement report — s. 6.4**

(1A) In this regulation — **committed assets** means revenue unspent but set aside under the annual budget for a specific purpose.

**C16/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR SEPTEMBER 2016 (AMREC)  
(ATTACHMENTS)**

(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 subregulation (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 \$50,000 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 are dealt with in attachment [6002H September 2016](#) (Notes on Statement of Variances in excess of \$50,000 by Sub-Program).

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**C16/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR SEPTEMBER 2016 (AMREC)  
(ATTACHMENTS)****STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

There are no identifiable strategic, risk or environmental management implications arising from this report.

**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.

**CONCLUSION**

The attached financial reports reflect a positive financial position of the City of Melville as at 30 September 2016.

**C16/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR SEPTEMBER 2016 (AMREC)  
(ATTACHMENTS)**

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (6002)  
NOTING AND ABSOLUTE MAJORITY**

At 8.56pm Cr Schuster moved, seconded Cr Robartson –

**That the Council:**

- 1. Notes the Rate Setting Statement and Statements of Financial Activity for the month ending 30 September 2016 as detailed in the following attachments:**

<b>DESCRIPTION</b>	<b>LINK</b>
Rate Setting Statement by Program – September 2016	<a href="#">6002A September 2016</a>
Rate Setting Statement by Sub-Program – September 2016	<a href="#">6002A Sub Program September 2016</a>
Statement of Financial Activity – September 2016	<a href="#">6002B September 2016</a>
Representation of Net Working Capital – September 2016	<a href="#">6002E September 2016</a>
Reconciliation of Net Working Capital – September 2016	<a href="#">6002F September 2016</a>
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater – September 2016	<a href="#">6002H September 2016</a>
Details of Budget Amendments requested – September 2016	<a href="#">6002J September 2016</a>
Summary of Rates Debtors – September 2016	<a href="#">6002L September 2016</a>
Graph Showing Rates Collections – September 2016	<a href="#">6002M September 2016</a>
Summary of General Debtors aged 90 Days Old or Greater – September 2016	<a href="#">6002N September 2016</a>

- 2. By Absolute Majority Decision adopts the budget amendments, as detailed in the attached Budget Amendment Reports for September 2016 [6002J September 2016](#).**

At 8.56pm the Deputy Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (10/0)**

**15. EN BLOC ITEMS**

At 8:56pm Cr Foxtton moved, seconded Cr Schuster –

**That the recommendations for items P16/3727, P16/3728, M16/5513, M16/5000, C16/6000 and C16/6001, be carried En Bloc.**

At 8.56pm the Deputy Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (10/0)**

**16. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**16.1 Amendment to Complaints Management Policy CP-101**

At 8:56 pm Cr Schuster moved, seconded Cr Barling –

**That the Council resolve to amend Council Policy CP-101 (Complaints Management Policy) as follows:**

- 1. After External Review on page 3 add a new section heading and text as follows:  
“Reporting to the Council: Annually, at the first Governance Committee meeting held at least two months after the close of the relevant financial year, the Chief Executive Officer will report to the Committee, in a report intended for review by the Council, to inform the Council on customer service data, trends, issues and improvements as a minimum, while protecting the privacy and confidentiality of all parties, unless a written law requires otherwise. For avoidance of doubt the report for the 2015/2016 financial year will be made through the next available Governance Committee meeting after this policy is adopted.”**

At 9:00pm the Deputy Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (10/0)**

Reasons for Motion

Cr Schuster provided the following reasons in support of the motion.

- “1. The Governance Committee suggested some structural information, eventually considered by the Council at its April 2016 meeting as inputs to this policy, and the revised policy adopted by Council in October 2016 included all these points bar one;
2. The proposed amendments were discussed at length at the Agenda Briefing Forum (ABF) on 6 September, 2016 and there seemed to be reasonable agreement that the suggested amendments were in line with the April 2016 Council decision –I withdrew an Amendment designed to achieve this end in relation to the one missing point (reporting to Council) at the October 2016 Council meeting because, despite my best efforts, not all Elected Members had a copy of my Amendment and the hour was late;
3. In my view the only issue discussed at the September ABF not included in the policy, but which I thought had general support, was including in the policy a requirement to report aggregated data to the Governance Committee and Council after the close of the relevant financial year. I hence present this Amendment for your consideration. The difference between my Amendment, and the requirement for the CEO to report this data in the annual performance review is that, if this policy Amendment is carried, the report on the customer complaint data (with all the privacy protections) will be public and timely, only a few months after the end of financial year. In respect to the Annual Performance Review the CEO could use the Council report to avoid more work being done on this subject for his (or her) Performance Review.”

**17. MOTIONS WITHOUT NOTICE BY ABSOLUTE MAJORITY OF THE COUNCIL**

Nil

**18. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED**

Nil

**19. CLOSURE**

There being no further business to discuss, the Deputy Mayor declared the meeting closed at 9:01pm.