

MINUTES

OF THE

ORDINARY MEETING OF THE COUNCIL

HELD ON

TUESDAY, 18 FEBRUARY 2020

AT 6.30PM IN THE COUNCIL CHAMBERS

MELVILLE CIVIC CENTRE

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1. OFFICIAL OPENING

The Presiding Member welcomed those in attendance to the meeting and officially declared the meeting open at 6:30pm. Mr B Taylor, Manager Governance and Property, read aloud the Disclaimer that is on the front page of these Minutes and then Mayor, Honourable George Gear, 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 Meeting Procedures Local Law to ensure the efficient, effective and orderly decision making within this forum.

2. PRESENT

Mayor Honourable G Gear

COUNCILLORS

Cr N Pazolli (Deputy Mayor)
 Cr S Kepert,
 Cr D Macphail, Cr N Robins
 Cr C Robartson, Cr M Woodall
 Cr G Barber, Cr J Barton
 Cr M Sandford
 Cr T Fitzgerald, Cr K Wheatland

WARD

Applecross – Mount Pleasant
 Applecross – Mount Pleasant
 Bateman – Kardinya - Murdoch
 Bull Creek - Leeming
 Bicton – Attadale – Alfred Cove
 Central
 Palmyra – Melville - Willagee

3. IN ATTENDANCE

Mr M Tieleman
 Ms C Young
 Mr S Cope
 Mr M McCarthy
 Mr A Ferris
 Mr L Hitchcock

Mr J Rae (*Until 8:16pm*)
 Mr B Taylor
 Ms C Newman
 Ms J Head

Chief Executive Officer
 Director Community Development
 Director Urban Planning
 Director Technical Services
 Director Corporate Services
 Executive Manager Governance and Legal Services
 Strategic Land & Property Executive
 Manager Governance and Property
 Governance Coordinator
 Governance Officer

At the commencement of the meeting there were approximately 12 members of the public and one representative from the Press in the Public Gallery.

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

Nil.

4.2 APPROVED LEAVE OF ABSENCE

Cr K Mair

Central

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.

At 6:35pm Mr McLerie of Bicton, as a representative of the City of Melville Residents and Ratepayers Association Inc advised that he would be happy for questions and the responses to their questions to be included in the minutes and they did not need to be read out to the meeting.

6. QUESTION TIME

6.1 Questions Received with Notice

6.1.1 City of Melville Residents and Ratepayers Association Inc

Question 1

Legal advice

1. *We refer to The Weekend West's 8 February 2020 article "Council court bills skyrocket" (Attachment 1) and our 3 February 2019 electors AGM motion that was unanimously passed without any dissent on similar vein. Please confirm, for each of the last 6 financial years ending 30 June and the financial year to date.*

Response

In respect to the 9 questions asked, information that is available or easily obtainable has been provided in the responses. Where other information requested is not readily available or easily collated this information has not been provided as it is the CEO's opinion, that this will divert a substantial and unreasonable portion of the local government's resources away from its other functions

Question 2

- 1.1 *How much has the City paid for external legal advice, including costs such as travel and entertainment.*

Response

The information is detailed below. The 2019/2020 information is the year to date figures to 12 February 2020. The City does not pay for "travel and entertainment".

Type of Service/Year	13/14	14/15	15/16	16/17	17/18	18/19	19/20
	\$	\$	\$	\$	\$	\$	\$
Advice	35,205.38	57,788.67	60,134.57	171,992.09	140,120.76	144,067.60	44,263.76
Prosecution	12,604.07	20,193.50	33,567.12	10,530.13	55,350.83	32,839.18	28,148.00
Total	47,809.45	77,982.17	93,701.69	182,522.22	195,471.59	176,906.78	72,411.76

6. *Public Question Time continued, City of Melville Residents and Ratepayers Association Inc.*

Question 3

- 1.2 *How much was paid individually to each of the legal firms; be it McLeods, Jackson MacDonald and any other legal services providers used.*

Response

The information on payments is provided in the monthly Schedule of Accounts Paid report that is presented to Council each month. Information on payments made to each legal firm is detailed below. The 2019-2020 information is the year to date figures to 12 February 2020.

Legal Firm/Year	13/14	14/15	15/16	16/17	17/18	18/19	19/20
	\$	\$	\$	\$	\$	\$	\$
McLeods	41,561.81	62,089.46	93,620.64	149,182.22	195,257.99	159,881.63	58,126.65
Jackson McDonald	-	11,678.21	-	-	-	6,017.00	3,750.00
LSV Borrello Lawyers	-	-	-	-	-	2,975.00	-
Allion Partners	-	-	-	-	-	5,202.50	-
Brown McAllister	-	-	-	-	-	2,797.50	-
Minter Ellison	-	-	-	29,033.00	-	-	10,087.50
City of Cockburn	-	-	-	4,190.00	-	-	-
Peyton Consulting	-	1,500.00	-	-	-	-	-
Piper Alderman	6,247.64	-	-	-	-	-	-
Castledine Gregory	-	2,580.00	-	-	-	-	-
WALGA							412.50
Miscellaneous		134.50	81.05	117.00	213.60	33.15	36.00
Total	47,809.45	77,982.17	93,701.69	182,522.22	195,471.59	176,906.78	72,412.65

Question 4

- 1.3 *How many times did the City directly seek competitive bids from various legal service providers for the work undertaken?*

Response

The City procures legal services from the WALGA Panel C046_17. Services are procured in line with the City's Procurement Policy and appointments of legal counsel are made depending on the matter under consideration and the specific expertise of each provider.

Question 5

- 1.4 *How much commission/fee was paid to WALGA during the course of procuring these legal services, either directly by the City or indirectly via the legal service provider?*

Response

The City did not pay any commission to WALGA and the City is not privy to information about commissions paid by other parties.

6. *Public Question Time continued, City of Melville Residents and Ratepayers Association Inc.*

Question 6

- 1.5 *How much did it cost (fully absorbed cost) the City to employ the Executive Manager Legal Services and Governance, who we understand is the City's primary internal source of advice on legal matters?*

Response

The salary costs are within the employment contract between the City and the Officer and will therefore not be disclosed. The question misunderstands the role of the Executive Manager Governance and Legal Services. The Executive Manager's role is not to provide legal advice, but to ensure that the City obtains necessary legal advice from appropriately qualified providers as required.

Question 7

- 1.6 *How many hearings (directions, final hearings/trials) at the State Administrative Tribunal, Magistrates Court and Supreme Court has the City attended and/or required some form of representation (Court Attendances)?*

Response

Attendance at SAT or courts, whether for hearings, mediation or other reasons is a function performed in the normal course of their employment by different employees. Information relating to this question is not compiled or monitored specifically by the City.

Gathering that information for the time period specified would in the CEO's opinion, divert a substantial and unreasonable portion of the local government's resources away from its other functions and it will therefore not be completed as it is not an efficient use of the City's resources.

Should the Council wish to monitor this operational information in future, it may ask for a recording system to be developed and regular reports submitted.

Question 8

- 1.7 *At how many of those Court Attendances was an external legal service provider in attendance/providing advice and what was the cost of their attendances and advice on those matters?*

Response

Specific information relating to this question is not compiled or monitored by the City, and costs are included in the total expenditure for legal services that has been responded to in Question 1.1 and 1.2.

6. *Public Question Time continued, City of Melville Residents and Ratepayers Association Inc.*

Question 9

- 1.8 *How many prosecutions were considered and progressed; and how much was spent on external legal service providers for each of those prosecutions?*

Response

Information that is compiled on number of finalised prosecutions, penalties and costs awarded, is below

	Fine	Costs	Number of prosecutions
2019/2020			
Building Act	\$3,000.00	\$1,813.00	1
Dog Act			
Parking Prosecutions	\$800.00	\$3,304.20	5
Litter Act Prosecution	\$1,000.00	\$2,636.00	1
Health Local Law	\$2,100.00	\$4,550.00	2
Food Act	\$20,000.00	\$3,500.00	1
Planning and Development Act	\$10,000.00	\$2,218.00	1
2018/2019			
Dog Act	\$2000.00	\$964.30	1
Parking Prosecutions	\$80.00	\$500.00	1
Local Government (Uniform Provisions) Regulations	\$1,100.00	\$1,400.00	1
2017/2018			
Building Act	\$3,000.00	\$1,747.00	1
Dog Act	\$7,300.00	\$8,738.35	3
Parking Prosecutions	\$420.00	\$2,721.85	3
2016/2017			
Dog Act	\$3,500.00	\$927.50	1
Parking prosecutions	\$50.00	\$750.00	1
2015/2016			
Dog Act	\$12,950	\$13,163.20	5
Parking Prosecutions	\$120.00	\$5,307.50	3
Local Government (Uniform Provisions) Regulations	\$750.00	\$4,857.00	1
2014/2015			
Parking Prosecution	\$200.00	\$1,543.90	4
Asbestos Prosecution	\$1,000.00	\$1,282.30	1
Planning and Development Act	\$15,000	\$3,462.30	1

6. *Public Question Time continued, City of Melville Residents and Ratepayers Association Inc.*

Question 10

- 1.9 *Who provided advice on the legal matters associated with the Authorised Inquiry, was the advice sourced internally or where external legal service providers engaged, if so how much was spent with each of the external legal service providers?*

Response

McLeods Solicitors provided some general legal advice regarding the Local Government Inquiry in the period December 2017 to April 2018 with a total expenditure of \$6,753.09 being incurred.

No other legal advice was required.

- 2 *We refer to our question on M19/5724 Delegation of Authority to Appoint Approved and Authorised 20 Officers for the Purposes of the Criminal Procedure Act 2004 put to the 10 December 2019 Ordinary meeting of Council (Attachment 2) and the responses included in the meeting minutes.*

Please confirm:

Question 11

- 2.1 *If the Mayor and/or Council saw and provided feedback on the Administration's responses prior to them being read out at the Council meeting?*

Response

Public Questions and proposed responses are provided to the Mayor prior to the meeting. Time permitting the Mayor may choose to refer questions that require further response back to the CEO.

Question 12

- 2.2 *If Council fully accepts and endorses the responses provided by the Administration; that is does Council believe that all of the responses were clear and concise answers to the direct questions?*

Response

See response to 2.1 above.

Question 13

- 2.3 *Does Council believe the performance metrics sort [sic] at questions 6, 10 and 11 will assist in its oversight of the City' building services functions and its decision making, particularly in relation to M19/5724.*

6. *Public Question Time continued, City of Melville Residents and Ratepayers Association Inc.*

Response

This question has been circulated to Elected Members prior to the meeting and it is for each member to determine if having the information requested will improve their understanding of Item M19/5724, or if they require additional information or if the information requested in questions 6, 10 and 11 is relevant to the item being considered.

None of the metrics requested are relevant to the recommendation concerning the appointment of authorised and approved officers for the purposes of issuing and withdrawing infringements under the Criminal Procedure Act for prescribed offences under the Building Act, Building Regulations and Health(Asbestos) Regulations.

Question 10 relates to noncompliant swimming pool fences. The City's officers do not at present have the power to issue infringements for such matters. The City's current tools for addressing non-compliant swimming pool fences are restricted to notices directing rectification, which are usually sufficient, and prosecution in serious cases.

Question 11 relates to requesting statistics on issuing "retrospective building approvals" and associated prosecutions. Issuing "retrospective building approvals" is an enforcement mechanism to ensure that all buildings are assessed against building standards/code. This is not an infringement issue.

If the Council wishes to receive regular reports of infringements and prosecutions under specific legislation, it may resolve to require such reports at such intervals as it believes appropriate.

Question 14

- 2.4 *Does Council believe it can make a fully informed decision to approve M19/5724 motion given the City has not provided any quantitative metrics nor have they provided any tangible evidence on the cost efficiencies and other improvements that the Administration suggests will flow from the change?*

Response

The previous response to a similar question answered on 10 December 2019 explained in some detail what efficiency and effectiveness improvements would flow from the City having the option to issue infringements for prescribed offences under the Building Act, Building Regulations and Health (Asbestos) Regulations. It should be noted that the City's officers already have the authority to issue infringements under other legislation, including the Local Government Act and Regulations, Local Laws, Dog Act, Cat Act, Litter Act and Food Act.

The appointment of authorised and approved officers for the purposes of issuing and withdrawing infringements under the Criminal Procedure Act for prescribed offences under the Building Act, Building Regulations and Health(Asbestos) Regulations is consistent with standard practice in the Western Australian local government sector.

Without the infringement option, offenders who could otherwise have paid a relatively low modified penalty, face the possibility of much higher penalties through prosecution, in addition to incurring legal costs.

6. *Public Question Time continued, City of Melville Residents and Ratepayers Association Inc.*

Question 15

- 2.5 *How does Council intend to oversee the City's compliance and enforcement roles, and the Administration's decisions to, or not to issue infringement and/or initiate prosecutions?*

Response

Compliance and enforcement are not part of the role of Council as set out in section 2.7 of the Local Government Act.

Question 16

- 2.6 *Does Council intend to develop a policy to give residents and ratepayers some rights to have Council review the Administration's decisions to, or not to prosecute, as the case may be?*

Response

The City has obligations under legislation to enforce certain laws. Subsections 9.24(1)(b) and (2)(a) of the *Local Government Act 1995* give the power to commence prosecutions to "a person who is acting in the course of his or her duties as an employee of a local government". The decision whether to prosecute non-compliance with the law is thus characterised as an administrative function. The City cannot adopt a policy that attempts to over-ride the legislation.

The City has an escalating hierarchy of enforcement responses from advice to warnings, notices/directions/orders, and infringement (where it is a prescribed offence) to prosecution. The objective is to achieve compliance with the law using a proportionate response to non-compliance.

The City does not initiate a prosecution unless independent professional legal advice confirms that there is a *prima facie* case: that is, the evidence available appears on the face of it to prove that a breach of the law has occurred. The alleged offender has the right to produce other evidence to the court that refutes the allegation or to raise mitigating circumstances to seek a reduced penalty. It is the role of the court to determine whether or not an alleged breach has occurred.

6.2 Questions Received without Notice

6.2.1 Mr E Nielsen, Booragoon

With reference to the diagrams below:



Question 1

Has the City been in touch with Main Roads WA to ensure they would participate in a road widening of this kind?

Response

Road widening proposals on Canning Highway are defined by the Metropolitan Region Scheme and Planning Control Area (PCA) 117. Main Roads WA, the Department of Transport and the Department of Planning, Lands and Heritage participate in the design of these road widening proposals as well as informing decisions relating to the actioning of any road widening.

6. *Public Question Time continued, Mr E Nielsen*

Question 2

Has the City also contacted the various providers of service infrastructures (e.g. under the footpaths services) to ensure they are willing and able to relocate these services and if so, who bears the cost?

Response

Widening of a road may require relocation of services. The cost to relocate services is the responsibility of the agency acquiring the land or undertaking the road widening. The agency undertaking the road works would contact infrastructure providers as part of these works. It is noted that service agencies including Water Corporation and Western Power were consulted as part of the current proposal to amend the Canning Bridge Activity Centre Plan (CBACP).

Question 3

Does the City believe that the affected property owners at large are aware of the implications of such proposed road widening, something that requires demolition of buildings on a grand scale and for those not willing to participate compulsory land acquisition and loss of homes etc?

Response

The State Government has depicted potential road widening requirements along Canning Highway on the Metropolitan Region Scheme for many years. The State Government will decide if and when road widening may be required. The State Government has advised that landowners were informed of potential widening requirements with the creation of PCA 117 in 2015. Landowners in the CBACP affected by PCA 117, were also contacted as part of the advertising of the current proposed amendment to the CBACP.

Question 4

Using 884-888 Canning Hwy (3036m²) as an example;

Does that mean that after ceding nearly a third of these properties the City will forgo the 2600m² minimum requirements allowing a 15 – 20 Storey development on only some 1906m²?

Response

PCA 117 depicts a road widening of approximately 3.0 metres along the Canning Highway frontage of 884-888 Canning Highway. The potential road widening along Canning Highway is therefore approximately 5% of the lot and not one third. Under the existing CBACP and with the proposed amendment, any required road widening land which is ceded would be included in the lot size when assessing against any minimum land requirements.

6. *Public Question Time continued, Mr E Nielsen*

Question 5

Whilst waiting on more developments to come on-board leaving pockets of ceded land along the highway for years, who will have the 'right of use/control/responsibility' of this land and to what extent?

Response

Land ceded for the purposes of road widening would effectively become part of the road reserve. State or local government responsibility for the land would be determined by management orders.

Question 6

Will the City please explain the community benefits that would justify the ramifications of this intriguing, indiscriminate approach to meddling with 'bonus heights'?

Response

The CBACP identifies the ceding of required road widening land on Canning Highway as an item to be considered in the assessment of awarding bonus height. In these circumstances community benefit would be achieved by incentivising the early assembly of land for road widening. Improvements to Canning Highway would provide benefits such as the creation of dedicated bus lanes, safety and traffic flow enhancements.

6.2.2 Mr M McLerie, Bicton

Item C20/6001-2

Questions were received from Mr McLerie relating to a payments made by the City to Action Demolition (WA) Pty Ltd and referring to:

- A court order requiring Action Demolition to pay Mr McLerie a sum of money for compensation relating to damage caused at his property at 10 Ince Road, Attadale.
- A letter to the City 3 December 2019 in response to Mr McLerie's questions of 19 November 2019.
- An amount owed by Action Demolition to the City.

Question 1

1.1. *Mr David Scofield of Applecross, Action's sole director, yesterday categorically stated that Action had not received the full Payment from the City of Melville and accused the City of illegally deducting the Fine from the Payment. Is this true? If so, are how are Councillors made aware that the C20/6001-2 payment schedule does not accurately reflect the actual payments transferred to other parties?*

Response

The payment arrangements between Action Demolition and the City are a matter between the City and Action Demolition.

6. *Public Question Time continued, Mr M McLerie*

Question 2

- 1.2. *Was there a 'set-off clause' or the like in the 2019 contract the City entered into with Action for the demolition of its three properties, ie a clause giving the City the unilateral right to deduct other outstanding debts owed, in this case the Fine which was not related to the subject contract, from amounts payable under the contract? If so, what was the wording of that specific clause and how many of the City's standard terms and conditions is it in?*

Response

The contract arrangements between Action Demolition and the City are a matter between the City and Action Demolition.

Question 3A

- 1.3. *Which street tree did the Fine relate to, what were the circumstances and why was the Fine not just a \$500 infringement?*

Response

Any specifics relating to payments between the City and Action Demolition is a matter between the City and Action Demolition.

Question 3B

- 1.4. *How many fines has the City issued over the last 3 years for damage to street trees, and for which trees?*

Response

This question will be taken on notice.

Question 3C

- 1.5. *Has the City ever prosecuted anyone for wilfully damaging a street tree in breach of s 2.1 (d) of the City's Activities in Thoroughfares and Public Places local law. Are there any current investigations underway in relation to unlawful damage to street trees?*

Response

This question will be taken on notice.

6. *Public Question Time continued, Mr M McLerie*

Question 4

- 1.6. *What enforcement action did Mr Steve Cope, Director – Urban Planning against Action for damaging the 10 Ince Road Attadale street tree? Why did Mr Cope fail to take enforcement action to ensure Action, and subsequently the builder Broadway Homes, properly protected the 10 Ince Road Attadale street tree in accordance with the City’s requirements post being notified of the issue many time(sic), including in my 7 October 2017 letter to him? Why did Mr Cope fail to properly respond to me about the other issues identified in the same 7 October 2017 letter?*

Response

These three questions will be taken on notice.

Question 5

- 1.7. *What changes will Council make to ensure that it never again engages contractors with abhorrent credit histories such as Action’s, as evidenced Action’s failure to comply with the Payment Order and previous Court orders and the Department of Justice’s Outstanding Fines and Infringements web page that still lists Action as the State’s 4th largest outstanding fine debtor currently owing \$203,411?*

Response

This question will be taken on notice.

Question 6

- 1.8. *Why has CEO, Mr Marten Tieleman, failed to respond to the Letter, 2+ months later?*

Response

This question will be taken on notice.

6.2.3 Ms V Pantin, Applecross

Question 1

At what council meeting did Councillors vote to provide the CEO - or any other officer of the City - the authority to sign the current development application for the Applecross Tennis Club as landowner of the underlying land, to approve what constitutes a change of use from a daytime lawn tennis club to a night time facility?

Response

The CEO signs Development Applications on land owned or under the care and control of the City in an ex officio capacity and not in support or otherwise of an application made. This progresses the application for determination by the appropriate authority, in this case The Department of Biodiversity, Conservation and Attractions (DBCA). This information is given in greater detail on the City’s website under Melville Talks/Engagements.

6. *Public Question Time continued, Ms V Pantin*

Question 2

Why did the City sign the application for development approval for the Applecross Tennis Club as landowner, when the proposed development, if approved, would create a breach of the terms of the lease to the club (due to causing nuisance or annoyance to the surrounding owners or occupiers)?

Response

The Development Application assessment process needs to occur to determine whether or not there will be any potential impacts on surrounding properties. This process includes seeking comments from surrounding properties on potential impacts. Any impacts identified would then inform the assessment.

6.3 Questions Taken on Notice at Previous Meeting

Nil.

7. AWARDS AND PRESENTATIONS

Nil.

8. CONFIRMATION OF MINUTES**8.1 ORDINARY MEETING OF THE COUNCIL – 10 DECEMBER 2019**
Minutes 10 December 2019**COUNCIL RESOLUTION**

At 6:48pm Cr Barton moved, seconded Cr Robartson –

That the Minutes of the Ordinary Meeting of the Council held on Tuesday, 10 December 2019, be confirmed as a true and accurate record.

At 6:49pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

8.2 NOTES OF AGENDA BRIEFING FORUM – 4 FEBRUARY 2020
Notes 4 February 2020**COUNCIL RESOLUTION**

At 6:49pm Cr Sandford moved, seconded Cr Barber –

That the Notes of Agenda Briefing Forum held on Tuesday, 4 February 2020, be received.

At 6:49pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

8.3 ANNUAL GENERAL MEETING OF ELECTORS – 3 FEBRUARY 2020
Minutes 3 February 2020**COUNCIL RESOLUTION**

At 6:49pm Cr Pazolli moved, seconded Cr Woodall –

That the Minutes of the Annual General Meeting of Electors held on Monday, 3 February 2020, be confirmed as a true and accurate record.

At 6:49pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

8.4 GOVERNANCE COMMITTEE – 5 FEBRUARY 2020
Notes 5 February 2020

COUNCIL RESOLUTION

At 6:50pm Cr Pazolli moved, seconded Cr Barton –

That the Minutes of the Governance Committee Meeting held on Wednesday, 5 February 2020 be noted.

At 6:50pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

NB: Minutes to be confirmed at next Governance Committee Meeting

8.5 SPECIAL MEETING OF THE COUNCIL – 11 FEBRUARY 2020
Minutes 11 February 2020

COUNCIL RESOLUTION

At 6:50pm Cr Sandford moved, seconded Cr Kepert –

That the Minutes of the Special Meeting of the Council held on Tuesday, 11 February 2020, be confirmed as a true and accurate record.

At 6:50pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

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

Nil.

9.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT

- Cr Woodall – Item M20/5730 Report from the Governance Committee Meeting held 5 February 2020 , Interest Under the Code of Conduct
- Cr Robartson – Item M20/5730 Report from the Governance Committee Meeting held 5 February 2020 , Interest Under the Code of Conduct
- Cr Wheatland – Item T20/3839 Refurbishment and Extension to Webber Reserve Change Rooms, Interest Under the Code of Conduct.
- Cr Pazolli – Item T20/3839 Refurbishment and Extension to Webber Reserve Change Rooms, Interest Under the Code of Conduct

10. DEPUTATIONS**10.1 Mr M McLerie of Bicton and Dr Peterson of Bateman**

Late Item – M20/5730 – Report of the Governance Committee Meeting held 5 February 2020

11. APPLICATIONS FOR NEW LEAVES OF ABSENCE

Nil.

12. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil.

13. PETITIONS**13.1 Petition – Height of Proposed Apartment Complex at Kardinya Park Shopping Centre**

A petition was received 31 January 2020 signed by 163 residents, as follows:

“We, the undersigned, all being electors of the City of Melville, respectfully request that the Council take note that we oppose the 10 storey apartment complex currently being proposed as part of the redevelopment of the Kardinya Park Shopping Centre and overlooking Dalston Crescent near the Aldi supermarket. A complex of this size and bulk would be totally unacceptable and dominated the skyline for residents north of Dalston Crescent. It needs to be greatly reduced in height at its proposed location to comply with the current R codes and building height regulations of 17.5 metres”

COUNCIL RESOLUTION

At 6:52pm Cr Robins moved, seconded Cr Macphail –

That the Council acknowledge the petition.

At 6:53pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

14.1 REPORT FROM THE GOVERNANCE COMMITTEE

At 6:54pm the Mayor brought forward Late Item M20/5730 – Report of the Governance Committee Meeting held 5 February 2020, for the convenience of the public gallery.

At 6:54pm Mr McLerie and Dr Peterson entered the Chambers for the purpose of making a deputation in relation to Late Item M20/5730 – Report of the Governance Committee Meeting held 5 February 2020. Mr McLerie distributed documents in relation to his deputation [Deputation Mr M McLerie M20_5730 Report of the Governance Committee.](#)

COUNCIL RESOLUTION

At 7:06pm Cr Pazolli moved, seconded Cr Barton –

That the Mr McLerie and Dr Peterson be granted a further 5 minutes to speak on this matter.

At 7:06pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (12/0)

The deputation concluded at 7:11pm.

At 7:22pm Cr Wheatland left the meeting and returned at 7:25pm.

At 7:24pm Mr McLerie and Dr Peterson departed the Council Chambers.

Disclosures of Interest

Member	Cr C Robartson
Type of Interest	Interest under the code
Nature of Interest	Possible apprehended bias.
Request	Stay, discuss and vote
Decision	Stay, discuss and vote

Member	Cr M Woodall
Type of Interest	Interest under the code
Nature of Interest	Previous dealings with Mr McLerie in his building related issues
Request	Stay, discuss and vote
Decision	Stay, discuss and vote

**M20/5730 – REPORT OF THE GOVERNANCE COMMITTEE MEETING HELD
5 FEBRUARY 2020 (REC) (CONFIDENTIAL ATTACHMENT)**

Ward	:	All
Category	:	Operational
Subject Index	:	Governance Committee
Customer Index	:	Governance Committee
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	Minutes of the Governance Committee held 5 February 2020. Item M19/5721 – Chief Executive Officer Performance Review, Ordinary Meeting of Council – 19 November 2019 Item M19/5726 – Chief Executive Officer Performance Review Process – Governance Committee – 2 December 2019
Works Programme	:	Not Applicable
Funding	:	Not Applicable
Responsible Officer	:	M Tieleman Chief Executive Officer

AUTHORITY / DISCRETION

DEFINITION

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

**M20/5730 – REPORT OF THE GOVERNANCE COMMITTEE MEETING HELD
5 FEBRUARY 2020 (REC) (CONFIDENTIAL ATTACHMENT)****KEY ISSUES / SUMMARY**

- A Governance Committee meeting was held 5 February 2020, as part of the adopted process to specifically deal with the Chief Executive Officer's Performance Review, the Committee made recommendations with respect to this process, that were dealt with at a Special Meeting of Council held 11 February 2020.
- At the committee meeting a Motion without Notice was presented in response to the petition referred to the Committee by the Council at the 19 November 2019 Ordinary Council Meeting.
- The Committee supported the motion and recommended the motion be presented to the Council for consideration.

BACKGROUND

At the 19 November 2019 Ordinary Meeting of Council adopted the process to deal with the Chief Executive Officer Performance Review, which included a Governance Committee meeting being held 5 February 2020.

DETAIL

At the Governance Committee meeting held 5 February 2020, the Committee considered the report M20/5728 – Chief Executive Officer Performance Review, which resulted in the following recommendations from the Committee

"That the Governance Committee recommends to the Council:

1. *that the Chief Executive Officer Performance Criteria and Key Performance Indicators to be used in the next CEO performance review period are those detailed in the confidential attachment entitled "Chief Executive Officer Performance Criteria".*
2. *that the Performance Development Plan detailed in confidential attachment entitled "Chief Executive Officer Performance Development Plan 2019" is approved.*
3. *that the base salary component for the Chief Executive Officer be reviewed as recommended by the Governance Committee and the base salary determination be provided under confidential cover to the Council as an attachment entitled "Salary Recommendation 2019" for approval, to take effect from 20 November 2019."*

These recommendations were considered at the Special Meeting of Council held 11 February 2020.

**M20/5730 – REPORT OF THE GOVERNANCE COMMITTEE MEETING HELD
5 FEBRUARY 2020 (REC) (CONFIDENTIAL ATTACHMENT)**

At that meeting, a Motion without Notice was presented, Item 8.1 – Independent Review – Mr McLerie (Building Related and Consequential Complaints), which resulted in the following recommendation to Council:

“That, in response to the petition referred by Council on 19 November 2019 to the Governance Committee for consideration and report, the Governance Committee recommends to Council that:

1. *Council establishes a sub-committee of the Governance Committee which will consist of the Chairman, two members of the Governance Committee and the CEO to undertake investigations into Mr McLerie’s building related complaints with the City of Melville that were the subject of the 19 November 2019 and the Chief Executive Officer of the City of Melville as members (Committee). [per Local Government Act 1995 s 5.8 and 5.9 and 5.10 (5)]*
2. *Council delegates all required powers that enables the Committee to:*
 - a. *Scope, select and engage all relevant resources to assist the committee to fulfil its task, including but not limited to: administrative staff, consultants, technical experts and legal advisors.*
 - b. *Directs the CEO to provide information and the manner in which that information shall be obtained and delivered to the committee or to anyone else that the committee deems appropriate (eg external consultant).*
3. *Council directs the CEO to make available appropriate funds and raise the relevant purchase orders to enable the Committee to be provided with the resources it requires to undertake this investigation.*
4. *The Committee may independently seek further advice from external State Government agencies and oversight bodies as it sees fit.*
5. *Council directs the CEO to provide the committee an itemised summary of Mr McLerie’s building related complaints including the City’s position on each of the issues raised, by no later than 28 February 2020.*
6. *The Committee minutes, documentation, reports and recommendations shall remain confidential unless released by a decision of Council.*
7. *The Committee will provide a final report and recommendations to the Ordinary Meeting of Council immediately after the conclusion of its investigations or at a later date as determined by the Committee or Council.”*

**M20/5730 – REPORT OF THE GOVERNANCE COMMITTEE MEETING HELD
5 FEBRUARY 2020 (REC) (CONFIDENTIAL ATTACHMENT)**

This recommendation resulted from a petition that was considered by the Council at its Ordinary Meeting held 19 November 2020,

“13.3 Petition – Request for Independent Review

A petition was received on 3 November 2019, signed by 77 residents, as follows:

“We the undersigned, all being electors of the City of Melville, respectfully request that the Council conduct an independent review, by parties and on terms as mutually agreed between Council and Mr McLerie, on the performance and conduct of the City of Melville in respect to Mr McLerie’s various building related and consequential complaints since 2012, as mentioned in his 27 October 2019 letter to Council; in relation to various matters that have caused Mr McLerie and his family significant damage and unwarranted distress.”

This resulted in the following Council resolution:

That the Council acknowledge the petition and refer the matter to the Governance Committee for consideration and report.

The motion without notice presented to and resolved by the Governance Committee on 5 February 2020 has preceded any report/information being submitted to the Governance Committee by officers. Legal advice has been sought in relation to the Council’s ability to support the motion for the Administration to implement the motion as presented. A copy of the legal advice has been distributed as a confidential attachment to this report.

Officers propose to schedule a Special Elected Members Information Session for the purpose of discussing this matter and the associated legal advice before presenting the recommendation of the Governance Committee to the Council for deliberation.

OFFICER RECOMMENDATION (5730)**NOTING**

At 7:24pm Cr Robins moved, seconded Cr Woodall –

That the Council:

- 1. notes the information in relation to the Minutes of the 5 February 2020 Governance Committee;**
- 2. directs the Chief Executive Officer to**
 - schedule a Special Elected Members Information Session to present the legal advice received in relation to Item 8.1 – Motion Without Notice Independent Review – Mr McLerie (Building Related and Consequential Complaints) so that Elected Members are fully conversant with the implications of any decision to be taken in respect to this matter; and**
 - present a report to the Council by the end of April 2020 on the facilitation of the implementation of an independent review, as recommended by the Governance Committee;**
- 3. directs that the confidential attachment to Item M20/5730 – Report of the Governance Committee Meeting 5 February 2020 remain confidential until conclusion of the independent review.**

**M20/5730 – REPORT OF THE GOVERNANCE COMMITTEE MEETING HELD
5 FEBRUARY 2020 (REC) (CONFIDENTIAL ATTACHMENT)**

Amendment

COUNCIL RESOLUTION

At 7:30pm Cr Pazolli moved, seconded Cr Barton –

That the recommendation be amended as follows:

- **Point 2 first dot point** by including the words after the words “Special Elected Members Information Session” the words “by 28 February 2020, subject to the availability of the City’s legal advisor”; and
- **Point 2 second dot point**, by deleting the words “end of April 2020” and replacing them with “13 March 2020”.

At 7:50pm the Mayor declared the motion

CARRIED (8/4)

Vote Result Summary	
Yes	8
No	4

Vote Result Detailed	
Cr Barber	Yes
Cr Barton	Yes
Cr Fitzgerald	Yes
Cr Kepert	Yes
Cr Pazolli	Yes
Cr Robins	Yes
Cr Woodall	Yes
Mayor Gear	Yes
Cr Macphail	No
Cr Robartson	No
Cr Sandford	No
Cr Wheatland	No

**M20/5730 – REPORT OF THE GOVERNANCE COMMITTEE MEETING HELD
5 FEBRUARY 2020 (REC) (CONFIDENTIAL ATTACHMENT)****Substantive Motion As Amended****COUNCIL RESOLUTION**

At 7:24pm Cr Robins moved, seconded Cr Woodall –

That the Council:

1. notes the information in relation to the Minutes of the 5 February 2020 Governance Committee;
2. directs the Chief Executive Officer to
 - schedule a Special Elected Members Information Session by 28 February 2020, subject to availability of the City's legal advisor, to present the legal advice received in relation to Item 8.1 – Motion Without Notice Independent Review – Mr McLerie (Building Related and Consequential Complaints) so that Elected Members are fully conversant with the implications of any decision to be taken in respect to this matter; and
 - present a report to the Council by 13 March 2020 on the facilitation of the implementation of an independent review, as recommended by the Governance Committee;
3. directs that the confidential attachment to Item M20/5730 – Report of the Governance Committee Meeting 5 February 2020 remain confidential until conclusion of the independent review.

At 7:53pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

At 7:53pm Cr Woodall left the meeting and returned at 7:56pm.

14.2 REPORTS OF THE CHIEF EXECUTIVE OFFICER

At 7:57pm Mr Rae entered the Chambers for the purpose of providing a deputation on Item P20/3833 – Submissions on Naming of New Roads Carawatha Redevelopment Project (“Gallery”), 10 Archibald Street, Willagee, which concluded at 8:15pm.

At 7:58pm Cr Pazolli left the meeting and returned at 8:02pm.

P20/3833 - SUBMISSIONS ON NAMING OF NEW ROADS CARAWATHA REDEVELOPMENT PROJECT (“GALLERY”), 10 ARCHIBALD STREET, WILLAGEE (REC) (ATTACHMENT)

Ward	:	Palmyra – Melville - Willagee
Category	:	Operational
Property	:	10 Archibald Street, Willagee
Proposal	:	Naming of new roads at Carawatha Redevelopment Project, Archibald Street, Willagee
Owner	:	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	:	P19/3828 Naming of New Roads at Carawatha Redevelopment Project 19 November 2019
Responsible Officer	:	Jeremy Rae Strategic Property Executive

AUTHORITY / DISCRETION

DEFINITION

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

P20/3833 - SUBMISSIONS ON NAMING OF NEW ROADS CARAWATHA REDEVELOPMENT PROJECT ("GALLERY"), 10 ARCHIBALD STREET, WILLAGEE (REC) (ATTACHMENT)**KEY ISSUES / SUMMARY**

- The third and final stage of the revitalisation project for the former Carawatha Primary School site has commenced
- The civil construction contractor, Croker Constructions, is carrying out the civil subdivision works program under the supervision of the Project Manager, Satterley Property Group
- The Project Manager, Satterley Property Group, has prepared a road name proposal plan for the Carawatha site with the names selected from the City's Schedule of Names (Asset Naming) in accordance with the Landgate Geographic Names Committee Policies and Standards
- The proposed road names underwent public consultation in accordance with Council Policy 096 with submissions closing 31 December 2019.
- This report provides a summary of the submissions received and seeks Council endorsement to adopt the proposed road names; and submit the Council endorsement of the road names to the Landgate Geographic Names Committee for final determination.

BACKGROUND

Landgate and the Geographic Names Committee (GNC) have delegated authority for all official naming of topographical and/or cultural features to ensure the selection and recording of names in a systematic and timely manner. Any naming proposals are required to meet the GNC Policies and Standards.

Local governments in Western Australia are required to make submissions to Landgate for any naming proposals for place names, features, administrative boundaries, localities or roads within their jurisdiction.

The Carawatha Redevelopment Project, Archibald Street, Willagee proposes the creation of two public roads to provide public access to the created lots as per the Western Australian Planning Commission (WAPC) approved subdivision plan for the site (WAPC Ref: 15351).

The proposed road names for the site have been selected from the City's Schedule of Names (Asset Naming) in accordance with the GNC Policies and Standards and comprise:-

1. Sumpton Loop and;
2. Utting Lane

William. J Sumpton operated the first bus service in Melville (1924) in the Palmyra / Melville / Willagee Ward. Phillip Utting was the first Headmaster of Carawatha Primary School,

Willagee 1959-1972. The use of the Sumpton and Utting names for the road names of the Carawatha redevelopment project provides a local historical reference to the previous use of the site and the local Willagee area.

The names are consistent with the historical link to the Willagee area that Satterley Property Group has themed in the Carawatha Development Project "Gallery", by connecting existing and new residents to the suburb of Willagee to enhance a feeling of community.

P20/3833 - SUBMISSIONS ON NAMING OF NEW ROADS CARAWATHA REDEVELOPMENT PROJECT ("GALLERY"), 10 ARCHIBALD STREET, WILLAGEE (REC) (ATTACHMENT)**DETAIL**

At the Ordinary Meeting of Council (OMC) on 19 November 2019 Item (P19/3828) resolved that the Council:

1. *Endorse the following proposed road names for the roads to be created at the Carawatha Redevelopment Project "Gallery"*
 - a. *Sumpton Loop*
 - b. *Utting Lane;*
2. *Approves the public consultation and advertising of the proposed road names for the roads to be created at the Carawatha Redevelopment Project "Gallery" in accordance with CP – 096; and*
3. *Notes that on completion of public consultation a report on any submissions received will be presented to the next available Council meeting.*

The Public Notice of proposed naming of new roads by the City of Melville was prepared to invite written submissions from the public. The Notice was advertised in the public notices sections of the "West Australian" and "Melville Times" newspapers on 5th December 2019. The notice was also published on "Melville Talks" on the City of Melville's website.

The advertising period under Council Policy CP - 096 is two weeks, however the City decided to extend this period to over three weeks so that the advertising period covered 26 days in total, given the lead up to Christmas and the holiday season.

The City received a total of 16 submissions from the public. The nature of the submissions are summarised below:-

1. The names should have roots to the locals and traditional owners of the land
2. Love the name Utting but not sure of the name Sumpton
3. Support the rationale behind the names but would like to see some indigenous names to reflect aboriginal heritage
4. Utting Lane is an ideal name honouring the 1st Headmaster at Carawatha School
5. Support Utting Lane
6. Suggested the name Donovan Lane who was Principal at Carawatha until 2000
7. Suggest honouring Indigenous names rather than European names
8. Suggested the name Monty Court
9. Could the name "Carawatha" be used?
10. Good names and support them to be adopted
11. I'd like to see Noongar traditional owners recognised in these names
12. Do not support either name. What about something that represents the environment like the tree names
13. Great choices
14. Do not support as there is already a road called Sumpton Street in nearby Hilton. The names should be indigenous and more inclusive.
15. The names should be indigenous like Goolagatup "Place of Children" – which it was.
16. Two well deserved names but I'm sure there is a well deserved woman or women who were influential within our City. Djidi Djidji Circle would be a great name to acknowledge the work of the Noongar Women's group.

P20/3833 - SUBMISSIONS ON NAMING OF NEW ROADS CARAWATHA REDEVELOPMENT PROJECT ("GALLERY"), 10 ARCHIBALD STREET, WILLAGEE (REC) (ATTACHMENT)**STAKEHOLDER ENGAGEMENT**

All naming proposals were subject to consultation with the community in accordance with the requirements of the GNC Policies and Standards.

I. COMMUNITY

This report outlines the results of the community engagement. If Council resolves to endorse the proposed road names, the City will refer the details of the proposal, any submissions received and the minutes of the applicable Council meeting to Landgate for consideration and final determination and approval of the GNC.

The City recognises the community's interest in including Aboriginal names and proposes to initiate a review of Council Policy CP - 096, including a review of the Council's adopted Schedule of Names. This process would include engagement with the community and local Aboriginal groups to allow the community to submit any new names, including Aboriginal names, for consideration on the Schedule of Names.

The City obtained advice from Landgate's Geospatial Information – Names and Addresses (Landgate) division for guidance on the process for the submission, application and adoption of Aboriginal place names in Western Australia. Landgate advised that:-

- Any Aboriginal place name proposal developed by LGA's or members of the general public must first be endorsed by the relevant local Aboriginal Community
- Naming proposals must show evidence demonstrating the support of the local Aboriginal community
- Proposals shall demonstrate a description of the historical origins in the form of written or oral tradition of the proposed Aboriginal name (if culturally appropriate). The description must demonstrate verified research and authenticity, including sources.
- Once a name(s) has been selected, approved and endorsed by the local Aboriginal community, LGA's are strongly advised to seek comment from appropriate residents which can be used as supporting information for Landgate's consideration.

II. OTHER AGENCIES / CONSULTANTS

The GNC is responsible for the final approval of all Road and Park names. If the GNC approves the proposed Road names, the City will advise any other relevant stakeholders or service providers including, but not limited to:

- Australia Post
- Alinta Gas
- Western Power
- Water Corporation
- City's Technical Services (new Street signage)
- City's GIS officer

P20/3833 - SUBMISSIONS ON NAMING OF NEW ROADS CARAWATHA REDEVELOPMENT PROJECT ("GALLERY"), 10 ARCHIBALD STREET, WILLAGEE (REC) (ATTACHMENT)**STATUTORY AND LEGAL IMPLICATIONS**

Authority for the official naming of topographical and cultural features within the State is delegated by the Minister for Lands to the GNC. The GNC has published the Policies and Standard for Geographical Naming in Western Australia. This provides for the orderly selection and recording of names in a systematic and timely manner.

Official naming of features is governed by:

- *Land Administration Act 1997*
- *Land Information Authority Regulations 2007*
- *Australian Standards AS/NZS 4819:2011 Rural and Urban addressing*

FINANCIAL IMPLICATIONS

There are no financial implications associated with the adoption of the proposed road names other than the costs associated with any advertisements and public consultation.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

This proposal is in accordance with Council Policy CP-096 Naming of Roads, Parks, Buildings and Infrastructure.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The Council could elect not to approve the recommended advertised road names. The consequence of this is that it would result in the delay of new land Titles being issued which would delay lot sale settlements. Delay would negatively impact the timing of sales revenues and consequently cash-flow for the project as it embarks on the residential building construction phase.

Alternatively, Council could elect two alternate names from the "City's Schedule of Names" (Asset Naming) however, the new name proposal would require re-advertising and consideration of submissions considered in accordance with Council Policy 096 unless Council were to waive the requirements under its Policy.

If the Council wishes to consider new names outside the "Schedule", the City would need to conduct an extensive public consultation process inviting nominations from the community including the relevant local Aboriginal community. All new names would need to comply with Landgate Policies and Standards for Geographical Naming in WA.

P20/3833 - SUBMISSIONS ON NAMING OF NEW ROADS CARAWATHA REDEVELOPMENT PROJECT ("GALLERY"), 10 ARCHIBALD STREET, WILLAGEE (REC) (ATTACHMENT)**CONCLUSION**

The proposed road names for Carawatha meet the requirements of Council Policy 096 and the Landgate's Geographical Naming Committee Policies and Standards. It is recognised that six of the sixteen submissions suggested use of indigenous names in the precinct. It is noted that the indigenous name 'Carawatha' has been retained in the naming of the adjoining park and bushland.

As a separate task the City proposes to initiate a review of Council Policy 096 including a review of the Council's adopted Schedule of Names. This process would include engagement with the community and local Aboriginal groups to allow the community to submit any new names, including Aboriginal names, for consideration on the Council's Schedule of Names.

Council is requested to consider the submissions received in response to the community engagement and consider the adoption of the proposed advertised road names for the roads to be created at the Carawatha Redevelopment Project "Gallery". The City will then refer the details of the proposal, including all submissions received and the minutes of the applicable Council meeting to Landgate for consideration and final approval of the GNC.

OFFICER RECOMMENDATION (3833)**APPROVAL**

At 8:00pm Cr Sandford moved, seconded Cr Robartson –

That the Council:

- 1. approves the adoption of the following proposed road names for the roads to be created at the former Carawatha Primary School Redevelopment Project "Gallery"**
 - (a) Sumpton Loop; and**
 - (b) Utting Lane**
- 2. requests the CEO to seek final approval from the Geographical Names Committee at Landgate for the two new road names to be adopted in accordance with the approved subdivision plan for the "Gallery" residential development at the former Carawatha Primary School site in Willagee.**
- 3. directs the Chief Executive Officer to conduct a review of Council Policy CP-096 Naming of Roads, Parks, Buildings and Infrastructure and related procedures and report back to Council as a separate item.**

[3833 Community Engagement on City of Melville Website](#)

[3833 Public Notice Melville Times](#)

[3833 Public Notice Proposed Naming of New Roads](#)

[3833 Public Notice West Australian](#)

P20/3833 - SUBMISSIONS ON NAMING OF NEW ROADS CARAWATHA REDEVELOPMENT PROJECT (“GALLERY”), 10 ARCHIBALD STREET, WILLAGEE (REC) (ATTACHMENT)

Amendment

COUNCIL RESOLUTION

At 8:02pm Cr Wheatland moved, seconded Cr Fitzgerald –

That clause 1 of the recommendation to be amended to read as follows;

- 1. Approves the adoption of the following proposed road names for the roads to be created at the former Carawatha Primary School Redevelopment Project “Gallery”**
 - (a) Goodrick Loop; and**
 - (b) Utting Lane**

That clause 4 to be added to the recommendation to be read as follows;

- 4. Waive the requirement for the substituted name Goodrick Loop, to be advertised via public notice as contained in the Council Policy CP-096 Naming of Roads, Parks, Buildings and Infrastructure, as the name was advertised publicly in 1999 before being added to the City’s Schedule of Names.**

At 8:09pm the Mayor declared the motion

CARRIED (8/4)

Vote Result Summary	
Yes	8
No	4

Vote Result Detailed	
Cr Barber	Yes
Cr Fitzgerald	Yes
Cr Macphail	Yes
Cr Robartson	Yes
Cr Robins	Yes
Cr Wheatland	Yes
Cr Woodall	Yes
Mayor Gear	Yes
Cr Barton	No
Cr Kepert	No
Cr Pazolli	No
Cr Sandford	No

Reasons for the Amendment as provided by Cr Wheatland

The Goodrick family were early settlers of Palmyra (1938) and the name is more applicable to the Palmyra – Melville - Willagee Ward than the name Kernot, which can be associated with all Wards.

Ultimately a Willagee name would be preferred however, the Asset Naming Schedule does not contain any names that are associated with the Willagee community that would be acceptable to the Geographic Naming Committee.

P20/3833 - SUBMISSIONS ON NAMING OF NEW ROADS CARAWATHA REDEVELOPMENT PROJECT (“GALLERY”), 10 ARCHIBALD STREET, WILLAGEE (REC) (ATTACHMENT)

Procedural Motion

At 8:11pm Cr Kepert moved, seconded Cr Pazolli -

That the Item P20/3833 – Submissions on Naming of New Roads Carawatha Redevelopment Project (“Gallery”). 10 Archibald Street, Willagee be deferred to the 17 March 2020 Ordinary Meeting of Council.

At 8:11pm the Mayor submitted the motion, which was declared

LOST (3/9)

Vote Result Summary	
Yes	3
No	9

Vote Result Detailed	
Cr Barton	Yes
Cr Kepert	Yes
Cr Pazolli	Yes
Cr Barber	No
Cr Fitzgerald	No
Cr Macphail	No
Cr Robartson	No
Cr Robins	No
Cr Sandford	No
Cr Wheatland	No
Cr Woodall	No
Mayor Gear	No

P20/3833 - SUBMISSIONS ON NAMING OF NEW ROADS CARAWATHA REDEVELOPMENT PROJECT (“GALLERY”), 10 ARCHIBALD STREET, WILLAGEE (REC) (ATTACHMENT)

Substantive Motion as Amended

COUNCIL RESOLUTION (3833)

APPROVAL

At 8:00pm Cr Sandford moved, seconded Cr Robartson –

That the Council:

1. Approves the adoption of the following proposed road names for the roads to be created at the former Carawatha Primary School Redevelopment Project Gallery”
 - (a) Goodrick Loop; and
 - (b) Utting Lane
2. requests the CEO to seek final approval from the Geographical Names Committee at Landgate for the two new road names to be adopted in accordance with the approved subdivision plan for the “Gallery” residential development at the former Carawatha Primary School site in Willagee.
3. directs the Chief Executive Officer to conduct a review of Council Policy CP-096 Naming of Roads, Parks, Buildings and Infrastructure and related procedures and report back to Council as a separate item.
4. Waive the requirement for the substituted name Goodrick Loop, to be advertised via public notice as contained in the Council Policy CP-096 Naming of Roads, Parks, Buildings and Infrastructure, as the name was advertised publicly in 1999 before being added to the City’s Schedule of Names.

[3833 Community Engagement on City of Melville Website](#)
[3833 Public Notice Melville Times](#)
[3833 Public Notice Proposed Naming of New Roads](#)
[3833 Public Notice West Australian](#)

At 8:14pm the Mayor declared the motion

CARRIED (11/1)

Vote Result Summary	
Yes	11
No	1

Vote Result Detailed	
Cr Barber	Yes
Cr Barton	Yes
Cr Fitzgerald	Yes
Cr Macphail	Yes
Cr Pazolli	Yes
Cr Robartson	Yes
Cr Robins	Yes
Cr Sandford	Yes
Cr Wheatland	Yes
Cr Woodall	Yes
Mayor Gear	Yes
Cr Kepert	No

At 8:14pm Cr Barton left the meeting.

P20/3834 - ROAD CLOSURE – PORTION OF FIONA WOOD ROAD AND YUBARL LANE, MURDOCH (REC) (ATTACHMENT)

Ward : Bateman – Kardinya - Murdoch
 Category : Operational
 Application Number : DA-2019-855
 Property : Fiona Wood Road, MURDOCH
 Proposal : Road Closure
 Applicant : Centurion Corporation Ltd C/- Rowe Group
 Owner : State of Western Australia C/- Public Trustee
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : P17/3741 - Proposed road reserve closures, Murdoch Mixed Use Precinct Activity Centre Plan
 Responsible Officer : Peter Prendergast
 Manager Statutory Planning

AUTHORITY / DISCRETION

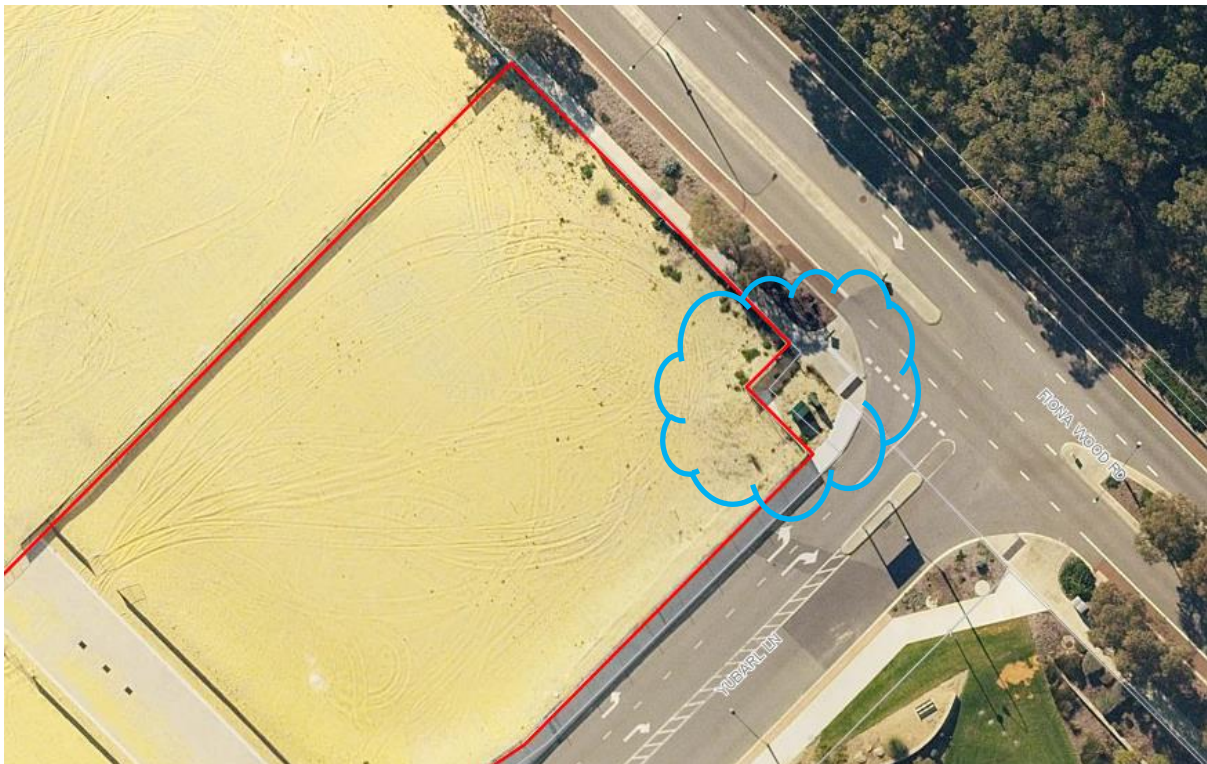
DEFINITION

<input checked="" 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 & 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>

P20/3834 - ROAD CLOSURE – PORTION OF FIONA WOOD ROAD AND YUBARL LANE, MURDOCH (REC) (ATTACHMENT)

KEY ISSUES / SUMMARY

- A Western Power transformer is currently located on a portion of road reserve at the corner of Fiona Wood Road and Yubarl Lane, Murdoch.
- The City is currently involved in preliminary discussions with Development WA and the applicant regarding the development of a mixed use development on the properties bounded by Barry Marshall Parade, Fiona Wood Road, Yubarl Lane and Bedbrook Row. It is anticipated that a development application will be lodged in the first quarter of 2020.
- As part of the future development of the site, it is proposed to relocate the existing substation to the basement level of the building.
- When the substation is relocated, this portion of land will no longer be required for road reserve and is proposed to be amalgamated with the parent lot.
- A total of four submissions were received from services agencies during the thirty five day comment period. The submissions are all supportive of the proposal.
- It is recommended that the Council support the road closure and advise the Minister of Lands of its decision.



Note: Cloud area shows parcel of road reserve proposed to be closed as a part of this application.

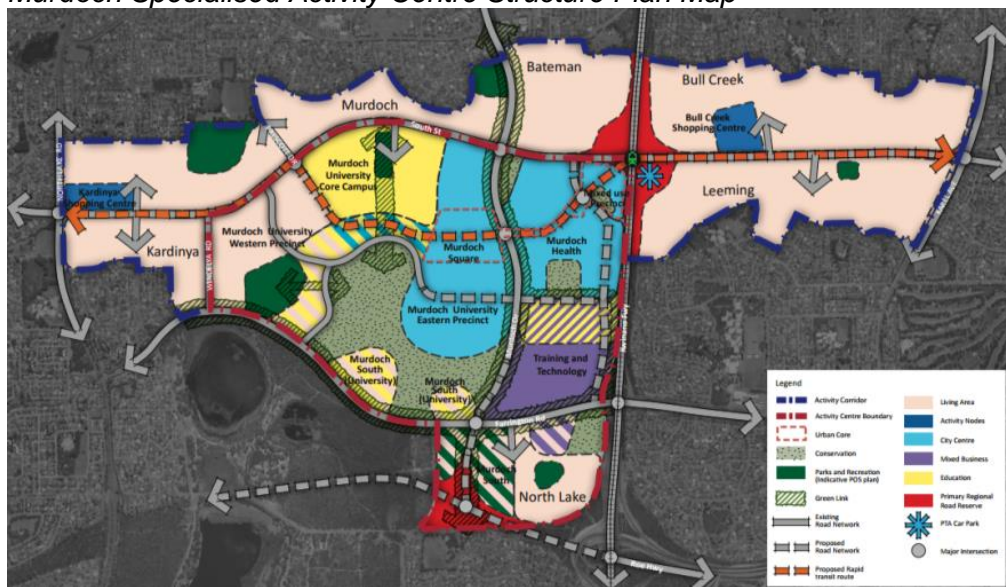
P20/3834 - ROAD CLOSURE – PORTION OF FIONA WOOD ROAD AND YUBARL LANE, MURDOCH (REC) (ATTACHMENT)

BACKGROUND

The subject site is located within the Murdoch Health and Knowledge Precinct, which is part of the wider Murdoch Activity Centre. The Murdoch Health and Knowledge Precinct is expected to accommodate future residential development as well as significant amounts of health, retail and commercial space to complement the existing health and education uses.

A number of planning documents have been approved by Council in recent years including the Murdoch Specialised Activity Centre Structure Plan and Local Planning Policy 4.4 'Murdoch Health and Knowledge Precinct'

Murdoch Specialised Activity Centre Structure Plan Map



Scheme Provisions

MRS Zoning : Urban
 LPS Zoning : Urban Development
 R-Code : Not Applicable
 Use Type : Not Applicable
 Use Class : Not Applicable

Site Details

Lot Area : Not Applicable
 Street Tree(s) : None
 Street Furniture (drainage pits etc) : Western Power Transformer Box
 Site Details : Vacant Land/Road Reserve

[3834 Deposited-Plan Road Closure Fiona Wood Road Murdoch](#)

**P20/3834 - ROAD CLOSURE – PORTION OF FIONA WOOD ROAD AND YUBARL LANE,
MURDOCH (REC) (ATTACHMENT)****DETAIL**

The City has received a request to initiate a road closure

The portion of land, which is the subject of this request, is located in the North West corner of Fiona Wood Road and Yubarl Lane road reserve which is in Local Government care and control. The land is currently occupied by a Western Power transformer. The portion of land to be excised from the road reserve will be amalgamated into the adjacent development site, which is identified under the planning framework to be developed for a mix of residential, office, commercial, retail and health related uses. As part of the future development of the site, it is proposed to relocate the existing substation to the basement level of the building.

Western Power is aware of this proposal and raises no objection subject to detailed design work being completed.

Local Planning Scheme and Local Policy Requirements

Not applicable

R-Code Requirements

Not applicable

STAKEHOLDER ENGAGEMENT

Advertising Required:	Yes
Neighbour's Comment Supplied:	No
Reason:	Consultation required under s 58 <i>Land Administration Act 1997</i>
Support/Object:	Support

COMMUNITY

Under Section 58 of the *Land Administration Act 1997* and Regulation 9 of the *Land Administration Regulations 1998*, the permanent closure of roads requires public advertising.

A public notice regarding the road closure was circulated in the Melville Gazette for thirty five days in two additions of the newspaper. A detailed notice was also made available on the City's website. There were no letters sent to residential owners and occupiers as there are no dwellings within the subject area. No written comments were received from the community.

**P20/3834 - ROAD CLOSURE – PORTION OF FIONA WOOD ROAD AND YUBARL LANE,
MURDOCH (REC) (ATTACHMENT)**

II. OTHER AGENCIES / CONSULTANTS

Five letters were sent to various government agencies and utility providers. Out of the five letters sent, the City received 4 responses stating no objection.

Agency	Summary of Submission	Officer's Comment
Western Power	No objection subject to the future substation meeting all relevant requirements	None required
Telstra	No objection	None required
Water Corporation of WA	No objection	None required
Atco Gas Australia	No objection – notes that a high pressure gas main is located in close proximity to the site	None required

STATUTORY AND LEGAL IMPLICATIONS

The permanent closure of roads is dealt with under section 58 of the Land Administration Act 1997 and regulation 9 of the Land Administration Regulations 1998.

FINANCIAL IMPLICATIONS

There are no financial implications for the City as a result of the proposed road closures. Any costs associated with the closures will be met by the applicant.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

There is no Council Policy that relates to the proposed road closures.

COMMENT

The subject portion of Fiona Wood Road is currently occupied by a Western Power District Substation, and is located on the north western corner of Fiona Wood Road and Yubarl Lane. The substation will be replaced by a new internal Western Power 2000KVA District Substation, located in the basement below the existing sub-station arrangement. Western Power is aware of this new arrangement and has no objections with the proposed substation arrangement.

**P20/3834 - ROAD CLOSURE – PORTION OF FIONA WOOD ROAD AND YUBARL LANE,
MURDOCH (REC) (ATTACHMENT)****Engineering Services***Traffic*

Technical Services has no objection to the road closure and supports the proposed 6m x 6m truncation.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The Council could elect not to support the proposed road closures. Doing so may result in delays to the lot being developed as the City is in pre-lodgement discussion for a mixed development on the subject site.

CONCLUSION

The permanent closure of this land portion will not affect the traffic movement within the Murdoch Mixed Use Precinct. It is recommended that the proposed road closure be supported and that the Council decision be forwarded to the Minister for Lands for finalisation.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3834)**APPROVAL**

At 8:15pm Cr Robartson moved, seconded Cr Macphail –

That the Council:

- 1. supports the closure of the portion of road reserve at the corner of Fiona Wood Road and Yubarl Lane to be amalgamated with Lot 2 of Deposited Plan 412844; and**
- 2. directs the Chief Executive Officer to advise the Minister for Lands accordingly and advise all stakeholders in writing of the Council's resolution.**

At 8:16pm the Mayor declared the motion

CARRIED UNANIMOUSLY (11/0)

At 8:16pm Mr Rae left the meeting and did not return

At 8:18pm the Mayor brought forward item P20/3837 – Amendment to Canning Bridge Activity Centre Plan – Report on the Results of Stakeholder Engagement for the convenience of Elected Members.

At 8:20pm Cr Barton returned to the meeting.

P20/3837 - AMENDMENT TO CANNING BRIDGE ACTIVITY CENTRE PLAN - REPORT ON THE RESULTS OF STAKEHOLDER ENGAGEMENT (REC) (ATTACHMENT)

Ward : Applecross - Mt Pleasant
 Category : Activity Centre Plan
 Application Number : Not Applicable
 Property : Not Applicable
 Proposal :
 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 : P19/3829 - Request for Amendment to Canning Bridge Activity Centre Plan 29 October 2019
 P19/3817 – Review of Canning Bridge Activity Centre Plan 20 and 27 August 2019
 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"/>	Legislative	<i>Includes adopting local laws, town planning schemes & policies.</i>
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<input type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

P20/3837 - AMENDMENT TO CANNING BRIDGE ACTIVITY CENTRE PLAN - REPORT ON THE RESULTS OF STAKEHOLDER ENGAGEMENT (REC) (ATTACHMENT)**KEY ISSUES / SUMMARY**

- A multi signature letter dated 24 October 2019 was received containing 14 signatories and requesting that Council considers an amendment to Element 22.1.10 of the Canning Bridge Activity Centre Plan (CBACP).
- The CBACP identifies items that may be considered as community benefits when assessing proposals for bonus height. Ceding of land required for road widening is one item identified as a potential community benefit under Element 22.1.10.
- At the Special Meeting of Council held 29 October 2019 the Council resolved to initiate an amendment to Element 22.1.10 the CBACP.
- The proposed amendment to the CBACP is intended to clarify that recognition of a community benefit described under Element 22.1.10 would only apply where a property is directly along Canning Highway.
- As per the requirements of the Planning and Development (Local Planning Schemes) Regulations 2015 the City has undertaken formal public consultation for the proposed amendment.
- Consultation occurred via letters sent to all land owners whose properties are adjacent to roads affected by road widening within the CBACP area including Canning Highway, Sleat Road, Forbes Road and Kintail Road. Invitations to comment were also advertised on the City's website and within the local newspaper.
- This report provides a summary of the submissions received and recommends that the amendment be modified and forwarded to the WAPC for approval.

BACKGROUND

At the Ordinary Council meeting on 29 October 2019 (Item P19/3829) Council considered a draft amendment to the CBACP. The draft amendment responded to the multi signature letter dated 24 October 2019 received containing 14 signatures seeking an amendment to Element 22.1.10 of the CBACP. The letter indicated that the reason for the change is, "*to bring certainty to one of the provisions in the Canning Bridge Activity Centre Plan that has been found to be ambiguous*".

[3837 Multi-Signature Letter Dated 24 October 2019](#)

At its meeting on the 29 October 2019 Council acknowledged that the wording of Element 22.1.10 would benefit from additional clarity to avoid future ambiguity. Council resolved to support a draft amendment and to initiate public advertising of the proposal.

As per the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015* the City has proceeded to formal public consultation for the proposed amendments.

At its meeting on the 29 October 2019 Council also resolved to prepare a Local Planning Policy, LPP1.19 Canning Bridge Activity Centre Plan – Community Benefits for Ceding of Road Widening, reiterating the content of the proposed amendment to CBACP. The details associated with the adoption of the LPP are also listed on the agenda for the 18 February 2020 Ordinary Meeting of Council (P20/3836).

P20/3837 - AMENDMENT TO CANNING BRIDGE ACTIVITY CENTRE PLAN - REPORT ON THE RESULTS OF STAKEHOLDER ENGAGEMENT (REC) (ATTACHMENT)**DETAIL**

The CBACP identifies items that may be considered as community benefits when assessing proposals for bonus height. Element 22.1.10 of the CBACP Ceding of land required for road widening is one item identified as a potential community benefit.

In recent development applications submitted within the CBACP area at locations not directly abutting Canning Highway, recognition has been sought for accreditation of community benefit for the ceding of road widening land.

At the Ordinary Meeting of the Council on 29 October 2019 (Item P19/3829), Council resolved to commence an amendment to Element 22.1.10 to make clear that the CBACP intends that community benefit items relating to the ceding of road widening land may only be available where land directly abuts Canning Highway.

The amended clause reads as follows:

22.1.10 Where the development is adjoining Canning Highway only and where road widening is required; the applicant proposes to cede land free of charge to the State of Western Australia for the purposes of road widening. In such case, the area ceded will be included in the total area calculations for the purpose of Clause 2.2 and 2.3 and/or Clause 21.2 and 21.3.

As per the requirements of Part 6 of the *Planning and Development (Local Planning Schemes) Regulations 2015* the City has proceeded to formal public consultation for the proposed amendment. Should Council decide to progress with the amendment, with or without modification, the amendment will be forwarded to the WAPC for a final decision.

Following the Council's decision to amend Element 22.1.10 as above, it has been identified that the addition of the word 'only' has unintended consequences for properties that adjoin Canning Highway and also adjoin other streets. Such properties do not '*adjoin Canning Highway only*' and therefore would not strictly comply with Element 22.1.10 as amended, which is not the intention of Element 22.1.10 or the CBACP. To rectify this issue it is recommended that the amendment be modified as follows:

22.1.10 Where the development includes a lot boundary that adjoins Canning Highway and where road widening is required, the applicant proposes to cede land free of charge to the State of Western Australia for the purposes of road widening. In such cases, the area ceded will be included in the total area calculations for the purpose of Clause 2.2 and 2.3 and/or Clause 21.2 and 21.3.

STAKEHOLDER ENGAGEMENT

Advertising Required: 28 days
Advertising Undertaken: 49 days

P20/3837 - AMENDMENT TO CANNING BRIDGE ACTIVITY CENTRE PLAN - REPORT ON THE RESULTS OF STAKEHOLDER ENGAGEMENT (REC) (ATTACHMENT)

Invitation to comment on the proposed amendments was sent to all land owners whose properties are immediately adjoining roads affected by road widening within the CBACP area including Canning Highway, Sleat Road, Forbes Road and Kintail Road. Full details of the proposed amendment were also advertised on the City's website. An advertisement inviting comment was also placed in the local newspaper.

The comment period was open between 21 November 2019 and the 9 January 2020. The comment period was extended beyond the maximum 28 day advertising required under *Part 5, Clause 34 of the Planning and Development (Local Planning Schemes) Regulations 2015* to align with the comment period closure for the corresponding Local Planning Policy 1.19 Canning Bridge Activity Centre Plan – Community Benefit for Ceding of Road Widening Land which was initiated by Council after the amendment advertising had already commenced (P20 3836).

In total 34 submissions were received. Submissions generally do not distinguish between the proposed amendment and the LPP. Overall the feedback was varied with 13 submissions identified as being opposed to the amendment and LPP and 21 submissions identified as being in support. Several submissions did not make comment directly relating to the proposed amendment or content of the LPP, however, common themes and suggestions across the submissions include:

- Ceding land for the purpose of road widening should not be considered a community benefit.
- Where land is proposed to be ceded for the purpose of road widening for properties not adjoining Canning Highway the land should not be included in minimum site area calculations corresponding to permissible building heights.
- Excluding properties that propose to cede land for the purpose of road widening as a community benefit, where they do not directly adjoin Canning Highway, will undermine achieving the assembly of land required for upgrading the transport network and to fulfil the vision of the CBACP.
- The existing clause wording is clear and no change is required.

I. COMMUNITY

Community consultation has been undertaken in accordance with the City's Stakeholder Engagement Policy CP-002.

The consultation process was an opportunity to gauge the community level of support for the proposed amendment and the LPP.

II. OTHER AGENCIES / CONSULTANTS

The CBACP is an Activity Centre Plan common to both City of Melville and City of South Perth. Amendments to the CBACP require endorsement from the City of South Perth prior to consideration by the WAPC. The City of South Perth has been consulted on the amendment and will be advised of the Council's decision.

P20/3837 - AMENDMENT TO CANNING BRIDGE ACTIVITY CENTRE PLAN - REPORT ON THE RESULTS OF STAKEHOLDER ENGAGEMENT (REC) (ATTACHMENT)

Amendments to Activity Centre Plans also require referral to infrastructure agencies such as Department of Transport, Main Roads WA, Water Corporation and Western Power. Relevant agencies have been consulted and will be advised of the Council's decision.

STATUTORY AND LEGAL IMPLICATIONS

This report updates the previous recommendations made in October 2019 following stakeholder engagement. If the report findings are supported a formal amendment to the CBACP would be prepared in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2005*.

FINANCIAL IMPLICATIONS

There are no financial implications for the Council.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

The CBACP aligns with the City's strategic goals and responds in particular to Priority 3 of the Corporate Plan:

"Urban development creates changes in amenity (positive and negative) which are not well understood".

Under Priority 3 from the Corporate Business Plan key strategies are:

1. Facilitate higher density development in strategic locations, consistent with the local planning framework and structure plans, design guidelines for interface areas and ensure measured change in established areas and consideration of parking and traffic issues
2. Enhance amenity and vibrancy and enhancing community safety through streetscapes, public art, pedestrian and cycle paths, place making and creating well-designed, attractive public spaces.

The City's Local Planning Strategy seeks to provide for greater intensity of development within activity centres and along key transport corridors and to leave suburban residential areas relatively unchanged.

Pursuing the amendment to CBACP provisions outside of a comprehensive review may contribute to uncertainty.

Risk Statement	Level of Risk	Risk Mitigation Strategy
Lack of support for the proposed amendment to CBACP and/or WAPC desire for Element 22.1.10 to apply to other roads.	Minor consequences which are possible, resulting in a Medium level of risk	Should the WAPC decide not to support the amendment the matter could be further investigated as part of the wider review of the CBACP.

P20/3837 - AMENDMENT TO CANNING BRIDGE ACTIVITY CENTRE PLAN - REPORT ON THE RESULTS OF STAKEHOLDER ENGAGEMENT (REC) (ATTACHMENT)**POLICY IMPLICATIONS**

None.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The current report provides detail on the results of stakeholder feedback to the proposed amendment. The recommendations of this report are considered to suitably respond to the issues raised in the stakeholder feedback by recommending minor modifications to the proposed amendment.

Alternatively, the Council may not wish to proceed with the proposed amendments at all. In such a situation the CBACP will continue to operate as current.

CONCLUSION

The proposed amendment clarifies that Element 22.1.10 is intended to apply only to land located adjoining Canning Highway. The modification does not, however, impact site area calculations for proposals whether the land is ceded or not.

The merit of ceding of land for the purpose of road widening as a community benefit could be examined in the review of the CBACP.

It is recommended that having regard to the results of the advertising period that the amendment, with modification, be supported and forwarded to the WAPC for approval:

Amend Element 22.1.10 to read:

22.1.10 Where the development includes a lot boundary that adjoins Canning Highway and where road widening is required, the applicant proposes to cede land free of charge to the State of Western Australia for the purposes of road widening. In such cases, the area ceded will be included in the total area calculations for the purpose of Clause 2.2 and 2.3 and/or Clause 21.2 and 21.3.

P20/3837 - AMENDMENT TO CANNING BRIDGE ACTIVITY CENTRE PLAN - REPORT ON THE RESULTS OF STAKEHOLDER ENGAGEMENT (REC) (ATTACHMENT)**OFFICER RECOMMENDATION (3837)****APPROVAL**

At 8:23pm Cr Kepert moved, seconded Cr Barber–

That the Council:

1. a) notes the submissions received during the public advertising for the proposed amendment to the Canning Bridge Activity Centre Plan.
b) directs the CEO to forward the amendment to the Canning Bridge Activity Centre Plan, inclusive of the modifications outlined below, to the Western Australian Planning Commission for approval and requests that the Western Australian Planning Commission considers the amendment, as modified, according to Clause 45 (1) and (3) of the Planning and Development (Local Planning Schemes) Regulations 2015 as the City of Melville considers the modifications to the amendment to be of a minor nature.
2. resolves to modify the amendment to clarify that properties that adjoin Canning Highway and also adjoin other roads remain eligible for Element 22.1.10.
3. having regard to 1 and 2 above, requests that the Western Australian Planning Commission amend the Canning Bridge Activity Centre Plan as follows:

Amend Element 22.1.10 to read:

“22.1.10 Where the development includes a lot boundary that adjoins Canning Highway and where road widening is required, the applicant proposes to cede land free of charge to the State of Western Australia for the purposes of road widening. In such cases, the area ceded will be included in the total area calculations for the purpose of Clause 2.2 and 2.3 and/or Clause 21.2 and 21.3.”

P20/3837 - AMENDMENT TO CANNING BRIDGE ACTIVITY CENTRE PLAN - REPORT ON THE RESULTS OF STAKEHOLDER ENGAGEMENT (REC) (ATTACHMENT)**Amendment****COUNCIL RESOLUTION**

During discussion and the debate on the amendment the mover and the seconder consented to a second inclusion of the words “adjoining Canning Highway” after the words “cede land,”.

At 8:23pm Cr Robartson moved, seconded Cr Robins –

That clause 3 of the recommendation be amended to read as follow with the inclusion of the words “adjoining Canning Highway” where underlined

- 1. Having regard to 1 and 2 above, requests that the Western Australian Planning Commission amend the Canning Bridge Activity Centre Plan as follows:**

Amend Element 22.1.10 to read:

22.1.10 Where the development includes a lot boundary that adjoins Canning Highway and where road widening is required adjoining Canning Highway; the applicant proposes to cede land adjoining Canning Highway free of charge to the State of Western Australia for the purposes of road widening. In such case, the area ceded will be included in the total area calculations for the purpose of Clause 2.2 and 2.3 and/or Clause 21.2 and 21.3.

At 8:29pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

At 8:25pm Cr Barber left the meeting and returned at 8:28pm

P20/3837 - AMENDMENT TO CANNING BRIDGE ACTIVITY CENTRE PLAN - REPORT ON THE RESULTS OF STAKEHOLDER ENGAGEMENT (REC) (ATTACHMENT)**Substantive motion as amended****COUNCIL RESOLUTION (3837)****APPROVAL**

At 8:23pm Cr Kepert moved, seconded Cr Barber–

That the Council:

1. a) notes the submissions received during the public advertising for the proposed amendment to the Canning Bridge Activity Centre Plan.
- b) directs the CEO to forward the amendment to the Canning Bridge Activity Centre Plan, inclusive of the modifications outlined below, to the Western Australian Planning Commission for approval and requests that the Western Australian Planning Commission considers the amendment, as modified, according to Clause 45 (1) and (3) of the Planning and Development (Local Planning Schemes) Regulations 2015 as the City of Melville considers the modifications to the amendment to be of a minor nature.
2. resolves to modify the amendment to clarify that properties that adjoin Canning Highway and also adjoin other roads remain eligible for Element 22.1.10.
3. having regard to 1 and 2 above, requests that the Western Australian Planning Commission amend the Canning Bridge Activity Centre Plan as follows:

Amend Element 22.1.10 to read:

“22.1.10 Where the development includes a lot boundary that adjoins Canning Highway and where road widening is required adjoining Canning Highway; the applicant proposes to cede land adjoining Canning Highway free of charge to the State of Western Australia for the purposes of road widening. In such case, the area ceded will be included in the total area calculations for the purpose of Clause 2.2 and 2.3 and/or Clause 21.2 and 21.3.

At 8:33pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

At 8:31pm Ms Young left the meeting and returned at 8:31pm

At 8:30pm Mr Ferris left the meeting and returned at 8:32pm

P20/3836 - LPP1.19 CBACP COMMUNITY BENEFIT FOR CEDING OF ROAD WIDENING LAND - REPORT ON THE RESULTS OF STAKEHOLDER ENGAGEMENT (REC) (ATTACHMENT)

Ward	:	Applecross - Mt Pleasant
Category	:	Activity Centre Plan
Application Number	:	Not Applicable
Property	:	Not Applicable
Proposal	:	Not Applicable
Applicant	:	Not Applicable
Owner	:	Not Applicable
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	P19/3830 Local Planning Policy – Canning Bridge Activity Centre Plan – Community Benefits For Ceding Of Road Widening
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"/>	Legislative	<i>Includes adopting local laws, town planning schemes & policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
<input type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

P20/3836 - LPP1.19 CBACP COMMUNITY BENEFIT FOR CEDING OF ROAD WIDENING LAND - REPORT ON THE RESULTS OF STAKEHOLDER ENGAGEMENT (REC) (ATTACHMENT)**KEY ISSUES / SUMMARY**

- At the Ordinary Meeting of Council held 19 November 2019 the Council resolved to adopt Local Planning Policy (LPP) 1.19 Canning Bridge Activity Centre Plan – Community Benefit for Ceding of Road Widening Land for the purposes of public advertising.
- The purpose of the LPP is to reiterate the content of the amendment to the Canning Bridge Activity Centre Plan (P20-3836) which is intended to clarify that recognition of a community benefit described under Element 22.1.10 of the CBACP would only apply where a property is directly adjoining Canning Highway.
- As per the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015* the City has undertaken formal public consultation for the proposed LPP.
- Consultation occurred via letters sent to all land owners whose properties are adjacent to roads affected by road widening within the CBACP area including Canning Highway, Sleat Road, Forbes Road and Kintail Road. Invitations to comment were also advertised on the City's website and within the local newspaper.
- This report provides a summary of the submissions received and recommends that the Council adopt LPP1.19.

BACKGROUND

At the Ordinary Meeting of Council on 19 November 2019 (Item P19/3830) Council resolved to endorse LPP1.19 – Canning Bridge Activity Centre Plan – Community Benefits for Ceding of Road Widenings for the purpose of advertising.

The LPP has been developed to provide additional clarification in the circumstances where recognition of a community benefit may be sought for the ceding of road widening land within the CBACP. Specifically the LPP clarifies that Element 22.1.10 of the CBACP shall apply only to land located adjoining Canning Highway.

An amendment to the CBACP has also been initiated to reiterate the above interpretation of Element 22.1.10. The LPP supports the interpretation of the proposed amendment to the CBACP. The LPP may provide opportunity for a more timely clarification of the operation of Element 22.1.10, in comparison to the CBACP amendment.

DETAIL

LPP1.19 has been prepared reiterating the content of the proposed amendment to CBACP initiated by Council on 29 October 2019.

[3836 Attachment LPP1.19 CBACP Community Benefit for Ceding of Road Widening Land.pdf](#)

P20/3836 - LPP1.19 CBACP COMMUNITY BENEFIT FOR CEDING OF ROAD WIDENING LAND - REPORT ON THE RESULTS OF STAKEHOLDER ENGAGEMENT (REC) (ATTACHMENT)

Element 22.1.10 of the Canning Bridge Activity Centre Plan outlines the circumstances where land ceded by an applicant for road widening purposes may be eligible for consideration as a community benefit for the purpose of assessment of bonus height. Element 22.1.10 indicates that road widening land may be included as a community benefit where it is adjacent to Canning Highway and where an applicant proposes to cede the land free of charge to the State of Western Australia.

LPP1.19 clarifies the interpretation and application of Element 22.1.10 with regard to proximity to Canning Highway. Specifically the LPP clarifies that Element 22.1.10 of the Canning Bridge Activity Centre Plan shall apply only to land with a lot boundary that adjoins Canning Highway.

As per the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015* the City has proceeded to formal public consultation for the proposed LPP.

STAKEHOLDER ENGAGEMENT

Advertising Required:	21 days
Advertising Undertaken:	28 days

Invitations to comment on the LPP were sent to all land owners whose properties are adjacent to roads affected by road widening within the CBACP area including Canning Highway, Sleat Road, Forbes Road and Kintail Road. The LPP was also advertised on the City's website and an advertisement inviting comment was also placed in the local newspaper.

The comment period was open between 12 December 2019 and the 9 January 2020. The comment period was extended beyond the minimum 21 day advertising required under *Part 4, of the Planning and Development (Local Planning Schemes) Regulations 2015* to allow for the Christmas, Boxing Day and New Years Day public holidays.

The advertising of the LPP was undertaken together with the advertising for the corresponding amendment to the CBACP.

P20/3836 - LPP1.19 CBACP COMMUNITY BENEFIT FOR CEDING OF ROAD WIDENING LAND - REPORT ON THE RESULTS OF STAKEHOLDER ENGAGEMENT (REC) (ATTACHMENT)

In total 34 submissions were received. Submissions generally do not distinguish between the proposed amendment and the LPP. Overall the feedback was varied with 13 submissions identifying as opposing the amendment and LPP and 21 submissions identifying as being in support. Several submissions did not make comment directly relating to the proposed amendment or content of the LPP, however, common themes and suggestions across the submissions include:

- Ceding land for the purpose of road widening should not be considered a community benefit.
- Where land is proposed to be ceded for the purpose of road widening for properties not adjoining Canning Highway the land should not be included in minimum site area calculations corresponding to permissible building heights.
- Excluding properties that propose to cede land for the purpose of road widening as a community benefit, where they do not directly adjoin Canning Highway, will undermine achieving the assembly of land required for upgrading the transport network and to fulfil the vision of the CBACP.
- The existing clause wording is clear and no change is required.

I. COMMUNITY

Community consultation has been undertaken in accordance with the City's Stakeholder Engagement Policy CP-002.

The consultation process was an opportunity to gauge the community level of support for the proposed amendment and the LPP.

II. OTHER AGENCIES / CONSULTANTS

Clause 4(b) 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 adopting the local planning policy as detailed in this report.

P20/3836 - LPP1.19 CBACP COMMUNITY BENEFIT FOR CEDING OF ROAD WIDENING LAND - REPORT ON THE RESULTS OF STAKEHOLDER ENGAGEMENT (REC) (ATTACHMENT)

FINANCIAL IMPLICATIONS

There are no financial implications for the Council.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

The CBACP aligns with the City's strategic goals and responds in particular to Priority 3 of the Corporate Plan:

"Urban development creates changes in amenity (positive and negative) which are not well understood".

Under Priority 3 from the Corporate Business Plan key strategies are:

1. Facilitate higher density development in strategic locations, consistent with the local planning framework and structure plans, design guidelines for interface areas and ensure measured change in established areas and consideration of parking and traffic issues
2. Enhance amenity and vibrancy and enhancing community safety through streetscapes, public art, pedestrian and cycle paths, place making and creating well-designed, attractive public spaces.

The City's Local Planning Strategy seeks to provide for greater intensity of development within activity centres and along key transport corridors and to leave suburban residential areas relatively unchanged.

Risk Statement	Level of Risk*	Risk Mitigation Strategy
Lack of support for the proposed amendment to CBACP and/or WAPC desire for Element 22.1.10 to apply to other roads, may result in proposed LPP becoming inconsistent with the CBACP and therefore having no effect.	Minor consequences which are possible, resulting in a Medium level of risk	The WAPC decision on the associated CBACP amendment will be monitored. If progress of the CBACP amendment renders the LPP inconsistent with the CBACP then amendment or rescission of the LPP may be required.

P20/3836 - LPP1.19 CBACP COMMUNITY BENEFIT FOR CEDING OF ROAD WIDENING LAND - REPORT ON THE RESULTS OF STAKEHOLDER ENGAGEMENT (REC) (ATTACHMENT)**POLICY IMPLICATIONS**

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

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Council may choose not to proceed with the proposed LPP. Under this option a level of clarification on the interpretation of Element 22.1.10 would not be provided until the determination of the associated amendment to the CBACP.

Council may seek to modify the content of the LPP. In these circumstances any changes would need to be considered to ensure that they are based on sound town planning principles and remain consistent with the higher order planning instrument, the CBACP.

CONCLUSION

It is recommended that Council adopt LPP 1.19 Canning Bridge Activity Centre Plan – Community Benefit for Ceding of Road Widening Land in accordance with Clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3836) APPROVAL

At 8:33pm Cr Woodall moved, seconded Cr Robartson –

That the Council:

1. notes the submissions received during the public advertising for the Local Planning Policy;
2. pursuant to Part 2, Clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015* adopts Local Planning Policy 1.19: Canning Bridge Activity Centre Plan - Community Benefit for Ceding of Road Widening Land [3836 Attachment LPP1.19 CBACP Community Benefit for Ceding of Road Widening Land.pdf](#)
3. directs the Chief Executive Officer to publish a notification in a local newspaper informing the community and the affected landowners in writing of this decision.

At 8:35 pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

**P20/3837 - AMENDMENT TO CANNING BRIDGE ACTIVITY CENTRE PLAN - REPORT
ON THE RESULTS OF STAKEHOLDER ENGAGEMENT (REC) (ATTACHMENT)**

Item brought forward
See page 41

Member Cr K Wheatland
 Type of Interest Interest under the code
 Nature of Interest Former member of Willagee Bears
 Request Stay, discuss and vote
 Decision Stay, discuss and vote

Member Cr N Pazolli
 Type of Interest Interest under the code
 Nature of Interest On the board of the not-for-profit organisation Alchera Living
 Request Stay, discuss and vote
 Decision Stay, discuss and vote

T20/3839 – REFURBISHMENT AND EXTENSION TO WEBBER RESERVE CHANGE ROOMS (REC) (CONFIDENTIAL ATTACHMENT)

Ward : Palmyra – Melville - Willagee
 Category : Operational
 Subject Index : Tender
 Customer Index :
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : Not Applicable
 Works Programme : 2019/2020
 Funding : The project is fully funded from the 2019-2020 Capital Works Programme. An application for external funding has been made to the Community Sport and Recreation Facilities Fund (CSRFF).
 Responsible Officer : Mario Murphy
 Manager City Building

AUTHORITY / DISCRETION

DEFINITION

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

T20/3839 – REFURBISHMENT AND EXTENSION TO WEBBER RESERVE CHANGE ROOMS (REC) (CONFIDENTIAL ATTACHMENT)**KEY ISSUES / SUMMARY**

To recommend the acceptance of a tender submitted for the refurbishment and extension to the change room facilities at Webber Reserve.

BACKGROUND

The City of Melville (“City”), is seeking a suitably qualified and experienced Contractor to undertake the construction of new change rooms, access ramps/paths and the refurbishment of the existing change rooms at Webber Reserve. The City advertised the Request for Tender on 27 November 2019 and received four compliant tenders for the proposed refurbishment and change room extension works at Webber Reserve.

DETAIL

Tenders were assessed by an Evaluation Panel. Qualitative scores were achieved by joint agreement of the Evaluation Panel members at the evaluation meeting after each panel member had scored the submission individually. The City set three qualitative criteria for this Request, being Demonstrated Experience, Key Personnel and Methodology.

The Evaluation Panel reviewed all Respondent offers and prepared an Evaluation Report, identifying recommended Respondents.

The recommendation was supported by the Contract and Tender Advisory Unit (CTAU) and is put forward as part of the recommendation to the Council.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

The City has carried out an extensive engagement process during the development of the ‘Active Reserve Infrastructure Strategy’ (ARIS). This included engagement with local sporting clubs, residents living in the vicinity of sporting reserves and high school students. This has identified that the upgrade of change room facilities are a key priority for the City in the provision of sporting infrastructure.

There has been ongoing engagement with Willagee Bears Rugby League Club during the course of the design process for the change rooms upgrade. The Club has liaised with local user groups of the facility.

A detailed communications plan is being formulated as part of the project implementation. This will focus on informing the community about the project and how it may impact and benefit them. Communications will include direct mail out to local residents, on-site signage, a dedicated webpage containing all project information including plans, images, timelines along with a detail ‘Frequently Asked Questions’ (FAQ) information sheet.

T20/3839 – REFURBISHMENT AND EXTENSION TO WEBBER RESERVE CHANGE ROOMS (REC) (CONFIDENTIAL ATTACHMENT)

II. OTHER AGENCIES / CONSULTANTS

The following parties have been engaged at various stages of the design development of the project

- Slavin Architects
- City of Melville Planning Department
- Department of Local Government, Sport and Cultural Industries

STATUTORY AND LEGAL IMPLICATIONS

Local Government (Functions and General) Regulations 1996 Section 3.57 11 (1) "A Local Government is required to invite tenders before it enters into a contract for another person to supply goods or services".

Delegated Authority – DA-117 Authority to Sign Documents will be exercised to execute the Contract.

FINANCIAL IMPLICATIONS

A total project budget of \$1,479,131 is approved in the 2019-2020 Capital Works Programme, and is fully funded from the Future Works Reserve. There are sufficient funds remaining in this budget to enter into the construction contract.

An application has been made to the Department of Local Government, Sport and Cultural Industries to access \$411,500 funding from the Community Sport and Recreation Facilities Fund (CSRFF). Should the City be successful in its application, any funding received from the CSRFF will be returned to the Future Works Reserve.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

The following risks and associated mitigation strategies have been identified with the implementation of the project:

Risk Statement	Level of Risk*	Risk Mitigation Strategy
Construction Works may damage existing building or reserve infrastructure.	Low	The contractor is required to liaise with the City and prepare a detailed dilapidation report and Construction Plan outlining protection measures for existing City assets. The contract provisions require the contractor to make good any damage to the City's property.

T20/3839 – REFURBISHMENT AND EXTENSION TO WEBBER RESERVE CHANGE ROOMS (REC) (CONFIDENTIAL ATTACHMENT)

Risk Statement	Level of Risk*	Risk Mitigation Strategy
The contractor does not meet requirements and/or does not communicate well with City Of Melville	Low	The contract provisions include penalties, set-aside and termination clauses which will mitigate against contract under-performance. A comprehensive evaluation was undertaken during the procurement process to choose a quality contractor with a proven track record in the provision of these services.
Disruption to local community during the construction works	Low	The contractor is required to provide a detailed Traffic Management Plan and Noise/Dust Management plan as part of their overall construction plan. The works will be confined to the boundaries of the reserve with detailed communications provided to the community regarding noisy works etc.
The construction works present potential OSH and Environmental Hazards.	Medium	The contractor will be required to provide detailed OSH Management Plan and Environment Management Plans prior to commencement of works. This will include the safe removal of all asbestos material from the existing building. The contractor is contractually bound to follow all OSH and Environmental legislation pertaining to the works.

POLICY IMPLICATIONS

Reference is given to several Council Policies that guide decision making by the Council with consideration to this report and include the following:

CP-023 Procurement of Products or Services

CP-028 Physical Activity highlights the increase of opportunities for physical activity; leading to the improved health and wellbeing of the community.

CP-031 Asset Management Policy highlights that assets must be reviewed on a regular basis to ensure they remain relevant, have a demonstrated community need and are achieving optimal levels of service in a cost effective manner over the asset lifecycle.

T20/3839 – REFURBISHMENT AND EXTENSION TO WEBBER RESERVE CHANGE ROOMS (REC) (CONFIDENTIAL ATTACHMENT)**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The upgrade to the Webber Reserve change rooms is part of a 20-year, \$12.7 million programme to upgrade all of the City's change room facilities to modern, inclusive standards.

The alternative to upgrading the existing change rooms at Webber Reserve is to leave the facilities as is. The condition of the existing change rooms is rated as poor. In their current condition the change rooms do not meet the requirements of modern sporting facilities particularly in relation to accommodating female participation in sports.

CONCLUSION

The CTAU is satisfied that the recommended Tenderer has demonstrated that they have the relevant experience and capacity to deliver the works, and follow a methodology in line with the City's expectations.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3839) APPROVAL

At 8:35pm Cr Wheatland moved, seconded Cr Barber –

That the Council

- 1. Accepts the Contract and Tender Advisory Unit's recommendation as contained in the Confidential Attachment – RFT192011 Contract and Tender Advisory Unit Minutes.**
- 2. Upon resolving the recommendation, directs that the successful respondent's name be inserted below this point 2, awarded.**

At 8:37pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

CD20/8124 – RISELEY CENTRE PRECINCT PARKING – OUTCOME OF BUSINESS OWNERS WORKSHOP AND RESPONSE TO PETITIONS (AMREC) (ATTACHMENT)

Ward	:	Applecross - Mt Pleasant
Category	:	Policy
Subject Index	:	Parking Control and Schemes
Customer Index	:	Riseley Centre
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	Item P14/3502 – City of Melville Car Parking Strategy – 17 June 2014 Ordinary Meeting of Council. Item P16/3688 – Adoption of Parking Management Plans for Canning Bridge and Riseley Centres – 15 March 2016 Ordinary Meeting of Council Item CD/8113 – Parking Management Riseley Centre – 18 June 2019 Ordinary Meeting of Council. Item 13.2 Petition – Parking Riseley Street – 15 October 2019 Ordinary Meeting of Council Item CD19/8121 – Temporary Suspension of Parking Fees and Charges at the Riseley Centre
Works Programme	:	Not Applicable
Funding	:	Not Applicable
Responsible Officers	:	Jack Hobbs Senior Strategic Urban Planner Brodie Dawkins Manager Neighbourhood Amenity

AUTHORITY / DISCRETION

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

CD20/8124 - RISELEY CENTRE PRECINCT PARKING – OUTCOME OF BUSINESS OWNERS WORKSHOP AND RESPONSE TO PETITIONS (AMREC) (ATTACHMENT)**KEY ISSUES / SUMMARY**

- At the 15 October 2019 Ordinary Meeting of Council four petitions relating to paid parking at the Riseley Centre were considered by the Council. The Council resolved to acknowledge the petitions and that a report be presented to a future meeting of the Council.
- A meeting was held on Monday 28 October 2019 with business owners and operators from the Riseley Centre, officers, the Mayor and Ward members to discuss the recently installed parking machines and paid parking.
- A Special Meeting of the Council was held on the 4 November 2019 where Council resolved to temporarily extend the 'first hour free' parking period to a 'first three hours free' parking period at the Riseley Centre Precinct until 17 March 2020.
- Analysis of the parking meter data for the 'first three hours free' parking period has shown an increase in the number of tickets dispensed compared to the 'first hour free' period.
- Council also noted that business owners in attendance at the meeting held 28 October 2019 agreed to attend a facilitated workshop to discuss opportunities to standardise the various parking arrangements that exist between privately managed bays and the public bays managed by the City in an attempt to standardise parking restrictions in the Centre.
- The facilitated workshop for business owners was held on the 27 November 2019. All business owners who attended the meeting on the 28 October 2019 were invited via email to attend the workshop. Invitations were also personally delivered to businesses within the Riseley Centre on Monday 18 and Tuesday 19 November 2019. A total of six business owners attended the workshop.
- It is recommended that the 'first three hours free' parking restriction be permanently instated for all City managed parking and that the all day parking fee for the Simpson Street and Willcock Street parking stations be reduced.

BACKGROUND

At the 15 October 2019 Ordinary Meeting of Council four petitions relating to paid parking at the Riseley Centre were considered by the Council. The Council resolved to acknowledge the petitions and that a report be presented to a future meeting of the Council.

At the request of the Mayor, a meeting was held on Monday 28 October 2019 with representatives of business owners and operators from the Riseley Centre, officers and Ward members to discuss the recently installed parking machines and paid parking. On the 29 October 2019 a request was received that a Special Meeting of the Council (SMC) be convened to discuss the suspension of fees and charges relating to paid parking at the Riseley Centre.

At the 4 November 2019 SMC, Council resolved to temporarily extend the 'first hour free' parking period to a 'first three hours free' parking period at the Riseley Centre up to midnight 17 March 2020 unless Council resolves otherwise before this date.

CD20/8124 - RISELEY CENTRE PRECINCT PARKING – OUTCOME OF BUSINESS OWNERS WORKSHOP AND RESPONSE TO PETITIONS (AMREC) (ATTACHMENT)

At the SMC, the Council also noted that business owners in attendance at the meeting held 28 October 2019 agreed to attend an independently facilitated workshop to discuss opportunities to standardise the various parking arrangements that exist between privately managed bays and the public bays managed by the City in an attempt to standardise parking restrictions in the Centre.

Council also requested that a report on the outcomes of the business owners workshop and response to the petitions be presented to the February 2020 Ordinary Meeting of Council inclusive of parking arrangements to be implemented at the Riseley Centre.

DETAIL

This report responds to the four petitions received relating to paid parking at the Riseley Centre, the outcomes of the business owners workshop and recommends parking arrangements to be implemented for City of Melville managed parking.

The petitions had two themes being the request that the parking meters allow for three hours free parking and that there be some viable safe options made available for the staff who work in the businesses in this area.

Signed by 2184 persons (approximately 1049 electors and 1135 non electors) opposing parking restrictions in Applecross as follows:

Petition 1 – 1756 signatures (approximately 956 residents and 800 other)

Wording on page 1, signed by 2 residents and 4 other as follows:

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

*Petition against the Increasing restrictions from the City of Melville for Parking:
CUSTOMERS*

We are customers of a variety of businesses in the areas of Riseley Street and Canning Highway Applecross who oppose these restrictions and request that there be Parking meters that offer 3 hours free parking. This allows customer to give patronage to the business in the Riseley Precinct Area which many customers have supported for several years without being at risk of getting a parking fine”

Wording on the subsequent pages

“We, the undersigned, do respectfully request that the Council:

*Petition against the increasing restrictions from the City of Melville for Parking:
CUSTOMERS.*

We are customers of a variety of business in the area of Riseley Street and Canning Highway Applecross who oppose these restrictions and request that there be Parking meters that offer 3 hours free parking. This allows customers to give patronage to the business in the Riseley Precinct Area which many customers have supported for several years without being at risk of getting a parking fine.”

CD20/8124 - RISELEY CENTRE PRECINCT PARKING – OUTCOME OF BUSINESS OWNERS WORKSHOP AND RESPONSE TO PETITIONS (AMREC) (ATTACHMENT)**Petition 2 – 179 Signatures (approximately 70 residents and 109 other)**

Wording on page 1, signed by 1 resident and 5 other as follows:

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

We as employees (and customers supporting those employees) from a variety of businesses in the area of Riseley Street and Canning Highway Applecross oppose these restrictions and request that there be some viable safe options made available for the staff who work in the businesses in this area. These restrictions thus makes it unsafe to walk to our car after dusk because the remaining parking options are too far and therefore unsafe to walk to. It is our intent that you become clearly aware the new restrictions that the City of Melville has put in place now present a security concern for our staff. Please note, the extra cost per staff to pay for parking, based on \$8.50 per day, 48 weeks of the years adds up to \$2040. This is not a cost that is feasible to accommodate in our budget. We would ask that the City of Melville consider a solution such as parking permits for staff that work in this area.”

Wording on the subsequent pages

“We, the undersigned, do respectfully request that the Council:

We as employees from a variety of businesses in the area of Riseley Street and Canning Highway Applecross oppose these restrictions and request that there be some viable safe options made available for the staff who work in the businesses in this area. These restrictions make it difficult to park a safe reasonable distance from work. With the new restrictions this makes it unsafe to walk to our car after dusk because the remaining parking options are too far and therefore unsafe to walk to. It is our intent that you become clearly aware the new restrictions that the City of Melville has put in place now present a security concern for our staff. Please note, the extra cost per staff to pay for parking, based on \$8.50 per day, 48 weeks of the years adds up to \$2040. This is not a cost that is feasible to accommodate in our budget. We would ask that the City of Melville consider a solution such as parking permits for staff that work in this area.”

Petition 3 – 220 Signatures (Employees of the businesses – no residential addresses given)

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

We as employees (and customers supporting those employees) from a variety of businesses in the area of Riseley Street and Canning Highway Applecross oppose these restrictions and request that there be some viable safe options made available for the staff who work in the businesses in this area. These restrictions make it difficult to park a safe reasonable distance from work. With the new restrictions this makes it unsafe to walk to our car after dusk because the remaining parking options are too far and therefore unsafe to walk to. It is our intent that you become clearly aware the new restrictions that the City of Melville has put in place now present a security concern for our staff. Please note, the extra cost per staff to pay for parking, based on \$8.50 per day, 48 weeks of the years adds up to \$2040. This is not a cost that is feasible to accommodate in our budget.

We would ask that the City of Melville consider a solution such as parking permits for staff that work in this area.”

CD20/8124 - RISELEY CENTRE PRECINCT PARKING – OUTCOME OF BUSINESS OWNERS WORKSHOP AND RESPONSE TO PETITIONS (AMREC) (ATTACHMENT)

Wording on the subsequent pages

“We as employees from a variety of businesses in the area of Riseley Street and Canning Highway Applecross oppose these restrictions and request that there be some viable safe options made available for the staff who work in the businesses in this area. These restrictions make it difficult to park a safe reasonable distance from work. With the new restrictions this makes it unsafe to walk to our car after dusk because the remaining parking options are too far and therefore unsafe to walk to. It is our intent that you become clearly aware the new restrictions that the City of Melville has put in place now present a security concern for our staff. Please note, the extra cost per staff to pay for parking, based on \$8.50 per day, 48 weeks of the years adds up to \$2040. This is not a cost that is feasible to accommodate in our budget. We would ask that the City of Melville consider a solution such as parking permits for staff that work in this area.”

Petition 4 – 29 Signatures (approximately 23 residents and 6 other)

*“We, the undersigned, do respectfully request that the Council:
Petition against the increasing restrictions from the City of Melville for Parking: CUSTOMERS. We are customers of a variety of businesses in the area of Riseley Street and Canning Highway Applecross who oppose these restrictions and request that there be Parking meters that offer 3 hours free parking. This allows customers to give patronage to the business in the Riseley Precinct which many customers have supported for several years without being at risk of getting a parking fine.*

Outcomes of businesses parking workshop

The independently facilitated workshop for business owners was held on the 27 November 2019. All of the 26 business owners who attended the meeting on the 28 October 2019 were invited via email to attend the workshop. Invitations were also personally delivered to businesses within the Riseley Centre on Monday 18 and Tuesday 19 November 2019. A total of six business owners attended the workshop.

The workshop was facilitated by Joel Levin from Aha! Consulting and Jacob Martin from Cardno co-facilitated as the subject matter expert. Reports prepared by each consultant detail the discussions and outputs of the session.

[8124 Aha! Consulting Riseley Center Parking Workshop Report](#)

[8124 Cardno Stakeholder Workshop and Parking Options Review](#)

CD20/8124 - RISELEY CENTRE PRECINCT PARKING – OUTCOME OF BUSINESS OWNERS WORKSHOP AND RESPONSE TO PETITIONS (AMREC) (ATTACHMENT)

The feedback from the businesses represented ultimately converged for many of the issues discussed. Key points of agreement included that:

- The 'first three hours free' restriction for City managed bays was preferable to the previous 'first hour free' limitation.
- It was considered that the signage associated with the ticket machines could be improved so that customers could better understand the system.
- There is a need for a range of parking options, including; quick access; medium term access; and all day parking options, to suit a variety of user types and trip purposes.
- Shorter term options were desirable near shop fronts with increasing duration and reduced pricing the further bays are from the Centres core.
- If the price of all-day parking at the Willcock Street and Simpson Street parking stations were to be reduced, employees would be more likely to park there instead of in the Centre's core areas.
- The diversity and nature of existing approaches to privately managed parking, including issuing infringements and wheel clamping, results in adverse impacts on customers and staff.
- There was a strong sentiment that a higher level of consistency between the management approaches of publicly and privately managed bays was key to reducing the confusion for customers.
- It was understood that some business owners not in attendance at the workshop are likely to be resistant to implement an integrated solution making it difficult to achieve.
- Attendees appeared willing to become 'ambassadors for change' and committed to engaging other businesses and landlords, recognising the benefit to the Centre as a whole if private parking management is improved.

Follow the meeting, officers provided a map and list of contact details of the land owners within the centre so that attendees could begin conversations on how businesses can work together towards developing a more consistent approach to privately managed parking.

In addition to the attendees feedback, the independent consultant made the following observation on the existing privately managed parking situation:

"Attendees readily acknowledged that the existing parking management situation within the privately-owned component of the supply results in adverse impacts on staff and visitors.

In particular, the confusing patchwork of parking restrictions: by destination, by duration, paid and free, impacted the attractiveness and viability of the Centre for visitors. The consequences of 'making a mistake' were also considered to be extraordinarily high, particularly where infringements or even wheel clamping was used against customers otherwise legitimately using the parking.

From a professional perspective, the current arrangement is the polar opposite of 'best-practice'. Car parking immediately adjacent to tenancies is consumed by employees, individual allocation of bays significantly reduces the effective supply, and peak efficiency is therefore very low.

The outcomes of discussion supported a very high degree of reciprocity as the ideal. This included consistency between the private and public supplies – with the intent to create a more seamless transition between these two zones."

CD20/8124 - RISELEY CENTRE PRECINCT PARKING – OUTCOME OF BUSINESS OWNERS WORKSHOP AND RESPONSE TO PETITIONS (AMREC) (ATTACHMENT)

Response to petitions Theme 1 - request that parking meters offer three hour free parking

At the 4 November 2019 SMC, Council resolved to temporarily extend the 'first hour free' parking period to a 'first three hours free' parking period at the Riseley Centre until 17 March 2020. The parking meters were subsequently adjusted to 'first three hours free parking' from Friday 8 November 2019.

Parking meter data for two periods of three weeks, one during the 'First hour free' (1H Free) period and the second during the 'first three hours free' (3H Free) period, have been compared to measure the number of tickets dispensed for each parking area and the parking income received for City managed bays within the Riseley Centre as shown in Table 1.

The ticket machine data provides information on the date, time, location, payment method, amount paid and number of tickets dispensed only. Information such as the duration of stay for vehicles, occupancy data or type of user is not available for analysis.

3 Week Parking Period	Number of tickets issued and (ticket income)				
	Kearns East	Kearns West	Simpson Street	Willcock Street	Total
1H FREE: 30 SEPTEMBER – 19 OCTOBER	3075 (\$2,234)	3094 (\$2,614)	310 (\$293)	207 (\$235)	6686 (\$5,376)
3H FREE: 11 NOVEMBER – 30 NOVEMBER	3371 (\$1,029)	3672 (\$1,071)	272 (\$341)	301 (\$116)	7616 (\$2,559)

Table 1. Riseley Centre Parking Meter Data

Summary of findings

- The overall number of tickets issued during the 3H Free period increased 13% from the 1H Free period (7616 up from 6686).
- The overall ticket income decreased by 52% (\$2,559 down from \$5,376)
- The number of tickets issued and income received for the Willcock Street and Simpson Street parking stations remained very low.

Observations of the availability of City managed parking at the Riseley Centre indicates that a greater number of car bays were occupied during the '3H Free' period than the '1H Free' period. This observation is substantiated by the increased number of tickets dispensed in three of the four parking areas, particularly along Kearns Crescent. This outcome is typical of decreasing parking restrictions as users are attracted to park in less restricted areas and stay parked for longer periods of time.

Informal feedback on the '3H Free' trial was received from local businesses during the distribution of invitations to the workshop and from those in attendance at the workshop. Business owners generally indicated that they felt that the 'first three hours free' approach was much preferable to the 'first hour free' approach.

CD20/8124 - RISELEY CENTRE PRECINCT PARKING – OUTCOME OF BUSINESS OWNERS WORKSHOP AND RESPONSE TO PETITIONS (AMREC) (ATTACHMENT)

Importantly, it does not appear that extending the free parking period from one hour to three hours has had a detrimental impact on the availability of bays during peak periods. In the Centre's prime public parking locations, such as along Kearns Crescent, limited bays were observed to be available at any given time during the midday peak. A high level of occupancy coupled with an appropriate level of turnover suggests that the parking on Kearns Crescent is operating efficiently under the 'first three hours free' restrictions.

Conversely to Kearns Crescent, high vacancy rates were observed in the Simpson Street and Willcock Street parking stations suggesting that despite the first three hours being free these locations remain an unattractive proposition for users. During the trial parking fees for the Simpson Street and Willcock Street stations are currently free for the first three hours with subsequent hours \$1.70 per hour and a maximum of \$8.50 per day, Monday to Saturday. The parking stations are not located in the Centre's core therefore are more suitable for longer term parking than the bays on Kearns Crescent.

If the price of all-day parking at the Simpson Street and Willcock Street parking stations were to be reduced, more users will be likely to park there. At the workshop, business owners commented that while free parking would be desirable they also acknowledged that some fee may be necessary to enable availability of bays. To attract longer term users to the Simpson Street and Willcock Street stations it is recommended that the parking fees be reduced by half for all day parking as follows:

- *Parking fees of first three hour free with subsequent hours \$1.70 per hour and a maximum of \$4.25 all day between the hours of 8:00am – 6:00pm*

The impact of this revised fee, if supported by Council, will be monitored to see whether the lowering of the fees stimulate greater demand.

Response to petitions Theme 2 - request that viable safe parking options be made available for the staff who work in the businesses in the area.

The way business owners and staff travel to and from work (walk, cycle, public transport etc.), and if they drive where they choose to park, is not determined by the City. Only 30% of the parking at Riseley Centre is managed by the City, recognising the need for private parking (70%) to play a major role in providing parking solutions for businesses and their staff

Distance

In the context of parking management, priority tends to relate directly to distance. Drivers will always want to park as close to their destination as possible. High priority users should be accommodated in prime positions closest to their destination, while low-priority users are excluded from these bays and allocated spaces further away.

At the Riseley Centre the City's parking restrictions are intended to prioritise the availability of parking in locations closest to destinations for high priority users (namely customers) and to encourage longer stay users (such as employees and commuters) to park further away. In regards to distance, 400m is indicative of a 5 minute walk. As measured from the intersection of Riseley Street and Canning Highway this measurement captures extensive free unrestricted public parking a short distance from the centres core as demonstrated in Figure 1.

CD20/8124 - RISELEY CENTRE PRECINCT PARKING – OUTCOME OF BUSINESS OWNERS WORKSHOP AND RESPONSE TO PETITIONS (AMREC) (ATTACHMENT)



Figure 1. Park Wiseley at Riseley – Your Guide to Smarter Parking

At the facilitated workshop for business owners, the businesses in attendance discussed 'Who gets priority of access to bays'. The following list is based on that discussion and ordered from lowest to highest priority users.

CD20/8124 - RISELEY CENTRE PRECINCT PARKING – OUTCOME OF BUSINESS OWNERS WORKSHOP AND RESPONSE TO PETITIONS (AMREC) (ATTACHMENT)

Priority	Use Category
<i>Lowest</i>	Commuters – All attendees recognised commuter park 'n' ride as a potential threat, one that had been staved off by the introduction of duration restrictions and paid parking.
	Residents - Residential overflow into on-street parking was not considered to be a significant issue in the vicinity. This simplifies parking management as it means that employee parking is less likely to consume on-street supplies necessary for current residential amenity.
	Employees – Employee parking was recognised as being important, but not at the expense of customer parking. The inherent conflict between the employee and customer demand resulted in some management compromises.
	Volunteers – Volunteers are less willing or able to pay for parking, and often have greater need for accessibility. As such, designated bays for volunteers may be necessary to support charity businesses.
	Customer Parking – For the purpose of this discussion, customer parking was considered to include a stay duration of up to 4 hours. However, a hierarchy of customer priority was implicitly agreed; where very short-stay parking (15 minutes or less), was appropriate immediately adjacent to high-turnover retail, with longer-stay parking located further away.
<i>Highest</i>	Disabled People – ACROD parking is vital to allow for those people with disabilities who require vehicular transportation.

The business owners recognised employee parking as being important, but not at the expense of customer parking. This viewpoint has resulted in some, but not all, businesses in the precinct encouraging their employees to park off site to keep the bays closest to their business available for customers. This approach depends on third parties providing parking for employees of businesses that do not provide their own employee parking. This approach contributes to the issues raised in the petitions regarding distance and safety concerns for employees accessing further away public parking. These issues are not borne by businesses that provide parking for their staff on their own properties. Should businesses choose not to provide on site staff parking, where employees choose to park off site is the choice of each individual employee.

Safety

The 'first three hour free' restrictions for the 30% of City parking provides the opportunity for staff to shift their cars closer to their place of employment from 3pm onwards, thereby providing safer solution in leaving the centre at night.

Cost

As suggested in the previous section of this report, it is recommended that the all day parking fees for the Simpson Street and Willcock Street stations be reduced by half to make them a more attractive proposition for longer stay users such as employees that otherwise may choose to park further away.

Permits

The petitions also raise the possibility of the City investigating a "*Parking permits for staff*" scheme, assumedly free of charge. Ultimately, it is the responsibility of individual businesses as to how they manage their own parking and whether they choose to provide parking for their employees that choose to drive.

CD20/8124 - RISELEY CENTRE PRECINCT PARKING – OUTCOME OF BUSINESS OWNERS WORKSHOP AND RESPONSE TO PETITIONS (AMREC) (ATTACHMENT)

Many businesses within the Riseley Centre allocate parking for their staff. For businesses that cannot or choose not to prioritise employee parking, as demonstrated above, there are numerous viable parking options available for employees to choose from.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

The level of communication in accordance with the Stakeholder Engagement Policy CP-002 for this item is to “involve” the community.

The meeting on the 28 October 2019, as requested by the Mayor, was held with 26 Riseley Centre business owners, City staff, the Mayor and Ward members. At the meeting the business owners agreed to attend an independently facilitated workshop to discuss opportunities to standardise the various parking arrangements that exist between the 70% of the centres privately managed bays and the 30% of bays managed by the City of Melville in an attempt to standardise parking restrictions at the Centre.

The facilitated workshop for business owners was held on the 27 November 2019. All business owners who attended the meeting on the 28 October 2019 were invited via email to attend the workshop. Invitations were also personally delivered to businesses within the Riseley Centre on Monday 18 and Tuesday 19 November 2019.

A total of six business owners attended the workshop.

II. OTHER AGENCIES / CONSULTANTS

The workshop was facilitated by Joel Levin from Aha! Consulting and Jacob Martin from Cardno co-facilitated as the subject matter expert.

STATUTORY AND LEGAL IMPLICATIONS

Fees and charges relating to Riseley Street Precinct Parking are listed in the adopted 2019-2020 Fees and Charges Schedule. The *Local Government Act 1995* requires local public notice of the intention to impose any fees or charges after the annual budget has been adopted. As the imposition of fees and charges requires an absolute majority decision of the Council any decision to alter fees or charges should also be by an absolute majority decision.

Section 6.16 of the Act relates to the imposition of fees and charges:

6.16. Imposition of fees and charges

(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.*

**Absolute majority required.*

CD20/8124 - RISELEY CENTRE PRECINCT PARKING – OUTCOME OF BUSINESS OWNERS WORKSHOP AND RESPONSE TO PETITIONS (AMREC) (ATTACHMENT)

FINANCIAL IMPLICATIONS

The facilitated workshop cost approximately \$7,500 including GST. These expenses have been acquitted.

The projected estimated income of \$27,500 to be received from the Riseley precinct parking has been provided in the 2019-2020 budget.

Parking income received from the Riseley Centre during the 1H Free three week trial period was \$5376, which equates to an approximate annual income of \$93,195. Parking income received during the 3H Free three week trial period was \$2559, which equates to an approximate annual income of \$44,368.

Should the Council support the recommended fifty percent reduction to all day parking fees for the Simpson Street and Willock Street parking stations the financial implications are uncertain as a reduction or increase in income from the stations will be dependent on usage. The two stations currently represent a small portion (approximately 12%) of the Centres overall parking income therefor the financial implications are minor.

Fifty percent of the income received through paid parking within the Riseley Centre is allocated for reinvesting in public realm improvements in consultation with local businesses and land owners.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk	Risk Mitigation Strategy
Lack of support for the proposed parking fee structure	Minor consequences which are likely, resulting in a MEDIUM level of risk	Ongoing engagement with business owners and community on the reasons for the City's approach to parking management as per the 'Parking Strategy'

POLICY IMPLICATIONS

There are no implications foreseen with regard to the Parking Policies. The Parking Local Law 2016 is not impacted by this item or proposed actions.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The alternative to permanently establishing the "first three hours free parking restriction" would be to take no action and the parking restrictions would revert back to "first hour free" after the 17 March 2020.

CD20/8124 - RISELEY CENTRE PRECINCT PARKING – OUTCOME OF BUSINESS OWNERS WORKSHOP AND RESPONSE TO PETITIONS (AMREC) (ATTACHMENT)**CONCLUSION**

The Council initiated 'first three hours free' parking trial and facilitated businesses parking workshop has provided valuable information on the implications of various approaches to parking management for both publicly and privately managed parking within the Riseley Centre.

In response to the four petitions received it is the officer recommendation that the Council note the information contained in this report, permanently instate 'first three hours free' parking restrictions for paid City of Melville managed parking and reduce the all day parking fee applicable to the Simpson Street and Riseley Street parking stations by half.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (8124)
ABSOLUTE MAJORITY APPROVAL

At 8:37pm Cr Kepert moved, seconded Cr Wheatland –

That the Council by Absolute Majority Decision approves first three hours free parking at:

- 1. Kearns Crescent Ardross (onstreet parking) with subsequent hours being charged at the rate of \$2.20 per hour between the hours of 8:00am – 6:00pm**
- 2. 41b Simpson Street Ardross and 1 Willcock Street Ardross with subsequent hours being charged at \$1.70 per hour and up to a maximum of \$4.25 for all day parking between the hours of 8:00am – 6:00pm.**

At 8:42pm the Mayor declared the motion

CARRIED BY ABSOLUTE MAJORITY (12/0)

C20/6000-1 - INVESTMENT STATEMENTS FOR NOVEMBER 2019 (REC)

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

AUTHORITY / DISCRETION

DEFINITION

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

KEY ISSUES / SUMMARY

This report presents the investment statements for the period ending 30 November 2019 for the Council's information and noting.

C20/6000-1 - INVESTMENT STATEMENTS FOR 30 NOVEMBER 2019 (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

The following statement details the investments held by the City as at 30 November 2019.

CITY OF MELVILLE STATEMENT OF INVESTMENTS FOR THE PERIOD ENDING 30 NOVEMBER 2019		
SUMMARY BY FUND		
Municipal		\$8,882,970
Reserve		\$195,434,583
Trust		\$-
Citizen Relief		\$219,651
TOTAL		\$204,537,204
SUMMARY BY INVESTMENT TYPE		
11AM		\$3,241,560
31Days at Call		\$6,000,000
60Days at Call		\$2,000,000
90Days at Call		\$16,600,000
Term Deposit		\$176,520,473
Units (Local Govt Hse)		\$175,171
TOTAL		\$204,537,204
SUMMARY BY CREDIT RATING		
AAA Category	AAA	
AA Category (AA+ to AA-)	AA-	\$128,862,033
A Category (A+ to A-)	A+	\$44,500,000
	A	
	A-	\$2,000,000
BBB+ Category	BBB+	\$29,000,000
Units (Local Government House)		\$175,171
TOTAL		\$204,537,204

C20/6000-1 - INVESTMENT STATEMENTS FOR 30 NOVEMBER 2019 (REC)

Exposure to an individual institution is limited according to Council policy and in November 2019 the investments were within the acceptable limits.

Investment with financial institutions						
Institution	Credit Rating	Credit Rating Category	Funds held at period end	Actual %	Limit Per Policy	
ANZ	AA-	AA Category	\$ 1,000,000	0.49%	30.00%	✓
AMP	BBB+	BBB+ Category	\$ -	0.00%	25.00%	✓
Bankwest	AA-	AA Category	\$ 8,500,000	4.16%	30.00%	✓
Bank of Queensland	BBB+	BBB+ Category	\$ 26,000,000	12.71%	15.00%	✓
ING Bank	A-	A Category	\$ 2,000,000	0.98%	25.00%	✓
Bendigo & Adelaide	BBB+	BBB+ Category	\$ 3,000,000	1.47%	15.00%	✓
CBA	AA-	AA Category	\$ 8,500,000	4.16%	30.00%	✓
Macquarie	A	A Category	\$ 1,000,000	0.49%	25.00%	✓
NAB	AA-	AA Category	\$ 51,020,473	24.94%	30.00%	✓
St George	AA-	AA Category	\$ -	0.00%	30.00%	✓
Suncorp	A+	A Category	\$ 42,500,000	20.78%	25.00%	✓
Westpac	AA-	AA Category	\$ 60,841,560	29.75%	30.00%	✓
Units in Local Govt House	NA	NA	\$ 175,171	0.09%	100.00%	✓
TOTAL			\$ 204,537,204	100%		

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

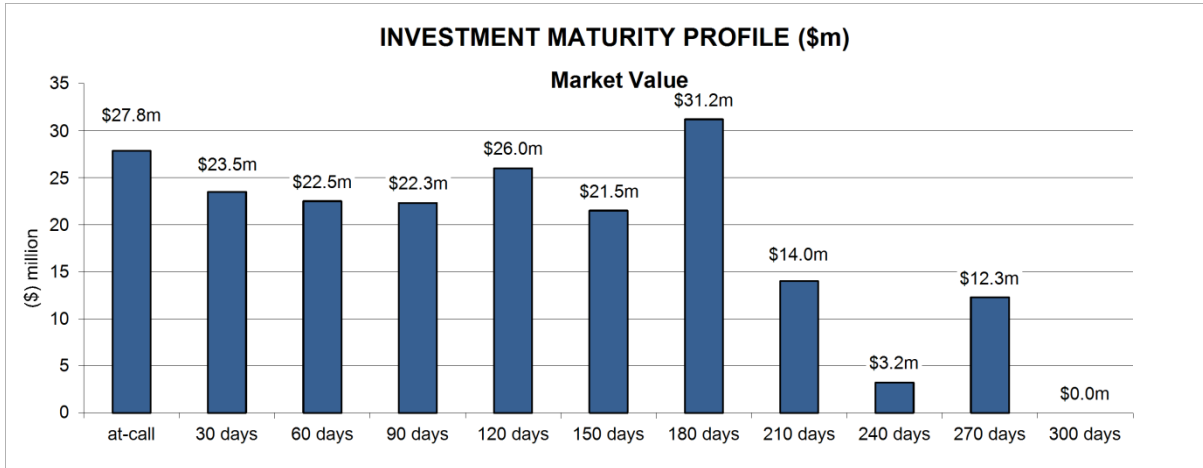
The City's investments were invested within the limits allowed within each category rating for November 2019.

Maximum Percentage of Average Investment Portfolio Balance				
Long Term Rating	Funds held at period end \$	Actual %	Limit Per Policy	
AAA Category	\$ -	0%	100%	✓
AA Category (AA+ to AA-)	\$ 128,862,033	63%	80%	✓
A Category (A+ to A-)	\$ 46,500,000	23%	50%	✓
BBB+ Category	\$ 29,000,000	14%	25%	✓
Units in Local Govt House	\$ 175,171	0%	100%	✓
TOTAL	\$ 204,537,204	100%		

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

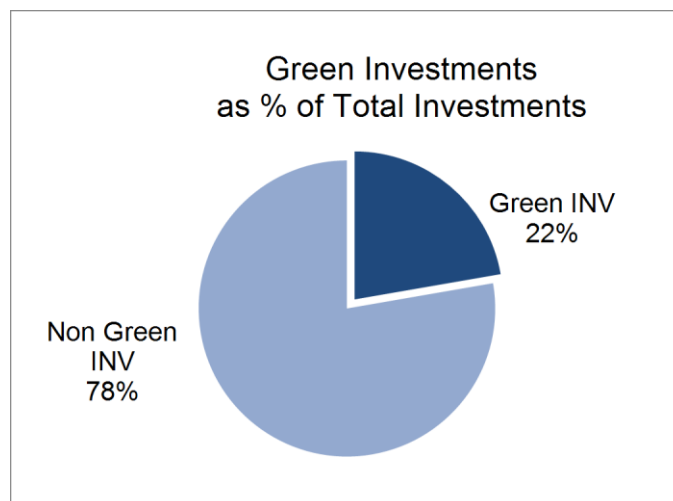
C20/6000-1 - INVESTMENT STATEMENTS FOR 30 NOVEMBER 2019 (REC)

The below graph summarises the maturity profile of the City’s investments at market value as at 30 November 2019. The immediacy of the demand for funds depends on the particular Fund or Reserve Account(s) of the City. The maturity profile provided in the table above meets the liquidity requirements of the Council policy.



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

The total investment in authorised institutions that do not lend to industries engaged in the exploration for, or production of, fossil fuels, as at 30 November 2019 was \$45,500,000 or 22% of total investment holdings being in non-fossil fuels institutions, compared to \$44,500,000 (21%) in October 2019. The total investments holding for November and October were \$204,537,204 and \$212,037,205 respectively.



C20/6000-1 - INVESTMENT STATEMENTS FOR 30 NOVEMBER 2019 (REC)**STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

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

II. OTHER AGENCIES / CONSULTANTS

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

STATUTORY AND LEGAL IMPLICATIONS

The following legislation is relevant to this report:

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

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

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

C20/6000-1 - INVESTMENT STATEMENTS FOR 30 NOVEMBER 2019 (REC)

FINANCIAL IMPLICATIONS

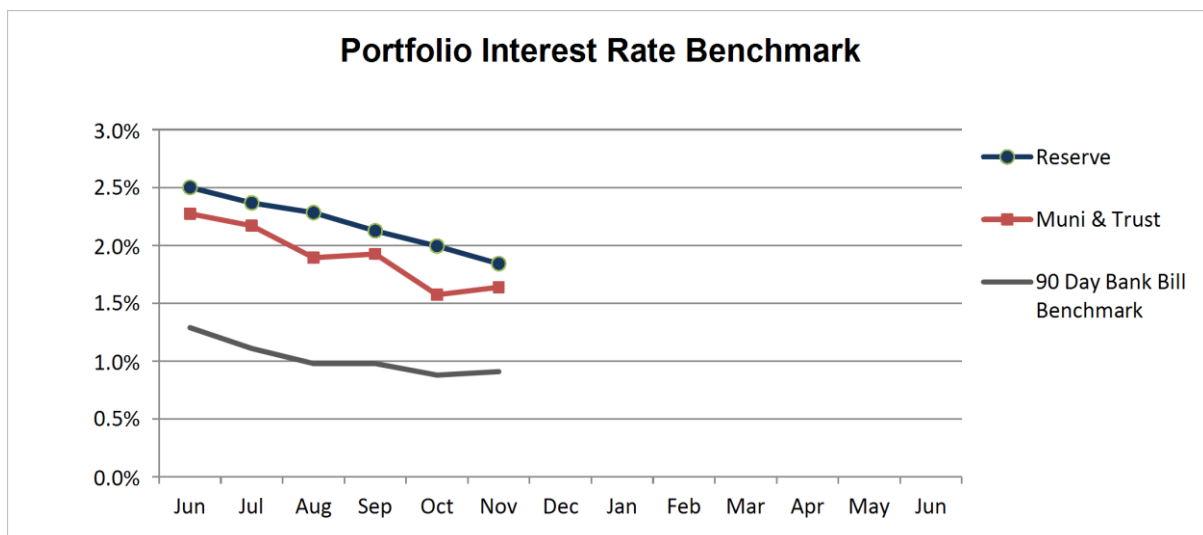
For the period ending 30 November 2019:

- Investment earnings on Municipal and Trust Funds were \$166,345 against a year to date budget of \$310,417 representing a negative variance of \$144,072.

The weighted average interest rate for Municipal and Trust Fund investments as at 30 November 2019 was 1.64% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 0.91%.

- Investment earnings on Reserve accounts were \$1,604,198 against a year to date budget of \$1,291,667 representing a positive variance of \$312,531. The variance is a result of planned Capital Projects being deferred resulting in larger reserve balances than anticipated.

The weighted average interest rate for Reserve account investments as at 30 November 2019 was 1.84% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 0.91%.



STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Strategic

The interest earned on invested funds assists in addressing the following key priority area identified in The City of Melville Corporate Business Plan 2016-2020.

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

Risk

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

C20/6000-1 - INVESTMENT STATEMENTS FOR 30 NOVEMBER 2019 (REC)**Environmental**

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

POLICY IMPLICATIONS

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

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable as this report only presents information for noting.

CONCLUSION

The City's investment portfolio is invested in highly secure investments with a low level of risk yielding a weighted average rate of return of 1.64% to 1.84% which exceeds the benchmark three month bank bill swap (BBSW) reference rate of 0.91%.

22% of the City's investment portfolio is invested in authorised deposit taking institutions that do not lend to industries engaged in the exploration for, or production of, fossil fuels. This compared to 21% in October 2019.

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

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (6000-1)**NOTING**

That the Council notes the Investment Report for the period ending 30 November 2019.

At 8:47pm the Mayor declared the motion

CARRIED EN BLOC (12/0)

C20/6000-2 - INVESTMENT STATEMENTS FOR DECEMBER 2019 (REC)

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

AUTHORITY / DISCRETION

DEFINITION

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

KEY ISSUES / SUMMARY

This report presents the investment statements for the period ending 31 December 2019 for the Council's information and noting.

C20/6000-2 - INVESTMENT STATEMENTS FOR 31 DECEMBER 2019 (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

The following statement details the investments held by the City as at 31 December 2019.

CITY OF MELVILLE STATEMENT OF INVESTMENTS FOR THE PERIOD ENDING 31 DECEMBER 2019		
SUMMARY BY FUND		
Municipal		\$1,215,650
Reserve		\$199,401,903
Trust		\$-
Citizen Relief		\$219,651
TOTAL		\$200,837,204
SUMMARY BY INVESTMENT TYPE		
11AM		\$3,041,560
31Days at Call		\$6,000,000
60Days at Call		\$2,000,000
90Days at Call		\$16,600,000
Term Deposit		\$173,020,473
Units (Local Govt Hse)		\$175,171
TOTAL		\$200,837,204
SUMMARY BY CREDIT RATING		
AAA Category	AAA	
AA Category (AA+ to AA-)	AA-	\$122,162,033
A Category (A+ to A-)	A+	\$46,500,000
	A	
	A-	\$2,000,000
BBB+ Category	BBB+	\$30,000,000
Units (Local Government House)		\$175,171
TOTAL		\$200,837,204

C20/6000-2 - INVESTMENT STATEMENTS FOR 31 DECEMBER 2019 (REC)

Exposure to an individual institution is limited according to Council policy and in December 2019 the investments were within the acceptable limits.

Investment with financial institutions						
Institution	Credit Rating	Credit Rating Category	Funds held at period end	Actual %	Limit Per Policy	
ANZ	AA-	AA Category	\$ 3,000,000	1.49%	30.00%	✓
AMP	BBB+	BBB+ Category	\$ -	0.00%	25.00%	✓
Bankwest	AA-	AA Category	\$ 4,000,000	1.99%	30.00%	✓
Bank of Queensland	BBB+	BBB+ Category	\$ 27,000,000	13.44%	15.00%	✓
ING Bank	A-	A Category	\$ 2,000,000	1.00%	25.00%	✓
Bendigo & Adelaide	BBB+	BBB+ Category	\$ 3,000,000	1.49%	15.00%	✓
CBA	AA-	AA Category	\$ 6,500,000	3.24%	30.00%	✓
Macquarie	A+	A Category	\$ 3,000,000	1.49%	25.00%	✓
NAB	AA-	AA Category	\$ 51,020,473	25.40%	30.00%	✓
St George	AA-	AA Category	\$ -	0.00%	30.00%	✓
Suncorp	A+	A Category	\$ 42,500,000	21.16%	25.00%	✓
Westpac	AA-	AA Category	\$ 58,641,560	29.20%	30.00%	✓
Units in Local Govt House	NA	NA	\$ 175,171	0.09%	100.00%	✓
TOTAL			\$ 200,837,204	100%		

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

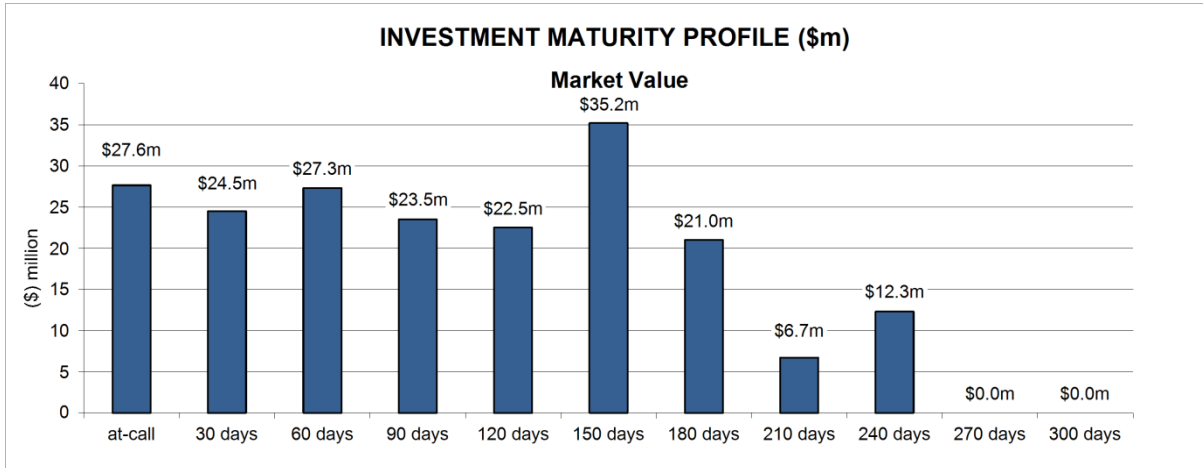
The City's investments were invested within the limits allowed within each category rating for December 2019.

Maximum Percentage of Average Investment Portfolio Balance				
Long Term Rating	Funds held at period end \$	Actual %	Limit Per Policy	
AAA Category	\$ -	0%	100%	✓
AA Category (AA+ to AA-)	\$ 122,162,033	61%	80%	✓
A Category (A+ to A-)	\$ 48,500,000	24%	50%	✓
BBB+ Category	\$ 30,000,000	15%	25%	✓
Units in Local Govt House	\$ 175,171	0%	100%	✓
TOTAL	\$ 200,837,204	100%		

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

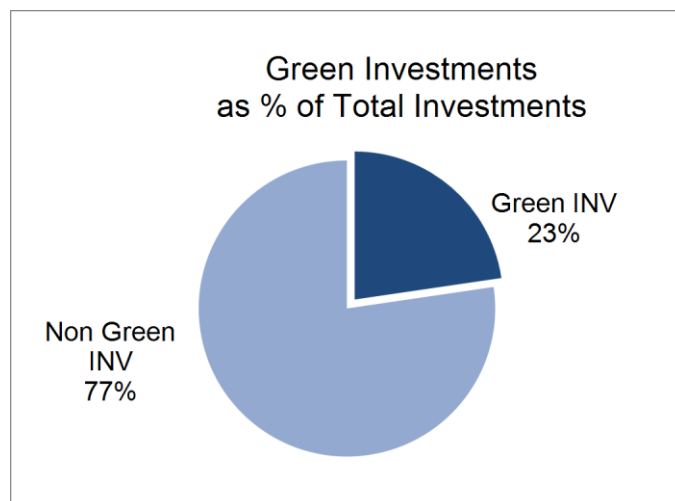
C20/6000-2 - INVESTMENT STATEMENTS FOR 31 DECEMBER 2019 (REC)

The below graph summarises the maturity profile of the City’s investments at market value as at 31 December 2019. The immediacy of the demand for funds depends on the particular Fund or Reserve Account(s) of the City. The maturity profile provided in the table above meets the liquidity requirements of the Council policy.



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

The total investment in authorised institutions that do not lend to industries engaged in the exploration for, or production of, fossil fuels, as at 31 December 2019 was \$45,500,000 or 23% of total investment holdings being in non-fossil fuels institutions, compared to \$45,500,000 (22%) in November 2019. The total investments holding for December and November were \$200,837,204 and \$204,537,204 respectively.



C20/6000-2 - INVESTMENT STATEMENTS FOR 31 DECEMBER 2019 (REC)**STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

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

II. OTHER AGENCIES / CONSULTANTS

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

STATUTORY AND LEGAL IMPLICATIONS

The following legislation is relevant to this report:

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

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

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

C20/6000-2 - INVESTMENT STATEMENTS FOR 31 DECEMBER 2019 (REC)

FINANCIAL IMPLICATIONS

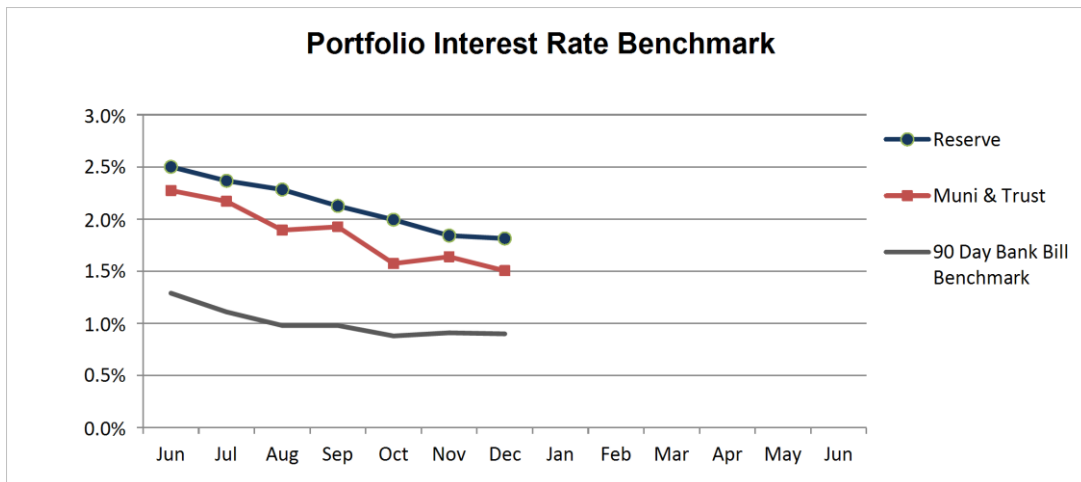
For the period ending 31 December 2019:

- Investment earnings on Municipal and Trust Funds were \$164,921 against a year to date budget of \$372,500 representing a negative variance of \$207,579. The original budget was based on an average interest rate of 2.2% for the year. A reduction to the interest budget will be included in the mid year review.

The weighted average interest rate for Municipal and Trust Fund investments as at 31 December 2019 was 1.51% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 0.90%.

- Investment earnings on Reserve accounts were \$1,930,207 against a year to date budget of \$1,550,000 representing a positive variance of \$380,207. The variance is a result of planned Capital Projects being deferred resulting in larger reserve balances than anticipated. The original budget was based on an average interest rate of 2.2% for the year. A increase to the interest budget will be included in the mid year review with a corresponding transfer to reserves.

The weighted average interest rate for Reserve account investments as at 31 December 2019 was 1.81% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 0.90%.



STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Strategic

The interest earned on invested funds assists in addressing the following key priority area identified in The City of Melville Corporate Business Plan 2016-2020.

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

C20/6000-2 - INVESTMENT STATEMENTS FOR 31 DECEMBER 2019 (REC)**Risk**

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

Environmental

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

POLICY IMPLICATIONS

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

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable as this report only presents information for noting.

CONCLUSION

The City's investment portfolio is invested in highly secure investments with a low level of risk yielding a weighted average rate of return of 1.51% to 1.81% which exceeds the benchmark three month bank bill swap (BBSW) reference rate of 0.90%. The budget for interest was based on an average interest rate of 2.2% for the year. Budget adjustments will be included in the mid review budget process.

23% of the City's investment portfolio is invested in authorised deposit taking institutions that do not lend to industries engaged in the exploration for, or production of, fossil fuels. This compared to 22% in November 2019.

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

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (6000-2)**NOTING**

That the Council notes the Investment Report for the period ending 31 December 2019.

At 8:47pm the Mayor declared the motion

CARRIED EN BLOC (12/0)

C20/6001-1 – SCHEDULE OF ACCOUNTS PAID FOR NOVEMBER 2019 (REC)
(ATTACHMENT)

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

AUTHORITY / DISCRETION

DEFINITION

<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 & 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 September be appealable to the State Administrative Tribunal.</i>
<input checked="" type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

KEY ISSUES / SUMMARY

This report presents the details of payments made under delegated authority to suppliers for the period of November 2019 and recommends that the Schedule of Accounts Paid be noted.

C20/6001-1 – SCHEDULE OF ACCOUNTS PAID FOR NOVEMBER 2019 (REC)
(ATTACHMENT)

BACKGROUND

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

DETAIL

The Schedule of Accounts Paid for November including Payment Register numbers, Cheques: 734-735, Electronic Funds Transfers batches: 89, 611-614, Trust Payments, Card Payments and Payroll was distributed to the Elected Members of the Council on 31 January 2020.

Summary Payments for the Period:

Direct Creditor Payments	\$9,276,131
Payroll	\$3,528,740
Card Payments	\$68,048
New Investments	\$3,500,000
Trust Fund	\$0
Total	<u><u>\$16,372,919</u></u>

Details of the payments are shown in attachment [6001 November 2019](#).

[Any payment over and above \\$25,000 has been highlighted under the Payment Amount column in the attachment to this statement named 'Listing of Payments made under Delegated Authority'](#).

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Not applicable.

II. OTHER AGENCIES / CONSULTANTS

STATUTORY AND LEGAL IMPLICATIONS

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

C20/6001-1 – SCHEDULE OF ACCOUNTS PAID FOR NOVEMBER 2019 (REC)
(ATTACHMENT)

FINANCIAL IMPLICATIONS

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

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

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

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable as this report presents information for noting only.

CONCLUSION

Summary of All Payments for the Period:

Municipal Fund	\$12,872,919
Trust Fund	\$0
Total Payments	\$12,872,919
New Investments	\$3,500,000
Total	\$16,372,919

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

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (6001-1)

NOTING

That the Council notes the Schedule of Accounts paid for the period November 2019 as approved by the Director Corporate Services in accordance with delegated authority DA-035, and detailed in attachment [6001 November 2019](#).

At 8:47pm the Mayor declared the motion

CARRIED EN BLOC (12/0)

C20/6001-2 – SCHEDULE OF ACCOUNTS PAID FOR DECEMBER 2019 (REC)
(ATTACHMENT)

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

AUTHORITY / DISCRETION

DEFINITION

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

KEY ISSUES / SUMMARY

This report presents the details of payments made under delegated authority to suppliers for the period of December 2019 and recommends that the Schedule of Accounts Paid be noted.

C20/6001-2 – SCHEDULE OF ACCOUNTS PAID FOR DECEMBER 2019 (REC)
(ATTACHMENT)

BACKGROUND

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

DETAIL

The Schedule of Accounts Paid for December including Payment Register numbers, Cheques: 736-738, Electronic Funds Transfers batches: 615-620, Trust Payments, Card Payments and Payroll was distributed to the Elected Members of the Council on 31 January 2020.

Summary Payments for the Period:

Direct Creditor Payments	\$6,157,936
Payroll	\$3,926,968
Card Payments	\$53,674
Investments	\$11,000,000.00
Trust Fund	\$0.00
Total	\$21,138,578

Details of the payments are shown in attachment [6001 December 2019](#).

Any payment over and above \$25,000 has been highlighted under the Payment Amount column in the attachment to this statement named 'Listing of Payments made under Delegated Authority'.

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Not applicable.

II. OTHER AGENCIES / CONSULTANTS

STATUTORY AND LEGAL IMPLICATIONS

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

**C20/6001-2 – SCHEDULE OF ACCOUNTS PAID FOR DECEMBER 2019 (REC)
(ATTACHMENT)**

FINANCIAL IMPLICATIONS

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

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

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

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable as this report presents information for noting only.

CONCLUSION

Summary of All Payments for the Period:

Municipal Fund	\$10,138,578
Trust Fund	\$0
Total Payments	\$10,138,578
New Investments	\$11,000,000
Total	\$21,138,578

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

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (6001-2) NOTING

That the Council notes the Schedule of Accounts paid for the period December 2019 as approved by the Director Corporate Services in accordance with delegated authority DA-035, and detailed in attachment [6001 December 2019](#).

At 8:47pm the Mayor declared the motion

CARRIED EN BLOC (12/0)

C20/6002-1 – STATEMENTS OF FINANCIAL ACTIVITY FOR NOVEMBER 2019 (AMREC)
(ATTACHMENTS)

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

AUTHORITY / DISCRETION

DEFINITION

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<input type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

KEY ISSUES / SUMMARY

<p>This report presents:</p> <ul style="list-style-type: none"> • The Statements of Financial Activity by Program, Sub-Program and Nature and Type, for the period ending 30 November 2019 and recommends that they be noted by the Council. • The variances for the month of November 2019 and recommends that they be noted by the Council. • The Budget amendments required for the month of November 2019 and recommends that they be adopted by Absolute Majority decision of the Council.
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C20/6002-1 – STATEMENTS OF FINANCIAL ACTIVITY FOR NOVEMBER 2019 (AMREC)
(ATTACHMENTS)

BACKGROUND

The Statements of Financial Activity for the period ending 30 November 2019 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.

Variances

EXTRACT OF RATE SETTING STATEMENT FOR VARIANCE OVER \$50,000 for the Period 1 July 2019 to 30 November 2019							
	November Actual \$	YTD Rev. Budget \$	YTD Actual \$	Variance \$	Variance %	Annual Budget \$	Annual Rev. Budget \$
OPERATING ACTIVITIES							
Revenue from operating activities (excluding rates and non-operating grant, subsidies and contributions)							
Law, Order, Public Safety	45,275	2,514,951	2,625,745	110,794	4%	2,549,172	2,549,172
Transport	184,279	718,253	782,128	63,875	10%	1,599,343	1,599,343
Other Property and Services	(47,599)	472,858	214,988	(257,871)	-55%	321,201	1,285,350
	2,212,962	19,171,269	19,416,209	244,941		32,199,974	33,568,503
Expenditure from operating activities							
Governance	(364,292)	(2,278,303)	(2,094,912)	183,391	-8%	(6,152,018)	(7,295,829)
Recreation and Culture	(2,920,489)	(15,200,507)	(14,579,511)	620,996	-4%	(36,049,663)	(35,959,127)
Transport	(812,595)	(7,120,673)	(6,311,999)	808,674	-11%	(17,962,135)	(17,962,135)
Economic Services	(190,600)	(2,960,565)	(3,033,854)	(73,288)	2%	(2,347,582)	(6,097,298)
	(7,854,298)	(48,902,075)	(46,393,509)	2,508,566		(114,996,552)	(115,602,819)
Investing Activities							
Non-operating grants, subsidies and contributions	739,000	1,844,566	1,985,635	141,069		18,305,085	4,226,085
Purchase of Furniture & Equipment	81,830	(528,046)	(222,920)	305,125	-58%	(1,427,145)	(2,381,441)
Purchase of Plant & Equipment	(317,885)	(1,228,255)	(1,007,721)	220,534	-18%	(1,811,477)	(3,516,811)
Purchase of Land & Buildings	(426,840)	(1,999,135)	(1,646,360)	352,775	-18%	(55,935,948)	(26,368,643)
Purchase of Infrastructure Assets	(1,212,183)	(4,805,572)	(4,510,192)	295,380	-6%	(31,028,602)	(29,715,354)

C20/6002-1 – STATEMENTS OF FINANCIAL ACTIVITY FOR NOVEMBER 2019 (AMREC)
(ATTACHMENTS)

A more detailed summary of variances and comments based on the Rate Setting Statement by Sub-Program is provided in attachments [6002C Sub Program November 2019](#) and [6002H November 2019](#).

Revenue

\$89.413 million in Rates was raised as at 30 November 2019 compared to a year to date budget of \$89.020 million. There is a positive variance of \$393,164 (0.44%) when compared to the year to date actual. This is due to growth in the rate base (including residential developments on Kishorn Road in Mt Pleasant and Riseley Street Booragoon) subsequent to the budget setting.

Money Expended in an Emergency and Unbudgeted Expenditure

Not applicable for November 2019.

Budget Amendments

Details of Budget Amendments requested for the month of November 2019 are shown in attachment [6002J November 2019](#). There were four budget amendments, greater than \$50,000, totalling \$1.9 million processed in November 2019. The two major adjustments relate to the Webber Reserve change room upgrade project and Tompkins Park redevelopment.

Rates collection

Rates collection progress for the month of November is 0.1% below the target of 72.4%. This represents a dollar value of \$94,547. As at 30 November 72.3% of the 2019-2020 rates, including prior year arrears had been collected compared with 72.4% collected for the same time last year. Rates collection for 2019-2020 excluding prior year rate arrears is 76.2%.

Debtors Movement

Rates, Refuse, Fire and Emergency Service Authority and Underground Power payments totalling \$2,880,664 were collected over the course of the month. Total sundry debtor balances increased by \$240,093 over the course of the month from \$908,182 to \$1,140,397 in November. The 90+ day's debtor balance increased by \$57,303 from \$329,882 to \$387,185.

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.

\$285 was written off under delegated authority in the month of November 2019 as the City had exhausted all avenues to recover debt from a liquidated company.

C20/6002-1 – STATEMENTS OF FINANCIAL ACTIVITY FOR NOVEMBER 2019 (AMREC)
(ATTACHMENTS)

The following attachments form part of the Attachments to the Agenda.

DESCRIPTION	LINK
Statement of Financial Activity By Nature and Type – November 2019	<u>6002A Nature Type November 2019</u>
Rate Setting Statement by Program – November 2019	<u>6002B Program November 2019</u>
Rate Setting Statement by Sub-Program – November 2019	<u>6002C Sub Program November 2019</u>
Representation of Net Working Capital – November 2019	<u>6002E November 2019</u>
Reconciliation of Net Working Capital – November 2019	<u>6002F November 2019</u>
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater – November 2019	<u>6002H November 2019</u>
Details of Budget Amendments requested – November 2019	<u>6002J November 2019</u>
Summary of Rates Debtors – November 2019	<u>6002L November 2019</u>
Graph Showing Rates Collections – November 2019	<u>6002M November 2019</u>
Summary of General Debtors aged 90 Days Old or Greater – November 2019	<u>6002N November 2019</u>

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Not applicable.

II. OTHER AGENCIES / CONSULTANTS

Not applicable.

STATUTORY AND LEGAL IMPLICATIONS

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

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

**C20/6002-1 – STATEMENTS OF FINANCIAL ACTIVITY FOR NOVEMBER 2019 (AMREC)
(ATTACHMENTS)****34. Financial activity statement report — s. 6.4**

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

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

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

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

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

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

(4) A statement of financial activity, and the accompanying documents referred to in 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.

**C20/6002-1 – STATEMENTS OF FINANCIAL ACTIVITY FOR NOVEMBER 2019 (AMREC)
(ATTACHMENTS)****FINANCIAL IMPLICATIONS****Variances**

Variances are detailed and explained in attachment [6002H November 2019](#) (Notes on Statement of Variances in excess of \$50,000 by Sub-Program).

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

There are no identifiable strategic, risks 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.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable

CONCLUSION

The attached financial reports reflect a positive financial position of the City of Melville as at 30 November 2019.

**C20/6002-1 – STATEMENTS OF FINANCIAL ACTIVITY FOR NOVEMBER 2019 (AMREC)
(ATTACHMENTS)**

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (6002-1)
NOTING and ABSOLUTE MAJORITY**

That the Council:

- 1. Notes the Rate Setting Statement and Statements of Financial Activity for the month ending 30 November 2019 as detailed in the following attachments:**

DESCRIPTION	LINK
Statement of Financial Activity By Nature and Type – November 2019	<u>6002A Nature Type November 2019</u>
Rate Setting Statement by Program – November 2019	<u>6002B Program November 2019</u>
Rate Setting Statement by Sub-Program – November 2019	<u>6002C Sub Program November 2019</u>
Representation of Net Working Capital – November 2019	<u>6002E November 2019</u>
Reconciliation of Net Working Capital – November 2019	<u>6002F November 2019</u>
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater – November 2019	<u>6002H November 2019</u>
Details of Budget Amendments requested – November 2019	<u>6002J November 2019</u>
Summary of Rates Debtors – November 2019	<u>6002L November 2019</u>
Graph Showing Rates Collections – November 2019	<u>6002M November 2019</u>
Summary of General Debtors aged 90 Days Old or Greater – November 2019	<u>6002N November 2019</u>

- 2. By Absolute Majority Decision adopts the budget amendments, as detailed in the attached Budget Amendment Reports for November 2019 [6002J November 2019](#).**

At 8:47pm the Mayor declared the motion

CARRIED EN BLOC (12/0)

C20/6002-2 – STATEMENTS OF FINANCIAL ACTIVITY FOR DECEMBER 2019 (AMREC)
(ATTACHMENTS)

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

AUTHORITY / DISCRETION

DEFINITION

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

KEY ISSUES / SUMMARY

<p>This report presents:</p> <ul style="list-style-type: none"> • The Statements of Financial Activity by Program, Sub-Program and Nature and Type, for the period ending 31 December 2019 and recommends that they be noted by the Council. • The variances for the month of December 2019 and recommends that they be noted by the Council. • The Budget amendments required for the month of December 2019 and recommends that they be adopted by Absolute Majority decision of the Council. • Proposed replacement of three waste trucks.

**C20/6002-2 – STATEMENTS OF FINANCIAL ACTIVITY FOR DECEMBER 2019 (AMREC)
(ATTACHMENTS)**
BACKGROUND

The Statements of Financial Activity for the period ending 31 December 2019 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.

Whilst budget adjustments are done monthly, the financial results for the period ended December 2019 will be reviewed formally through the mid year budget review process which will come to Council for adoption in March 2020.

Variances

EXTRACT OF RATE SETTING STATEMENT FOR VARIANCE OVER \$50,000 for the Period 1 July 2019 to 31 December 2019							
	November Actual \$	YTD Rev. Budget \$	YTD Actual \$	Variance \$	Variance %	Annual Budget \$	Annual Rev. Budget \$
OPERATING ACTIVITIES							
Revenue from operating activities (excluding rates and non-operating grant, subsidies and contributions)							
General Purpose Funding	398,158	3,637,560	3,862,257	224,697	6%	11,320,811	8,082,694
Law, Order, Public Safety	29,860	2,519,304	2,655,605	136,302	5%	2,549,172	2,549,172
Community Amenities	271,624	3,254,011	3,321,020	67,009	2%	3,957,404	4,364,478
Recreation and Culture	859,819	4,391,818	4,599,016	207,198	4%	8,755,894	8,757,894
Economic Services	145,178	5,091,325	5,239,028	147,703	3%	3,038,466	6,276,583
Other Property and Services	6,646	541,918	221,634	(320,285)	-59%	321,201	1,285,350
	1,858,256	20,808,791	21,274,465	465,674		32,199,974	33,577,846
Expenditure from operating activities							
Governance	(698,607)	(3,006,440)	(2,793,519)	212,921	-7%	(6,152,018)	(7,320,408)
Law, Order, Public Safety	(294,885)	(2,054,435)	(1,971,610)	82,825	-4%	(4,080,799)	(4,089,437)
Health	(72,933)	(543,224)	(484,318)	58,906	-11%	(1,128,413)	(1,089,822)
Education & Welfare	(209,829)	(1,487,082)	(1,369,518)	117,565	-8%	(3,067,314)	(3,068,608)
Community Amenities	(2,109,907)	(14,924,882)	(13,698,528)	1,226,354	-8%	(26,222,531)	(27,132,464)
Recreation and Culture	(2,760,267)	(18,272,195)	(17,339,778)	932,417	-5%	(36,049,663)	(36,102,306)
Transport	(2,480,641)	(9,065,162)	(8,792,640)	272,522	-3%	(17,962,135)	(18,977,636)
Economic Services	(205,731)	(3,128,052)	(3,239,585)	(111,533)	4%	(2,347,582)	(6,107,588)
Other Property and Services	(859,693)	(6,097,083)	(5,780,763)	316,320	-5%	(12,673,457)	(12,220,728)
	(9,741,069)	(59,275,263)	(56,134,578)	3,140,685		(114,996,552)	(117,154,176)
Investing Activities							
Non-operating grants, subsidies and contributions	0	1,844,566	1,985,635	141,069		18,305,085	4,226,085
Proceeds from Disposal of Assets	44,430	277,650	176,564	(101,086)	-36%	435,500	914,700
Purchase of Furniture & Equipment	(80,783)	(586,613)	(303,704)	282,910	-48%	(1,427,145)	(2,381,441)
Purchase of Land & Buildings	(547,896)	(2,680,942)	(2,194,256)	486,686	-18%	(55,935,948)	(16,386,271)
Purchase of Infrastructure Assets	(698,137)	(6,573,544)	(5,208,329)	1,365,215	-21%	(31,028,602)	(29,755,354)
	(1,282,386)	(8,769,773)	(6,551,811)	2,217,962		(71,462,587)	(46,899,092)

A more detailed summary of variances and comments based on the Rate Setting Statement by Sub-Program is provided in attachments [6002C Sub Program December 2019](#) and [6002H December 2019](#).

C20/6002-2 – STATEMENTS OF FINANCIAL ACTIVITY FOR DECEMBER 2019 (AMREC)
(ATTACHMENTS)**Revenue**

\$89.465 million in Rates was raised as at 31 December 2019 compared to a year to date budget of \$89.046 million. There is a positive variance of \$419,049 (0.47%) when compared to the year to date actual. This is due to growth in the rate base (mainly residential developments on Kishorn Road in Mt Pleasant and Riseley Street in Booragoon) subsequent to the budget setting.

Money Expended in an Emergency and Unbudgeted Expenditure

Not applicable for December 2019.

Budget Amendments

Details of Budget Amendments requested for the month of December 2019 are shown in attachment [6002J December 2019](#). There were three budget amendments greater than \$50,000, totalling \$14.2 million processed in December 2019. Of the \$14.2 million, \$3.9 million relates to creation of budgets for setting aside the surplus as per the audited financial statements of 2018-19 in the Rates Equalisation reserve. \$9.9 million relates to the reduction of budgeted funds used from reserves for the Tompkins Park redevelopment project which is on hold.

Rates collection

Rates collection progress for the month of December is 2.2% below the target of 77.9%. This represents a dollar value of \$2,520,039. As at 31 December 75.7% of the 2019-2020 rates, including prior year arrears had been collected compared with 76.4% collected for the same time last year. Rates collection for 2019-2020 excluding prior year rate arrears is 79.8%.

Debtors Movement

Rates, Refuse, Fire and Emergency Service Authority and Underground Power payments totalling \$5,525,738 were collected over the course of the month Total sundry debtor balances decreased by \$72,728 over the course of the month from \$1,148,275 to \$1,221,003 in December. The 90+ day's debtor balance increased by \$24,103 from \$387,185 to \$411,288.

Granting of concession or writing off debts owed to the City

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

There were no debts written off for the month of December 2019.

Proposed replacement of three waste trucks

It is proposed to replace three waste trucks ahead of the replacement date planned in the City's Ten Year Fleet Replacement program.

The ten year replacement program provides guidelines to replace waste trucks at 8 years or 8,000 hours operating time, depending on condition and the ongoing needs of the City.

C20/6002-2 – STATEMENTS OF FINANCIAL ACTIVITY FOR DECEMBER 2019 (AMREC)
(ATTACHMENTS)

With multi story residential development becoming more common in recent years, it has been identified that there is a need for low profile waste trucks that can better access the more confined spaces in these developments used for the storage of waste bins.

To meet this need, it is proposed to replace three waste trucks in the current financial year that, while having accumulated more operating hours than indicated in the replacement program, were previously not scheduled for replacement in the current financial year. The replacement value of these trucks is expected to be \$430,000 each, with a total capital expenditure of \$1,290,000 required. The trucks to be replaced could be expected to be disposed of with a sale value of approximately \$50,000 each.

It should be noted that in line with normal practice, net funds required for plant replacement would be drawn from the City's Fleet Services Vehicles, Plant and Equipment Replacement Reserve, and would not impact the current budget position. There are sufficient funds available in the reserve account for this purpose.

The following attachments form part of the Attachments to the Agenda.

DESCRIPTION	LINK
Statement of Financial Activity By Nature and Type – December 2019	<u>6002A Nature Type December 2019</u>
Rate Setting Statement by Program – December 2019	<u>6002B Program December 2019</u>
Rate Setting Statement by Sub-Program – December 2019	<u>6002C Sub Program December 2019</u>
Representation of Net Working Capital – December 2019	<u>6002E December 2019</u>
Reconciliation of Net Working Capital – December 2019	<u>6002F December 2019</u>
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater – December 2019	<u>6002H December 2019</u>
Details of Budget Amendments requested – December 2019	<u>6002J December 2019</u>
Summary of Rates Debtors – December 2019	<u>6002L December 2019</u>
Graph Showing Rates Collections – December 2019	<u>6002M December 2019</u>
Summary of General Debtors aged 90 Days Old or Greater – December 2019	<u>6002N December 2019</u>

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Not applicable.

II. OTHER AGENCIES / CONSULTANTS

Not applicable.

C20/6002-2 – STATEMENTS OF FINANCIAL ACTIVITY FOR DECEMBER 2019 (AMREC)
(ATTACHMENTS)**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

(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.

C20/6002-2 – STATEMENTS OF FINANCIAL ACTIVITY FOR DECEMBER 2019 (AMREC)
(ATTACHMENTS)**FINANCIAL IMPLICATIONS****Variances**

Variances are detailed and explained in attachment [6002H December 2019](#) (Notes on Statement of Variances in excess of \$50,000 by Sub-Program).

Proposed replacement of three waste trucks

The required capital expenditure budget to meet the cost of the waste trucks to be replaced is \$1,290,000. This funding would be made available by transfer from the City's Fleet Services Vehicles, Plant and Equipment Replacement Reserve. Sufficient funding is available in the reserve for this purpose.

Capital income to be received from the disposal of the existing trucks would be \$150,000 and will be transferred to the Fleet Services Vehicles, Plant and Equipment Replacement Reserve.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

There are no identifiable strategic, risks 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.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable

CONCLUSION

The attached financial reports reflect a positive financial position of the City of Melville as at 31 December 2019.

**C20/6002-2 – STATEMENTS OF FINANCIAL ACTIVITY FOR DECEMBER 2019 (AMREC)
(ATTACHMENTS)**

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (6002-2)
NOTING and ABSOLUTE MAJORITY**

That the Council:

- 1. Notes the Rate Setting Statement and Statements of Financial Activity for the month ending 31 December 2019 as detailed in the following attachments:**

DESCRIPTION	LINK
Statement of Financial Activity By Nature and Type – December 2019	<u>6002A Nature Type December 2019</u>
Rate Setting Statement by Program – December 2019	<u>6002B Program December 2019</u>
Rate Setting Statement by Sub-Program – December 2019	<u>6002C Sub Program December 2019</u>
Representation of Net Working Capital – December 2019	<u>6002E December 2019</u>
Reconciliation of Net Working Capital – December 2019	<u>6002F December 2019</u>
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater – December 2019	<u>6002H December 2019</u>
Details of Budget Amendments requested – December 2019	<u>6002J December 2019</u>
Summary of Rates Debtors – December 2019	<u>6002L December 2019</u>
Graph Showing Rates Collections – December 2019	<u>6002M December 2019</u>
Summary of General Debtors aged 90 Days Old or Greater – December 2019	<u>6002N December 2019</u>

- 2. By Absolute Majority Decision adopts the budget amendments, as detailed in the attached Budget Amendment Reports for December 2019 [6002J December 2019](#).**
- 3. By Absolute Majority Decision approve an amendment to the 2019-2020 budget to reflect additional fleet capital expenditure of \$1,290,000, additional capital income of \$150,000, with the net funding requirement to be transferred from the Fleet Services Vehicles, Plant and Equipment Replacement Reserve.**

At 8:47pm the Mayor declared the motion

CARRIED EN BLOC (12/0)

15. EN BLOC ITEMS

At 8:47pm Cr Macphail moved, seconded Cr Wheatland –

That the recommendations for items C20/6000-1, C20/6000-2, C20/6001-1, C20/6001-2, 6002-1 and 6002-2 be carried En Bloc

At 8:47pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

16. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

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, Mayor Honourable George Gear declared the meeting closed at 8:48pm.