

MINUTES

OF THE

ORDINARY MEETING OF THE COUNCIL

HELD ON

TUESDAY 16 MAY 2017

AT 6.30PM IN THE COUNCIL CHAMBERS

MELVILLE CIVIC CENTRE

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MINUTES OF THE ORDINARY MEETING OF THE COUNCIL HELD IN THE COUNCIL CHAMBERS, MELVILLE CIVIC CENTRE, 10 ALMONDBURY ROAD, BOORAGOON, COMMENCING AT 6.30PM ON TUESDAY, 16 MAY 2017.

1. OFFICIAL OPENING

The Presiding Member welcomed those in attendance to the meeting and declared the meeting open at 6:30pm. Mr J Clark, Governance and Compliance Program Manager, read aloud the Disclaimer that is on the front page of these Minutes and then His Worship the Mayor, R Aubrey, read aloud the following Affirmation of Civic Duty and Responsibility.

Affirmation of Civic Duty and Responsibility

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

2. PRESENT

His Worship the Mayor R Aubrey

COUNCILLORS

Deputy Mayor Cr R Aubrey
Cr D Macphail
Cr N Pazolli
Cr J Barton, Cr G Wieland
Cr M Woodall, Cr C Robartson
Cr P Phelan
Cr N Foxton
Cr T Barling (from 6:31pm)

WARD

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

3. IN ATTENDANCE

Dr S Silcox	Chief Executive Officer
Mr M Tieleman	Director Corporate Services
Ms C Young	Director Community Development
Mr J Christie	Director Technical Services
Mr G Ponton	A/Director Urban Planning
Mr L Hitchcock	Executive Manager Legal Services
Ms K Johnson (from 7:44pm)	Executive Manager Organisational Development
Mr J Rae	Strategic Land and Property Executive
Mr J Clark	Governance and Compliance Program Manager
Ms C Newman	Executive Support and Governance Officer
Ms G Healey-Burgess	Minute Secretary

At the commencement of the meeting there were 3 members of the public and 1 member from the Press in the Public Gallery.

Cr Barling entered the meeting at 6:31pm

4. APOLOGIES AND APPROVED LEAVE OF ABSENCE

4.1 APOLOGIES

Mr S Cope	Director Urban Planning
Cr T Barling (for late arrival)	University

4.2 APPROVED LEAVE OF ABSENCE

Cr C Schuster	Applecross/Mount Pleasant Ward
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5. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION) AND DECLARATIONS BY MEMBERS

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

Nil.

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

Nil.

6. QUESTION TIME

6.1 City of Melville Residents and Ratepayers Association (Inc.)

The Mayor advised the meeting that a number of questions had been received from the City of Melville Residents and Ratepayers Association (Inc.) that do not relate to agenda and will be answered by the Administration. The following questions are directed to the Mayor and the Council.

Question 1 (14)

At a 2014 meeting a ratepayer questioned the CEO on the need for building approvals/permits, that come at significant cost, if the City was not prepared to take reasonable steps to ensure building compliance as the building act empowers it to do. The CEO's response was along the lines of "we would be very busy if we did that". Does Council support the CEO's response and consequently the City's strategy in this regard?

Response

I believe that Council supports the processes adopted by the City in dealing with compliance.

Question 2 (15)

Will Council target a 0% real rate rise for 2017/18?

Response

The assumption for the 2017-2018 Rates increase used in the Long Term Financial Model was a total of 2.5% including growth in the valuation base due to development of additional properties. Perth CPI is projected to be in the range of 1.60% (City's) to 1.75% (Department of Treasury's) for the 2017-2018 financial year. Rates modelling conducted for the 2017-2018 Draft Budget shows that the total (not individual properties) rate revenue increase is likely to be in the order of 2.2% which would translate to a real increase in the order of 0.45% to 0.60% on forecasted CPI.

6.2 Questions Taken On Notice at Previous Meeting

Special Meeting of Council held 6 April 2017

6.2.1 Mr P McLarty, Bicton

Question 1

Is it true the City of Melville Officer and the consultant hired to help prepare the City of Melville Bowling Strategy document were both shareholders in the Wave Park Company at the time they prepared the document?

Response

The officer declared his interest, which formed part of a report on the matter to the Public Sector Commission.

Question 2

Is it the same Wave Park Company that made the unsolicited offer?

Response

See response to Question 1 above.

Question 3

How much did it cost the ratepayers to prepare the strategy document?

Response

A total of \$21,150 was expended on the research, consultation and development of the strategy. The initial cost was \$12,250 with supplementary information and research requested by Council that cost \$8,900.

6.2.2 Ms J Neville

Question 1

With only about 30 parking bays, how many bays are for Wave employees?

Response

The proposal from Wave Park Group includes approximately 215 car parking bays at the facility. This amount is yet to be fully assessed and once the Wave Park Group submit their development application all necessary assessments will take place from a number of relevant State Government agencies including but not limited to Main Roads, Department of Planning and the Department of Parks and Wildlife.

Question 2

If accidents (road) occur are Council going to tell Atwell House to move to make more parking area?

Response

Atwell House will remain in its current location as it is outside of the Wave Park Group's lease boundary. As indicated in the response to question 1 above, detailed parking and traffic assessments are yet to occur and will form part of the development application.

7. AWARDS AND PRESENTATIONS

Champion Waterwise Business Awarded to Heathcote Cultural Precinct for delivering significant water efficiency improvements consistently through to 2015-2016.

8. CONFIRMATION OF MINUTES**8.1 ORDINARY MEETING OF THE COUNCIL – 18 APRIL 2017**
Minutes 18 April 2017**COUNCIL RESOLUTION**

At 6:39pm Cr Aubrey moved, seconded Cr Macphail -

That the Minutes of the Ordinary Meeting of the Council held on Tuesday, 18 April 2017, be confirmed as a true and accurate record.

At 6:40 pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (11/0)

8.2 NOTES OF AGENDA BRIEFING FORUM – 2 MAY 2017
Notes 2 May 2017**COUNCIL RESOLUTION**

At 6:40pm Cr Foxtton moved, seconded Cr Woodall -

That the Notes of the Agenda Briefing Forum held on Tuesday, 2 May 2017, be received.

At 6:40pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (11/0)

8.3 GOVERNANCE COMMITTEE – 4 MAY 2017**COUNCIL RESOLUTION**

At 6:40pm Cr Phelan moved, seconded Cr Aubrey-

That the Minutes of the Governance Committee Meeting held on Thursday, 4 May 2017 be noted.

At 6:40pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (11/0)

NB: Minutes to be confirmed at next Governance Committee Meeting

8.4 SPECIAL MEETING OF COUNCIL – 6 APRIL 2017
Minutes SMC 6 April 2017**COUNCIL RESOLUTION**

At 6:40pm Cr Robartson moved, seconded Cr Aubrey-

That the Minutes of the Special Meeting of the Council held on Tuesday, 6 April 2017, be confirmed as a true and accurate record.

At 6:40pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (11/0)

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

- Item C17/5550 Chief Executive Officer

9.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT

- Item M17/5547 Mayor Interest under the Code.
- Item M17/5547 Cr R Aubrey Interest under the Code

10. DEPUTATIONS

Nil.

11. APPLICATIONS FOR NEW LEAVES OF ABSENCE

Nil.

12. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED**P17/3751- CONFIDENTIAL ITEM - DISPOSAL OF LOT 614 (85) ARDROSS STREET, APPECROSS**

The matter is confidential in accordance with section 5.23 (2) (c) of the *Local Government Act 1995*, a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and (e) a matter that if disclosed would reveal – information that has commercial value to a person; ...where the trade secret or information is held by, or is about, a person other than the local government;...

C17/5550 – CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW

The matter is confidential in accordance with section 5.23 (2) (a) of the *Local Government Act 1995*, a matter affecting and employee or employees.

13. PETITIONS

Nil.

14. REPORTS OF THE CHIEF EXECUTIVE OFFICER**14.1. ITEMS FROM THE GOVERNANCE COMMITTEE MEETING HELD ON 5 MAY 2017****C17/5550 – CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW (REC)
(CONFIDENTIAL ATTACHMENT)**

Item C17/5550 – Chief Executive Officer Performance Review is a confidential item in accordance with section 5.23 (2) (a) of the *Local Government Act 1995*, a matter affecting and employee or employees and was deferred to Item 18.2 of this agenda.

P17/3750 - FINAL REPORT AMENDMENT NO.2 TO LOCAL PLANNING SCHEME 6 – VARIOUS RESIDENTIAL UPCODINGS (REC) (ATTACHMENT)

Ward	:	Applecross/Mt Pleasant Palmyra/Melville/Willagee
Category	:	Strategic
Application Number	:	Not Applicable
Property	:	205 properties in Mount Pleasant and Melville
Proposal	:	Initiation of Amendment No.2 to Local Planning Scheme 6 – Various Residential Upcodings
Applicant	:	Not Applicable
Owner	:	Various
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	P15/3628 – Report on Submissions and Modifications to Local Planning Scheme 6 Following Advertising Ordinary Meeting of Council (12 May 2015) P16/3717 – Initiation of Amendment No.2 to Local Planning Scheme 6 – Various residential Upcoding Ordinary Meeting of Council (15 November 2016)
Responsible Officer	:	Gavin Ponton Manager Strategic Urban Planning

AUTHORITY / DISCRETION

DEFINITION

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

**P17/3750 - FINAL REPORT AMENDMENT NO.2 TO LOCAL PLANNING SCHEME 6 –
VARIOUS RESIDENTIAL UPCODINGS (REC) (ATTACHMENT)**

KEY ISSUES / SUMMARY

- On 15 November 2016 the Council resolved to initiate Local Planning Scheme 6 (LPS6) Amendment No.2 and authorise public advertising of the proposed draft amendment.
- Proposed Scheme Amendment No.2 was advertised for 52 days. The minimum duration of advertising required for a standard amendment is 42 days.
- The proposed amendment was well supported by the community. A total of 38 submissions were received with 26 of these expressing support.
- Residents have brought to the City's attention concerns relating to the management of a private laneway between Ullapool Road and Hawkins Street, Mount Pleasant. After consideration of this issue it is considered that it would be prudent for the City to defer consideration of this portion of the area proposed for upcoding until a later time.
- It is recommended that the Council adopt Amendment No. 2 modified to exclude reference to the area north of Hawkins Street, Mount Pleasant.

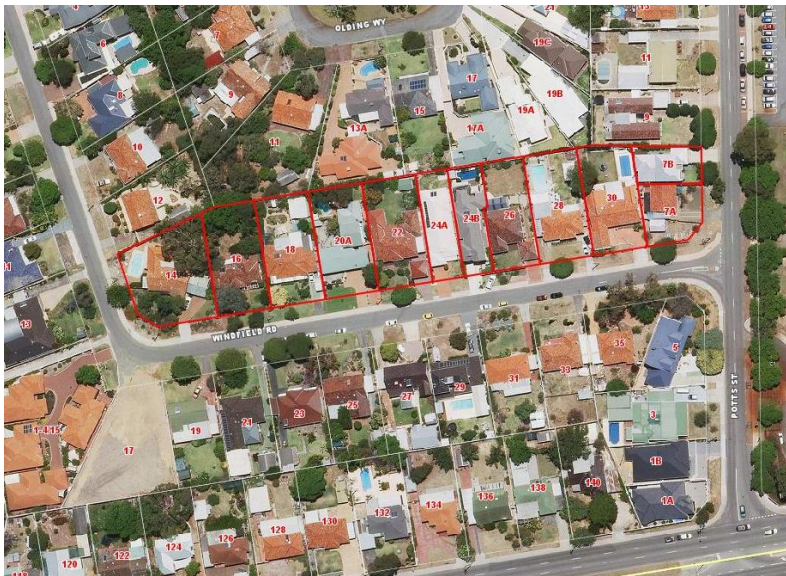


Item 1 of 3 – Mount Pleasant South

**P17/3750 - FINAL REPORT AMENDMENT NO.2 TO LOCAL PLANNING SCHEME 6 –
VARIOUS RESIDENTIAL UPCODINGS (REC) (ATTACHMENT)**



Item 2 of 3 – Mount Pleasant North



Item 3 of 3 – Windfield Road, Melville

BACKGROUND

Council considered a report on submissions and modifications to LPS6 at its meeting held on 12 May 2015. LPS6 was gazetted on 27 May 2016. At its meeting held on 15 November 2016 the Council resolved to consider an omnibus scheme amendment examining at least some of the outstanding suggestions made by the public during the consultation period.

**P17/3750 - FINAL REPORT AMENDMENT NO.2 TO LOCAL PLANNING SCHEME 6 –
VARIOUS RESIDENTIAL UPCODINGS (REC) (ATTACHMENT)**

Most of the changes to LPS6 suggested for further consideration in the May 2015 Council resolution have, after technical review, not been considered suitable for progression to a Scheme Amendment. In summary, each of the excluded suggestions lacked planning merit, in the sense that they were considered inconsistent with the Local Planning Strategy, or proposed land uses that could not be reconciled with the LPS6 zoning. These items are not likely to be considered again until the next formal Scheme review.

The three proposals comprising Scheme Amendment 2 were considered to have merit and were advertised to the community accordingly.

Scheme Provisions

MRS Zoning	:	Urban
LPS6 Zoning	:	Residential
R-Code	:	R12.5 (Mount Pleasant lots) and R20 (Melville lots)
Use Type	:	Not Applicable
Use Class	:	Not Applicable

Site Details

Lot Area	:	Not Applicable
Street Tree(s)	:	Not Applicable
Street Furniture (drainage pits etc.)	:	Not Applicable
Site Details	:	Not Applicable

DETAIL

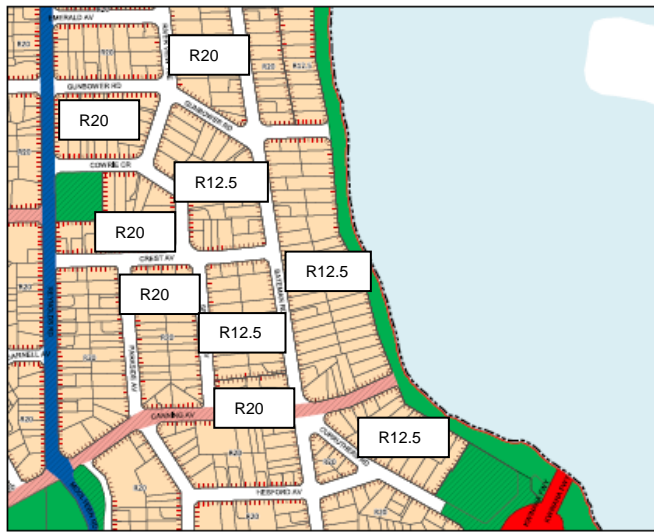
As stated it is proposed to amend LPS6 to accommodate three changes that were suggested by the public during advertising of the LPS6 draft.

[3750 Submissions Summary LPS6 Amendment 2](#)

The three proposed changes, as advertised to the public 6 February to 31 March 2017, are:

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

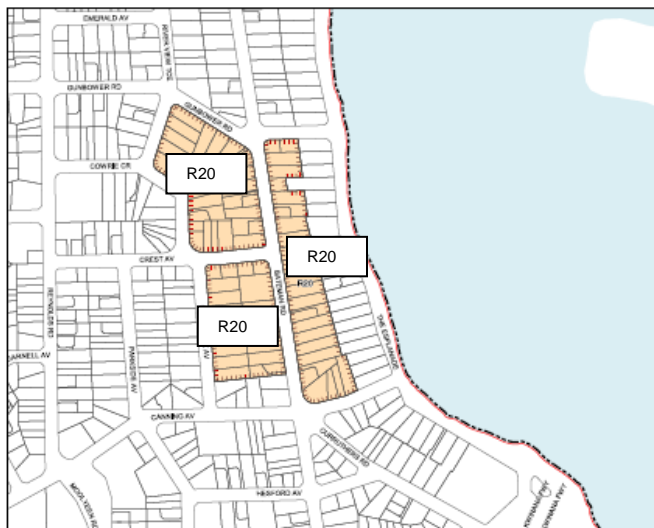
P17/3750 - FINAL REPORT AMENDMENT NO.2 TO LOCAL PLANNING SCHEME 6 – VARIOUS RESIDENTIAL UPCODINGS (REC) (ATTACHMENT)



EXISTING ZONING

SCHEME LEGEND

- Local Planning Scheme 6**
- Residential
 - Public Open Space
 - District Distributor Road
 - Local Distributor Road
- Regional Reserves**
- Parks & Recreation
 - Primary Regional Roads



SCHEME (AMENDMENT) MAP



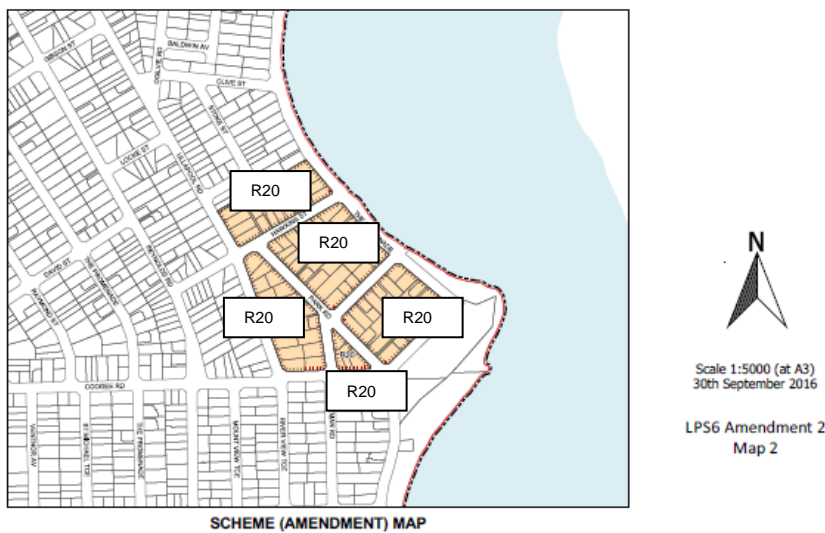
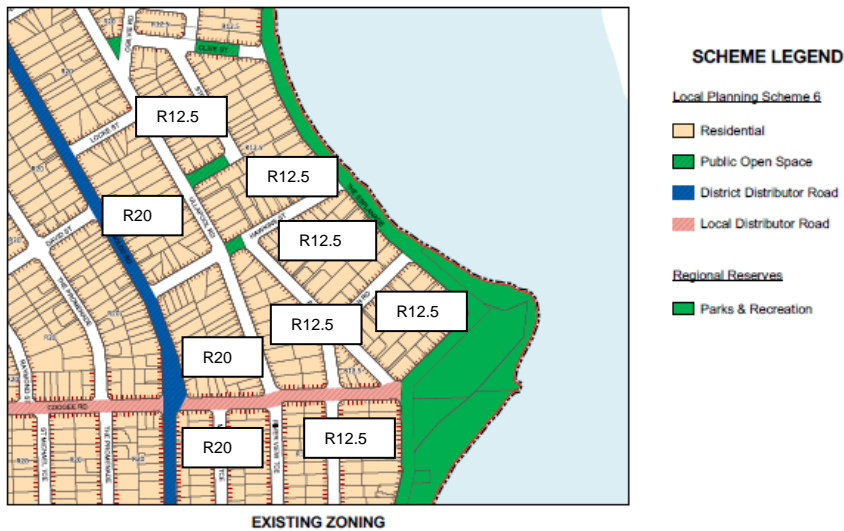
Scale 1:5000 (at A3)
30th September 2016

LPS6 Amendment 2
Map 1

P17/3750 - FINAL REPORT AMENDMENT NO.2 TO LOCAL PLANNING SCHEME 6 – VARIOUS RESIDENTIAL UPCODINGS (REC) (ATTACHMENT)

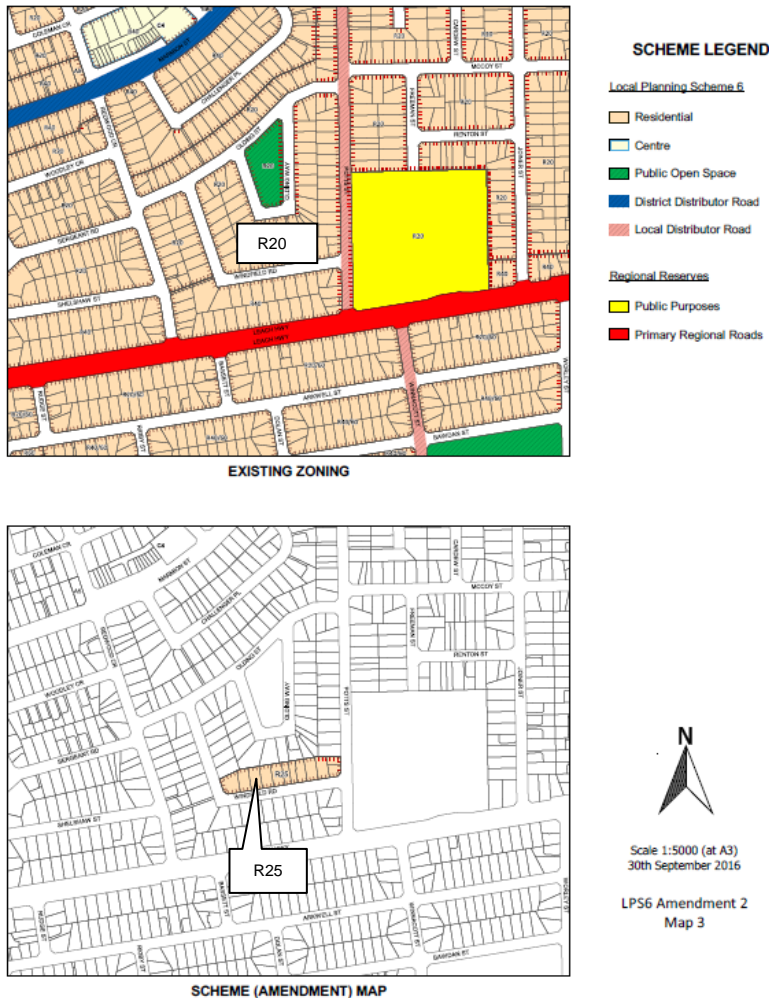
2. Changing the R12.5 density code on lots in Mount Pleasant within the area **surrounded by The Esplanade, Coogee Road, rear lot boundaries of lots abutting Bateman Road on the west, rear lot boundaries of lots abutting Park Road to the west, rear lot boundaries of lots abutting the north of Hawkins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

For reasons explained in the comment section of this report, it is recommended that the area north of Hawkins Street be excluded from this item.



P17/3750 - FINAL REPORT AMENDMENT NO.2 TO LOCAL PLANNING SCHEME 6 – VARIOUS RESIDENTIAL UPCODINGS (REC) (ATTACHMENT)

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



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

The proposed density codes of R20 and R25 offer almost no potential for apartments as a minimum site area per dwelling (450m² in R20 and 350m² in R25) applies. It can be expected that the buildings in each subject area would be consistent with existing surrounding development and suburban in nature.

The slight increase in density codes will see a slight increase in dwelling yields within each subject area. These increases will moderately enhance housing diversity and assist the City meet its dwelling targets under Directions 2031, the State Government's strategic planning framework. More detail regarding the dwelling yields is provided in the comments section of this report.

P17/3750 - FINAL REPORT AMENDMENT NO.2 TO LOCAL PLANNING SCHEME 6 – VARIOUS RESIDENTIAL UPCODINGS (REC) (ATTACHMENT)

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

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

STAKEHOLDER ENGAGEMENT

Advertising Required: Yes

I. COMMUNITY

As noted in the Background section of this report, extensive stakeholder engagement was undertaken through the scheme review process in 2014-2015.

Scheme Amendment 2 was advertised for 52 days from Monday 6 February 2017 until Friday 31 March 2017 via the following methods:

- Letters to all landowners in the relevant areas (448 letters total)
- An advertisement in the *Melville Times* on Tuesday 7 February 2017
- Letters to all service agencies
- Information available for viewing at the Civic Centre
- Information available on the City's website.

A total of thirty three (33) submissions were received from the public, plus another five (5) from service authorities noted below, making a total of thirty eight (38) submissions. Responses are arranged in the table below by locality.

Item 1 – Upcoding in Mount Pleasant South

Category of Submission	Number of Submissions
Support for Scheme Amendment as proposed	12
Objection to Scheme Amendment as proposed	1
TOTAL	13

P17/3750 - FINAL REPORT AMENDMENT NO.2 TO LOCAL PLANNING SCHEME 6 – VARIOUS RESIDENTIAL UPCODINGS (REC) (ATTACHMENT)

Item 2 – Upcoding in Mount Pleasant North

Category of Submission	Number of Submissions
Support for Scheme Amendment as proposed (incl 1 late submission)	9
Objection to Scheme Amendment as proposed	3
Objection to proposed changes north of Hawkins Street only	7
TOTAL	19

Item 3 – Upcoding in Windfield Road, Melville

Category of Submission	Number of Submissions
No submissions received	0
TOTAL	0

Other submissions relevant to all 3 areas

Category of Submission	Number of Submissions
Objection to entire Scheme Amendment	1
Service authority statements of no objection	5
TOTAL	6

Summary

Category of Submission	Number of Submissions
Total support (incl service authorities)	26
Total objection	5
Total objection to changes north of Hawkins Street only	7
TOTAL	38

A detailed summary of submissions is included as an attachment to this report.

II. OTHER AGENCIES / CONSULTANTS

Information on Amendment 2 was sent to all relevant government agencies.

Required: Yes
Reason: As per *Planning and Development (Local Planning Schemes) Regulations 2015*
Support/Object: No objections received as noted above

**P17/3750 - FINAL REPORT AMENDMENT NO.2 TO LOCAL PLANNING SCHEME 6 –
VARIOUS RESIDENTIAL UPCODINGS (REC) (ATTACHMENT)****STATUTORY AND LEGAL IMPLICATIONS**

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

A decision by the Council on whether or not to adopt the subject amendment is final and there is no right of appeal.

FINANCIAL IMPLICATIONS

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

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

There are not considered to be strategic, risk or environmental management implications associated with this application other than the matters considered in this report.

POLICY IMPLICATIONS

There are not considered to be further policy implications in respect of the proposed Scheme Amendment.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The Council could elect not to progress the three proposed modifications. It is noted that the proposed upcoding would have a minor effect on the residential densities in Mount Pleasant and Melville. Mt Pleasant would retain large areas of R12.5, a code associated with very low densities. In relation to Melville, a decision not to proceed would miss opportunities for improving the density of its high school and transport route catchments.

COMMENT

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

**P17/3750 - FINAL REPORT AMENDMENT NO.2 TO LOCAL PLANNING SCHEME 6 –
VARIOUS RESIDENTIAL UPCODINGS (REC) (ATTACHMENT)**Mount Pleasant South

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

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

It should be noted that the City gave consideration to whether the small R12.5 area south of Canning Avenue should be upcoding to R20. It was determined that this area should remain at R12.5 due to the isolating effects of the Carruthers Street cul-de-sac, the lack of enquiry from locals in this area, and the negative impact of Kwinana Freeway on local traffic movement, which limit the desirability of even slightly higher densities.

The proposal to upcode this area attracted 13 submissions from affected residents. Twelve of these submissions expressed support for the proposal.

Mount Pleasant North

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

An upcode of this modest nature remains consistent with the Local Planning Strategy, which states that suburban areas should be left at low densities.

The proposed upcoding of Mount Pleasant North was well received south of Hawkins Street.

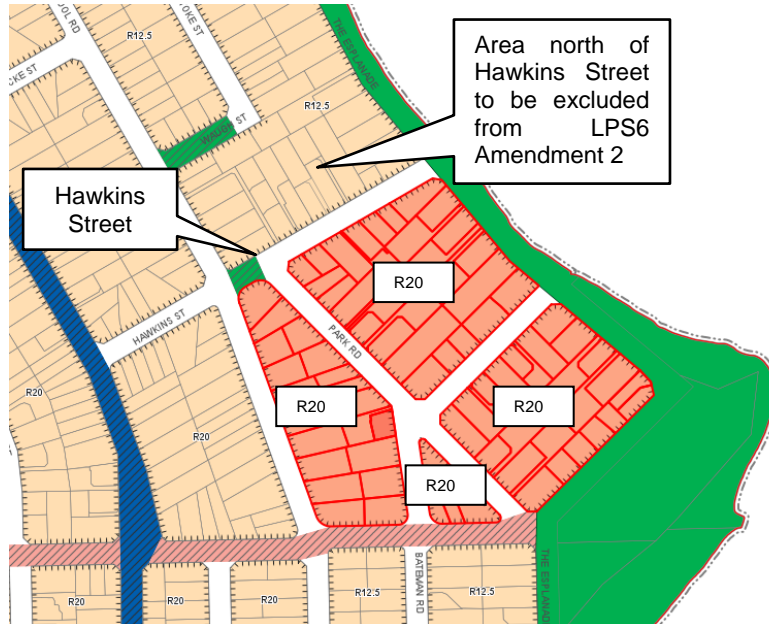
North of Hawkins Street some concerns have been raised in relation to a private laneway which is approximately 130m long. Residents with access to the laneway are concerned at the thought of additional homes being built around it. While the potential impact of additional housing on laneway traffic levels is likely to be minimal there are questions relating to the tenure and management of the laneway which would warrant investigation prior to contemplating upcoding and potential additional traffic usage. It is therefore considered prudent to remove from the proposed amendment, all reference to the area north of Hawkins Street.

The subdivision potential of lots in this area is among the lowest in the proposal, and the laneway is around 450m distant from the Deep Water Point node identified in the Local Planning Strategy. As such, it is considered that the excision would not unduly impact the City's strategic urban planning intentions.

P17/3750 - FINAL REPORT AMENDMENT NO.2 TO LOCAL PLANNING SCHEME 6 – VARIOUS RESIDENTIAL UPCODINGS (REC) (ATTACHMENT)



It is recommended that the final form of Item two (Mount Pleasant North), be prepared along the lines of the map below, with the resolution to be worded accordingly.



Windfield Road, Melville

The section of Windfield Road, Melville, proposed for upcoding from R20 to R25 is also considered a good candidate for gradual redevelopment. Windfield Road is within 110m of a high-frequency public transport route (Leach Highway), and under the Local Planning Strategy is ideal for slightly higher density.

**P17/3750 - FINAL REPORT AMENDMENT NO.2 TO LOCAL PLANNING SCHEME 6 –
VARIOUS RESIDENTIAL UPCODINGS (REC) (ATTACHMENT)**

The activity centre on Marmion Street/Redwood Crescent is less than 400m to the north. Lots abutting the south of Windfield Road have already been upcoded to R40. As the homes in the subject area are relatively old, and most lots are larger than the 700m² minimum required for subdivision under an R25 coding, it can be expected that a coding of R25 would prove effective. Furthermore, it will not be possible to build multiple dwellings at densities higher than those normally permissible for detached dwellings under an R25 code.

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

During advertising of the proposed amendment no written submissions on Windfield Road were received, though officers received a number of telephone queries.

CONCLUSION

In all cases the proposed residential upcodes are relatively minor and unlikely to lead to drastic changes. Only suburban style development consistent with existing surrounding development would be permitted.

For the reasons given in the report relating to the laneway between Ullapool and Hawkins, it is recommended that the final form of Item two (Mount Pleasant North) exclude the properties north of Hawkins Street. Beyond this, the proposed amendment comprising Items one, two and three has been generally well supported.

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

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3750) APPROVAL

At 6:43pm Cr Robartson moved, seconded Cr Barton -

That the Council:

- A. Notes the submissions received during the public advertising of Scheme Amendment 2 and advise all submitters in writing of the Council's resolution.**
- B. Pursuant to Section 75 of the *Planning and Development Act 2005*, resolves to endorse modified Scheme Amendment No. 2 to Local Planning Scheme 6 as follows:**
 - 1. Changing the R12.5 density code of the area surrounded by Riverview Terrace (south of Gunbower Road), Cowrie Crescent, Springside Avenue, and the lots abutting the eastern side of Bateman Road (between Canning Avenue and Gunbower Road), to R20;**
 - 2. Changing the R12.5 density code on lots in Mount Pleasant within the area surrounded by The Esplanade, Coogee Road, rear lot boundaries of lots abutting Bateman Road on the west, and rear lot boundaries of lots abutting Park Road to the west; and**
 - 3. Changing the R20 density code of lots abutting the north side of Windfield Road, Melville, to R25.**

P17/3750 - FINAL REPORT AMENDMENT NO.2 TO LOCAL PLANNING SCHEME 6 – VARIOUS RESIDENTIAL UPCODINGS (REC) (ATTACHMENT)

C. Advise the Western Australian Planning Commission that the proposal is considered to be a standard amendment to Local Planning Scheme 6 in accordance with regulation 35 (2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as:

- 1. It is an amendment relating to a zone or reserve that is consistent with the objectives identified in the Scheme for that zone or reserve;**
- 2. It is an amendment that is consistent with a local planning strategy for the Scheme that has been endorsed by the Commission;**
- 3. It is an amendment that would have minimal impact on land in the Scheme area that is not the subject of the amendment; and**
- 4. It is an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the Scheme area.**

At 6:57pm the Mayor submitted the motion, which was declared

CARRIED (8/3)

Vote Result Summary	
Yes	8
No	3

Vote Result Detailed	
Cr Aubrey	Yes
Cr Barling	Yes
Cr Foxtton	Yes
Cr Macphail	Yes
Cr Phelan	Yes
Cr Robartson	Yes
Cr Woodall	Yes
Mayor Aubrey	Yes
Cr Barton	No
Cr Pazolli	No
Cr Wieland	No

P17/3753 – CARAWATHA RESIDENTIAL DEVELOPMENT PROJECT PROPOSAL SUBMISSIONS REPORT (AMREC)

Ward : Palmyra/Melville/Willagee
 Category : Strategic
 Application Number : Not Applicable
 Property : 10 Archibald Street, Willagee
 Proposal : Carawatha Residential Development Project Proposal Submissions Report
 Owners : 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 : Confidential Item P16/3701 – Carawatha Redevelopment Project Update
 Item P17/3738 – Carawatha Residential Development Project Proposal
 Responsible Officer : Jeremy Rae
 Strategic Land and 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>

**P17/3753 – CARAWATHA RESIDENTIAL DEVELOPMENT PROJECT PROPOSAL
SUBMISSIONS REPORT (AMREC)****KEY ISSUES / SUMMARY**

- This report advises details of submissions received as a result of the Public Notice advising the proposed disposition of the Carawatha site by way of a joint redevelopment proposal between the City of Melville and the Satterley Property Group.
- The Council is required to consider all submissions received and then resolve to proceed or amend the proposed disposition.
- Report recommends proceeding with drafting and execution of the development and project management agreements with the preferred project partner.

BACKGROUND

The Council of the City of Melville, at an Ordinary Meeting of the Council on Tuesday 21 February 2017, resolved to advertise the proposed redevelopment and disposition and Business Case in accordance with Section 3.59 of the *Local Government Act 1995* as follows:

That the Council

1. *Notes the Business Case which details the proposed Carawatha Residential Development Project in Willagee;*
2. *Accepts the land valuation report prepared by Colliers International dated 29 June 2016 and confirms that the valuation is a true indication of the current land value;*
3. *Approves the Proposal for advertising of the Business Case and the Project Participation Fee as per the requirements of section 3.59 of the Local Government Act 1995; and*
4. *Directs the Chief Executive Officer to report to the Council at the conclusion of the advertising period.*

The Public Notice of a Major Land Transaction was prepared in accordance with Section 3.59(4) of the *Local Government Act 1995*. The Public Notice period seeking submissions commenced on Friday, 24 February 2017 and closed on Friday, 21 April 2017 at 5pm with all valid submissions having been received by closing of the advertising period.

The Public Notice of Major Land Transaction and Business Case was advertised on the City's website, in the West Australian, the Melville Times and the City's Public Notice Boards and public notice signage was placed at the Carawatha site.

**P17/3753 – CARAWATHA RESIDENTIAL DEVELOPMENT PROJECT PROPOSAL
SUBMISSIONS REPORT (AMREC)****DETAIL****Property Details**

- Current Owner
 - City of Melville
- Address
 - 10 Archibald Street, Willagee
- Title Particulars
 - Part Lot 300 Diagram D48936 Certificate of Title Volume 2607 Folio 498
- Easements and Encumbrance
 - None
- Total Land Area
 - Estimated 2.596 Hectares (subject to future survey)
- Zoning
 - Urban (MRS)
 - Residential R60 under LPS No.6

STAKEHOLDER ENGAGEMENT**I. Community**

An advertisement inviting submissions on the proposed redevelopment and disposition was placed in the West Australian on Friday 24 February 2017 with submissions closing after a seven week period at 5pm on Friday 21 April 2017. Notices were also placed in the Melville Times, the City's Website (including the Business Case), Public Notice Boards and in all Libraries and signage at the Carawatha site. The Business Case was also available for inspection at the Civic Centre.

A total of two submissions were received during the advertising period with all submissions recorded electronically. No late submissions were received One submission was in the form of public comment / question requesting tree retention but was not opposed to the development proposal. The other submission was opposed to the development on the grounds that the submitter believed the site should be public open space.

**P17/3753 – CARAWATHA RESIDENTIAL DEVELOPMENT PROJECT PROPOSAL
SUBMISSIONS REPORT (AMREC)**

The submission received are summarised in the table below:-

Table 1

Submission Numbers	Summary of Submissions	Support/Object	Officer's Comment
Submission 1	Objection by a resident to developing community use and public open space land.	Objection To The Proposal	<p style="text-align: center;">Noted</p> <p>The City acquired the Carawatha site from the State Govt. for the purpose of creating public open space and to contribute the revitalisation of Willagee through infill development. The City has created an award winning park of 1.2 ha covering approximately 30% of the total site. The remaining portion to be redeveloped to deliver on the Willagee Structure Plan objectives adopted under LPS 6.</p>
Submission 1	Question raised by a resident over the impact of the proposed development on the existing mature trees on the site	Questions Only	<p style="text-align: center;">Noted</p> <p>The City requested in the RFP process for proponents to submit development proposals which were sensitive to the City's Tree Retention Policy. The current proposal seeks to retain as many existing mature trees as possible on the site and failing this, where trees have to be removed they will be replaced by native species.</p>

**P17/3753 – CARAWATHA RESIDENTIAL DEVELOPMENT PROJECT PROPOSAL
SUBMISSIONS REPORT (AMREC)****II. Other Agencies/Consultants****Key Stakeholders**

Key stakeholders that have or will be consulted in relation to the proposed development include:-

- Willagee Community, Residents and Business Owners
- Department of Planning
- Western Australian Planning Commission (WAPC)
- Department of Environmental Regulation
- Department of Parks and Wildlife
- Department of Water
- Water Corporation
- Western Power
- Main Roads
- Telstra/NBN

Communications Plan

As highlighted in the business case the City has established a communications plan to engage with the community over the project and explain the deliverable benefits of the project to the community in meeting planning, social, governance and economic outcomes. The engagement plan would be implemented from the time the proposal is formally approved by the Council after the submissions report has been received by the Council.

STATUTORY AND LEGAL IMPLICATIONS

The *Local Government Act 1995* at Section 3.59 (3) (b) requires the Council to consider all valid submissions received prior to resolving any action or position on this matter. The Council's decision and the reasons for a decision must be recorded in the Minutes of the Meeting. The decision must also be made by an absolute majority of the Council.

FINANCIAL IMPLICATIONS

The financial implications of the proposed transaction have been detailed in the Business Case provided to the Council at the Ordinary Meeting of Council on Tuesday, 21 February 2017.

P17/3753 – CARAWATHA RESIDENTIAL DEVELOPMENT PROJECT PROPOSAL SUBMISSIONS REPORT (AMREC)

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

In addition the following risk table summarises the key risks for the City:-

Risk Statement	Level of Risk	Risk Mitigation Strategy
<p>The draft development Agreement and Project Management/Selling Agreements prepared by SPG have elements that carry risk for the City and currently appear to favour SPG over the City.</p>	<p>High level of risk</p>	<p>The City will ask its solicitors to peer review the agreements thoroughly to ensure all potential legal risks to the City are captured, addressed and mitigated where possible.</p>
<p>Sales risk due to the prevailing market conditions and the uncertainty of market appetite for the proposed development.</p>	<p>Medium level of risk</p>	<p>The project is planned to be developed in stages to ensure risk mitigation and pre-sales targets are achieved before each stage works is commenced. In addition, the project has allowed for extensive marketing campaign costs if required to bolster sales if the market is in a sluggish phase and sales hurdle rates decline.</p>
<p>Potential for conflicts of interest given the Project Manager (Satterley Property Group) is related to the Developer Participant (Satterley Investment Company – Special Purpose Vehicle) and the City as a project participant is also the responsible agency in the planning approvals process Responsible Authority Report (RAR) to JDAP</p>	<p>Low level of risk</p>	<p>All agreements are to be made by the “Management Committee” solely and in accordance with the voting powers. Further, a Probity Group or similar would be established. The development application will be assessed by the Joint Development Assessment Panel to which the City only provides a Responsible Authority Report (RAR) and is not the assessing agency for final approval.</p>

**P17/3753 – CARAWATHA RESIDENTIAL DEVELOPMENT PROJECT PROPOSAL
SUBMISSIONS REPORT (AMREC)****POLICY IMPLICATIONS**

The Council Policies that would need to be referred to if the Proposal is to proceed includes the following:

- Car Parking and Access (Policy CP-079, 19/8/2013)
- Crime Prevention Through Environmental Design of Buildings – CP-065
- Architectural and Urban Design Advisory Panel – CP-069
- Disability Access and Inclusion Policy – CP-084
- Energy Efficiency in Building Design – CP-080
- Environmental Policy – CP-030
- Flood and Security Lighting – CP-058
- Land Property Retention, Disposal and Acquisition – CP-005
- Physical Activity – CP-028

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The alternative option is to not proceed with approving the proposal and cease the request for proposal (RFP) process altogether. The implications from this include:-

1. Do nothing and retain the existing site and forgo the benefits of activation, housing supply and increased economic return to the local community and the City; and
2. Sell the site as is and lose control over the built form development and timing of the delivery of the development and reduced economic return to the City.

CONCLUSION

The City has engaged in a very detailed and thorough public process to identify and secure a development proposal for Carawatha which aims to deliver on key objectives for the City. In assessing the options one of the key considerations is the level of risk the City may be exposed to as a result of undertaking such a project.

The proposal is structured in such a way that it should deliver minimal risk to the City whilst delivering key benefits and outcomes sought from the project. Through prudent measures the City together with its Solicitors and Risk Advisors would be able to implement a project risk mitigation strategy which addresses the identified risks and their potential impacts should they arise. This proposal if approved will not only deliver on key objectives sought by the City but will enhance the Council's and Community's confidence in the City to deliver similar projects in the future within the City.

**P17/3753 – CARAWATHA RESIDENTIAL DEVELOPMENT PROJECT PROPOSAL
SUBMISSIONS REPORT (AMREC)****OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3753)****ABSOLUTE MAJORITY**

At 6:58pm Cr Phelan moved, seconded Cr Macphail -

That the Council, having considered the submissions as set out in this report:

- 1. By absolute majority decision authorises the City's Chief Executive Officer to proceed with the drafting and execution of the development and project management agreements with the Satterley Property Group;**
- 2. Requests the Chief Executive Officer to present the development and project management agreements to an Elected Member Information Session prior to executing the agreements; and**
- 3. Requests the Chief Executive Officer to, by way of a Notice on the City's website, advise the public and in writing to all parties who submitted, that the proposal between the City and the Satterley Property Group has been approved by the Council.**

At 6.58pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (11/0)

T17/3754 - URBAN FOREST STRATEGY (REC) (ATTACHMENT)

Ward : All
 Category : Strategic
 Subject Index : Urban Forest Strategic Plan
 Customer Index : City of Melville
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : T16/3720 Urban Forest and Green Space Policy – 20 September 2016
 Works Programme : TBC
 Funding : \$300,000 listed in Long Term Financial Plan
 Responsible Officer : Jeff Bird
 Manager Natural Areas and Parks

AUTHORITY / DISCRETION

DEFINITION

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

T17/3754 - URBAN FOREST STRATEGY (REC) (ATTACHMENT)**KEY ISSUES / SUMMARY**

- The purpose of this report is to seek endorsement for the draft attached document – *City of Melville Urban Forest Strategic Plan: Part A – City-Controlled Land (2017-2036)* which forms part of the attachments to this Item, which sets out the mechanisms for giving effect to CP-102: the *Urban Forest and Green Spaces Policy*, adopted by Council on 20 September 2017.
- The City controls 37% of the land area within the City of Melville, yet provides almost half of the tree canopy cover and 40% of the understorey vegetation cover. The development-related loss of mature vegetation on private land is increasing the community's dependence on City-controlled land as the mainstay of the urban forest.
- Many of the City's trees are growing old, and approximately 25,000 of the City's estimated 40,000 street trees are expected to reach the end of their expected life in the next 20 years. A managed succession plan is necessary to avoid significant loss of tree cover.
- Predicted climate change will have implications for the urban forest management in the public realm, including the health and longevity of existing City trees, selection of climate resilient new species, and sustainable tree population levels in vulnerable local environments. Locally relevant environmental research and practical urban forest system management tools are needed to support the City's urban forest decision making.
- Additional funds required to increase tree planting by the City and develop digital tools for urban forest management will be accessed from the Public Open Space Reserve.
- A healthy and resilient urban forest is a shared responsibility and public engagement will be critical to support the City in its management of the urban forest system.
- The community reference group recommended that an Urban Forest Community Engagement Officer be recruited to coordinate community education/awareness, incentive and engagement programs.
- The plan aims to achieve the outcomes of understanding, management, innovation, responsiveness and integration in its urban forestry through meeting the following goals:
 - The City will renew its ageing trees with no net loss of urban forest canopy on City land, and targeted increases to achieve locally optimal levels of tree canopy cover.
 - The City will establish and maintain a street and other significant trees database to ensure it has extensive and current knowledge of the location, profile and condition of the City's urban forest, and of potential additional planting sites.
 - The City will strive for excellent urban forest management delivering resilient, diverse, sustainable, fit-for-purpose urban forest on City land supported by active, innovative community participation.
 - The City will integrate urban forest protection into urban planning instruments and practices and its land and infrastructure asset management.
- Additional plans will be developed over the next 18 months relating to the component of the urban forest growing on private and institutional land, and to the City's green space other than urban forest, (primarily turfed sport and recreational areas and community/communal gardens).
- This report recommends that the Council notes and endorses the draft Urban Forest Strategic Plan, Part A for the purposes of public consultation and considers the appointment of an Urban Forest Officer as part of the 2017-2018 budget process.

T17/3754 - URBAN FOREST STRATEGY (REC) (ATTACHMENT)**BACKGROUND**

At the Ordinary Meeting of Council on 12 May 2015, the Council requested the Chief Executive Officer to develop funding options to develop and implement an Urban Forest Strategy to mitigate the effects of climate change. These options were presented at the Elected Members Information Session (EMIS) on 25 August 2015, and the City consequently commenced the development of an Urban Forest Strategy.

At the Ordinary Meeting of Council of 20 September 2016, the Council adopted the *Urban Forest and Green Spaces Policy* (CP102), setting out objectives and principles to guide the City's approach to preserving, enhancing and managing its urban forest and green space. At that time, it was decided to give effect to the Policy through three documents, since different mechanisms would be required to maintain and enhance the urban forest on public and private land, and different issues apply to types of green space that do not fall into the classification of "forest" (e.g. turfed areas, low-growth landscaping, community gardens and built-form green space such as green roofs/walls).

Priority was given to developing a plan to give effect to the Policy in the public realm, relating to that component of the urban forest that grows on land owned or controlled by the City. The attached draft [Urban Forest Strategic Plan: Part A – City-Controlled Land](#), is the result of this work.

The trend of preparing and implementing local urban forest strategies commenced in the USA as a response to concerns that urban tree populations were dwindling rapidly, while evidence of the multiple social, environmental and economic benefits of urban trees was becoming better known and in some cases quantifiable. Since then the movement has spread internationally. Many local governments in Australia have completed or commenced the process of developing such strategies.

The urban forest is an integral part of the urban environment in the City of Melville, delivering multiple socio-cultural, environmental and economic benefits and in many cases defining the character of neighbourhoods.

Independent analysis commissioned by the City in February 2016, revealed that 24% of the total land area in the City of Melville, (public and private) is covered by canopies of trees more than three metres tall, with a further 18% covered by understorey vegetation, although tree and understorey cover is not evenly distributed. There is no indication of social or other problems in the City attributable to a deficiency of trees or other vegetation, although the amenity of some locations may be improved by planting more.

Although the City currently controls about 37% of the land area in the City, it provides almost half of the tree canopy cover and 40% of the understorey cover, (see *Figure 5, page 25 of the draft Urban Forest Strategic Plan: Part A – City-Controlled Land*). The ongoing development-related loss of mature trees on private land will lead to increasing community dependence on City-controlled land to preserve the extent of the urban forest and meet public expectations that the City will retain its leafy character.

Although the City's performance in managing its urban forest performance is currently delivering excellent outcomes and high community satisfaction, there are a number of emerging risks to the urban forest that the City needs to address.

T17/3754 - URBAN FOREST STRATEGY (REC) (ATTACHMENT)

These include an ageing tree population, the predicted impacts of climate change on City trees and on the capacity of the environment to support them, incomplete information about the location, nature and condition of the City's urban forest assets and potential new planting sites, and competing public and private objectives concerning the location and type of trees planted on public land.

DETAIL

The urban forest is an integral part of the urban environment. It is a synergistic system of "green infrastructure assets" delivering multiple socio-cultural, environmental and economic benefits and in many cases defining the character of neighbourhoods.

Increased residential density has already resulted in a significant loss of mature trees on private land and a number of regulatory and market factors outside the City's control are likely to ensure that this trend continues. Generally when trees are lost to redevelopment, the land on which they grew is covered with buildings or paving, so buyers have no space for replacement trees.

With fewer trees on private land, and an increasing proportion of residents having no green space of their own, the community will progressively rely more on the City and the public realm to be the primary provider of the urban forest and its associated benefits. In rising to this challenge, the City needs to understand and manage the following issues and risks:

- The City has an ageing tree population, with many City trees in older suburbs more than 50 years old. A survey of approximately 20,000 street trees indicates that more than 50% of the City's existing street trees may have a remaining useful life expectancy of less than 20 years. In some suburbs this proportion is much higher (e.g. 90% of street trees in Ardross may reach the ends of their natural lives within 20 years, (*see Figures 14 and 15, page 32 of draft Urban Forest Strategic Plan: Part A – City-Controlled Land*).
- Many of the mature street and park trees were planted in the 1950s and 1960s. Since then, the average annual rainfall on the Perth coastal plain has reduced by 23%, average annual temperatures have increased by about 1°C due to a combination of climate change and the urban heat island effect, and the frequency of heatwaves (three or more consecutive days over 40°C) has doubled. Natural recharge of underground aquifers has significantly declined and groundwater reserves are under pressure from the demands of human use, irrigation of parks and private gardens, and evapotranspiration by perennial vegetation (trees).
- Continuing climate change is expected to result in further reduction in annual rainfall, warmer average temperatures, more frequent heat waves and storms, higher bushfire risk, and lower water tables. Critically, for urban forest management, the Bureau of Meteorology predicts that rainfall will decline by a further 15% by 2030, (compared with 2011) and by around 30% by 2090 (medium scenario). This time horizon is within the life span of trees planted now.
 - The health and longevity of some existing City tree species, especially those currently growing at the limits of their climatic tolerance, may be adversely affected by dryer, hotter conditions. Stressed trees are more vulnerable to attack by pests and diseases, and to structural weaknesses.

T17/3754 - URBAN FOREST STRATEGY (REC) (ATTACHMENT)

- Four species account for 41% of the City's street trees (see Figure 12, page 29 of the draft *Urban Forest Strategic Plan: Part A – City-Controlled Land*), a lack of diversity which could exacerbate the impact on the urban forest of pest and disease epidemics or new temperature and rainfall patterns which exceed the climatic tolerance range of one of these species.
- “Future-proofing” the urban forest on City land will require the identification of tree and understorey species, including species that may not currently grow here, which are suited to predicted climate conditions.
- While the urban forest is affected by the consequences of climate change, it can also influence them.
 - Urban heat - trees can mitigate the effect of urban heat at micro-climatic and neighbourhood scales through shading people and hard surfaces, and through evaporative cooling from water vapour released by transpiration.
 - Water table levels - evapotranspiration demands a source of water and if this demand exceeds the amount of water received from rainfall, trees with roots deep enough to reach the water table will make up the shortfall from groundwater.
- Most of the City's natural areas now have much denser tree canopy cover than existed in the open banksia woodlands that characterised the area prior to European settlement. Tree canopy cover that exceeds the sustainable carrying capacity of the environment may deplete soil nutrient levels, increase pressure on groundwater reserves, lower the water table at a local level and compete for water with other vegetation and with groundwater-dependent ecosystems such as wetlands.
- The City does not have complete and current information about its current urban forest assets or the benefits derived from them. It also does not have access to adequate reliable, locally-relevant data about predicted climate change effects, the vulnerability of existing urban forest species to those effects, local urban forest ecology and hydrology or local environmental capacity. This lack of information introduces a significant level of uncertainty and risk to urban forest planning and decision-making.
- The community is generally supportive of more trees on City land, but some residents object to the location, size or type of individual trees on City land because of perceived personal disadvantage. Competing private and public objectives can add to the complexity of urban forest management in the public realm.

The City's has traditionally maintained a horticultural focus on individual trees and other plants with an emphasis on response. The issues and risks listed above could be more efficiently and effectively managed by a more proactive and integrated systems management approach that applies appropriate asset management principles.

A systems management model for the urban forest would also facilitate a more flexible, outcome-based approach to resolving local competing objectives and minimising conflict between public and private interests.

T17/3754 - URBAN FOREST STRATEGY (REC) (ATTACHMENT)

This shift of perspective allows for the recognition and management of complex relationships between components of the urban forest, and between the forest and the community, urban fauna, other City infrastructure, and the character and amenity of neighbourhoods. The attached draft *Urban Forest Strategic Plan: Part A – City-Controlled Land* focuses on long term outcomes aligned with the opportunities, constraints and risks of dealing with a living system where the key components are long-lived but slow to mature.

The draft *Urban Forest Strategic Plan: Part A – City-Controlled Land*:

- sets out the goals and objectives for the City's urban forest program on its own land and shows how these relate to CP-102, the Strategic Community Plan 2016-2026 and the Corporate Business Plan 2016-2020;
- identifies key drivers, pressures and risks for the urban forest;
- describes the current state of the urban forest across the City and specifically on City land;
- explains the issues and challenges to be addressed in urban forest management for the future; and
- proposes indicators, aspirational targets, tactics for achieving the goals, measures of success and responsibilities.

It is important to note that there is currently considerable uncertainty about the scale and cost of the work to be done due to insufficient available data. A key element of the Plan is the development of a complete and current database of City trees and potential new planting sites on verges and in priority parks, and the acquisition of reliable, locally-relevant data concerning predicted climate change and associated urban forest impacts and risks. The development and population of the street tree database (including unutilised planting sites) is currently underway.

It is also important to recognise that the urban forest is part of a living interconnected ecosystem that trees are long-lived, and that sustainable urban forestry requires a long-range perspective consistent with managing a perpetual asset. The slow maturation of trees means that ongoing effort and investment will achieve steady rather than rapid progress towards the objectives of the plan.

The benefits resulting from the actions in the attached plan will be fully realised only in the later years of the plan, but will continue for decades beyond it.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

The draft *Urban Forest Strategic Plan: Part A – City-Controlled Land* benefited from significant input from a 14-member Community Reference Group which met in late 2016 and which also commented on the draft document in early 2017.

The draft *Urban Forest Strategic Plan: Part A – City-Controlled Land* also draws on previous surveys of community views on the City's environmental assets and neighbourhood character and amenity, much of which is related to the presence of trees.

T17/3754 - URBAN FOREST STRATEGY (REC) (ATTACHMENT)

The implementation of the plan will require a significant level of community engagement to inform and educate residents and other stakeholders, and to develop opportunities and incentives for residents, businesses, schools and community groups to become involved in local urban forest management.

II. OTHER AGENCIES / CONSULTANTS

The City has liaised with other metropolitan local governments who are addressing their own urban forest issues, and with the Department of Planning which intends to develop a regional urban forest strategy as part of the *Green Growth Plan for Perth and Peel Regions*.

Preliminary discussions have been held with University of Western Australia researchers engaged with the Australian-Government-funded *Clean Air and Urban Landscapes* program which includes urban greening. They have expressed an interest in supporting an extension of that research program to incorporate the urban forest issues identified in the attached plan.

The City is aware of the recent commencement of the *Which Plant Where When and How* database project initiated and funded by Horticulture Innovation Australia under its *202020 Vision* program. This is a five year research project by Macquarie University, Western Sydney University and the NSW Office of Environment and Heritage to identify landscape plants suitable for predicted future Australian climates. There may be an opportunity to ensure that the particular challenges of the Perth climate are incorporated into this research so that the resulting product becomes a useful tool for Perth metropolitan local governments.

The City is also aware of the considerable research undertaken by CSIRO on the relationship between forests and hydrology in Western Australia. While the focus of that work was the Gnamptara area, the modelling techniques may be adaptable for other areas.

Research of this nature could deliver a valuable information base to support local urban forest management. However, it is best suited to a regional, rather than single local government, approach. The Western Australia Local Government Association (WALGA) may be an appropriate coordinating body to liaise with these and other researchers on behalf of WA local governments, on a cost-sharing basis.

STATUTORY AND LEGAL IMPLICATIONS

There are no specific statutory or legal implications relating to this item.

FINANCIAL IMPLICATIONS

Initial funding of \$300,000 has already been allocated from the Public Open Space Reserve to commence the tree and planting site data collection, the preparation of the draft Urban Forest Strategic Plan and some additional planting. Continuation of this funding is requested to complete and maintain the database, integrate the datasets with existing GIS systems, develop scenario-based planting models and prepare localised canopy cover targets and tree succession plans.

T17/3754 - URBAN FOREST STRATEGY (REC) (ATTACHMENT)

Additional funding will be required to achieve the goals of the Plan. However, detailed costing, particularly for additional tree planting, collaborative research and public participation/incentive programs cannot be completed until additional information is available. The Plan recognises that new funding sources may need to be identified. The availability of funding will directly affect the time-scales required to achieve the goals. The following estimates should be considered as a guide but the cost of some proposed activities cannot be estimated until they have been scoped and specific options assessed.

Action	Indicative cost (2016 dollars)
The unit cost of juvenile trees is \$450/tree including planting and irrigation for two years. As an interim measure, it is proposed to increase street tree planting rates to 1200 juvenile trees in 2017, 1,350 in 2018 and 1,500 in 2019. After 2019, planting rates will be determined by modelling to ensure that the canopy cover goal will be achieved by 2036. The full life-cycle costs of maintaining the additional trees will need to be incorporated into operating budgets in the long term.	2017 - \$540,000 2018 - \$607,500 2019 - \$675,000 Post-2019 – to be determined
The Plan proposes that tube-stock planting in natural areas be progressively increased from 2,000 to 5,000 annually over the next five years, and that this rate be maintained for the remainder of the period of the Plan, subject to sustainability monitoring.	2017 - \$14,000 (in budget) rising to \$35,000 annually from 2022
The Community Reference Group supported the appointment of an Urban Forest Community Liaison Officer to develop and manage the public awareness, education, participation and incentive programs.	From 2017-2018 - \$75,000 salary + on-costs
Public education, participation and incentive programs	TBD
Data management/analysis and research to inform planting programs and management decisions.	TBD
Aerial imaging to monitor trends and progress.	TBD

The direct cost of delivering public awareness, education, participation and incentive programs cannot be determined until options have been identified, assessed and selected. As an example of a subsidised public participation program, the City of Vincent currently employs one staff member to run its popular verge planting incentive program, and it budgets \$100,000 annually for the program subsidies (\$1,000/verge). As a Waterwise Council, the City of Melville may be eligible for up to \$10,000 annually in matching funds from the Water Corporation for a verge planting program. There may be scope to integrate some community urban forest projects with existing programs like Project Robin Hood.

The draft *Urban Forest Strategic Plan Part A – City-Controlled Land 2017-2036* emphasises evidence-based decision-making to maximise efficiency and effectiveness. Paucity of data is one of the primary barriers to establishing an efficient urban forestry program. The cost of obtaining climate change and urban tree vulnerability data, identifying potentially suitable new species, and developing appropriate sustainability indicators and base-line data will depend on the scope of work and collaboration/cost sharing mechanisms selected. These have not yet been determined. Cost-sharing with other local governments, collaborative partnerships with research institutions and funding from the State and Federal Governments are recommended to minimise the cost to the City.

T17/3754 - URBAN FOREST STRATEGY (REC) (ATTACHMENT)

Aerial analyses of the extent and condition of the urban forest and trends in urban heat performance are costly but are a key monitoring tool. A number of local governments in Perth are now progressing urban forest strategies and plans and will have similar data needs. Collaboration with other local governments and Landgate offers an opportunity for cost-sharing to reduce the financial impact of this work.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk	Risk Mitigation Strategies
Risk of increased capital and ongoing maintenance expenses due to additional tree planting and maintenance costs.	Moderate consequences which are likely, resulting in a medium level of risk	Utilise funds from the Public Open Space Reserve. Use effective procurement mechanisms for materials and services to ensure best value for money. Develop and apply improved management processes to reduce tree mortality.
Risk of localised public opposition to increased planting of trees on verges and foreshores due to perceptions of personal disadvantage.	Low consequences which are likely, resulting in a medium level of risk.	Undertake community education and engagement. Develop a list of suitable planting sites on public land and prioritise sites where adjacent land users do not oppose tree planting. Investigate complaints and seek flexible solutions to address reasonable concerns.
Risk of public opposition to managed replacement of ageing street trees and tree-thinning should that be necessary to maintain sustainability in natural areas	Moderate consequences which are likely, resulting in a medium level of risk.	Implement infill planting of street trees wherever practical to minimise canopy loss when old trees removed. Undertake community education and engagement.

POLICY IMPLICATIONS

Urban Forest and Green Space Policy CP-102, establishes the objectives and principles of the urban forest. The draft *Urban Forest Strategic Plan Part A – City-Controlled Land 2017-2036* aims to give practical effect to this policy.

Street Tree Policy CP-029, outlines the City of Melville's commitment that all trees are assets of the City that contribute to the well-being of the community and to the natural environment.

T17/3754 - URBAN FOREST STRATEGY (REC) (ATTACHMENT)

The draft *Urban Forest Strategic Plan Part A – City-Controlled Land 2017-2036* provides another mechanism to implement the Street Tree Policy and increase the City's street tree population whilst meeting the City's obligation to provide a safe environment for the community and its responsibility to minimise negative impacts on other infrastructure.

Verge Treatment Policy CP-086 sets out guidelines for verges along City streets, including requirements for resident-initiated verge gardens, surface materials and protection for street trees. This policy may need review to ensure it is aligned with CP-102 and the attached document.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

1. **Business as usual:** The City could choose to continue its current practice of planting a minimum of 600 trees annually in streetscapes, in addition to ad hoc planting within its parks and natural areas. However, this level of planting will be inadequate in the medium-long term to address the problem of the City's ageing street and park tree population, and will result in a decline in tree canopy cover over the next 20 years.
2. **Adopt an ambitious short term target to increase tree canopy cover.** The City could apply an arbitrary percentage canopy cover target for public land and commit a significant level of funding to additional tree planting. This approach is not justified in the context of the existing level of canopy cover on public land, and is likely to be unrealistic within the next 20 years given the number of trees that need to be planted just to replace the predicted canopy cover loss due to tree senescence. This option is likely to be controversial, expensive, potentially unsustainable, and may deliver poor value for money.

CONCLUSION

The draft *Urban Forest Strategic Plan Part A – City-Controlled Land 2017-2036* seeks to protect and enhance the City's urban forest and maximise its contribution to community wellbeing through applying efficient asset management principles and evidence-based system management.

A healthy, diverse and resilient urban forest will deliver multiple social, environmental and economic benefits to the community. These include preserving the aesthetic character and enhancing the amenity of the City's suburbs, protecting the City's natural resources, mitigating expected climate change impacts, encouraging outdoor activity and providing a healthy and peaceful environment with a connection to nature.

The Plan will give effect to the *Urban Forest and Green Space Policy* (CP-102), and will also contribute to the Strategic Community Plan aspirations of "clean and green", "healthy lifestyles" and "sense of community", and to the Corporate Business Plan key strategies of "enhance amenity and vibrancy", "holistic and integrated strategies for protection of the City's natural resources", and "ameliorate loss of vegetation from private property development".

T17/3754 - URBAN FOREST STRATEGY (REC) (ATTACHMENT)**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3754)****APPROVAL**

At 6:59pm Cr Phelan moved, seconded Cr Macphail -

That the Council:

1. **Notes the Draft Urban Forest Strategic Plan: Part A – City Controlled Land. [3754 Urban Forest Strategic Plan 2017-2036 Part A: City-controlled land](#)**
2. **Endorses the Draft Urban Forest Strategic Plan: Part A – City Controlled Land for the purpose of public consultation.**
3. **Authorises the final adoption of the Urban Forest Strategic Plan: Part A – City Controlled Land by the Chief Executive Officer where there are no submissions in objection received in response to the consultation undertaken.**
4. **Notes that the funding for a new position of an Urban Forest Officer will be presented for consideration as part of the 2017-2018 Budget Process.**
5. **Requests the Chief Executive Officer to submit a proposal to the next Western Australian Local Government Association Zone meeting and that the Western Australian Local Government Association be requested to coordinate a collective approach by local governments to commissioning or participating in research to support local government urban forest management specifically:**
 - **The vulnerability of existing urban tree species in Perth to predicted climate change impacts;**
 - **The identification of potential new street tree species with climatic tolerance suitable for predicted Perth conditions to 2100;**
 - **The relationship between the urban forest and local hydrology, and urban forest sustainability models under predicted climate scenarios.**
6. **Notes that the Draft Urban Forest Strategic Plan Part A is a long term plan that will require ongoing additional resources that will be included for consideration in future reviews of the Long Term Financial Plan.**

At 7:05pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (11/0)

M17/5545 – COUNCIL MEETING CYCLE - ALTERNATIVE OPTIONS (REC)

Ward : All
 Category : Operational
 Subject Index : Schedule of Meetings
 Customer Index : City of Melville
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : M16/5510 Council Meeting Cycle (November 2016)
 Works Programme : Not Applicable
 Funding : Not Applicable
 Responsible Officer : Corrine Newman
 Executive Support and Governance 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>

M17/5545 – COUNCIL MEETING CYCLE - ALTERNATIVE OPTIONS (REC)**KEY ISSUES / SUMMARY**

- The Council is required to determine and advertise the meeting dates for Ordinary Meetings of Council each year.
- At its Ordinary Meeting in December 2016 the Council requested officers to review options for different meeting cycles that would provide more frequent Ordinary Meetings of Council and report back to the Council in early 2017.
- Report considers current practices of other large metropolitan local governments.
- Report compares monthly, four weekly, three weekly and fortnight meeting cycles.
- Report recommends the retention of the existing meeting cycle.

BACKGROUND

Each year the Council adopts the Council Meeting Cycle for the next calendar year. At the Ordinary Meeting of Council held 15 November 2016, the Council resolved:

That the Council;

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

Subsequently, at the Ordinary Meeting of Council held 13 December 2016, the following was resolved:

“That the Council:

- 1 Requests the Chief Executive Officer to prepare a report outlining the various options, and the implications of such, for meeting cycles that are different to the meeting cycle under which the Council currently operates. It is requested that options, such as a three week meeting cycle, which would result in more regular Ordinary Meetings of the Council are explored.
- 2 Requests that the report be presented to Elected Members early in 2017.”

M17/5545 – COUNCIL MEETING CYCLE - ALTERNATIVE OPTIONS (REC)

DETAIL

To assist with understanding the implications of the current monthly meeting format, officers have reviewed meeting data from the last two calendar years which provides the following:

	2015	2016
Ordinary Meetings of Council	11	11
Average Meeting Length	2:25	2:54
Number of items	179	164
(inc. late items)	14	10
Average Items per meeting	16.3	14.9
Agenda Briefing Forums	11	11
Average Meeting Length	2:33	2:23
Special Meetings of Council	4	4
Average Meeting Length	1:24	2:45
Number of Items	12 items	6 items
Elected Member Information Sessions	26	19
Number of matters presented	60	67
Average per meeting	2.3	3.5
External presenters	17 (65%)	13 (68%)

Under the current monthly meeting format the City schedules 51 meetings (February to December) each year:

- 11 Ordinary Meetings of Council per year
- 11 Agenda Briefing Forums per year
- 24 Elected Member Information Sessions per year
- 1 Annual Electors Meeting per year (statutory requirement)
- 4 Financial Management, Audit, Risk and Compliance Committee (FMARCC) Meetings per year

(This does not include Governance Committee Meetings, Special Meetings of Council and Special Meetings of Electors).

M17/5545 – COUNCIL MEETING CYCLE - ALTERNATIVE OPTIONS (REC)

Meetings are held:

- First Tuesday – Agenda Briefing Forum
- Second Tuesday – Elected Member Information Session
- Third Tuesday – Ordinary Council Meeting
- Fourth Tuesday Elected Member Information Session
- Fifth Tuesday (where applicable) are used to hold Standing Committee meetings or other meetings, formal or informal, as required.

Four Weekly Meeting Cycle

A four weekly meeting cycle is very similar to the existing meeting format, and would also include 51 scheduled meetings each year (February to December):

- 12 Ordinary Meetings of Council per year
- 12 Agenda Briefing Forums per year
- 22 Elected Member Information Session per year
- 1 Annual Electors Meeting per year (statutory requirement)
- 4 FMARRC Meetings per year

(This does not include Governance Committee Meetings, Special Meetings of Council and Special Meetings of Electors).

Meetings would be held on a continuous cycle (Agenda Briefing Forum, Elected Member Information Session, Ordinary Council meeting, Elected Member Information Session) which may necessitate Standing Committees being held on a different night of the week.

Review of this meeting schedule shows an inconsistency in the day of the Council meeting (eg it is not the 3rd Tuesday of each month) and in one month would have two Council meetings being held. The meeting cycle would vary on a month-to-month, year-to-year basis.

Three Weekly Meeting Cycle

A three weekly meeting cycle starts to deviate from the existing meeting format with the meeting cycle deleting one Elected Member Information Session. This format has 50 scheduled meetings each year (February to December):

- 15 Ordinary Meetings of Council per year
- 15 Agenda Briefing Forums per year
- 15 Elected Member Information Sessions per year
- 1 Annual Electors Meeting per year (statutory requirement)
- 4 FMARRC Meetings per year

(This does not include Governance Committee Meetings, Special Meetings of Council and Special Meetings of Electors).

M17/5545 – COUNCIL MEETING CYCLE - ALTERNATIVE OPTIONS (REC)

The cycle would be Agenda Briefing Forum, Elected Member Information Session, and Council Meeting on a continuous basis. This format would increase the Council's decision making schedule by four meetings per year and reduce the opportunities for the Council to informally seek information as part of the decision making process by up to nine meetings per year.

Additionally, the space between the Ordinary Meeting of Council and receiving the agenda for the next Ordinary meeting is reduced to three days.

Whilst the gap between Ordinary Meetings is reduced, which may reduce the number of late items being presented, Special Meetings of Council will mostly likely still be required as these are often associated with specific issues such as the Budget or complex topical issues, which may cause an overlap of Council Meeting agendas.

Fortnightly Meeting Cycle

A fortnightly meeting cycle is quite different to the existing meeting format as it would require Elected Member Information Sessions to be deleted, amalgamated with Agenda Briefing Forums or held on another night of the week. If the Agenda Briefing and Elected Member Information Sessions were amalgamated, this meeting format has 51 scheduled meetings each year (February to December):

- 23 Ordinary Meetings of Council per year
- 23 Agenda Briefing Forums / Elected Member Information Sessions per year
- 1 Annual Electors Meeting per year (statutory requirement)
- 4 FMARRC Meetings per year

(This does not include Governance Committee Meetings, Special Meetings of Council and Special Meetings of Electors).

Due to the frequency of meetings in the meeting format, to avoid the overlapping of council agenda's, this meeting cycle would shorten the time between Elected Members receiving agenda papers and the Ordinary Meeting of Council to 10 days.

Other Information

A desktop review of other large metropolitan local government has been undertaken to determine best practise in the industry and found that a majority of large metropolitan Councils operate on a four weekly or monthly meeting cycle. Both the Cities of Perth and Swan have recently transitioned from a three week meeting cycle to four week meeting cycles to provide greater opportunities to Elected Members to participate in information sharing opportunities and that accommodate the increasingly complex issues and allow for the discussion and direction setting of policy and concepts.

It is considered that the Elected Member Information Sessions are an invaluable tool for Elected Members and Officers. Whilst not a decision making forum, these meetings can assist in the shaping of policy, setting direction on projects, providing further information and ensuring Elected Members are fully informed and have clarity on matters prior to a formal decision by the Council.

M17/5545 – COUNCIL MEETING CYCLE - ALTERNATIVE OPTIONS (REC)**STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

The community has not been consulted on this matter.

II. OTHER AGENCIES / CONSULTANTS

A desktop review of other large metropolitan local governments has been undertaken.

STATUTORY AND LEGAL IMPLICATIONS

The *Local Government Act 1995* requires:

5.3 Ordinary and Special council meetings

- (1) A council is to hold ordinary meetings and may hold special meetings
- (2) Ordinary meetings are to be held not more than 3 months apart

The *Local Government (Administration) Regulations 1996* require:

12(1) Meeting, public notice of (Act s.5.25(1))

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which -
 - (a) the ordinary council meeting; and
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.

FINANCIAL IMPLICATIONS

An increase in the number of Ordinary Meetings of Council held will result in an increase in operational costs due to the statutory requirements and resources associated with meetings of this nature.

Whilst an increase in the number of Ordinary Meetings of Council would not necessarily increase the number of items presented to Council, there would be an increase in resources and costs associated with the administrative processes associated with Council meetings, such as finalisation of items for the meeting, preparation of agenda documents, distribution of documents, staff attendance at meetings to take minutes, preparation of minutes and distribution of minutes and the administrative processes required to distribute, file and archive the outcomes of the meeting. A more frequent meeting process may also cause significant overlap in these processes.

Additional costs may also be incurred if there is a need to hold additional "Information" forums for Elected Members to ensure they are fully briefed on relevant and topical issues that are due to be presented.

These costs are reviewed and included in the budget annually.

M17/5545 – COUNCIL MEETING CYCLE - ALTERNATIVE OPTIONS (REC)**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

Currently matters are brought to the Council on 11 occasions each year for formal decision making processes. Where decisions are required outside this format, a Special Meeting of Council is held.

There are no risk or environmental management issues associated with this report.

POLICY IMPLICATIONS

There are no policy implications associated with this report.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The Council could consider implementing any of the options considered in this report depending on the balance of formal decision making forums against information sharing opportunities required by the elected member group. Any changes to the existing meeting format would require readvertising to the community to meet legislative requirements and would require a revision of current administrative processes and practices.

CONCLUSION

The current monthly meeting format provides an effective and efficient meeting format that provides a balance of formal decision making forums along with the opportunities for Elected Members to be fully informed on issues before the Council to ensure consistent decision making and communications processes.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5545)**APPROVAL****That the Council:**

- 1. Notes the information contained in the report.**
- 2. Confirms the current monthly Council meeting cycle consisting of:**
 - First Tuesday – Agenda Briefing Forum**
 - Second Tuesday – Elected Member Information Session**
 - Third Tuesday – Ordinary Council Meeting**
 - Fourth Tuesday Elected Member Information Session**
 - Fifth Tuesday (where applicable) or another evening are used to hold Standing Committee meetings or other meetings, formal or informal, as required**
 - The Council being in recess in January of each year.**

At 7:24pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY EN BLOC (11/0)

Disclosure of Interest

Item M17/5547 Mayor
 Type of Interest Interest Under the Code
 Nature of Interest Owner of property in the area
 Decision of Council Not Required

Item M17/5547 Cr R Aubrey
 Type of Interest Interest Under the Code
 Nature of Interest Father owns property in the area
 Decision of Council Not Required

**M17/5547 - AMENDMENT TO MINUTES OF THE ORDINARY MEETING OF COUNCIL
 13 DECEMBER 2016 – REPORT ON REVIEW OF H4 AREAS OF KINTAIL AND OGILVIE
 QUARTERS IN THE CANNING BRIDGE ACTIVITY CENTRE (REC)**

Ward : Applecross/Mt Pleasant
 Category : Strategic
 Application Number : Not Applicable
 Property : Not Applicable
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : P16/3729 – Report on Review of H4 Areas of Kintail and Ogilvie Quarters in the Canning Bridge Activity Centre - Council 13 December 2016.
 Works Programme : Not Applicable
 Funding : Not Applicable
 Responsible Officer : Jeff Clark
 Governance and Compliance Program Manager

AUTHORITY / DISCRETION

DEFINITION

<input type="checkbox"/>	Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input checked="" type="checkbox"/>	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>

M17/5547 - AMENDMENT TO MINUTES OF THE ORDINARY MEETING OF COUNCIL 13 DECEMBER 2016 – REPORT ON REVIEW OF H4 AREAS OF KINTAIL AND OGILVIE QUARTERS IN THE CANNING BRIDGE ACTIVITY CENTRE (REC)**KEY ISSUES / SUMMARY**

- The Minutes from the Ordinary Meeting of Council of 13 December 2016 did not include the total text for Amendment number 2 for item P16/3729.
- The purpose of this report is to amend the Minutes of the Ordinary Meeting of Council held on the 13 December 2016.
- It is recommended that the Minutes be amended accordingly.

BACKGROUND

At the 13 December 2016 Ordinary Meeting of Council the following amendment 2 was carried:

Amendment 2

At 8.53pm Cr Schuster moved, seconded Cr Wieland –

- 4 That the Council requests the CEO to report back to Council on the feasibility of a suitable amendment or some other policy related solutions to achieve the following objective:**
 - a) In the H4 areas single residential housing is not a preferred use, but where an existing single residential house occupies a lot of less than 800 m2 in area, and has on at least two boundaries single residential houses less than 20 years old, the Council can, if in its opinion there is no reasonable prospect of redevelopment to H4 standards being viable for at least 15 years, approve a single residential house be built (to replace the existing house), using the setback and building height controls in place for developments in areas zoned R 20 within the City of Melville’s Community Planning Scheme. This approval power will be exercised by the Council of the City of Melville and if used will include a Condition on the approvals advising the proponent that the properties on the lot boundaries can all be developed to H4 standards.”**
 - b) The response is to be provided to the March 2017 Ordinary Meeting of the Council if possible.**

At 9.11pm the Mayor submitted the amendment, which was declared

CARRIED (8/4)

M17/5547 - AMENDMENT TO MINUTES OF THE ORDINARY MEETING OF COUNCIL 13 DECEMBER 2016 – REPORT ON REVIEW OF H4 AREAS OF KINTAIL AND OGILVIE QUARTERS IN THE CANNING BRIDGE ACTIVITY CENTRE (REC)

When incorporating the amendment into the Council Resolution, the following part of the amendment was not included:

“That the Council requests the Chief Executive Officer to report back to Council on the feasibility of a suitable amendment or some other policy related solutions to achieve the following objective:”

DETAIL

The Minutes from the Ordinary Meeting of Council of 13 December 2016 did not include the total text on this amendment, and the minutes should be amended to reflect the total content of amendment 2.

The December 2016 Ordinary Meeting of Council Minutes will need to be amended to correct this omission.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

No external public consultation has been carried out.

II. OTHER AGENCIES / CONSULTANTS

There has been no liaison with any other agencies or Consultants.

STATUTORY AND LEGAL IMPLICATIONS

Statutory or Legal Implications are in accordance with the *Local Government Act 1995*.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

There are no strategic, risk and environmental management Implications.

POLICY IMPLICATIONS

There are no policy implications associated with this report.

M17/5547 - AMENDMENT TO MINUTES OF THE ORDINARY MEETING OF COUNCIL 13 DECEMBER 2016 – REPORT ON REVIEW OF H4 AREAS OF KINTAIL AND OGILVIE QUARTERS IN THE CANNING BRIDGE ACTIVITY CENTRE (REC)**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

There are no alternate options as the Minutes of the Ordinary Meeting of Council held on the 13 December 2016 require amendment to reflect the total content of amendment 2.

CONCLUSION

As the Minutes of the Ordinary Meeting of Council of 13 December 2016 do not reflect the total content of Amendment 2, the Minutes will need to be amended accordingly.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5547)**APPROVAL**

That the Minutes of the Ordinary Meeting of Council held on the 13 December 2016 be amended to include the following text in the resolution of Item P16/3729 – Report on Review of H4 Areas of Kintail and Ogilvie Quarters in the Canning Bridge Activity Centre:

“4 That the Council requests the Chief Executive Officer to report back to Council on the feasibility of a suitable amendment or some other policy related solutions to achieve the following objective:”

At 7:24pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY EN BLOC (11/0)

**M17/5549 - REVIEW OF CITY OF MELVILLE DELEGATED AUTHORITY MANUAL
(AMREC) (ATTACHMENTS)**

Ward	:	All
Category	:	Strategic
Subject Index	:	Delegated Authority
Customer Index	:	City of Melville
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	M16/5477 Review of City of Melville Delegated Authority Manual – Ordinary Meeting of Council 17 May 2016
Works Programme	:	Not Applicable
Funding	:	Not Applicable
Responsible Officer	:	Jeff Clark Governance & Compliance Program Manager

AUTHORITY / DISCRETION

DEFINITION

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

**M17/5549 - REVIEW OF CITY OF MELVILLE DELEGATED AUTHORITY MANUAL
(AMREC) (ATTACHMENTS)****KEY ISSUES / SUMMARY**

This report seeks the Council's consideration in reviewing and adopting certain delegations of authority that permit officers to perform functions within a prescribed parameter.

BACKGROUND

The *Local Government Act 1995* (The Act) provides for the delegation of certain powers and duties to certain Committees (Sections 5.16 & 5.17) and the Chief Executive Officer (Sections 5.42 & 5.43). The Chief Executive Officer may, unless prohibited by the Council's instrument of delegation, further on-delegate powers and duties to employees (Section 5.44).

The Act also provides for a delegations register to be maintained and reviewed each financial year (Section 5.46). Council Officers have reviewed the delegations and this report requests the Council to review the reviewed delegations as submitted by officers.

DETAIL

It is necessary to review all current delegations to ensure, in the first instance, that they are consistent with the legislation and secondly, that they are, still necessary. Although the provisions of the *Local Government Act 1995* do not affect delegations made under other legislation, it is also considered an appropriate time to review those delegations.

"Delegated Authority" refers only to those powers or duties required by legislation and are often referred to as statutory delegations. Generally, these delegated authorities will be made to the Chief Executive Officer who may then on-delegate to such person or persons as he feels appropriate.

[5549 Delegated Authority Manual](#) the City of Melville Delegated Authority Manual is attached. This attachment provides specific detail as to the extent of each delegation.

All Delegations have been reviewed by officers and suggestions have been included in Delegations for changes to descriptions and sub-delegations to or from positions. The review process was undertaken by all Directors and their suggestions have been noted on each Delegation.

It was apparent to officers that due to the extensive work on the Delegation Authority Manual over the past years, the main amendments recommended are fine tuning of the existing delegations. A listing of all Council Delegations is provided as an attachment with notes identifying any specific change to a delegation. [5549 Listing of Council Delegations](#)

**M17/5549 - REVIEW OF CITY OF MELVILLE DELEGATED AUTHORITY MANUAL
(AMREC) (ATTACHMENTS)****Amendments to Delegations.**

There are instances where delegations have been amended to note the change of officer position titles; minor amendments have also been made to various Delegations to reflect changes to the enabling legislation as follows.

Delegation DA-007 Leasing/Licensing of Property – Under Description, added Authority to execute lease and contractual documents for the purposes of a lease or licence.

Delegation DA-008 Disposition of Land and Other Assets - Minor changes, In Enabling Legislation, "Clauses" changed to "Regulations" and Related Policy Reference: amendment to Title of CP-005. Also minor change to Chief Executive Officer Sub Delegates to: by adding the amount of \$74,999 to sub delegates.

Delegation DA-027 Consideration and Acceptance/Rejection of Tenders – Minor Changes, increased authorisation limit from \$525,000 to \$550,000 and made some minor grammatical changes.

Delegation DA-028 Contract Variations of Selection of Next Successful Tenderer – Minor spelling correction.

Delegation DA-031 Reimbursement of Expenses and Payment of Cash Advances – Under Description, removed No. 1 as there is nothing in the Act that prohibits the Chief Executive Officer approving the reimbursement of work related expenses or advances for those expenses to employees. This section of the Act refers to Committee expenses and representation of employee's on Committees.

Delegation DA-032 Granting of a Concession or Writing Off Debts owed to the Council – Under Description, minor change to the Note by adding "Chief Executive Officer report that presents the" following the word "the" in the third line.

Delegation DA-033 Power to Invest - Minor changes, Included reference to the *Local Government Act 1995* in 1st paragraph and redacted No. of delegated officers on the sub-delegations from Chief Executive Officer as this refers to investments not payment approvals for which day to day involvement in investments is required to keep abreast with interest rates – also removed Director Technical Services and removed Senior Financial Accountant delegations and changed the Senior Project Accountant to Accounting Services Coordinator to reflect a new title.

Delegation DA-035 Payment of Accounts from Municipal or Trust Funds – Under Description Note 2, Added clarification regarding signatories, changed position title to reflect current names and removed Senior Financial Accountant delegations and changed the Senior Project Accountant to Accounting Services Coordinator to reflect a new title.

Delegation DA-037 Reimbursement of Expenses & Payment of Allowances/Advances to Elected and Committee Members - Minor changes to Title by adding the word "Members" after the word elected.

**M17/5549 - REVIEW OF CITY OF MELVILLE DELEGATED AUTHORITY MANUAL
(AMREC) (ATTACHMENTS)**

Delegation DA-038 District Boundary Adjustment - Minor Change to description.

Delegation DA-045 Disaster Appeal Responses - Minor Change to description, added "state or" following the word "of" in the fourth line of the description.

Delegation DA-074 Due Date of Rates and Service Charges - Minor changes, In Description and Enabling Legislation, added further clarity regarding due dates for instalments and limitation imposed by the Act and Regulations.

Delegation DA-075 Actions against Lessee's of Land Where Rates or Service Charges are Unpaid – Under Description, changed delegation to be more general in nature as there is no need to repeat all the wording of the Act. Reference to the provisions of section 6.60 of the Act is considered sufficient.

Delegation DA-079 Compensation to the Owners of Property - Minor change to Enabling Legislation, added Schedules 3.1 and 3.2 to enabling legislation section.

Delegation DA-086 Parking Fees - Recommended for deletion as possibly ultra vires in some aspects and also subject matter already covered by DA-032 Granting of a Concession or Writing off Debts Owed to the Council – Any changes to Fees and Charges must be by absolute majority decision of the Council hence temporary waivers are not appropriate and would need to take the form of a concession.

Delegation DA-087 Commercial Parking Leases – Under Description - removed references to specific car parks as there is no requirement to do so.

Delegation DA-116 Establishment of Panels of Qualified Suppliers - Removed reference to the legislation from the Description of delegation section as there is no need for these specifics as the legislation is stated under the Enabling Legislation heading.

New Delegations

Delegation DA-New – 1 Infringement Notices – Extension of Time and Withdrawal - Section 9.17(1) (b) of the *Local Government Act 1995* was amended to remove reference to an 'authorised person' and replace with 'the Chief Executive Officer. As there is no discretion as to whether or not the local government accepts payment, this is recommended as an *Acting Through* function, meaning the Chief Executive Officer fulfils their function by *acting through* the officer whose job it is to accept payments (cashier) on behalf of the local government.

Section 9.19 and 9.20 were similarly amended replacing 'authorised person' with 'the Chief Executive Officer, however both these sections of the Act require discretion (decisions) and therefore, if the Chief Executive Officer is not the person actually making the decisions, a Chief Executive Officer delegation is required.

**M17/5549 - REVIEW OF CITY OF MELVILLE DELEGATED AUTHORITY MANUAL
(AMREC) (ATTACHMENTS)****STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

No external public consultation has been carried out as these delegations are considered to be an internal matter requiring only the Councils consideration

II. OTHER AGENCIES / CONSULTANTS

The City of Melville Delegated Authority Manual has been modelled on the Department of Local Governments guidelines introduced in the February 2007. These guidelines were prepared in collaboration between Department of Local Government Staff, McLeod's Barristers and Solicitors, and officers from various local governments including the City of Melville.

STATUTORY AND LEGAL IMPLICATIONS

The following are the key issues under the Act affecting delegated authority:

- Delegations (to Committees and the Chief Executive Officer) must be made by an absolute majority decision [s.5.16 (1) and s.5.42 (1)].
- Delegations (whether to Committees or the Chief Executive Officer) must be in writing, and may be general or as otherwise provided in the instrument of delegation [s.5.16(2), s.5.42(2) and s.5.44(2)].
- All Delegations will have effect for the period of time specified in the delegation, or if not specified, indefinitely. Any decision to amend or revoke a delegation must be by absolute majority [s.5.16 (3)].
- Any of the Council powers or duties under The Act can be delegated to a Committee comprising Council members only, EXCEPT any power or duty requiring absolute or special majority decisions; or any other power or duty as prescribed [s.5.17 (1)(a)].
- Delegations CANNOT be made to Committees comprised of "other persons" only [s.5.9 (2)(f)] (i.e. with no council members or employees). Following from this, delegations cannot be made to a committee comprised of employees only [such a committee cannot exist by virtue of s.5.9 (2)].

**M17/5549 - REVIEW OF CITY OF MELVILLE DELEGATED AUTHORITY MANUAL
(AMREC) (ATTACHMENTS)**

A Local Government may delegate to the Chief Executive Officer, by absolute majority, any of its powers or duties under the Act [s.5.42(1)], EXCEPT those identified in s.5.43 as listed below:

- (a) *any power or duty that requires an absolute or special majority decision or seventy five percent (75%) majority of the Local Government;*
- (b) *accepting a tender which exceeds an amount determined by the Local Government;*
- (c) *appointing of an auditor;*
- (d) *acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government;*
- (e) *any powers under s.5.98 (fees for Council Members), s.5.99 (annual fee for Council Members in lieu of fees for attending meetings), or s.5.100 (payments for certain Committee Members);*
- (f) *borrowing money on behalf of the local government;*
- (g) *hearing or determining an objection of a kind referred to in s9.5*
- (ha) *the power under section 9.49A(4) to authorise a person to sign documents on behalf of the Local Government*
- (h) *any power or duty requiring the approval of the Minister or the Governor;*
- (i) *such other powers or duties as may be prescribed.*
 - *Any powers or duties which can be delegated to the Chief Executive Officer in accordance with s.5.42 and s.5.43, can be delegated to a Committee comprising Council members and employees [s.5.17(1)(b)]. Further, the Chief Executive Officer may delegate to any employee any of these powers or duties (other than the power of delegation) [s.5.44(1)]*
 - *Any powers or duties that are necessary or convenient for the proper management of the City of Melville's property or related to an event in which the City of Melville is involved, can be delegated to the following types of Committee:*
 - (i) *comprised of council members, employees and other persons*
 - (ii) *comprised of council members and other persons*
 - (iii) *comprised of employees and other persons [s.5.17(1)(c)]*
 - *Registers must be kept of all Delegations made to Committees, the Chief Executive Officer and employees, and such Delegations are to be reviewed at least once every financial year. [s.5.18, s.5.46(1) & (2)]*
 - *The Chief Executive Officer and any other employee who has been delegated a power or duty under The Act is required to keep a written record of:*
 - (i) *how and when the power was exercised or the duty discharged*

**M17/5549 - REVIEW OF CITY OF MELVILLE DELEGATED AUTHORITY MANUAL
(AMREC) (ATTACHMENTS)**

- (ii) *the persons or classes of persons directly affected (other than Council or Committee members, or employees) by the use of the delegation [s.5.46(3) and Reg. 19].*

FINANCIAL IMPLICATIONS

Should the Council choose not to delegate authority to its officers, additional financial cost will be incurred in the extra administrative resources that would need to be applied in order to prepare reports seeking authorisation for individual actions from the Council.

STRATEGIC, ENVIRONMENT AND RISK MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk	Risk Mitigation Strategy
An issue arises that requires urgent attention of officers to ensure public safety.	Moderate consequences which are almost certain, resulting in a High level of risk.	Implementation of delegation of power to authorise officers to enter site to make a situation safe.
That officers exercise a delegation that results in a decision being made that is contrary to the wishes of the Council	Moderate consequences which are unlikely resulting in a Medium level of risk.	Clear Council policy is established to guide delegated officers/committees in the exercise of the delegation.

POLICY IMPLICATIONS

A number of Council policies adopted by the Council have enabling delegation to the Chief Executive Officer who in turn may on delegate to other appointed officers.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

All delegations are subject to the discretion of the Council and can be removed at any time. The Council may choose to remove delegations which in turn will then require formal consideration of relevant matters or items at the next available meeting of the Council.

Should delegations to officers not be granted, customers would experience increased delay in obtaining approvals and authorisations.

CONCLUSION

It is important to note that major decisions or actions made under delegation are as a matter of procedure referred on to Elected Members for their information. In addition whilst many decisions may be procedural, circumstances may make a decision contentious and therefore may be referred onto the Council for formal decision despite the enabling delegation

**M17/5549 - REVIEW OF CITY OF MELVILLE DELEGATED AUTHORITY MANUAL
(AMREC) (ATTACHMENTS)**

OFFICER RECOMMENDATION (5549)

ABSOLUTE MAJORITY

At 7:10pm Cr Aubrey moved, seconded Cr Foxtton -

That the Council by Absolute Majority decision adopts the City of Melville Delegated Authority Manual as attached 5549 Delegated Authority Manual and new delegation listed below;

5549 Infringement Notices – Extension of Time and Withdrawal

PROCEDURAL MOTION

At 7:10pm Cr Woodall moved, seconded Cr Pazolli, the following Procedural Motion in accordance with Clause 11.1(b) of the Standing Orders Local Law 2003 -

That the Council defer consideration of this report (Item M17/5549 Review of the City of Melville Delegated Authority Manual) to an Elected Members Information Session for further discussion.

At 7:12pm the Mayor submitted the motion, which was declared

LOST (4/7)

Vote Result Summary	
Yes	4
No	7

Vote Result Detailed	
Cr Barton	Yes
Cr Pazolli	Yes
Cr Wieland	Yes
Cr Woodall	Yes
Cr Aubrey	No
Cr Barling	No
Cr Foxtton	No
Cr Macphail	No
Cr Phelan	No
Cr Robartson	No
Mayor Aubrey	No

**M17/5549 - REVIEW OF CITY OF MELVILLE DELEGATED AUTHORITY MANUAL
(AMREC) (ATTACHMENTS)**

AMENDMENT

At 7:13pm Cr Pazolli moved, seconded Cr Barton

That the Council amend the Delegated Authority DA-007 Leasing/Licensing of Property to reduce the power to dispose of property by way of lease/licence to an annual property rental value of \$250,000 per annum (excl GST) to a rental value of \$100,000 per annum (excl GST).

At 7:21pm the Mayor submitted the motion which was declared

CARRIED (6/5)

Vote Result Summary	
Yes	6
No	5

Vote Result Detailed	
Cr Barling	Yes
Cr Barton	Yes
Cr Pazolli	Yes
Cr Robartson	Yes
Cr Wieland	Yes
Cr Woodall	Yes
Cr Aubrey	No
Cr Foxtton	No
Cr Macphail	No
Cr Phelan	No
Mayor Aubrey	No

COUNCIL RESOLUTION (5549)

ABSOLUTE MAJORITY

That the Council by Absolute Majority decision:

- 1. adopts the City of Melville Delegated Authority Manual as attached [5549 Delegated Authority Manual](#),**
- 2. includes the new delegation listed below;
[5549 Infringement Notices – Extension of Time and Withdrawal](#); and**
- 3. amends the Delegated Authority DA-007 Leasing/Licensing of Property to reduce the power to dispose of property by way of lease/licence to an annual property rental value from \$250,000 per annum (excl GST) to a rental value of \$100,000 per annum (excl GST).**

At 7:23pm the Mayor submitted the motion, as amended, which was declared

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (11/0)

M17/5000 – COMMON SEAL REGISTER (REC)

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

AUTHORITY / DISCRETION

DEFINITION

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

KEY ISSUES / SUMMARY

This report details the documents to which the City of Melville Common Seal has been applied for the period from 24 March 2017 up to and including 20 April 2017 for the Council's noting.

M17/5000 – COMMON SEAL REGISTER (REC)

BACKGROUND

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

DETAIL

Register Reference	Parties	Description	ECM Reference
1293	City of Melville and Kardinya Sports Association	Deed of Extension of Licence Between the City and Kardinya Sports Association renewed term for 2 years commencing on 1 January 2017 and expiring on 31 December 2018	4073990
1381	City of Melville and Urbnsurf (Perth) Pty Ltd	Ground Lease for Wave Park Surf Sports Recreation & Leisure Facility: Lot 39 (No. 596) Canning Highway, Alfred Cove	4223058
1382	City of Melville and Baptist Care Incorporated	Offer to Purchase 50-52 Kishorn Road Applecross	4226458
1383	City of Melville and Baptist Care Incorporated	Transfer of Land of No 50-52 Kishorn Road Applecross (Fee Simple)	4226459

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Not applicable.

II. OTHER AGENCIES / CONSULTANTS

Not applicable.

M17/5000 – COMMON SEAL REGISTER (REC)**STATUTORY AND LEGAL IMPLICATIONS**

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

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

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

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

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

FINANCIAL IMPLICATIONS

There are no financial implications in this report other than that held in the documents advised above.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

There are no policy implications in this report.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable.

CONCLUSION

This is a standard report for the Elected Members' information.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5000)**NOTING**

That the Council notes the actions of His Worship the Mayor and the Chief Executive Officer in executing the documents listed under the Common Seal of the City of Melville from 24 March 2017 up to and including 20 April 2017.

At 7:24pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY EN BLOC (11/0)

C17/6110 – ANNUAL REVIEW OF FEES AND CHARGES (REC) (ATTACHMENT)

Ward : All
 Category : Operational
 Subject Index : Fees and Charges
 Customer Index : City of Melville
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : C16/6099 – Consideration and Adoption of 2016-2017 Budget – Special Meeting of the Council 28 June 2016
 Works Programme : Not Applicable
 Funding : Not Applicable
 Responsible Officer : Bruce Taylor
 Manager Financial Services

AUTHORITY / DISCRETION

DEFINITION

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

C17/6110 ANNUAL REVIEW OF FEES AND CHARGES (REC) (ATTACHMENT)**KEY ISSUES / SUMMARY**

- This report presents the draft proposed Fees and Charges Schedule applicable for the financial year period commencing 1 July 2017 to 30 June 2018 for the Council's information.
- The Fees and Charges for 2017-2018 will be adopted by the Council at the Special Meeting of the Council to be held on 22 June 2017 as part of the Annual Budget adoption.

BACKGROUND

Fees and Charges must be incorporated into the Annual Budget. The draft proposed Schedule of Fees and Charges for the 2017/2018 Financial Year [6110A Fees and Charges 2017 2018](#), forms part of the Attachments to the Agenda.

This document contains details of the Fees and Charges for the current year (2016-2017) and those proposed Fees and Charges for the next financial year (2017-2018).

DETAIL

The majority of adjustments to fees and charges in the attachment reflect changes in operating costs. Others such as the LeisureFit charges have been influenced by competitors in the market.

Proposed adjustments to the Fees and Charges Schedule are shown throughout the document. New charges can be identified by the comment "NEW" in the 2016-2017 column. Those services that are no longer offered or Fees no longer charged, will be identified by the comment "N/A" in the 2017-2018 column. Those fees that have yet to be calculated by officers will be identified by the comment "TBA" and will be referred to the Council at the time of Annual Budget adoption.

Of note also are those fees that may be charged by the Council, but are determined by statute. An example of this type of fee is the one charged for Freedom of Information enquiries. However, whilst the fees that may be charged are restricted, the City may incur unrecoverable costs in providing these services. This in turn puts pressure on the need to increase rates to cover any shortfall. In some cases however, the fees set by statute are expressed as a percentage of a cost base e.g. some Building and Planning Fees are calculated as a percentage of building costs. As movements in the cost base, in this example building costs, occur, the result is an increase or decrease in fee income. A budget shortfall would only arise if the City's costs increase at a percentage in excess of the percentage increase in the cost base.

C17/6110 ANNUAL REVIEW OF FEES AND CHARGES (REC) (ATTACHMENT)

Significant amendments to the Fees and Charges Schedule include:

BUILDING AND PLANNING SERVICES

Building and Planning Services Fees are to a large extent set by the State Government. Those charges that are set by the State remain unchanged in this report, and will be the subject of a future separate report to the Council. Those charges that are set by the City have been amended where applicable.

RECREATION

A number of fees are proposed to be increased for the use of the City's recreational reserves. These increases will contribute to the increasing costs of reserve maintenance, ensuring that reserves are appropriately maintained. Of particular note, the Sports Field flood lighting charge has increased from \$2.70 per hour to \$5.00 per hour to better reflect the operating costs of these lights.

LIFESTYLE SERVICES

Lifestyle Services LeisureFit fees have been reviewed with both increases and decreases being applied for 2017-2018. LeisureFit fees are to a very large extent market driven, and continuing market competition has required a thorough review of programs, charges and concessions. A number of programs have been reviewed with some being cancelled, and others such as the Premium Group Exercise program created. A review of concessions has been undertaken, with particular emphasis on concessions for Seniors.

PARKING

Reductions in parking fees are proposed for the underground car park in the Raffles to encourage patrons to take up unused capacity at that facility.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

Not applicable.

II. OTHER AGENCIES / CONSULTANTS

Not applicable.

C17/6110 ANNUAL REVIEW OF FEES AND CHARGES (REC) (ATTACHMENT)**STATUTORY AND LEGAL IMPLICATIONS**

Local Government Act 1995:

The imposition of fees and charges reference in the Act is quoted below:

6.16. Imposition of fees and charges

(1) A local government may impose and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*

**Absolute majority required.*

(2) A fee or charge may be imposed for the following —

- (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;*
- (b) supplying a service or carrying out work at the request of a person;*
- (c) subject to section 5.94, providing information from local government records;*
- (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;*
- (e) supplying goods;*
- (f) such other service as may be prescribed.*

(3) Fees and charges are to be imposed when adopting the annual budget but may be —

- (a) imposed* during a financial year; and*
- (b) amended* from time to time during a financial year.*

**Absolute majority required.*

6.17. Setting the level of fees and charges

(1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —

- (a) the cost to the local government of providing the service or goods;*
- (b) the importance of the service or goods to the community; and*
- (c) the price at which the service or goods could be provided by an alternative provider.*

(2) A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.

(3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —

- (a) under section 5.96;*
- (b) under section 6.16(2)(d); or*
- (c) prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.*

(4) Regulations may —

- (a) prohibit the imposition of a fee or charge in prescribed circumstances; or*
- (b) limit the amount of a fee or charge in prescribed circumstances.*

C17/6110 ANNUAL REVIEW OF FEES AND CHARGES (REC) (ATTACHMENT)

6.19. Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

(a) its intention to do so; and

(b) the date from which it is proposed the fees or charges will be imposed.

FINANCIAL IMPLICATIONS

Income estimates will be included in the 2017-2018 Annual Budget.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk	Risk Mitigation Strategy
If no increases in Fees or Charges are prescribed for a service which the Council provides this may result in a budget deficit.	Moderate consequences which are likely, resulting in a High level of risk.	Fees and Charges to be increased to cover CPI and other cost increases and thus ensure cost recovery is maintained so far as is possible.

POLICY IMPLICATIONS

There is no Council policy which relates to the setting of Fees and Charges.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

No alternate options are presented as this report is for noting only.

CONCLUSION

The draft proposed Schedule of Fees and Charges has been compiled after careful examination by the responsible officers of the costs associated with delivery of the products or services for which the fees and charges are imposed. Officers have reviewed charge out rates in relation to the proposed fees and charges and consider that the schedule submitted fairly reflects the increased costs and adjustments for the services provided.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (6110)

NOTING

That the Council note the draft proposed Fees and Charges Schedule for 2017-2018, as documented in attachment [6110A Fees and Charges 2017 2018](#) also noting that the final version will be included in the Annual Budget document that will be presented to a Special Meeting of the Council for adoption on 22 June 2017, with the amended Fees and Charges being effective from 1 July 2017.

At 7:24pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY EN BLOC (11/0)

C17/6000 - INVESTMENT STATEMENTS AS AT 31 MARCH 2017 (REC)

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

AUTHORITY / DISCRETION

DEFINITION

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

KEY ISSUES / SUMMARY

This report presents the investment statements for the period ending 31 March 2017 for the Council's information and noting.

C17/6000 - INVESTMENT STATEMENTS FOR MARCH 2017 (REC)

BACKGROUND

The City has cash holdings as a result of timing differences between the collection of revenue and its expenditure. Whilst these funds are held by the City they are invested in appropriately rated and liquid investments.

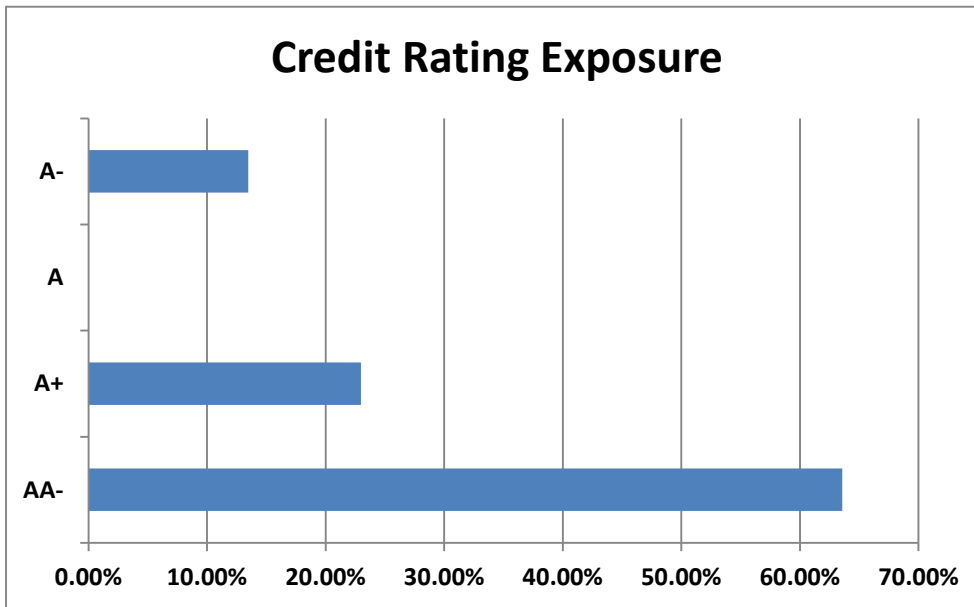
The investment of cash holdings is undertaken in accordance with Council Policy CP-009 - Investment of Funds, with the objective of maximising returns whilst maintaining low levels of credit risk exposure.

DETAIL

Summary details of investments held as at 31 March 2017 are shown in the tables below. The following statements detail the investments held by the City as at 31 March 2017.

CITY OF MELVILLE	
STATEMENT OF INVESTMENTS	
FOR THE PERIOD ENDING 31 MARCH 2017	
SUMMARY BY FUND	AMOUNT \$
MUNICIPAL	\$ 36,633,154
RESERVE	\$ 118,479,741
TRUST	\$ 825,325
CITIZEN RELIEF	\$ 209,131
	\$ 156,147,351
SUMMARY BY INVESTMENT TYPE	AMOUNT \$
11AM	\$ 4,392,743
31DAYS AT CALL	\$ 1,000,000
60DAYS AT CALL	\$ 2,000,000
90DAYS AT CALL	\$ 5,000,000
TERM DEPOSIT	\$ 143,523,963
UNITS (Local Govt Hse)	\$ 230,645
	\$ 156,147,351
SUMMARY BY CREDIT RATING	AMOUNT \$
AA-	\$ 99,116,706
A+	\$ 35,800,000
A	\$ -
A-	\$ 21,000,000
UNITS (Local Govt Hse)	\$ 230,645
	\$ 156,147,351

C17/6000 - INVESTMENT STATEMENTS FOR MARCH 2017 (REC)



DIVERSIFICATION RISK & GREEN INVESTMENTS

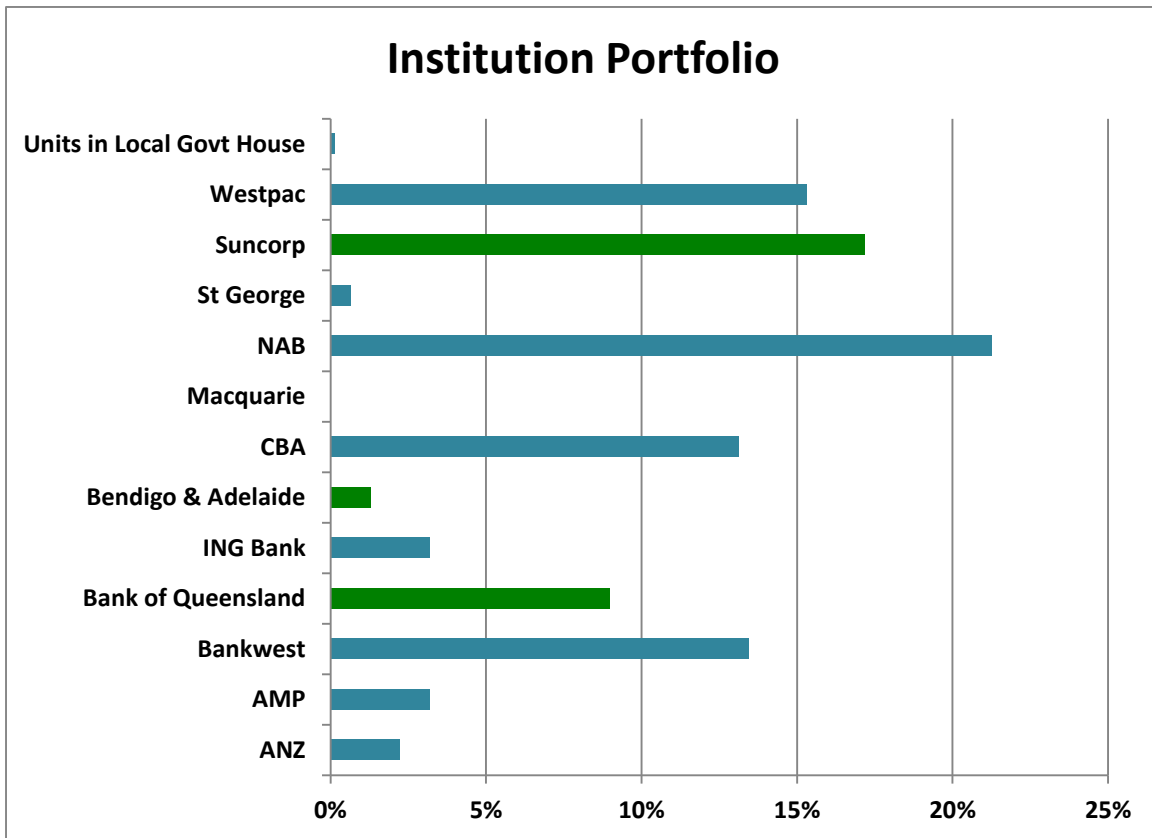
INSTITUTION	INVESTMENT TYPE	S & P RATING	AMOUNT \$	ACTUAL PROPORTION	INSTITUTION PROPORTION	MAX. % WITH ANY ONE INSTITUTION	NON FOSSIL FUEL	INVESTMENT WITH ADI WITH NON FOSSIL FUEL
ANZ BANK (TERM)	TERM	AA-	3,500,000	2.24%	2.24%	25%	No	
AMP BANK (TERM)	TERM	A+	5,000,000	3.20%	3.20%	20%	No	
BANKWEST (TERM)	TERM	AA-	21,000,000	13.45%	13.45%	25%	No	
BANK OF QUEENSLAND (TERM)	TERM	A-	14,000,000	8.97%	8.97%	20%	Yes	14,000,000
BENDIGO AND ADELAIDE BANK (TERM)	TERM	A-	2,000,000	1.28%	1.28%	20%	Yes	2,000,000
COMMONWEALTH BANK (TERM)	TERM	AA-	20,500,000	13.13%	13.13%	25%	No	
ING BANK (TERM)	TERM	A-	5,000,000	3.20%				
ING BANK (FRTD)	FRTD	A-	-	0.00%	3.20%	20%	No	
MACQUARIE BANK (TERM)	TERM	A	-	0.00%	0.00%	20%	No	
NAB (TERM)	TERM	AA-	33,206,702	21.27%	21.27%	25%	No	
ST GEORGE BANK (TERM)	TERM	AA-	1,000,000	0.64%	0.64%	25%	No	
SUNCORP METWAY LTD (TERM)	TERM	A+	26,800,000	17.16%	17.16%	20%	Yes	26,800,000
WESTPAC (MAXI BONUS 1)	11AM	AA-	2,356,167	1.51%				
WESTPAC (MAXI BONUS 2)	11AM	AA-	1,036,576	0.66%				
WESTPAC (MAXI DIRECT)	11AM	AA-	1,000,000	0.64%				
WESTPAC (31DAYS AT CALL)	31DAYS AT CALL	AA-	1,000,000	0.64%				
WESTPAC (60DAYS AT CALL)	60DAYS AT CALL	AA-	2,000,000	1.28%				
WESTPAC (90DAYS AT CALL)	90DAYS AT CALL	AA-	5,000,000	3.20%				
WESTPAC (TERM)	TERM	AA-	11,517,260	7.38%	15.31%	25%	No	
UNITS IN LOCAL GOV'T HOUSE	NA	NA	230,645	0.15%	0.15%		N/A	
			156,147,351	100%	100%			42,800,000
Total Non Fossil Fuel Lending ADI								27%

Note: Reference for financial institutions not supporting Fossil Fuel Lending is at (<http://www.marketforces.org.au>)

MATURITY COMPARISON

TERM to MATURITY	AMOUNT \$	ACTUAL PROPORTION	MAX. % IN ANY ONE YEAR	Comments
MUNICIPAL & TRUST FUNDS				
< 1 year	37,227,834	100%	100%	
	37,227,834	100%		
RESERVE FUNDS				
< 1 year	116,979,741	99%	100%	
	118,479,741	100%		

C17/6000 - INVESTMENT STATEMENTS FOR MARCH 2017 (REC)



Non Fossil Fuel Authorised Deposit Taking Institutions. (ADI's)

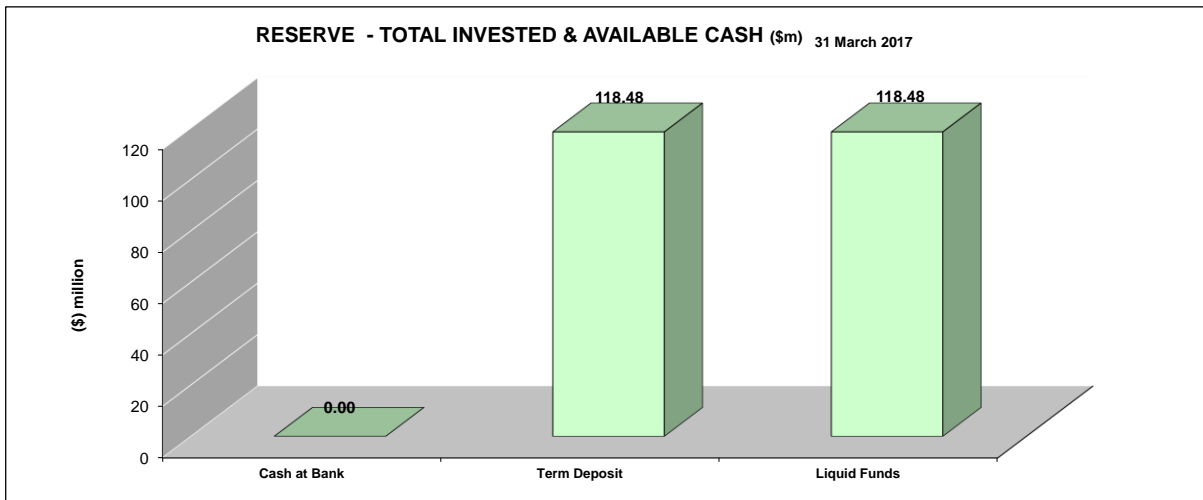
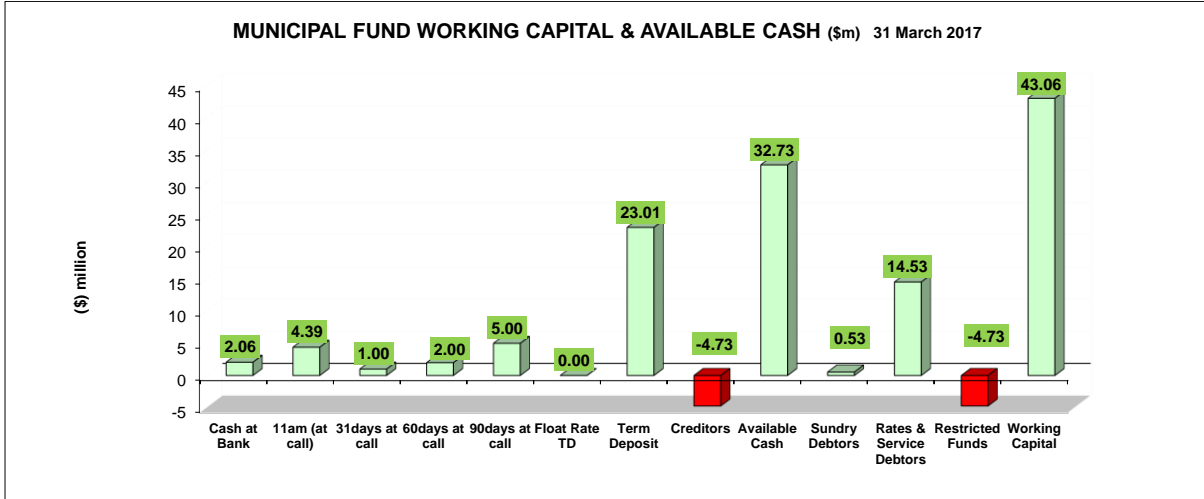
“Green investments” are authorised investment products made in authorised institutions that respect the environment by not investing in fossil fuel industries.

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 March 2017 was 27%.

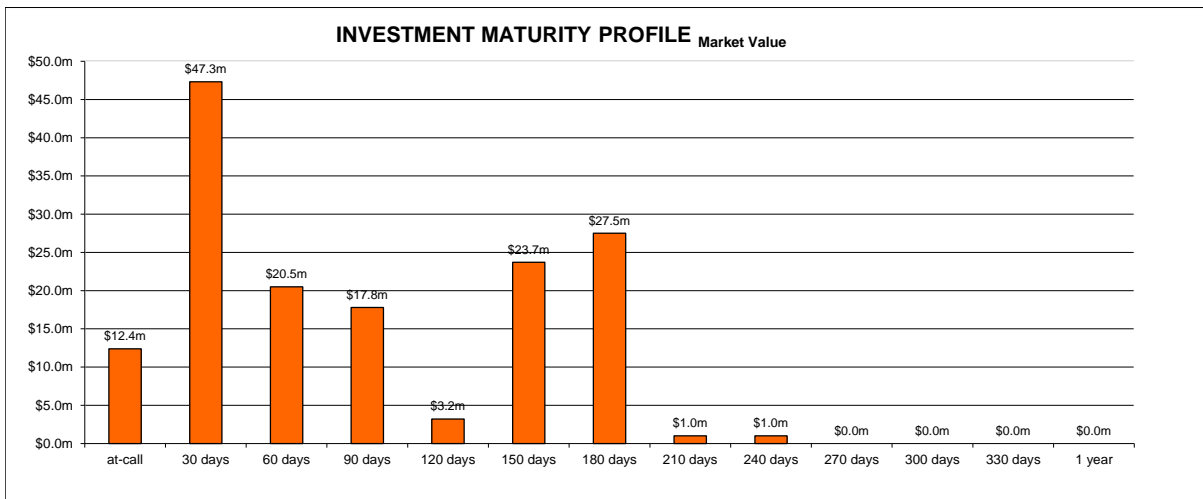
C17/6000 - INVESTMENT STATEMENTS FOR MARCH 2017 (REC)

Net Funds Held

The graphs on the following page summarise the Municipal Fund working capital and available cash and the funds held in Cash Backed Specific Purpose Reserve Accounts as at 31 March 2017.



The graph below summarises the maturity profile of the City's investments at market value as at 31 March 2017.



C17/6000 - INVESTMENT STATEMENTS FOR MARCH 2017 (REC)**STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

This report is available to the public on the City's web-site or can be made available in other formats on request.

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).

FINANCIAL IMPLICATIONS

For the period ending 31 March 2017:

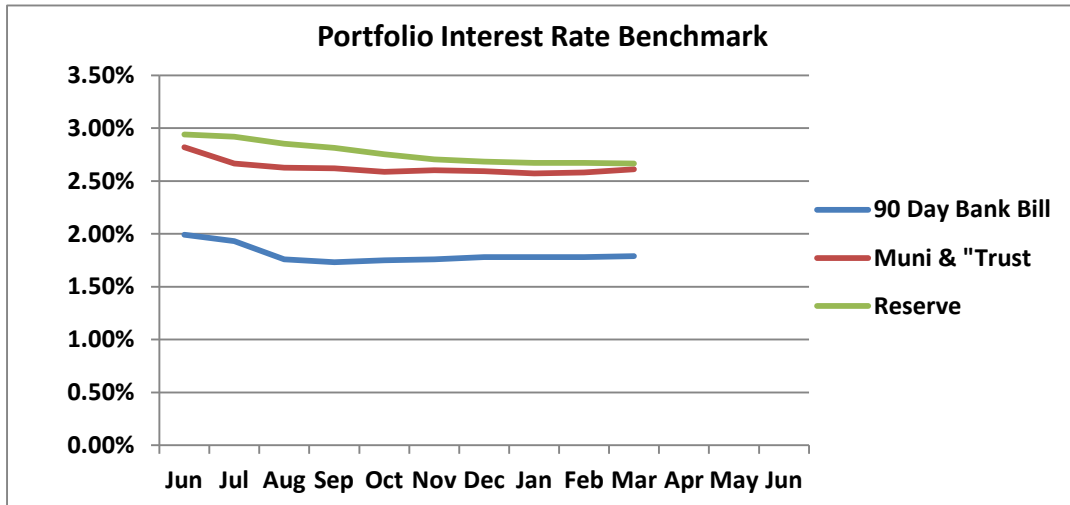
- Investment earnings on Municipal and Trust Funds were \$503,215 against a year to date budget of \$480,773 representing a \$19,878 positive variance.

The weighted average interest rate for Municipal and Trust Fund investments as at 31 March 2017 was 2.61% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 1.79%.

- Investment earnings on Reserve accounts were \$2,667,366 against a year to date budget of \$2,073,959 representing a \$593,407 positive variance.

The weighted average interest rate for Reserve account investments as at 31 March 2017 was 2.66% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 1.79%.

C17/6000 - INVESTMENT STATEMENTS FOR MARCH 2017 (REC)



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. The interest rate risk is high due to the short-term nature of the City’s investments and the inability, due to legislative restrictions, to lock into longer dated investments which attract higher interest rates and help reduce exposure to reductions in interest rates.

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*.

C17/6000 - INVESTMENT STATEMENTS FOR MARCH 2017 (REC)**Policy Implications Contd.**

Council Policy CP-030 – Environmental states that the “The City aims to prevent, manage and minimise environmental impacts associated with its activities, while conserving and enhancing the City’s biodiversity and environmental quality, thereby maintaining and creating healthy surroundings for the community.” Whilst this Policy directly relates to the environmental impacts that relate to activities within the Cities boundaries and there is a tenuous link between the City’s investment activities and lending to organisations producing fossil fuels, the City will to the extent it can without putting invested funds at undue risk, direct its investments to financial institutions that do not lend to those organisations.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable as report only presents information for noting.

CONCLUSION

The City’s investment portfolio is invested in highly secure investments that are returning low investment returns which are commensurate with the low level of risk of the portfolio.

27% 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

Future investment earnings are expected to continue to decrease when compared to previous years as interest rates continue to stay low. Furthermore legislative restrictions that have been implemented by the Western Australian State Government limiting term deposits to a maximum term of 12 months, has resulted in the City not being able to invest in longer term deposits which, depending on the interest rate yield curve, can attract higher interest rates than shorter term investments.

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

That the Council notes the Investment Report for the period ending 31 March 2017.

At 7:24pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY EN BLOC (11/0)

C17/6001 – SCHEDULE OF ACCOUNTS PAID FOR MARCH 2017 (REC) (ATTACHMENT)

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

AUTHORITY / DISCRETION

DEFINITION

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

KEY ISSUES / SUMMARY

This report presents the details of payments made under delegated authority to suppliers for the month of March 2017 and recommends that the Schedule of Accounts Paid be noted.

C17/6001 – SCHEDULE OF ACCOUNTS PAID FOR MARCH 2017 (REC) (ATTACHMENT)

BACKGROUND

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

DETAIL

The Schedule of Accounts Paid for the period ending 31 March 2017 including Payment Registers numbers, Cheques 569 to 575 and Electronic Funds Transfers batches 436 to 441, Trust Payments, Card Payments and Payroll was distributed to the Elected Members of the Council on 28 April 2017. Payments for the period totalled \$8,364,845.81 for the Municipal Fund and \$84,852.88 for the Trust Fund whilst new investment transactions totalled \$15,500,000. Details of the payments are shown in attachment [6001 March 2017](#).

Payments in excess of \$25,000 for the period are detailed as follows:

Supplier Name	Remittance Number	Remittance Details	Amount
Aquamonix Pty Ltd	E055274 & E055930	Communication controller repairs at various Reserves	\$33,403.59
Asphaltech Pty Ltd	E055224 & E055883	Road resurfacing at various sites	\$757,851.29
AV Truck Services Pty Ltd	E055215 & E055870	Purchase of Dennis Eagle Side Loader truck	\$484,637.30
Axiis Contracting Pty Ltd	E055238 & E055894	Concrete works	\$129,476.55
Briteshine Cleaning Services	E055109 & E055753	Cleaning services at various City buildings	\$35,640.09
Building & Construction Industry Training Fund	Chq 007152	Remittance of the building construction training levy collected by the City with building licence applications	\$42,098.55
Calibre Coatings Pty Ltd	E055339 & E055772	Painting at LeisureFit Booragoon and Melville	\$28,182.00
Caltex	Direct Debit 07.04.2017	March fuel for fleet and plant	\$90,252.15
CAM Management Solutions	E055816	Annual licence fee for Interplan	\$31,823.39
Castledex Pty Ltd	E055288	Refurbishment works at Civic Centre	\$54,181.61
CBRE Pty Ltd	Direct Bank Transfer 30.03.2017	Deposit Payment for 50-52 Kishorn Rd, Applecross (bank reference 68074175)	\$100,000.00
City of Cockburn	E055723	Commercial waste tip fees for December, January and February	\$157,133.46
Department of Commerce	E055058	Remittance of Building Service Levy collected on building licence applications	\$42,754.33
Department of Fire & Emergency Services	E055873	ESL remittance for February	\$636,756.69
Dickies Tree Service	E055083 & E055726	Tree lopping services	\$80,153.14
Eco Resources Pty Ltd	E055240 & E055895	Waste disposal fees	\$25,077.80
Fleet Logistics Pty Ltd T/A EZY2C	E055063 & E055948	Waste GPS route optimisation	\$53,481.12
Flexi Staff	E055107 & E055752	Temporary employment	\$202,470.52
Fredon Air Pty Ltd	E055258 & E055920	Heat Exchangers improvement works at LeisureFit Booragoon and service and maintenance to air conditioners City wide	\$41,485.36

C17/6001 – SCHEDULE OF ACCOUNTS PAID FOR MARCH 2017 (REC) (ATTACHMENT)

Supplier Name	Remittance Number	Remittance Details	Amount
Freyssinet Australia Pty Ltd	E055305 & E055966	Structural repairs to Heathcote Clock Tower	\$81,604.35
Goodyear & Dunlop Tyres (Australia) Pty Ltd T/A Beaufort Myaree	E055171 & E055822	Supply of tyres for Fleet vehicles	\$31,921.44
Hydroquip Pumps	E055115 & E055758	Supply and install irrigation system at Wireless Hill Park	\$51,879.30
ICS Australia Pty Ltd	E055297 & E055957	Refurbishment works at Alan Edwards Clubrooms	\$103,756.95
M.A.C.S Maintenance & Contracting Services	E055296	Alterations to form universal accessible toilet at Morris Buzacott Reserve Clubrooms	\$29,189.60
Murdoch University	E055381	Sponsorship for Music @ Murdoch	\$33,000.00
Natural Area Management & Services	E055325 & E056019	Maintenance of Bushland Reserves, landscaping works at Point Walter and repairs and maintenance to tracks and fencing at Blackwall Reach	\$60,349.23
Nature Play Solutions Pty Ltd	E055228 & E055888	Progress payments 4 and 5 for upgrade to Piney Lakes Sensory Play Space	\$119,246.50
Phase 1 Audio	E055382	Equipment hire for Point Walter Concert	\$26,761.24
PML-Landmark Products Pty Ltd	E055945	Demolition and replacement of stairs at Heathcote	\$342,581.80
Roadsafe Traffic Management	E055270 & E055924	Traffic management services	\$47,220.57
Southern Metropolitan Regional Council	E055167 & E055814	Loan repayment, green waste, over compaction and MSW for January and MSW, MRF and green waste for February	\$1,557,773.56
South West Group	E055775	2016/2017 contribution to NRM Facilitator	\$32,500.00
Striker Indoor Sports	E055893	Department of Education annual contribution for operating costs at Leeming Recreation Centre	\$34,644.30
Synergy	E055106 & E055751	Electricity charges	\$365,185.65
Titan Ford	E055130 & E055370	Purchase of 2x Ford Ranger utes	\$69,538.74
Tree Planting & Watering (ATF) Baroness Holdings Pty Ltd	E055222 & E055879	Street tree watering	\$118,620.27
Turf Care WA Pty Ltd	E055809	Lawn maintenance at various Reserves	\$35,090.00
Water Corporation	Chq's 066587 & 066666	Water charges	\$53,473.06
Western Power	E055105 & E055749	Cash call 4 for Bicton North project and streetlight upgrade at Gilbertson Road	\$787,626.00
Youngs Plumbing Service Pty Ltd	E055178 & E055831	Building maintenance	\$28,065.58

Payroll

Supplier Name	Remittance Number	Remittance Details	Amount
Various Banking Institutions	Direct Bank Transfers 08.03.2017 & 22.03.2017	Payment of salaries and wages to City employees net of tax and deduction for pays	\$2,111,382.17
Australian Taxation Office	Direct Bank Transfers 08.03.2017 & 22.03.2017	Pay as You-Go taxation and other deductions from employee payroll for pays 18 & 19	\$619,450.00
Creditors	Direct Bank Transfers 08.03.2017 & 22.03.2017	Payment of superannuation, union membership, council rates, vehicle deductions, Centrelink, etc.	\$509,680.64
Total			\$3,240,512.81

C17/6001 – SCHEDULE OF ACCOUNTS PAID FOR MARCH 2017 (REC) (ATTACHMENT)**STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

Not applicable.

II. OTHER AGENCIES / CONSULTANTS

Not applicable.

STATUTORY AND LEGAL IMPLICATIONS

This report meets the requirements of the *Local Government (Financial Management) Regulations 1996* Regulation 11 - Payment of Accounts, Regulation 12 - List of Creditors and Regulation 13 - Payments from the Trust Fund and the Municipal Fund.

FINANCIAL IMPLICATIONS

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

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

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

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable as this report presents information for noting only.

CONCLUSION

Payments for the period totalled \$8,364,845.81 for the Municipal Fund and \$84,852.88 for the Trust Fund whilst new investment transactions totalled \$15,500,000.

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

C17/6001 – SCHEDULE OF ACCOUNTS PAID FOR MARCH 2017 (REC) (ATTACHMENT)**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (6001)****NOTING**

That the Council notes the Schedule of Accounts paid for the period ending 31 March 2017 as approved by the Director Corporate Services in accordance with delegated authority DA-035, and detailed in attachment [6001 March 2017](#)

At 7:24pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY EN BLOC (11/0)

C17/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR MARCH 2017 (AMREC)
(ATTACHMENTS)

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

AUTHORITY / DISCRETION

DEFINITION

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<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

This report presents:

- The Statements of Financial Activity by Program, Sub-Program and Nature and Type, for the period ending 31 March 2017 and recommends that they be noted by the Council.
- The variances for the month of March 2017 and recommends that they be noted by the Council.
- Budget amendment requests for March 2017 and recommends that they be approved by Absolute Majority decision of the Council.

**C17/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR MARCH 2017 (AMREC)
(ATTACHMENTS)**
BACKGROUND

The Statements of Financial Activity for the period ending 31 March 2017 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

CITY OF MELVILLE								
EXTRACT OF RATE SETTING STATEMENT FOR VARIANCES IN EXCESS OF \$50,000								
for the Period 1 July 2016 to 31 March 2017								
	February	YTD	YTD			Annual	Annual	Current
	Actual	Rev. Budget	Actual	Variance	Variance	Budget	Rev. Budget	Commit.
	\$	\$	\$	\$	%	\$	\$	\$
Revenue								
General Purpose Funding	324,995	11,112,359	11,757,359	645,000	6%	12,931,170	14,084,868	-
Law, Order, Public Safety	28,358	2,542,298	2,593,909	51,611	2%	2,509,843	2,639,794	-
Community Amenities	56,923	2,820,201	2,956,843	136,642	5%	3,136,387	3,244,858	-
Recreation and Culture	656,688	5,885,280	6,090,883	205,604	3%	8,469,621	8,026,069	-
Transport	402,968	3,459,249	3,114,626	(344,622)	-10%	4,641,787	5,220,034	-
Other Property and Services	228,793	669,800	830,399	160,599	24%	3,356,430	3,489,851	-
	1,890,818	29,179,493	30,406,418	1,195,021	4%	35,739,377	37,400,795	-
Expenses								
Governance	(268,193)	(3,083,098)	(2,423,020)	660,078	-21%	(4,110,317)	(4,321,764)	(189,921)
General Purpose Funding	(823,636)	(5,442,671)	(5,265,197)	177,475	-3%	(6,919,538)	(6,919,538)	(1,493)
Law, Order, Public Safety	(317,388)	(3,011,184)	(2,808,451)	202,733	-7%	(4,051,723)	(4,113,269)	(63,452)
Health	(89,115)	(822,495)	(751,435)	71,061	-9%	(1,115,196)	(1,109,792)	(14,862)
Education & Welfare	(208,907)	(1,959,074)	(1,833,442)	125,632	-6%	(2,650,229)	(2,635,182)	(45,921)
Community Amenities	(2,034,351)	(16,779,157)	(17,026,085)	(246,928)	1%	(24,619,692)	(25,178,301)	(445,679)
Recreation and Culture	(2,492,194)	(21,415,701)	(20,602,090)	813,611	-4%	(28,710,832)	(28,977,797)	(1,263,509)
Transport	(1,511,724)	(12,488,261)	(12,266,731)	221,529	-2%	(15,078,943)	(15,062,116)	(800,683)
Economic Services	(217,538)	(1,585,212)	(1,872,792)	(287,580)	18%	(2,174,143)	(2,195,276)	(47,093)
Other Property and Services	(546,528)	(8,809,179)	(7,338,561)	1,470,618	-17%	(11,740,320)	(11,528,781)	(603,565)
	(8,516,798)	(75,444,198)	(72,234,864)	6,330,617	-4%	(101,232,456)	(102,103,336)	(3,491,067)
Net Result Excluding Rates	(6,625,980)	(46,264,705)	(41,828,445)			(65,493,079)	(64,702,541)	
Capital Revenue & Expenditure								
Purchase of Furniture & Equipment	(89,942)	(1,189,018)	(788,103)	400,915	-34%	(1,454,494)	(2,467,258)	(135,528)
Purchase of Plant & Equipment	(492,008)	(3,629,867)	(2,574,334)	1,055,533	-29%	(2,441,631)	(4,320,617)	(216,892)
Purchase of Land & Buildings	(436,821)	(3,338,120)	(2,571,843)	766,277	-23%	(3,786,000)	(8,290,854)	(546,833)
Purchase of Infrastructure Assets	(1,798,572)	(13,616,683)	(10,109,827)	3,506,856	-26%	(15,935,141)	(21,247,184)	(2,622,191)

A more detailed summary of variances and comments based on the Rate Setting Statement by Sub-Program ([6002C Sub Program March 2017](#)) is provided in attachment [6002H March 2017](#).

**C17/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR March 2017 (AMREC)
(ATTACHMENTS)****Revenue**

\$82.57 million in Rates was raised to 31 March 2017. This is compared with a revised year to date budget of \$82.51 million, resulting in a positive variance of \$57,309.

Money Expended in an Emergency and Unbudgeted Expenditure

Not applicable for March 2017.

Budget Amendments

Details of Budget Amendments requested for the month of March 2017 are shown in attachment [6002J March 2017](#). Highlighted are five budget amendment journals greater than \$50,000 that relate to March 2017.

- \$6,991,832 – Various budget amendments were processed as per the 2016/17 mid-year budget review as adopted by the Council at its Ordinary Meeting held Tuesday 21 March 2017.
- \$1,336,695 – Adjustment to capital works budgets from 2016/17 mid-year budget review as adopted by the Council at its Ordinary Meeting held Tuesday 21 March 2017, were processed.
- \$3,802,375 – Purchase of property at 50-52 Kishorn Road Applecross following the Council's decision at its April Ordinary Meeting of Council held on Tuesday 18 April 2017.
- \$50,000 – Transfer of existing budget for South Eastern Park Development Planning to Projects Coordinator.
- \$180,750 – Transfer of existing budget for Website Future Vision project for better account management.
- \$238,000 – Transfer of existing budget for 8 tonne tipper truck from heavy plant to heavy vehicles.

Rates Collections and Debtors

Rates, Refuse, Fire and Emergency Service Authority and Underground Power payments totalling \$8,257,179 were collected over the course of the month. Rates collection progress for the month of March is 0.2% above the target of 94%. This represents a dollar value of \$173,192. As at 31 March 94.2% of 2016-2017 rates, including prior year arrears had been collected compared with 94.5% collected for the same time last year. Rates collection for 2016/2017 excluding prior year rates arrears is 96.4%.

Total sundry debtor balances decreased by \$135,720 over the course of the month from \$534,361 to \$398,641. The 90+ day's debtor balance decreased by \$76,187 from \$90,356 to \$14,169.

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.

No debts were written off under delegated authority in the month of March 2017.

**C17/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR MARCH 2017 (AMREC)
(ATTACHMENTS)**

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

DESCRIPTION	LINK
Statement of Financial Activity By Nature and Type – March 2017	6002A Nature Type March 2017
Rate Setting Statement by Program – March 2017	6002B Program March 2017
Rate Setting Statement by Sub-Program – March 2017	6002C Sub Program March 2017
Representation of Net Working Capital – March 2017	6002E March 2017
Reconciliation of Net Working Capital – March 2017	6002F March 2017
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater – March 2017	6002H March 2017
Details of Budget Amendments requested – March 2017	6002J March 2017
Summary of Rates Debtors – March 2017	6002L March 2017
Graph Showing Rates Collections – March 2017	6002M March 2017
Summary of General Debtors aged 90 Days Old or Greater – March 2017	6002N March 2017

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Not applicable.

II. OTHER AGENCIES / CONSULTANTS

Not applicable.

STATUTORY AND LEGAL IMPLICATIONS

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

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

34. Financial activity statement report — s. 6.4

(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;

C17/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR MARCH 2017 (AMREC)

- (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
- (e) *the net current assets at the end of the month to which the statement relates.*
- (2) *Each statement of financial activity is to be accompanied by documents containing —*
- (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
 - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
 - (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity may be shown —*
- (a) *according to nature and type classification; or*
 - (b) *by program; or*
 - (c) *by business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*
- (a) *presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
 - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

The variance adopted by the Council is 10% or \$50,000 whichever is greater.

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

FINANCIAL IMPLICATIONS

Variances are dealt with in attachment [6002H March 2017](#) (Notes on Statement of Variances in excess of \$50,000 by Sub-Program).

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

There are no identifiable strategic, risk or environmental management implications arising from this report.

POLICY IMPLICATIONS

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

**C17/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR MARCH 2017 (AMREC)
(ATTACHMENTS)**

CONCLUSION

The attached financial reports reflect a positive financial position of the City of Melville as at 31 March 2017.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (6002)

NOTING AND ABSOLUTE MAJORITY

At 7:24pm Cr Phelan moved, seconded Cr Foxtan -

That the Council:

- Notes the Rate Setting Statement and Statements of Financial Activity for the month ending 31 March 2017 as detailed in the following attachments:**

DESCRIPTION	LINK
Statement of Financial Activity By Nature and Type – March 2017	<u>6002A Nature Type March 2017</u>
Rate Setting Statement by Program – March 2017	<u>6002B Program March 2017</u>
Rate Setting Statement by Sub-Program – March 2017	<u>6002C Sub Program March 2017</u>
Representation of Net Working Capital – March 2017	<u>6002E March 2017</u>
Reconciliation of Net Working Capital – March 2017	<u>6002F March 2017</u>
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater – March 2017	<u>6002H March 2017</u>
Details of Budget Amendments requested – March 2017	<u>6002J March 2017</u>
Summary of Rates Debtors – March 2017	<u>6002L March 2017</u>
Graph Showing Rates Collections – March 2017	<u>6002M March 2017</u>
Summary of General Debtors aged 90 Days Old or Greater – March 2017	<u>6002N March 2017</u>

- By Absolute Majority Decision adopts the budget amendments, as detailed in the attached Budget Amendment Reports for March 2017 [6002J March 2017](#).**

At 7:24pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (11/0)

15. EN BLOC ITEMS

At 7:24pm Cr Robartson moved, seconded Cr Aubrey –

That the recommendations for items P17/5545, P17/5547, M17/5000, C17/6110 C17/6000 and C17/6001 be carried En Bloc.

At 7:24pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (11/0)

16. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**16.1 Request For Report On The Definition Of Mezzanine In Relation To The Canning Bridge Activity Centre Structure Plan****COUNCIL RESOLUTION****APPROVAL**

At 7:25pm Cr Foxtan moved, seconded Cr Aubrey –

That the Council requests the Chief Executive Officer:

- 1 To investigate the benefits and implications of amending the Canning Bridge Activity Centre Structure Plan to include a definition of mezzanine: and**
- 2 Reporting the findings back to the Council with a definition of mezzanine included in the report if it is deemed that including it in the Canning Bridge Activity Centre Structure Plan would be advantageous.**

At 7:32pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (11/0)

Reasons for Motion

Cr Foxtan provided the following reasons in support of the motion.

There seems to be a lot of debate amongst developers, the community and the City about what constitutes a mezzanine. Various definitions have been drawn upon, and different views are held. I think the inclusion of a definition in the Canning Bridge Activity Centre Structure Plan will provide clarity to concerned residents and to developers, and provide strength to the City's position. Obviously, work would need to be done by officers to determine what the definition should include.

17. MOTIONS WITHOUT NOTICE BY ABSOLUTE MAJORITY OF THE COUNCIL

Nil.

At 7:33pm Cr Pazolli left the meeting and returned at 7:35pm.

At 7:35pm Cr Macphail left the meeting and returned at 7:37pm.

18. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

At 7:33pm Cr Phelan moved, seconded Cr Aubrey –

That the meeting be closed to the public to permit discussion on confidential matters:

- **Item P17/3751 – Confidential Item – Disposal of Lot 614 (85) Ardross Street, Applecross) covered under section 5.23 (2) (c) of the *Local Government Act 1995*; and**
- **Item C17/5550 – Confidential Item - Chief Executive Officer Performance Review covered under section 5.23(2)(a) of the *Local Government Act 1995*.**

At 7:33pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (11/0)

18.1 P17/3751- CONFIDENTIAL ITEM - DISPOSAL OF LOT 614 (85) ARDROSS STREET, APPLECROSS

The matter is confidential in accordance with section 5.23 (2) (c) of the *Local Government Act 1995*, a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and (e) a matter that if disclosed would reveal – information that has commercial value to a person; ...where the trade secret or information is held by, or is about, a person other than the local government;...

Officers provided the following additional information to Elected Members:

Pursuant to section 17(2) of the *Public Works Act 1902* (Act 1902) Lot 614 was resumed from the Institute of Notre Dame des Missions (Inc.) on 3 September 1959. As the land was resumed pursuant to the Act 1902, it is subject to the procedures set out in the Act in relation to subsequent dealings with the land. However, the relevant provisions at the time under the *Public Works Act 1902* have now been superseded by the current provisions under the *Land Administration Act 1997* (LAA 1997).

Specifically Section 190 of the LAA 1997 deals with “fee simple in land not required for public work, previous owner entitled to option to purchase.” The clauses which relate to the proposed disposal of 85 Ardross Street, Applecross include:-

190. Fee simple in land not required for public work, previous owner etc. entitled to option to purchase

(1) *This section applies if —*

(a) *The fee simple in land was taken or resumed without agreement under this or another Act and either —*

(ii) *The land has not been used for any public work;*
and

(b) *The Minister proposes to cancel the designation of the fee simple under section 187, or to designate it for the purpose of a public work other than one ancillary or incidental to the purpose for which it was originally taken; and*

(3) *If this section applies, the holding authority must —*

- (a) *Cause a notice to be published once in a daily newspaper circulating throughout the State to the effect that the land is no longer required for the purposes of the work for which it was taken; and*
- (b) *Cause a copy of the notice to be served on each person who appears to it to be qualified, either personally or by certified mail posted, in the case of an individual, to the person's last known place of abode, or, in the case of a corporation, to the corporation's registered office.*
- (7) *The purchase price under the option is to be the current market value of the fee simple as determined by the holding authority on the advice of the Valuer-General.*

COUNCIL RESOLUTION (3751)**APPROVAL**

At 7:35pm Cr Robartson moved, seconded Cr Aubrey –

That the Council:

- 1. Resolves to dispose of Lot 614 (85) Ardross Street, Applecross being described on Certificate of Title as Lot 614 on Plan 1751 CT-1106/272, by way of sale by Auction in accordance with Section 3.58 (2) (a) of the Local Government Act 1995; and**
- 2. That the Council delegates to the Chief Executive Officer the authority to sign and execute all necessary agreements on behalf of the City to effect the sale of Lot 614 (85) Ardross Street, Applecross by auction.**
- 3. *Instructs the Chief Executive Officer in accordance with the statutory requirements under Section 190 of the Land Administration Act 1997(LAA 1997), that prior to appointing the selling agent and commencing the Auction campaign to sell the property, to seek authorisation from Minister for Lands to cancel designation of the fee simple under Section 187 of the LAA 1997 for public work, as per Section 190 (1)(b) of the LAA 1997 and issue the relevant Public Notices as per Section 190 (3)(a)&(b) of the LAA 1997.***

At 7:43pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (11/0)

At 7:44pm Ms K Johnson entered the meeting.

Disclosure of Interest

Item C17/5550	CEO
Type of Interest	Financial
Nature of Interest	Employment Contract
Request	Leave
Decision of Council	Not Required

At 7:44pm Dr S Silcox (CEO) declared an interest, left the meeting and did not return.

At 7:44pm Mr M Tieleman assumed the role of Acting Chief Executive Officer.

At 7:44pm Ms C Young left the meeting and did not return.

At 7:44pm Mr J Christie left the meeting and did not return.

At 7:44pm Mr G Ponton left the meeting and did not return.

At 7:44pm Mr L Hitchcock left the meeting and did not return.

At 7:44pm Mr J Rae left the meeting and did not return.

At 7:44pm Ms C Newman left the meeting and did not return.

At 7:44pm Ms G Healey-Burgess left the meeting and did not return.

18.2 C17/5550 – CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW (REC)
(CONFIDENTIAL ATTACHMENT)

Ward	: All
Category	: Operational
Subject Index	: Personnel file
Customer Index	: Personnel file
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: C17/5537 – Chief Executive Officer Performance Review Process – Governance Committee 7 March 2017 C17/5521 – Chief Executive Officer Performance Review – Ordinary Meeting of Council – February 2017
Works Programme	: Not applicable
Funding	: Not applicable
Responsible Officer	: Kylie Johnson Executive Manager Organisational Development

**C17/5550 – CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW (REC)
(CONFIDENTIAL ATTACHMENT)**

AUTHORITY / DISCRETION

DEFINITION

<input type="checkbox"/>	Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input 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

- The Governance Committee has been determined through Council to be the reviewers of the Chief Executive Officer (CEO) performance.
- The Governance Committee will discuss the CEO performance, future expectations and performance criteria, performance development and review the salary package, for recommendation to the Council.
- A defined process is followed for the CEO performance review, as detailed in this report.

BACKGROUND

On 20 March 2008 Dr Shayne Silcox commenced in the role of CEO at the City of Melville. The last performance review was held in 2016. In 2016 a new four year contract was finalised with the CEO, and made effective from 20 March 2016 in accordance with Council resolution (5465).

Clause 7 of the CEO contract details that there needs to be a review of remuneration on an annual basis at a time that is no later than three months after the anniversary of the commencement date.

A Performance Review Consultant, Ms Helen Hardcastle from Learning Horizons, has been engaged by the City of Melville to facilitate the discussions between the Council and the CEO during the Performance and Remuneration Review process. This has included opportunities for all Elected Members to provide individual feedback with the Consultant based on a Council approved survey tool.

C17/5550 – CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW (REC)
(CONFIDENTIAL ATTACHMENT)

DETAIL

The review process endorsed by Council in February 2017 is detailed in attachment: [5550 Chief Executive Officer Performance Review](#), which details estimated dates. Due to availability issues the Governance Committee was re-scheduled to 4 May 2017. As indicated in the process, the Governance Committee is to discuss the CEO performance, future expectations, performance criteria, performance development, and review the salary package, for recommendation to the Council.

The role of the Performance Review Consultant is to assist in discussions between Elected Members and the CEO in all aspects of the performance discussion and future performance criteria, as well as the salary package review.

The Performance Review Consultant has provided a summary of Elected Member feedback, background salary review information and comments on CEO performance development opportunities for the consideration of the Governance Committee.

The Performance Report from the CEO was provided to Elected Members on 10 March 2017. The following documents were distributed to Elected Members on Friday 28 April 2017 under confidential cover:

- CEO Performance Review – Consultant Report (Confidential Attachment A)
- Performance and Professional Development Review KRA's 2017-2018 (Confidential Attachment B)

The process for the Governance meeting is as follows:

<i>Action</i>	<i>Purpose</i>	<i>CEO involvement</i>
1. Discussion between Ms Helen Hardcastle and Governance Committee relating to the report from the Performance Review Consultant on survey results, potential changes to performance criteria and relevant remuneration data which forms Confidential Attachments A and B.	Clarify key comments to be delivered to the CEO on behalf of the Elected Members including -past performance – <i>based on matters relating to specified performance criteria</i> -future performance criteria -performance development	CEO not present
2. CEO to provide comment on performance and future priorities	Discussion on the CEO's Performance Review document and CEO to detail his perspective of his and the organisation's performance and future priorities	CEO to be present
3. Feedback to CEO from Governance Committee on performance	Ensure CEO understands views of Elected Members on performance and priorities, with reference to the survey response report, which is within Confidential Attachment A	CEO to be present
4. Discussion of current performance criteria which are detailed in Attachment B	To ensure contract performance criteria reflect expected desired outcomes – Governance Committee to finalise proposed criteria for 2017-2018 if there are changes from current wording.	CEO to be present
5. Discussion of performance development plan – review of the comments on professional development opportunities provided by the Consultant	To ensure performance development areas are discussed. It is noted the Mayor is authorised to approve professional development for the CEO, as specified in contract of employment.	CEO to be present
6. Remuneration discussion	Review of salary level – refer to confidential Attachment A.	CEO not present

**C17/5550 – CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW (REC)
(CONFIDENTIAL ATTACHMENT)**

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Not applicable.

II. OTHER AGENCIES / CONSULTANTS

There has been no liaison with any other agencies or Consultants beyond Learning Horizons.

STATUTORY AND LEGAL IMPLICATIONS

Section 5.38 of the *Local Government Act 1995* states the requirement to review a CEO's performance at least once a year in relation to every year of employment.

Section 5.23 (2) of the *Local Government Act 1995* states that a meeting by a Council or Committee, or part of a meeting, may be closed to members of the public if a matter affecting an employee is being dealt with.

Section 5.39 (7) of the *Local Government Act 1995* requires a report from the Salaries and Allowances Tribunal with a recommendation as to the remuneration to be paid or provided to a CEO to be taken into account by the local government before entering into, or renewing a contract of employment with a CEO. Although this section of the *Local Government Act 1995* does not include salary reviews this information has been included in the comparative salary data for consideration by the Council when assessing salary.

FINANCIAL IMPLICATIONS

The fee for the Performance Review Consultant has been included in the 2016-2017 operational budget. Any change to the salary package of the CEO will be reflected in the operational budgets for 2016-2017 and 2017-2018.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk	Risk Mitigation Strategy
That the performance criteria for the next twelve months are not determined	Low	Defined process that includes this stage

**C17/5550 – CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW (REC)
(CONFIDENTIAL ATTACHMENT)****POLICY IMPLICATIONS**

Not applicable

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable as the requirement for a performance review are mandatory.

CONCLUSION

The purpose of the Governance Committee Meeting is to provide recommendations to the Council in relation to the Performance and Salary Review for the Chief Executive Officer.

Specifically the meeting is to provide feedback opportunities to the Council and Chief Executive Officer on performance over the past twelve months, and clarify expectations, which are to be reflected in the Chief Executive Officer Contract performance criteria.

The review of current contract performance criteria is an important opportunity for the Council and the Chief Executive Officer to clarify expectations and desired outcomes to be achieved. The current performance criteria may not be reflecting current priorities and should be an important aspect of this review process.

OFFICER RECOMMENDATION AND COMMITTEE RESOLUTION (5550) APPROVAL

At 8.19pm Cr Phelan moved, seconded Cr Wieland -

That the Governance Committee recommends to the Council:

- 1. That the base salary component for the Chief Executive Officer be amended as recommended by the Governance Committee and the revised base salary change be provided under confidential cover to the Council as an attachment entitled “Salary Recommendation 2017” for approval, to take effect from 20 March 2017.**
- 2. That the Chief Executive Officer Performance Criteria and Key Performance Indicators to be used in 2017-2018 are those detailed in the confidential attachment entitled “Chief Executive Officer Performance Criteria”.**
- 3. That the Performance Development Plan detailed in confidential attachment entitled “Chief Executive Officer Performance Development Plan 2017-2018” is approved.**

At 8.21pm the Presiding Member submitted the motion, which was declared

CARRIED (6/1)

For: Mayor Aubrey, Cr Aubrey, Cr Barling, Cr Phelan, Cr Robartson, Cr Wieland
Against: Cr Pazolli

**C17/5550 – CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW (REC)
(CONFIDENTIAL ATTACHMENT)****COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION (5550)**

That the Governance Committee recommends to the Council:

- 1. That the base salary component for the Chief Executive Officer be amended as recommended by the Governance Committee and the revised base salary change be provided under confidential cover to the Council as an attachment entitled “Salary Recommendation 2017” for approval, to take effect from 20 March 2017.**
- 2. That the Chief Executive Officer Performance Criteria and Key Performance Indicators to be used in 2017-2018 are those detailed in the confidential attachment entitled “Chief Executive Officer Performance Criteria”.**
- 3. That the Performance Development Plan detailed in confidential attachment entitled “Chief Executive Officer Performance Development Plan 2017-2018” is approved.**

At 8.05pm the Mayor submitted the motion, which was declared

CARRIED (7/4)

For: Mayor Aubrey, Cr Aubrey, Cr Foxtton, Cr Macphail, Cr Phelan, Cr Robartson,
Cr Wieland.

Against: Cr Barling, Cr Barton, Cr Pazolli, Cr Woodall

At 8.05pm Cr Phelan moved, seconded Cr Aubrey –

That the meeting come out from behind closed doors and the public be invited back into the meeting.

At 8.05pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (11/0)

No members of the public returned to the meeting.

19. CLOSURE

There being no further business to discuss, the Mayor declared the meeting closed at 8.06pm.