



City of  
**Melville**

## **AGENDA**

### **ORDINARY MEETING OF THE COUNCIL**

#### **NOTICE OF MEETING**

I respectfully bring to the attention of Elected Members that an Ordinary Meeting of the Council will be held in the Council Chambers, Melville Civic Centre, 10 Almondbury Road, Booragoon on Tuesday, 21 March 2023 commencing at 6.30pm.

**Marten Tieleman**  
**Chief Executive Officer**

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

Register to attend electronically [Ordinary Meeting of Council 21 March 2023](#)



## Our Vision

Engaging with our diverse community to achieve an inclusive, vibrant and sustainable future.

## Our Mission

To provide good governance and quality services for the City of Melville community.

## Our Values

### Excellence

Striving for the best possible outcomes

### Participation

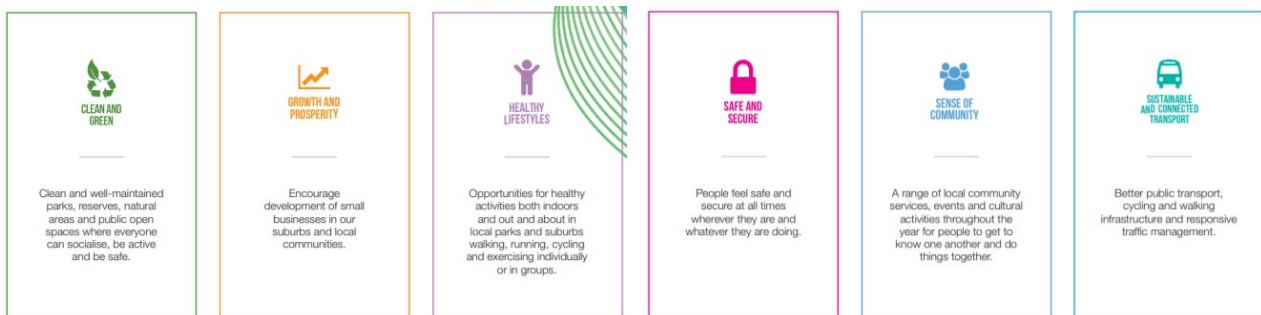
Involving, collaborating and partnering

### Integrity

Acting with honesty, openness and with good intent

### Caring

Demonstrating empathy, kindness and genuine concern



## Making A Deputation

A deputation is a verbal presentation by one or more members of the public on a matter to be considered at the Council meeting. Deputations are made at the relevant Agenda Briefing Forum, held one week prior to the Ordinary Meeting of Council.

Information on making a deputation is available on the City's website [Request to make a Deputation](#).

## Public Question Time

You can ask a question at a Council meeting during Public Question Time. Information on how to ask a question can be found on the City's website [Public Question Time](#).

Complex questions or those related to matters on the agenda and requiring a response at the meeting are "questions on notice" and should be submitted in writing, by the close of business the Tuesday prior to the meeting.

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Any statement, comment or decision made at a Council or Committee meeting regarding any application for an approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

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

Any advice provided by an employee of the City on the operation of written law, or the performance of a function by the City, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the City. Any advice on a matter of law, or anything sought to be relied upon as representation by the City should be sought in writing and should make clear the purpose of the request.

## **Audio Recording/ Access to Recording**

In accordance with the Council Policy CP- 088 Creation, Access and Retention of Audio Recordings of the Public Meetings this meeting is electronically recorded. All recordings are retained as part of the City's records in accordance with the State Records Act 2000 and the General Disposal Authority for Local Government Records. The Audio recording may be accessed at [www.melvillecity.com.au/agendas](http://www.melvillecity.com.au/agendas).

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Nil.

### REPORTS

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### MOTIONS

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#### With Previous Notice

#### Without Previous Notice

### MATTERS FOR WHICH THE MEETING WAS CLOSED

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**1 OFFICIAL OPENING**

**2 ATTENDANCE AND APOLOGIES**

**In Attendance**

**Apologies**

**On Approved Leave of Absence**

**3 DECLARATIONS BY MEMBERS**

- 3.1 Declarations by Members who have not read and given due consideration to all matters contained in the business papers presented before the Meeting.**
- 3.2 Declarations by Members who have received and not read the Elected Members Bulletin.**

**4 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)**

**Approved Deputations**

**Approved Written Submissions**

**5 DISCLOSURES OF INTEREST**

**5.1 Financial or Proximity Interests**

Under sections 5.60A and/or 5.60B of the *Local Government Act 1995*

**5.2 Disclosure of Interest That May Cause a Conflict**

Under 22 *Local Government (Model Code of Conduct) Regulations 2021* or a City of Melville Code of Conduct)

**6 PUBLIC QUESTION TIME**

**6.1 Questions Received with Notice**

**6.2 Questions Received at the Meeting**

**6.3 Questions Taken on Notice at Previous Meeting**

**7 AWARDS AND PRESENTATIONS**

**8 APPLICATIONS FOR NEW LEAVES OF ABSENCE**

**9 CONFIRMATION OF MINUTES**

**9.1 Minutes of Governance Committee – 20 February 2023**

**That the Minutes of the Governance Committee Meeting held on Monday, 20 February 2023 be noted.**

**9.2 Minutes of FMARCC Committee – 13 March 2023**

(The Minutes of the Financial Management, Audit, Risk and compliance Committee will be available on Friday, 17 March 2023)

**That the Minutes of the Financial Management, Audit, Risk and Compliance Committee Meeting held on Monday, 13 March 2023 be noted.**

**9.3 Notes of Agenda Briefing Forum – 14 March 2023**

(The Notes of the Agenda Briefing Forum will be available on Friday, 17 March 2023)

**That the Notes of the Agenda Briefing Forum held on Tuesday, 14 March 2023 be confirmed as a true and accurate record.**

**9.4 Ordinary Meeting Of The Council – 21 February 2023**

**[OMC Minutes - 21 February 2023](#)**

**That the Minutes of the Ordinary Meeting of Council held on Tuesday, 21 February 2023 be confirmed as a true and accurate record.**

**10 NEW BUSINESS OF AN URGENT NATURE**

**11 IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED**

## 12 PETITIONS

### **12.1 Request for Resolution of Building Complaints**

A petition signed by 24 residents of the City of Melville was submitted by Dr Jeffrey Stevens on 20 February 2023 and reads as follows:

*“We, the undersigned, all being electors of the City of Melville, respectfully ask Council to take all necessary steps, using Council’s powers and duties conferred upon it by the Building or other relevant Acts of Parliament and independent of the CEO and the Administration, to investigate and RESOLVE to my satisfaction the complaints I have made since September 2021 in relation my rear neighbours’ unauthorised building works, inclusive of the retaining structures encroaching on my land without my consent.”*

### **OFFICER RECOMMENDATION**

**That the petition bearing 20 signatures of residents be acknowledged, and a report be prepared and brought back to the 18 April 2023 Ordinary Meeting of Council.**

## 13 ADOPTION OF RECOMMENDATIONS EN BLOC

**That the recommendations for:**

- **M23/5000 – Common Seal Register**
- **C23/6000 – Investment Statements for January 2023**
- **C23/6001 – Schedule of Accounts Paid for January 2023**

**be carried En Bloc.**

**14 REPORTS**

**14.1 Reports from Committees**

Nil.

## 14.2 REPORTS OF THE CHIEF EXECUTIVE OFFICER

### Management Services

#### **M23/5000 – 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	:	Corrine Newman Head of Governance

### **AUTHORITY / DISCRETION**

#### **DEFINITION**

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

### **KEY ISSUES / SUMMARY**

<p>This report details the documents to which the City of Melville Common Seal has been applied for the period from 18 August 2022 up to and including 28 February 2023 for the Council's noting.</p>
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## M23/5000 – 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
CS2202	City of Melville, J S Ould, D M Bechelli and P D Bechelli	Restrictive Covenant - 169 Kitchener Road Alfred Cove - McLeods Barristers & Solicitors (DA-2021-614)	6885812
CS2203	City of Melville and Changfeng Pty Ltd	Grant of Easement - Changfeng Pty Ltd and City of Melville - McLeods Barristers and Solicitors	7236994
CS2204	City of Melville, Atkinson Investment WA Pty Ltd, and Love Investment WA Pty Ltd	Notification under Section 70A, Lot 1 on Diagram 26845	7279972
CS2205	City of Melville and Monmouth Pty Ltd	Transfer of Land - Lot 42 & 88 on Plan 8418, Transfer of Land - Lot 57 on Plan 7375. Final transfer of land documents from ASIC to transfer drainage parcels to City, for public purpose, at nil consideration	7287204 & 287205
CS2206	City of Melville and Landgate	Notification 70A for Lot 102 No. 25 Hetherington Drive, Bull Creek - DA-2022-774	7400993

### STAKEHOLDER ENGAGEMENT

#### I. COMMUNITY

Not applicable.

#### II. OTHER AGENCIES / CONSULTANTS

Not applicable.

## **M23/5000 – COMMON SEAL REGISTER (REC)**

### **STATUTORY AND LEGAL IMPLICATIONS**

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

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

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

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

### **FINANCIAL IMPLICATIONS**

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

### **STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

### **POLICY IMPLICATIONS**

There are no policy implications in relation to this report.

### **ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

There are no alternative options presented as part of this report.

### **CONCLUSION**

This is a standard report for the Elected Members' that details the documents to which the City of Melville Common Seal has been applied for the period from 18 August 2022 up to and including 28 February 2023 for the Council's noting.

### **OFFICER RECOMMENDATION (5000)**

### **NOTING**

**That the Council notes the actions of His Worship the Mayor and the Chief Executive Officer in executing the documents listed under the Common Seal of the City of Melville from 18 August 2022 up to and including 28 February 2023 for the Council's noting.**

**Corporate Services**

**C23/5956 – LOCAL GOVERNMENT ELECTIONS 2023 (AMREC)**

Ward : All  
 Category : Operational  
 Subject Index : Elections  
 Customer Index : Western Australian Electoral Commission  
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
 Previous Items : Item M21/5800 City of Melville Local Government Elections 2021 – Ordinary Meeting of Council held 16 February 2021  
 Works Programme : Not Applicable  
 Funding : Budget consideration 2023-2024  
 Responsible Officer : Corrine Newman  
 Head of Governance

**AUTHORITY / DISCRETION**

**DEFINITION**

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<input checked="" type="checkbox"/>	<b>Executive</b>	<b><i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i></b>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes &amp; policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
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<input type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

## C23/5956 – LOCAL GOVERNMENT ELECTIONS 2023 (AMREC)

### KEY ISSUES / SUMMARY

- Local Government Elections are required to be held in accordance with the requirements of the *Local Government Act 1995*.
- Local Government Elections are scheduled to be held on 21 October 2023, and for the City of Melville this will include a Mayoral Election.
- The Act requires that, prior to formally requesting the Electoral Commissioner to conduct the City of Melville election, the Council must approve by absolute majority:
  - the Electoral Commissioner being responsible for the elections; and
  - the election being conducted as a postal election
- Local Government Elections are the subject of Local Government Reform and proposed changes affecting the City are outlined in this report.
- This report recommends that the Western Australian Electoral Commission conduct the City of Melville 2023 Local Government Election and that the election be held as a postal election.

### BACKGROUND

The last Local Government Election was held on 16 October 2021 by postal voting conducted by the Western Australian Electoral Commission (WAEC).

The City of Melville has successfully undertaken 12 postal voting elections (1997 – 2021) using the services of the WAEC and has found postal voting elections to deliver a greater voter response. The voter response in 2021 was 31.7% of enrolled persons and was 38.1% in 2019, which was the last Mayoral election.

Prior to requesting the Electoral Commissioner to conduct the City of Melville elections in October 2023, there is a requirement under the Local Government Act to appoint the Electoral Commissioner and confirm the elections are to be conducted by the postal voting method.

### DETAIL

The 2023 Local Government Election will be held following the first tranche of local government reforms. Those specific reforms that will affect the City of Melville include:

- the introduction of optional preferential voting, which will bring local government election back in line with State and Federal elections and will enable electors to express preferences
- new rules around the Owner and Occupier Roll to prevent the use of 'sham leases' to gain eligibility
- the setting of state-wide caretaker periods for Ordinary Elections
- the opportunity to fill unexpected vacancies from the election process using the results of the election where there were multiple candidates seeking to fill the substantive vacancy – this obviates the need for a by-election.

These reforms are currently being considered as part of the *Local Government Amendment Bill 2023* and are expected to be in place before the 2023 Local Government Elections.

## **C23/5956 – LOCAL GOVERNMENT ELECTIONS 2023 (AMREC)**

### **STAKEHOLDER ENGAGEMENT**

#### **I. COMMUNITY**

Consultation with the community is not required.

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

The City of Melville has received a written estimate for \$402,000 including GST from the Western Australian Electoral Commission for them to conduct the 2023 Ordinary Election as a postal ballot.

### **STATUTORY AND LEGAL IMPLICATIONS**

In accordance with section 4.20(4) of the *Local Government Act 1995* the Electoral Commissioner must agree to be responsible for the conduct of a postal election. A request for the Electoral Commission to conduct the election must be by absolute majority decision.

In accordance with the *Local Government Act 1995* section 4.20(2)(3) and (4), the last day for agreement for the Electoral Commissioner to conduct a postal election is eighty days prior to the elections (4 August 2023).

### **FINANCIAL IMPLICATIONS**

The Western Australian Electoral Commission (WAEC) has quoted \$402,000 including GST to conduct the City of Melville 2023 Local Government Election. This is an estimate based on the following assumptions:

- 75,100 electors.
- Response rate of approximately 40%.
- 7 vacancies (1 Mayoral position and 6 councillor positions).
- Count to be conducted at the City of Melville offices.
- Appointment of a local Returning Officer.
- Regular Australia Post delivery service to apply for the lodgement of election packages.

An additional amount of \$16,150 will be included should the City decide to use Australia Post's Priority Service for the lodgement of election packages.

Costs not incorporated in this estimate include:

- Any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission incurred as part of an invalidity complaint lodged with the Court of Disputed Returns.
- The cost of any casual staff to assist the Returning Officer on election day or night.
- Any unanticipated costs arising from public health requirements for the COVID-19 pandemic.

## **C23/5956 – LOCAL GOVERNMENT ELECTIONS 2023 (AMREC)**

The WAEC is required by the *Local Government Act 1995* to conduct the Local Government Elections on a full cost recovery bases, therefore, the final cost may vary. The WAEC charge all materials at cost and a margin on staff time.

The quoted cost for 2023 is a substantial increase on the cost of the 2021 Local Government Election (quoted cost of \$305,000 with a final cost of \$276,577) and the last Mayoral election in 2019, (quoted cost of \$280,000 and a final cost of \$269,442).

The Commission has cited inflation in recent years affecting the salaries of Returning Officers and other staff, printing and packaging costs and increased postage costs announced by Australia Post. Additional costs from the Commission have been included arising from improved processing procedures and additional resources to supplement the Commission's education, complaints management, investigation, and legal efforts.

There will also be additional costs incurred directly by the City of Melville which include salary costs, non-statutory advertising, and any potential legal expenses. These additional costs will be provided for in the 2023-2024 Budget.

### **STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

The risk of an election being conducted by the WAEC and having significant issues is assessed to be low. The risk of an election conducted by the Chief Executive Officer as Returning Officer is increased due to the two-year cycle of elections that do not allow in-house skill levels to be maintained to the same levels as those of Electoral Commission.

<b>Risk Statement &amp; Consequence</b>	<b>Level of Risk</b>	<b>Risk Treatment</b>
That a postal election conducted by WAEC being deemed invalid.	Minor consequences, which are unlikely, resulting in a Low level of risk.	Close liaison with WAEC to ensure all facilities and staffing provided by the City meet the WAEC requirements.

### **POLICY IMPLICATIONS**

There are no policy implications associated with this report.

### **ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

There is an alternative option for the Chief Executive Officer to conduct the election as the Returning Officer. The election would be an in-person election (i.e., requiring votes to be cast in person at a polling place). This may result in a lower cost, but experience has indicated this method results in lower voter participation.

**C23/5956 – LOCAL GOVERNMENT ELECTIONS 2023 (AMREC)**

**OFFICER RECOMMENDATION (5956)**

**ABSOLUTE MAJORITY**

**That the Council by absolute majority decision:**

- 1. in accordance with Section 4.20(4) of the *Local Government Act 1995*, declares that the Western Australian Electoral Commissioner be responsible for the conduct of the 2023 Ordinary Elections together with any other elections or polls which may be required; and**
- 2. in accordance with Section 4.61(2) of the *Local Government Act 1995*, declares that the method of conducting the election will be as a postal election.**

**C23/6000 – INVESTMENT STATEMENTS FOR JANUARY 2023 (REC)**

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

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

This report presents the investment statements for the period ending 31 January 2023 for the Council's information and noting.

**C23/6000 – INVESTMENT STATEMENTS FOR JANUARY 2023 (REC)**

**BACKGROUND**

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

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

**DETAIL**

The following statement details the investments held by the City as at 31 January 2023.

<b>CITY OF MELVILLE STATEMENT OF INVESTMENTS FOR THE PERIOD ENDING 31 JANUARY 2023</b>		
<b>SUMMARY BY FUND</b>		
Municipal		\$59,351,277
Reserve		\$143,238,104
Trust		\$-
Citizen Relief		\$224,848
<b>TOTAL</b>		<b>\$202,814,229</b>
<b>SUMMARY BY INVESTMENT TYPE</b>		
11AM		\$17,090,927
31Days at Call		\$-
60Days at Call		\$2,000,000
90Days at Call		\$16,600,000
Term Deposit		\$167,123,302
<b>TOTAL</b>		<b>\$202,814,229</b>
<b>SUMMARY BY CREDIT RATING</b>		
AAA Category	AAA	
AA Category (AA+ to AA-)	AA-	\$115,600,272
A Category (A+ to A-)	A+	\$42,713,957
	A	
	A-	
BBB+ Category	BBB+	\$44,500,000
<b>TOTAL</b>		<b>\$202,814,229</b>

**C23/6000 – INVESTMENT STATEMENTS FOR JANUARY 2023 (REC)**

Exposure to an individual institution is limited according to Council policy and in January 2023 the investments were within the acceptable limits.

Investment with financial institutions						
Institution	Credit Rating	Credit Rating Category	Funds held at period end	Actual %	Limit Per Policy	
ANZ	AA-	AA Category	\$ 3,200,000	1.58%	30.00%	✓
AMP	BBB+	BBB+ Category	\$ -	0.00%	15.00%	✓
Bankwest	AA-	AA Category	\$ -	0.00%	30.00%	✓
Bank of Queensland	BBB+	BBB+ Category	\$ 25,000,000	12.33%	15.00%	✓
ING Bank	A-	A Category	\$ -	0.00%	25.00%	✓
Bendigo & Adelaide	BBB+	BBB+ Category	\$ 19,500,000	9.61%	15.00%	✓
CBA	AA-	AA Category	\$ 27,500,000	13.56%	30.00%	✓
Macquarie	A+	A Category	\$ 3,013,957	1.49%	25.00%	✓
NAB	AA-	AA Category	\$ 52,758,712	26.01%	30.00%	✓
St George	AA-	AA Category	\$ -	0.00%	30.00%	✓
Suncorp	A+	A Category	\$ 39,700,000	19.57%	25.00%	✓
Westpac	AA-	AA Category	\$ 32,141,560	15.85%	30.00%	✓
<b>TOTAL</b>			<b>\$ 202,814,229</b>	<b>100%</b>		

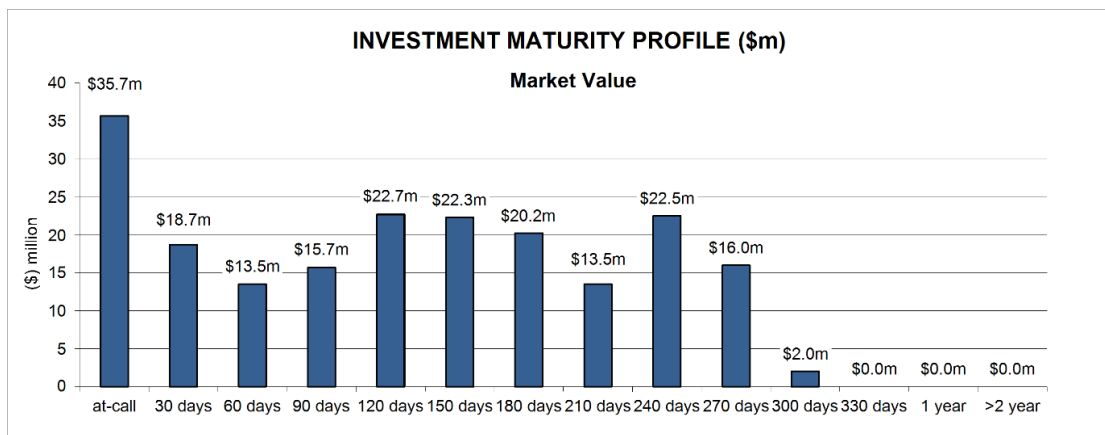
\*Standard & Poor's ratings. Source: Policy No. CP-009: Investment of Funds

The City's investments were invested within the limits allowed within each category rating for January 2023.

Maximum Percentage of Average Investment Portfolio Balance				
Long Term Rating	Funds held at period end \$	Actual %	Limit Per Policy	
AAA Category	\$ -	0%	100%	✓
AA Category (AA+ to AA-)	\$ 115,600,272	57%	80%	✓
A Category (A+ to A-)	\$ 42,713,957	21%	50%	✓
BBB+ Category	\$ 44,500,000	22%	25%	✓
<b>TOTAL</b>	<b>\$ 202,814,229</b>	<b>100%</b>		

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

The below graph summarises the maturity profile of the City's investments at market value as at 31 January 2023. The immediacy of the demand for funds depends on the particular Fund or Reserve Account(s) of the City. The maturity profile provided in the table above meets the liquidity requirements of the Council policy.



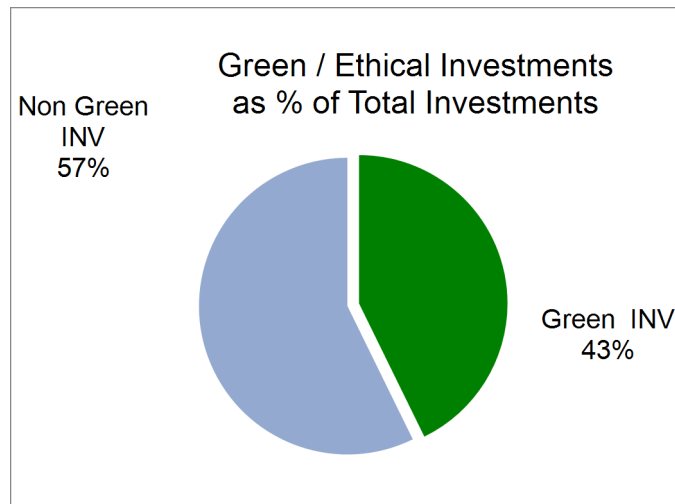
**C23/6000 – INVESTMENT STATEMENTS FOR JANUARY 2023 (REC)**

The City exercises a deliberative preference in favour of green/ethical investments. This preference will however only be exercised after the foremost investment considerations of credit rating, comparable rate and risk diversification are fully satisfied.

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

Environmental, Social & Governance Term Deposit (ESGTD) is a similar product to Green investments. ESGTD’s provide the opportunity to invest in products that seek to mitigate environmental and social risks.

The total investment in green/ethical investments as at 31 January 2023 was \$86,700,000 or 43% of total investment holdings being in non-fossil fuels institutions, compared to \$86,700,000 (43%) in December 2022. The total investments holding for January and December were \$202,814,229 and \$203,906,591 respectively.



Green / Ethical Investment with financial institutions			
Institution	Credit Rating	Credit Rating Category	Funds held at period end
Bendigo & Adelaide	BBB+	BBB+ Category	\$ 19,500,000
CBA	AA-	AA Category	27,500,000
Suncorp	A+	A Category	\$ 39,700,000
<b>TOTAL</b>			<b>\$ 86,700,000</b>

**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

This report is available to the public on the City’s website.

## C23/6000 – INVESTMENT STATEMENTS FOR JANUARY 2023 (REC)

### 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).

The *Local Government (Financial Management) Regulations 1996* (regulation 19C) allows local governments to deposit funds for a fixed term of three years or less. Deposits of greater than one year may, depending on the shape of the yield curve, enable the City to achieve better investment returns.

### FINANCIAL IMPLICATIONS

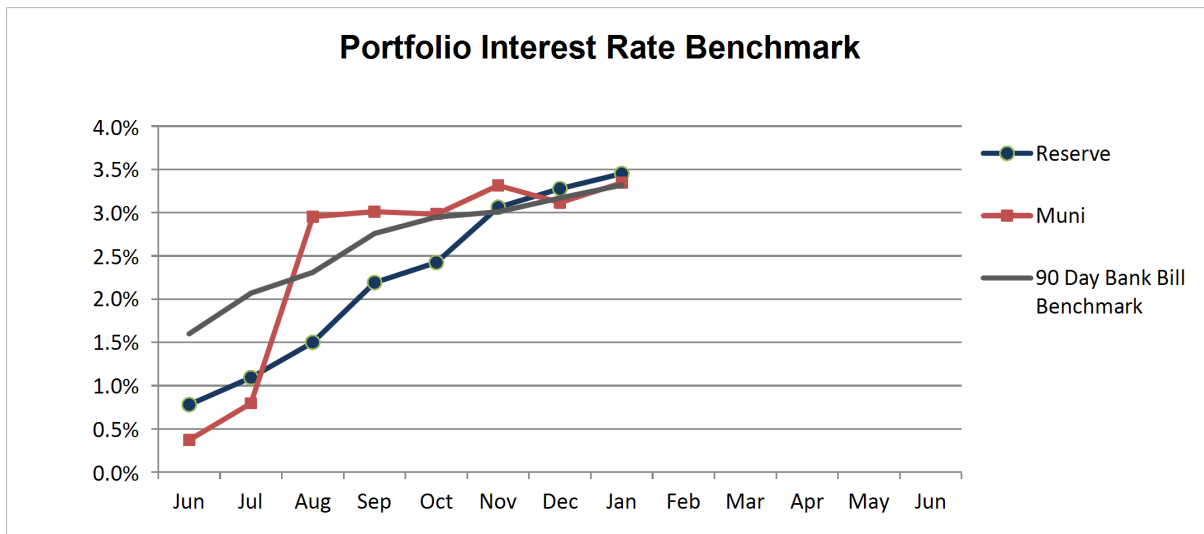
For the period ending 31 January 2023:

- Investment earnings on Municipal and Trust Funds were \$1,102,990 against a year to date budget of \$131,250 representing a positive variance of \$971,740.
- The weighted average interest rate for Municipal and Trust Fund investments as at 31 January 2023 was 3.35% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 3.32%.
- Investment earnings on Reserve accounts were \$2,155,415 against a year to date budget of \$968,333 representing a positive variance of \$1,187,082.
- The weighted average interest rate for Reserve account investments as at 31 January 2023 was 3.45% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 3.32%.

A combination of interest rates being raised significantly, and lower than expected expenditure from operating and reserve accounts has contributed to a positive variance in investment earnings. The current official cash rate as determined by the Reserve Bank of Australia (RBA) is 3.1%, compared to 0.85% in June 2022 when the budget was approved.

Note: The budget variances for investment earnings were addressed during the Mid-Year Budget Review and the amendments will be reflected in the February financial statements.

**C23/6000 – INVESTMENT STATEMENTS FOR JANUARY 2023 (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 2020-2024.

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

**Risk**

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

**Environmental**

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

**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*.

**C23/6000 – INVESTMENT STATEMENTS FOR JANUARY 2023 (REC)**

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Not applicable as this report only presents information for noting.

**CONCLUSION**

The City's investment portfolio is invested in highly secure investments with a low level of risk yielding a weighted average rate of return of 3.35% to 3.45% which exceeds the benchmark three month bank bill swap (BBSW) reference rate of 3.32%.

43% of the City's investment portfolio is invested in authorised deposit taking institutions that do not lend to industries engaged in the exploration for, or production of, fossil fuels. This is compared to 43% in December 2022.

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

**OFFICER RECOMMENDATION (6000)**

**NOTING**

**That the Council notes the Investment Report for the period ending 31 January 2023.**

**C23/6001 – SCHEDULE OF ACCOUNTS PAID FOR JANUARY 2023 (REC) (ATTACHMENT)**

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

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

This report presents the details of payments made under delegated authority to suppliers for the period of January 2023 and recommends that the Schedule of Accounts Paid be noted.

**C23/6001 – SCHEDULE OF ACCOUNTS PAID FOR JANUARY 2023 (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 and the Manager Financial Services. In accordance with Regulation 13.2 and 13.3 of the *Local Government (Financial Management) Regulations 1996*, where this power has been delegated, a list of payments for each month is to be compiled and presented to the Council.

A total of \$8,059,173 direct creditor payments were paid during the month, of which, 23% of payments were paid to suppliers located within the City of Melville and 31% to suppliers within the South-West Group, compared to 18% and 24% of total of \$8,687,287 direct creditor payments made over December 2022 respectively.

The largest payment of \$872,687 made during the month was for FOGO, gate fees and overheads payment to the Resource Recovery Group (RRG). Approximately 95% of supplier invoices are paid within 30 days of receipt of the invoices. The below table details the Summary of Payments Made for the period.

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 January including Payment Register numbers, Cheques: 833-835, Electronic Funds Transfers batches: 812-816, Trust Payments, Card Payments and Payroll was distributed to the Elected Members of the Council on 3 March 2023.

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

<b>SCHEDULE OF PAYMENTS MADE JANUARY 2023</b>		
<i>Payments made under Delegated Authority DA-035</i>		
<b>MUNICIPAL FUNDS - DIRECT CREDITOR PAYMENTS</b>		
<b>Cheques</b>	Chq Payment Register No. 833,834 and 835	\$4,074.56
	Chq Payment on Restricted Funds Register No.	\$0.00
	Less Cancelled Chqs	(\$483.13)
<b>Electronic Funds Transfers</b>	EFT Payment Register No. 813,814 and 816	\$7,802,916.62
	EFT Payment on Restricted Funds Register No. 812 and 815 and 127	\$85,117.50
	Less Cancelled EFTs	-
	<b>\$7,891,625.55</b>	
<b>Direct Debits</b>	Bank Fees	\$28,049.74
	Ampol Fuel	\$107,238.02
<b>Direct Payments</b>		\$32,259.88
	<b>Total Direct Creditor Payments</b>	<b>\$8,059,173.19</b>
<b>Payroll</b>	Total Pay 14 and 15	\$4,146,486.20
	<b>Total Payroll</b>	<b>\$4,146,486.20</b>
<b>Cards</b>	Westpac Corporate Cards	\$9,957.13
	Westpac Purchase Cards	\$55,213.69
	American Express	\$2,903.13
	<b>Total Card Payments</b>	<b>\$68,073.95</b>
<b>Total Direct Creditor Payments from Municipal Account</b>		<b>\$12,273,733.34</b>

**C23/6001 – SCHEDULE OF ACCOUNTS PAID FOR JANUARY 2023 (REC) (ATTACHMENT)**

*Schedule of Payments Made continued.*

<b>INTERFUND &amp; INVESTMENT TRANSACTIONS</b>		
<b><i>Interfund Transfers</i></b>		
Loan		\$0.00
Citizen Relief Trust		\$0.00
Citizen Relief Operating		\$0.00
Municipal		(\$4,992,362.11)
Reserve		\$4,992,362.11
Trust		\$0.00
<b>Total Interfund Transfers</b>		<b>\$0.00</b>
<b><i>New Municipal Investments</i></b>		
Westpac Bank	4/01/2023	\$1,500,000.00
Westpac Bank	4/01/2023	\$1,500,000.00
Suncorp	5/01/2023	\$2,500,000.00
Westpac Bank	9/01/2023	\$2,000,000.00
NAB Bank	9/01/2023	\$2,000,000.00
Westpac Bank	23/12/2022	\$3,000,000.00
NAB Bank	10/01/2023	\$1,000,000.00
Westpac Bank	11/01/2023	\$2,200,000.00
Westpac Bank	13/01/2023	\$1,200,000.00
Westpac Bank	20/01/2023	\$1,300,000.00
Westpac Bank	25/01/2023	\$500,000.00
<b>Total New Investments</b>		<b>\$18,700,000.00</b>
<b>Grand Total</b>		<b>\$30,973,733.34</b>

Details of the payments are shown in attachment [6001 Payment Details January 2023](#).

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

**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

Not applicable.

**II. OTHER AGENCIES / CONSULTANTS**

Not applicable.

**STATUTORY AND LEGAL IMPLICATIONS**

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

**C23/6001 – SCHEDULE OF ACCOUNTS PAID FOR JANUARY 2023 (REC) (ATTACHMENT)**

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**POLICY IMPLICATIONS**

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

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Not applicable as this report presents information for noting only.

**CONCLUSION**

The Schedule of Payments for the month totals \$30,973,733.34.

The report and the attached Schedule of Accounts Paid for January 2023 are presented for the Council's information.

**OFFICER RECOMMENDATION (6001)**

**NOTING**

**That the Council notes the Schedule of Accounts Paid for the period January 2023 as approved by the Acting Director Corporate Services in accordance with delegated authority DA-035 and detailed in attachment [6001 Payment Details January 2023](#).**

**C23/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR JANUARY 2023 (AMREC)  
(ATTACHMENTS)**

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

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

<p>This report presents:</p> <ul style="list-style-type: none"> <li>• The Statements of Financial Activity by Nature or Type and Rate Setting Statement by Program and Nature or Type, for the period ending 31 January 2023 and recommends that they be noted by the Council.</li> <li>• The variances for the month of 31 January 2023 and recommends that they be noted by the Council.</li> <li>• The Budget amendment required for the month of 31 January 2023 and recommends it be adopted by Absolute Majority decision of the Council.</li> </ul>
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**C23/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR JANUARY 2023 (AMREC)  
(ATTACHMENTS)**

**BACKGROUND**

The Statements of Financial Activity for the period ending 31 January 2023 have been prepared and tabled in accordance with the *Local Government (Financial Management) Regulations 1996*.

**OVERALL SUMMARY OF THE CITY'S FINANCIAL POSITION**

- The City's total investments holding for January were \$202.8m of which the Municipal cash balance at the end of the month was \$59.5m and \$143.2m was held in reserve accounts, which are restricted to the defined purpose for which the reserve account was established.
- The investment in green/ethical term deposits as at 31 January was \$86.7m or 43% of total investment holdings, compared to \$86.7m (43%) in December 2022.
- The 2022-2023 Rates generated to 31 January totalled \$96.15m, \$0.212m higher than budgeted due to interim adjustments in respect to both Commercial and Residential improved properties.
- Total debtor collections for January 2023 equalled \$8.8m. The Rates collection target was 81.9% and the actual collection is tracking slightly higher at 82.5%, compared to 82.7% for the same period in 2021-2022. The total outstanding debtors (including all rates and sundry debtors) is \$23.2m as of 31 January 2023.

**DETAIL**

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

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

**Variances**

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

[6002B Statement Nature Type January 2023](#): Rate Setting Statement by Nature or Type  
[6002H Statement of Variances January 2023](#): Statement of Variances in Excess of \$100,000

**C23/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR JANUARY 2023 (AMREC)  
(ATTACHMENTS)**

**Revenue**

Rates raised as at 31 January were \$96,154,039, compared to a year to date budget of \$95,941,921. The positive variance of \$212,118 is due to interim adjustments in respect to both Commercial and Residential improved properties.

**Rates Collection**

<b>SUMMARY OF RATE DEBTOR MOVEMENT</b>					
Detail	Actuals Current Month YTD	Actuals Previous Month YTD	% Diff Current Mth to Previous Mth	Actuals This Month Last Year YTD	% Diff Current Mth to Current Mth Last Yr
Opening Balance - 1 July	5,453,565	5,453,565	0%	6,491,862	-16%
Debtors Raised	120,021,213	119,917,070	0%	118,367,636	1%
Payments Received	(103,255,795)	(95,071,925)	9%	(102,110,858)	1%
Closing Balance	22,218,983	30,298,709	-27%	22,748,641	-2%

Total rate debtor collections for the month equalled \$8,183,869.

**Sundry Debtor Movement**

<b>SUMMARY OF SUNDRY DEBTOR MOVEMENT</b>					
Detail	Actuals Current Month YTD	Actuals Previous Month YTD	% Diff Current Mth to Previous Mth	Actuals This Month Last Year YTD	% Diff Current Mth to Current Mth Last Yr
Opening Balance - 1 July	642,878	642,878	0%	882,151	-27%
Invoices Raised	4,800,433	3,910,220	23%	3,896,580	23%
Receipts	(4,461,500)	(3,799,314)	17%	(3,804,397)	17%
Prepayments	10,835	6,286	72%	(28,989)	-137%
Closing Balance	992,647	760,070	31%	945,345	5%

Sundry debtor balances increased by \$232,577 over the course of January from \$760,070 to \$992,647 of which total 90-day sundry debtors over \$1,000 for the month is \$224,828, representing 23% of total sundry debtors.

**Money Expended in an Emergency and Unbudgeted Expenditure**

Not applicable for January 2023.

**C23/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR JANUARY 2023 (AMREC)  
(ATTACHMENTS)**

**Budget Amendments**

The Mid-Year Budget Review was undertaken in January and adopted by Council in February. Due to the majority of amendments being addressed during this process, there is only a single budget amendment for January 2023 as outlined in attachment [6002J Budget Amendments January 2023](#). This amendment is seeking approval to fund refurbishment works at 31 Moreau Mews, a commercially leased premise.

**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.

**Sundry Debtors**

There were no sundry debts written off for the month of January.

**Rate Debtors**

There were no rate debts written off for the month of January.

The following attachments form part of the attachments to the Agenda for the month of January 2023.

DESCRIPTION	LINK
Statement of Financial Activity By Nature or Type	<a href="#">6002A Statement Nature Type January 2023</a>
Rate Setting Statement by Program	<a href="#">6002B Rate Setting Program January 2023</a>
Rate Setting Statement by Nature or Type	<a href="#">6002B Rate Setting Nature Type January 2023</a>
Representation of Net Working Capital	<a href="#">6002E Net Working Capital January 2023</a>
Reconciliation of Net Working Capital	<a href="#">6002F Reconciliation Net Working Capital January 2023</a>
Notes on Rate Setting Statement reporting on variances of 10% or \$100,000 whichever is greater	<a href="#">6002H Notes Rate Setting Statement January 2023</a>
Details of Budget Amendments requested	<a href="#">6002J Budget Amendments January 2023</a>
Summary of Rates Debtors	<a href="#">6002L Summary Rate Debtors January 2023</a>
Graph Showing Rates Collections	<a href="#">6002M Rates Collections Graph January 2023</a>
Summary of General Debtors aged 90 Days Old or Greater	<a href="#">6002N General Debtors Aged 90 Days January 2023</a>

**C23/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR JANUARY 2023 (AMREC)  
(ATTACHMENTS)**

**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;
- (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- (e) the net current assets at the end of the month to which the statement relates.

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

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

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

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

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

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

**C23/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR JANUARY 2023 (AMREC)  
(ATTACHMENTS)**

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

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

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

## **FINANCIAL IMPLICATIONS**

### **Variances**

Variances are detailed and explained in the attachment – Notes on Statement of Variances in excess of \$100,000 by Nature or Type. [6002H Notes Rate Setting Statement January 2023](#)

## **STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

## **POLICY IMPLICATIONS**

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

## **ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

There are no alternative options presented as part of this report.

## **CONCLUSION**

The attached financial reports reflect a positive financial position of the City of Melville as at 31 January 2023.

**C23/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR JANUARY 2023 (AMREC)  
(ATTACHMENTS)**

**OFFICER RECOMMENDATION (6002)**

**NOTING AND ABSOLUTE MAJORITY**

**That the Council:**

- 1. Notes the Rate Setting Statement and Statements of Financial Activity for the month ending 31 January 2023 as detailed in the following attachments:**

DESCRIPTION	LINK
Statement of Financial Activity By Nature or Type	<a href="#"><u>6002A Statement Nature Type January 2023</u></a>
Rate Setting Statement by Program	<a href="#"><u>6002B Rate Setting Program January 2023</u></a>
Rate Setting Statement by Nature or Type	<a href="#"><u>6002B Rate Setting Nature Type January 2023</u></a>
Representation of Net Working Capital	<a href="#"><u>6002E Net Working Capital January 2023</u></a>
Reconciliation of Net Working Capital	<a href="#"><u>6002F Reconciliation Net Working Capital January 2023</u></a>
Notes on Rate Setting Statement reporting on variances of 10% or \$100,000 whichever is greater	<a href="#"><u>6002H Notes Rate Setting Statement January 2023</u></a>
Details of Budget Amendments requested	<a href="#"><u>6002J Budget Amendments January 2023</u></a>
Summary of Rates Debtors	<a href="#"><u>6002L Summary Rate Debtors January 2023</u></a>
Graph Showing Rates Collections	<a href="#"><u>6002M Rates Collections Graph January 2023</u></a>
Summary of General Debtors aged 90 Days Old or Greater	<a href="#"><u>6002N General Debtors Aged 90 Days January 2023</u></a>

- 2. By Absolute Majority Decision adopts the budget amendment, as detailed in the attached Budget Amendment Report for January 2023 [6002J Budget Amendments January 2023](#).**

**Community Development**

**CD23/8157 – STAKEHOLDER AND COMMUNITY ENGAGEMENT REPORT (REC)  
(ATTACHMENT)**

Ward : All  
 Category : Strategic  
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
 Works Programme : Not Applicable  
 Funding : Not Applicable  
 Responsible Officer : Leanne Hartill  
 Manager Neighbourhood Development

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

A clear strategy and consistent approach to community and other stakeholder engagement is key to delivering projects cross the City. Our stakeholder engagement approach is regularly reviewed and improved to ensure the most appropriate level of involvement of community and other stakeholders to help inform the decision making of Council.

**CD23/8157 – STAKEHOLDER AND COMMUNITY ENGAGEMENT REPORT (REC)  
(ATTACHMENT)**

**BACKGROUND**

We have utilised international best practice to inform our stakeholder engagement approach for more than 15 years at Melville.


The International Association for Public Participation (IAP2) Spectrum is designed to assist in the selection of the level of participation that defines the public’s role in any community engagement program

The Spectrum shows that differing levels of participation are legitimate depending on the goals, time frames, resources, and levels of concern in the decision to be made. However, the Spectrum also sets out the promise being made to the public at each participation level.

**IAP2 Spectrum of Public Participation**



IAP2’s Spectrum of Public Participation was designed to assist with the selection of the level of participation that defines the public’s role in any public participation process. The Spectrum is used internationally, and it is found in public participation plans around the world.

INCREASING IMPACT ON THE DECISION 					
	<b>INFORM</b>	<b>CONSULT</b>	<b>INVOLVE</b>	<b>COLLABORATE</b>	<b>EMPOWER</b>
<b>PUBLIC PARTICIPATION GOAL</b>	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision making in the hands of the public.
<b>PROMISE TO THE PUBLIC</b>	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

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The City follows the IAP2 Core Values which define the expectations and aspirations of the public participation process.

**CD23/8157 – STAKEHOLDER AND COMMUNITY ENGAGEMENT REPORT (REC)  
(ATTACHMENT)**

**Seven IAP2 Core Values Public Participation**

Public participation:

- is based on the belief that those who are affected by a decision have a right to be involved in the decision-making process.
- includes the promise that the public's contribution will influence the decision.
- promotes sustainable decisions by recognising and communicating the needs and interests of all participants, including decision makers.
- seeks out and facilitates the involvement of those potentially affected by or interested in a decision.
- seeks input from participants in designing how they participate.
- provides participants with the information they need to participate in a meaningful way.
- communicates to participants how their input affected the decision.

**DETAIL**

Currently we collect data in relation to projects that have an engagement component and utilise the online portal Melville Talks as well as in person meetings and written correspondence to seek input from all relevant stakeholders and the community.

Engagement is paused in December each year acknowledging that many people are on holidays and unavailable to engage with the City on projects and activities.

The following provides a summary of the 99 engagement projects – both current and closed, from July 2022 to February 2023 on the Melville Talks website. Additional community and stakeholder input to various projects may also be obtained via written submissions or in person through facilitated workshops/meetings.

From July 2022 to February 2023 some of the projects with engagement opportunities on Melville Talks included:

- Canning Bridge Activity Centre Plan Review
- Tennis Strategy
- Better Together Melville – to create the City's first Access and Inclusion Plan
- Safer Melville Plan
- Ogilvie Streetscape Upgrade
- Cultural Infrastructure Strategy – *endorsed by Council*
- Goolugatup Heathcote Lowerlands
- John Connell Reserve Master Plan
- Kearns Crescent Street Upgrade
- Public Open Space Renewal – 200 parks to plan for needs of our growing population
- Dyoondalup Point Walter Multi-Use Courts
- Yagan Mia Wireless Hill Vision and Activation Plan
- Riseley Centre Place Identity
- Proposed Activity Centre Plan for Kardinya District Centre
- Mixed Use Development – Cnr Canning Highway and Stock Road Palmyra
- Review of Local Planning Policies

**CD23/8157 – STAKEHOLDER AND COMMUNITY ENGAGEMENT REPORT (REC) (ATTACHMENT)**

Full details of current and closed engagement projects can be found on the City of Melville website: <https://www.melvillecity.com.au/our-city/connect-with-us/melville-talks/engagements>

The following is the stakeholder engagement data collected from the Melville Talks website for the period July 2022 to 28 February 2023.



**Melville Talks webpage and projects**

**62,682**  
page visits

**43**  
open/active projects

Top projects on Melville Talks to date

Page view by month

Kearns Canning Bridge Activity Centre Plan Review  
 Crescent Streetscape Upgrade Cultural Infrastructure Strategy  
 Playground Renewal Program Ogilvie Streetscape Upgrade  
 Proposed Activity Centre Plan for Kardinya District Centre DAP-2022-16  
 Developing our 2023-2033 Safer Melville Plan

**eNews**

Issue monthly promoting new and upcoming projects and project updates.

**5,576**  
eNews subscribers

**14.8%**  
Increase from previous FY

**55.4%** up 8.5% from previous FY  
of people open our eNews

**Engaged Participants**

We use multiple engagement methods to work with our community

**2,296** total engaged participants

**78** in person participants

**2,218** online participants

**Engagement Projects**

**98** projects

The number of engagement projects for FY22/23 that Stakeholder Engagement has completed work for. This includes planning and advisory services, service requests and updates.

Internal 5  
 On hold 5  
 Active 20  
 Open 2  
 Closed 29  
 Planning 8  
 Not started 28

**Direct Communication**

Emails issued direct to the community promotion projects

**16,243** direct emails sent

**9,992** random sample emails sent

**Information Sharing**

Via documents and interactive images available on the City's website and videos hosted on YouTube

**229** interactive images

**366** watched Youtube

**7,507** documents downloaded

**CD23/8157 – STAKEHOLDER AND COMMUNITY ENGAGEMENT REPORT (REC)  
(ATTACHMENT)**

Monthly data is also collated – for example:

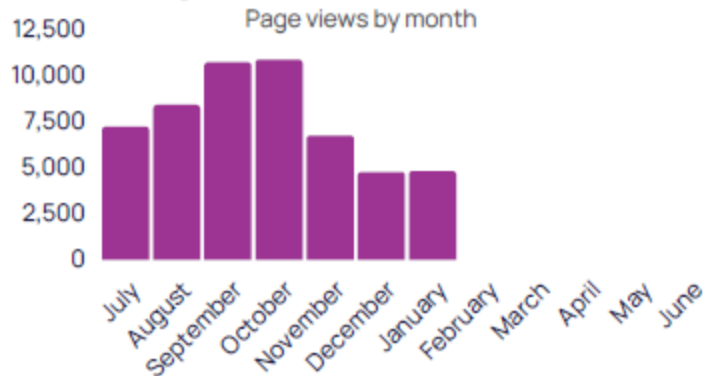
**January 2023**

## Melville Talks webpage

**4,788**  
monthly page views

**1**  
engagements launched

**2**  
open projects for contribution



### Top 5 visited project pages

1. Project Robin Hood 6
2. Proposed Activity Centre Plan for Kardinya District Centre
3. Council made a determination
4. DAP-2022-14 Santa Maria Cultural Centre, Nos. 2-44  
Stoneham Road, Attadale
5. Review of Dog Exercise Areas

Current engagement projects, open for community input, are reported weekly in the Elected Members Bulletin.

## STAKEHOLDER ENGAGEMENT

### I. COMMUNITY

The IAP2 Spectrum of Public Participation outlines the public participation goal and promise to the public that guides our engagement strategy for different projects.

### II. OTHER AGENCIES / CONSULTANTS

The City works with several engagement consultants depending on the nature of the project who may provide additional expertise around special subject matters such as planning related engagement projects.

Identification of all stakeholders affected by a project is part of the engagement planning process.

**CD23/8157 – STAKEHOLDER AND COMMUNITY ENGAGEMENT REPORT (REC)  
(ATTACHMENT)**

**STATUTORY AND LEGAL IMPLICATIONS**

The Department of Local Government, Sport and Cultural Industries Integrated Planning and Reporting Framework:

- recognises that planning for a local government is holistic in nature and driven by the community
- builds organisational and resource capability to meet community need
- optimises success by understanding the integration and interdependencies between the components
- emphasises performance monitoring so that local governments can adapt and respond to changes in community needs and the business environment.

A successful integrated planning and reporting process will deliver a:

- Strategic Community Plan that clearly links the community's aspirations with the council's vision and long-term strategy
- Corporate Business Plan that integrates resourcing plans and specific council plans with the strategic community plan
- clearly stated vision for the future viability of the local area.

**FINANCIAL IMPLICATIONS**

There are no financial implications presented as part of this report.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

All Local Governments are currently required to produce a Plan for the Future under s5.56 (1) of the *Local Government Act 1995*.

The [Local Government \(Administration\) Regulations 1996](#) provides a brief outline of the minimum requirements, which includes the development of a strategic community plan and a corporate business plan. With the strategic community plan for a district setting out the vision, aspirations and objectives of the community in the district.

**Local Government Reform**

The State Government has announced the final package of reforms to the *Local Government Act 1995*, following a review of public submissions.

The proposed reforms are based on six themes:

1. Earlier intervention, effective regulation, and stronger penalties
2. Reducing red tape, increasing consistency and simplicity
3. Greater transparency and accountability
4. **Stronger local democracy and community engagement**
5. Clear roles and responsibilities
6. Improved financial management and reporting.

**CD23/8157 – STAKEHOLDER AND COMMUNITY ENGAGEMENT REPORT (REC)  
(ATTACHMENT)**

The State Government has identified that local governments will be required to establish a Community Engagement Charter which sets out how it will engage with ratepayers and the community about the local government's proposed policies, initiatives, and projects. A model charter will be published to assist local governments who wish to adopt a standard charter.

**An excerpt from the [8157 – Local Government Review Panel – Final Report](#):**  
Recommendations for a new Local Government Act for Western Australia is provided below.

***Community Engagement and Governance***

**33. The Panel recommends that the following community engagement principles should be included in the new Act:**

- a. *Councils actively engage with their local communities.*
- b. *Councils are responsive to the needs, interests, and aspirations of individuals and groups within its community.*
- c. *Community engagement processes have clearly defined objectives and scope.*
- d. *Participants in community engagement have access to objective, relevant and timely information to inform their participation.*
- e. *Participants in community engagement are representative of the persons and groups affected by the matter that is the subject of the community engagement.*
- f. *Participants in community engagement are entitled to reasonable support to enable meaningful and informed engagement; and*
- g. *Participants in community engagement are informed of the ways in which the community engagement process will influence council decision-making.*

*The Panel considers the community key to the effective functioning of the local government, with the local government being there for and to respond to the community. It is therefore vital that all segments of the community are heard and can participate in decision-making.*

**34. The Panel recommends a Community Engagement Charter be required as a mechanism for guiding and enhancing community participation in local decision-making, and that a model charter be prepared to set parameters and provide guidance on mechanisms to be used.**

*The Panel agreed that all local governments should be required to have a Community Engagement Charter, with individual local governments responsible for ensuring they are fit for purpose. The department should provide suitable guidance material and templates for those local governments that wish to utilise these.*

*The Panel proposed that triggers for consultation be included, such as borrowing, change of purpose in land use, and major changes to strategy.*

*The Panel considered that the Charter should be accessible, flexible, and include the deliberative community engagement requirements for IPR. The Charter should also include a reporting mechanism in the annual report.*

*The Panel believed that elected members have an important role to play in community engagement in listening to the community and that this should be outlined in the Charter. Training should be available to elected members in this area.*

Factsheets on all proposed local government reforms are located on the DLGSC website:  
<https://www.dlgsc.wa.gov.au/department/publications/publication/full-reform-proposals>

**CD23/8157 – STAKEHOLDER AND COMMUNITY ENGAGEMENT REPORT (REC)  
(ATTACHMENT)**

<b>Risk Statement &amp; Consequence</b>	<b>Level of Risk*</b>	<b>Risk Treatment</b>
Legislative changes may impact review timetable of current Stakeholder Engagement Policy and Strategic Community Plan	Minor consequences which are likely, resulting in a <b>Medium</b> level of risk	Stakeholder and community engagement approach is continuously reviewed and improved, and learnings are captured for inclusion in updated documentation to align with legislative requirements as required

\* As derived from using the Risk Matrix

**POLICY IMPLICATIONS**

CP-002 Stakeholder Engagement Policy – requires review – awaiting outcome of changes to State legislation around stakeholder engagement reporting.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

There are no alternative options presented as part of this report.

**CONCLUSION**

Our stakeholder engagement approach is regularly reviewed and improved to ensure the most appropriate level of involvement of community and other stakeholders to help inform the decision making of Council and operational activities. The proposed legislative changes and requirements related to stakeholder and community engagement such as a Community Engagement Charter will continue to be monitored and brought to Council for consideration as required.

**OFFICER RECOMMENDATION (8157)**

**APPROVAL**

**That the Council notes the Stakeholder and Community Engagement report.**

**Environment and Infrastructure**

**EI23/4019 – UNDERGROUND POWER PROGRAM – MEMORANDUM OF UNDERSTANDING  
BICTON SOUTH / PALMYRA PROJECT (REC) (CONFIDENTIAL ATTACHMENT)**

Ward : Bicton - Attadale – Alfred Cove  
Palmyra – Melville - Willagee

Category : Operational

Subject Index : Underground Power

Customer Index : Western Power

Disclosure of any Interest : No Officer involved in the preparation of this report has a  
declarable interest in this matter.

Previous Items : Item T16/3681 – State Underground Power Program Round  
6 – Ordinary Meeting of Council held 16 February 2016

Works Program : Not Applicable

Funding : Not Applicable

Responsible Officer : Kimberly Brosztl  
Manager Engineering

**AUTHORITY / DISCRETION**

**DEFINITION**

<input type="checkbox"/>	Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/>	<b>Executive</b>	<b><i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i></b>
<input type="checkbox"/>	Legislative	Includes adopting local laws, town planning schemes & policies.
<input type="checkbox"/>	Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/>	Quasi-Judicial	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.
<input type="checkbox"/>	Information	For the Council/Committee to note.

**EI23/4019 – UNDERGROUND POWER PROGRAM – MEMORANDUM OF UNDERSTANDING  
BICTON SOUTH / PALMYRA PROJECT (REC) (CONFIDENTIAL ATTACHMENT)**

**KEY ISSUES / SUMMARY**

- The City has long been a participant in the State Government Underground Power Programs (SUPP) and ultimately would like to see the entire City of Melville achieve underground power.
- Benefits that the City has achieved through underground power projects include:
  - Increased the City's urban tree canopy
  - Improved street appearance
  - Reduced street tree pruning costs
  - Improved public safety, reliability, and security of power
  - Increased property value for property owners
  - Improved opportunities for emerging technologies
- Approximately two-thirds of the City of Melville now has underground power, either through the SUPP or through sub-division development.
- Western Power has invited the City of Melville to participate in its Targeted Underground Power Program (TUPP) Bicton South / Palmyra Project which includes the areas within the suburbs of Bicton, Palmyra, and Melville.
- Project areas identified under TUPP contain electrical infrastructure that is nearing the end of its useful life, and this represents the most cost-effective scenario for transforming existing overhead electrical infrastructure to underground power i.e. Western Power contributes a higher contribution compared to the old SUPP program.
- The initial estimate of the City's contribution for the Bicton South / Palmyra Project area is around \$4,000 to \$6,000 per property, which is paid by the property owner. The estimated costs are indicative only, with more accurate costings following Western Power's detailed design and a breakdown of the number of commercial properties within the project area. It is expected that the estimates will reduce when the detailed design is progressed. Properties that already have an underground connection to a green dome would get the lower charge as it would only include the capital costs, not the connection costs.
- The alternative to undergrounding power is that Western Power would replace power poles and streetlights in this area 'like for like' and this infrastructure would be likely to remain for 40-50 years, compromising some of the City's strategies.
- Participation in this TUPP initiative requires the City of Melville's CEO to sign a Memorandum of Understanding (MoU) with Western Power outlining the shared commitment and partnership to this underground power program. This MoU agreement is not legally binding.
- Western Power can then produce a detailed design with more accurate costings and finalise the underground project area. The City would then survey residents to identify their level of support.
- If a survey to affected residents resulted in more than 50% of respondents showing support for undergrounding power, as per previous underground power projects, the City would proceed with Western Power's offer to underground power in the Bicton South / Palmyra Project area.

**EI23/4019 – UNDERGROUND POWER PROGRAM – MEMORANDUM OF UNDERSTANDING  
BICTON SOUTH / PALMYRA PROJECT (REC) (CONFIDENTIAL ATTACHMENT)**

**BACKGROUND**

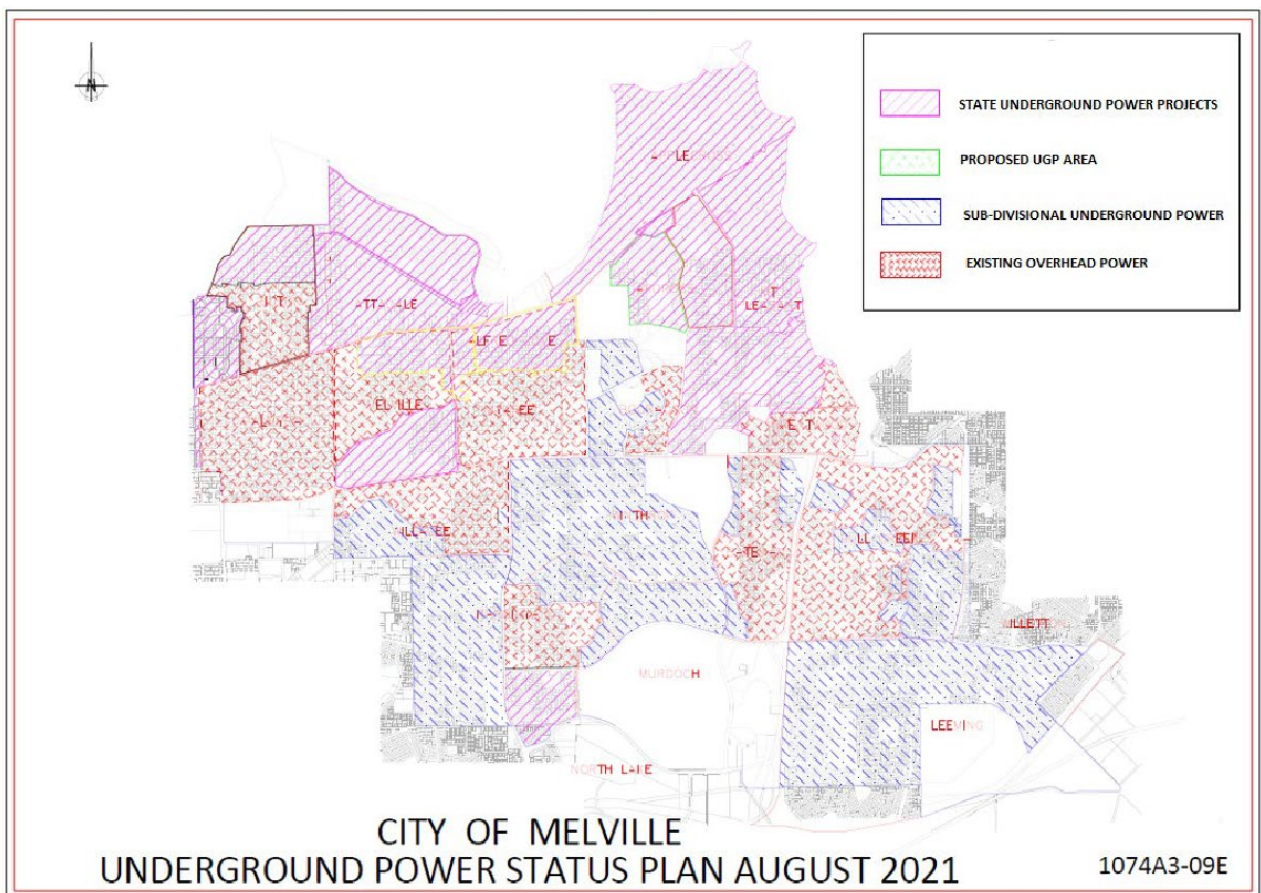
The undergrounding of power within metropolitan Perth dates back to 1996 following a severe weather event that severely disrupted power supply throughout Perth.

At that time, the State Government, through Western Power, developed a pilot program to underground power at selected locations throughout Perth. The suburb of Applecross (north of Canning Highway) was selected to be included in the pilot program. Due to the success of this pilot project, the State Underground Power Program (SUPP) was established. The City of Melville has been successful in having projects included in all six rounds of the SUPP, except for round three.

The most recent round was SUPP Round Six, in which the City of Melville had three projects, Kardinya South, Alfred Cove East and Melville North.

The funding arrangements for the SUPP were that the State Government contributed 25%, Western Power 25% and the City's contribution was the remaining 50%. The City's contribution has always been recovered in full, from property owners within the various project areas.

Approximately two-thirds of the City of Melville now has underground power, either through the SUPP or through sub-division development. A plan showing the current status of underground power in the City of Melville is shown below.



**EI23/4019 – UNDERGROUND POWER PROGRAM – MEMORANDUM OF UNDERSTANDING  
BICTON SOUTH / PALMYRA PROJECT (REC) (CONFIDENTIAL ATTACHMENT)**

Benefits that the City has achieved through underground power projects include:

- Increasing the City's urban tree canopy
- Improved street appearance
- Reduced street tree pruning costs
- Improved public safety, reliability, and security of power
- Increased property value for property owners
- Improved opportunities for emerging technologies

Western Power has now replaced the State Underground Power Program (SUPP) with the Targeted Underground Power Program (TUPP) model. Projects in the TUPP model are selected by Western Power due to the large amount of infrastructure that has reached the end of its useful life and is ready for replacement and the associated network risk.

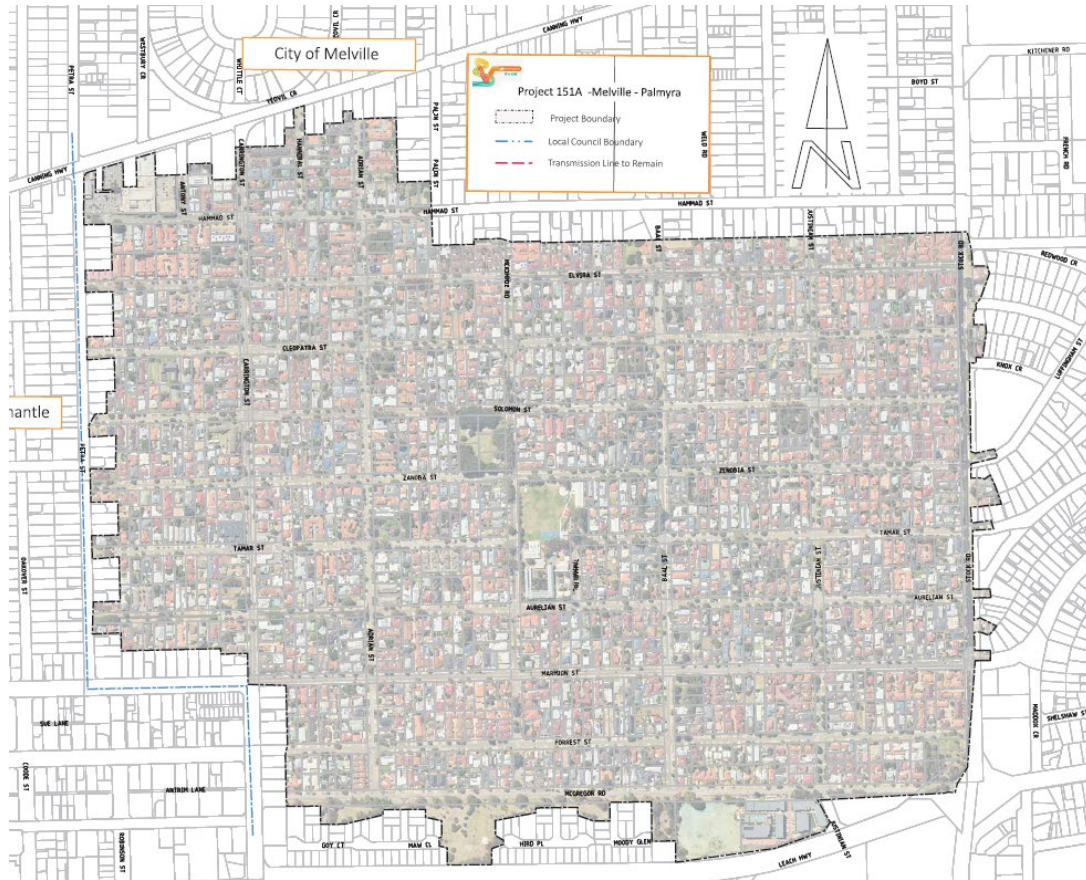
Given the change in the underground power program and Western Power's methodology for prioritising underground power projects, it was considered appropriate that a report be prepared for Council consideration, even though the CEO has Delegated Authority to enter into the MoU.

**DETAIL**

Western Power has invited the City of Melville to participate in the Targeted Underground Power Program (TUPP) for Bicton South / Palmyra. For each project, there is a requirement for the Local Government to enter into an MoU. The MoU is non-binding and is aimed at demonstrating a commitment to the undergrounding of the selected area. The proposed TUPP has been broken into three project areas which covers sections of the suburbs of Bicton/Palmyra/Melville, as shown in the following maps.



**EI23/4019 – UNDERGROUND POWER PROGRAM – MEMORANDUM OF UNDERSTANDING  
BICTON SOUTH / PALMYRA PROJECT (REC) (CONFIDENTIAL ATTACHMENT)**



**Bicton South / Palmyra (three proposed TUPP project boundaries)**

**EI23/4019 – UNDERGROUND POWER PROGRAM – MEMORANDUM OF UNDERSTANDING  
BICTON SOUTH / PALMYRA PROJECT (REC) (CONFIDENTIAL ATTACHMENT)**

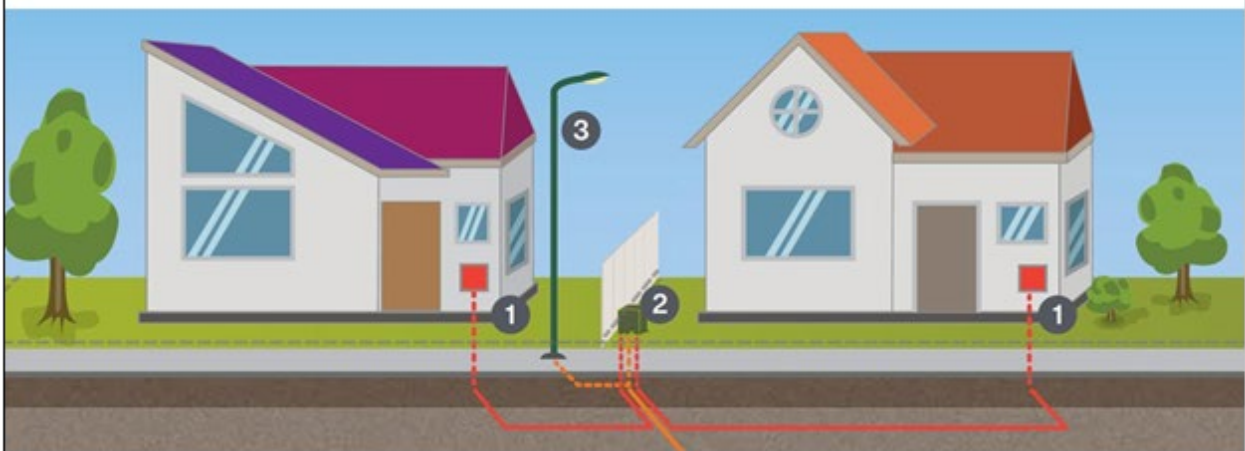
The City has previously considered a number of funding models to expedite the undergrounding of power. TUPP is considered to be the 'least-cost' option offered to the City to underground overhead distribution power lines because Western Power discounts the cost of the ageing infrastructure.

The Bicton South / Palmyra area (refer to maps above) has been identified as part of Western Power's TUPP as a potential area for underground power due to its ageing overhead infrastructure, which is due for replacement, and recognises the benefits undergrounding power provides for the community.

Under the TUPP, Western Power would contribute the avoided capital costs (replacing the existing network's overhead assets). The Local Government (residents) would be charged for connection costs and any gap in capital costs.

### Funding model

- Local Government Authorities to fund the Operating Expenditure portion of the works (1 – residential consumer mains) and a portion of Capital Expenditure
- Western Power to fund Capital Expenditure portion that equates to the Net Benefit Western Power will incur by not having to replace, augment and maintain the overhead network
- Customer infrastructure (1), Western Power infrastructure (2,3,4)



Under the TUPP Western Power will contribute a higher proportion of the project cost when compared to the old SUPP.

The initial cost estimate for the City's contribution to the Bicton South / Palmyra Project area is around \$4,000 to \$6,000 per property. Costs to commercial property owners in the TUPP area would be higher and similar to those charged for commercial properties in the recent Kardinya South Underground Power Project. The estimated costs are indicative only, with more accurate costings to be determined following Western Power's detailed design and a breakdown of the number of commercial properties within the project area. It is expected that the estimates will reduce when the detailed design is progressed. Properties that already have an underground connection to a green dome would get the lower charge as it would only include the capital costs, not the connection costs.

**EI23/4019 – UNDERGROUND POWER PROGRAM – MEMORANDUM OF UNDERSTANDING  
BICTON SOUTH / PALMYRA PROJECT (REC) (CONFIDENTIAL ATTACHMENT)**

The State Government will also contribute towards capital costs should an area meet their median house price criteria. The areas nominated may be eligible for the contribution, but this has not been finalised.

Western Power has moved to the TUPP model for the following reasons:

- Selection of the project areas are identified by large volumes of overhead assets that are reaching the end of their life.
- Current undergrounding programs underway result in improving cost competitiveness. When there is a guaranteed and consistent program of works, tendering rates tend to be more competitive.
- It is more efficient for Western Power to replace overhead assets with underground assets in the identified areas.
- Given the condition of the network, renewal and maintenance work will be carried out in the area, either overhead or underground. Therefore, this is the opportunity to upgrade to underground power while the contractors are there.
- If underground is not progressed under this model, Retrospective Underground Power (RUP) would still be available in the future, but the Western Power contribution will be much lower due to the newer overhead assets and therefore adding costs that would need to be passed onto property owners.

Participation in TUPP requires the City to sign a Memorandum of Understanding (MoU) with Western Power, outlining the shared commitment and partnership to the underground power program. The confidential attachment to this report (**Memorandum of Understanding Bicton South Palmyra Project**) was distributed to Elected Members on Friday, 3 March 2023 under confidential cover.

It is relevant to note that the purpose of the MoU as stated in clause 2 (b) of the confidential attachment that:

*“This MOU is not a legal agreement and is not intended to create legally binding obligations or liabilities on either party; however, all parties commit to using their best endeavors to achieve its purpose.”*

Following the signing of the MoU, community engagement and detailed design for construction would take place over approximately 12 months. Projects are expected to be completed within two years of construction commencing.

## **STAKEHOLDER ENGAGEMENT**

### **I. COMMUNITY**

The undergrounding of power through Western Power’s Underground Power Programs has proven popular with residents in the City of Melville, which is reflected in the number of projects that have been completed across the City.

No external engagement has been carried out for this proposed project to date. The first step in this new process is to sign a MoU with Western Power to acknowledge our interest in investigating this proposal. This MoU is not legally binding and allows Western Power to produce a detailed design with more accurate costings, with the knowledge that the Local Government is committed to the project, subject to community support.

**EI23/4019 – UNDERGROUND POWER PROGRAM – MEMORANDUM OF UNDERSTANDING  
BICTON SOUTH / PALMYRA PROJECT (REC) (CONFIDENTIAL ATTACHMENT)**

Following the detailed design, the level of communication in accordance with the City's Stakeholder Engagement Policy CP-002 is to "consult" the community.

As per previous underground power projects, the City would only proceed with this project if there is support from more than 50% of affected property owner respondents.

**II. OTHER AGENCIES / CONSULTANTS**

Western Power, in conjunction with the City, will also engage with the community during all stages of the project.

**STATUTORY AND LEGAL IMPLICATIONS**

This MoU is not a legal agreement and is not intended to create legally binding obligations or liabilities on either party; however, all parties commit to using their best endeavors to achieve its purpose.

If there is more than 50% support for the TUPP by property owners who respond to the survey, then the City would enter into a legally binding Co-Funding Agreement for the duration of the project's construction with Western Power.

**FINANCIAL IMPLICATIONS**

There are no ongoing costs for the City resulting from the undergrounding of the power lines, as these costs are shared between Western Power, the State Government and property owners.

The charges levied to the City by way of cash calls have, in the past, been fully recovered from property owners through a charge included in the rates. Early estimates suggest this underground power project would cost \$4,000 to \$6,000 per property owner. If necessary, the property owner could enter into a payment plan over five years to reimburse their underground power costs.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

The project aligns with the City's aspirations:

- *Growth and Prosperity*: improving visual amenity and property values, enhancing opportunities for emerging technologies and network reliability.
- *Clean and Green*: supporting our Urban Forest Strategy and replacing existing street lighting with energy efficient LED lighting.
- *Healthy Lifestyles*: the improved street lighting supports people walking and exercising in the evening.
- *Safe and Secure*: improving security through improved lighting as well as replacing non-frangible power poles with frangible streetlights.

**EI23/4019 – UNDERGROUND POWER PROGRAM – MEMORANDUM OF UNDERSTANDING BICTON SOUTH / PALMYRA PROJECT (REC) (CONFIDENTIAL ATTACHMENT)**

Risk Statement & Consequence	Level of Risk	Risk Treatment
<p>There is a risk that the City signs the MoU and then less than 50% of respondents support underground power.</p> <p>This would prevent the project from proceeding. The City would be left with above ground infrastructure for 40-50 years. This will negatively affect various CoM strategies including our urban forest strategy, with some reduction in our reputation to deliver future underground projects.</p>	<p><b>Medium</b> Risk based on a possible likelihood and minor consequences.</p>	<p>Reinforce the benefits of underground power to residents, offer and explain payment options, and work with Western Power regarding possible State Government funding contributions.</p>

The work involves the undergrounding of infrastructure belonging to a State Government utility provider being Western Power. It would be considered that any risk arising from the work would rest with Western Power and the State Government.

**POLICY IMPLICATIONS**

The City has no direct policy relating to the Underground Power; however, it has been a partner in a number of successful projects since its inception in mid-1990.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The City of Melville could choose not to sign the MOU and miss the opportunity to partner with Western Power in providing underground power in the Bicton South / Palmyra Project area.

Western Power has advised that the overhead network assets in the proposed project areas are coming to the end of their service life for replacement and renewal. Therefore, Western Power would replace the poles and wires like for like with an expected serviceable life of 40-50 years. At least two generations will lose the opportunity for underground power in the area. If the City later decided to pursue underground power, the costs would be considerably higher due to the expected lifespan and residual value of the relatively new infrastructure.

This would mean that residents and the City would not be able to enjoy the advantages of underground power previously mentioned, including more consistent power supply, improved tree canopy along the verges and enhanced streetscape amenity.

**CONCLUSION**

The City has long been a participant in State Government Underground Power Programs and ultimately would support the entire City of Melville to have underground power.

Due to the many benefits of underground power and the opportunity to participate in this TUPP with a greater proportional contribution from Western Power, it is recommended that the City sign the MoU with Western Power.

**EI23/4019 – UNDERGROUND POWER PROGRAM – MEMORANDUM OF UNDERSTANDING  
BICTON SOUTH / PALMYRA PROJECT (REC) (CONFIDENTIAL ATTACHMENT)**

Western Power can then work on a detailed design with more accurate costings and better define the underground project area. The City would then survey residents to identify their level of support.

If a survey of affected residents achieved more than 50% support from respondents for undergrounding power, as per previous underground power projects within the City, then the City would proceed with Western Power's offer to underground power in the Bicton South / Palmyra Project area.

**OFFICER RECOMMENDATION (4019)**

**APPROVAL**

**That the Council:**

- 1. Notes the invitation from Western Power for the City of Melville to participate in this Targeted Underground Power Program (TUPP) for the Bicton South / Palmyra Project Area.**
- 2. Authorises the CEO to sign the Confidential Memorandum of Understanding for the Targeted Underground Power Program (TUPP) to enable Western Power to commence a detailed design, better define costs to residents and consolidate the final project boundary.**
- 3. Authorises the City to proceed with Western Power's offer to underground power in the Bicton South / Palmyra Project Area providing there is at least 50% support from survey respondents.**

**EI23/4023 – REVIEW AND ENDORSEMENT FOR THE ESTABLISHMENT AGREEMENT OF THE RESOURCE RECOVERY GROUP (REC) (CONFIDENTIAL ATTACHMENT)**

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

Category : Operational

Subject Index : Resource Recovery Group

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 : Item T21/3947 – Southern Metropolitan Regional Council – Rebranding and Name Change, Ordinary Meeting of Council held 21 September 2021  
 Item T21/3948 – Southern Metropolitan Regional Council – Withdrawal Arrangements for a Project Participant (City of Kwinana), Ordinary Meeting of Council held 21 September 2021

Works Program : Not Applicable

Funding : Not Applicable

Responsible Officer : Paul Molony  
 Manager Resource Recovery and Waste

**AUTHORITY / DISCRETION**

**DEFINITION**

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

## EI23/4023 – REVIEW AND ENDORSEMENT FOR THE ESTABLISHMENT AGREEMENT OF THE RESOURCE RECOVERY GROUP (REC) (CONFIDENTIAL ATTACHMENT)

### KEY ISSUES / SUMMARY

- The rebranded Resource Recovery Group (was Southern Metropolitan Regional Council, now RRG as of 16 February 2022) has prepared an amended draft Establishment Agreement.
- The amended draft Establishment Agreement has been forwarded to each of the Participant Councils, (East Fremantle and Fremantle), for review and endorsement.
- If endorsed, it will be forwarded to the Minister for approval.

### BACKGROUND

The City of Melville has been a member of the Resource Recovery Group (RRG) since 1999 and has entered into formal agreements (Establishment, Project Participant, SMRC Office) that commit the City to providing funding to the RRG and waste materials to the Resource Recovery Group – Canning Vale Centre site in Canning Vale.

The City's partnership with the RRG has enabled the City to achieve superior and environmentally sustainable waste management outcomes with the highest rates of waste diversion from landfill in the Perth metropolitan area.

The City is taking a leading role in aligning with the State Government's Waste Strategy 2030 with the introduction of the 3-bin Food Organics Garden Organics (FOGO) system and high levels of resource recovery compared to other Local Governments in the metropolitan area.

The RRG is a regional local government as defined under the *Local Government Act 1995* and undertakes statutory and governance requirements similar to a local government.

The Establishment Agreement, RRRC Project Agreement and Office Project Agreement formalised arrangements between the RRG and the member Councils, some of which are also Participants in agreed projects. The Agreements commit the City of Melville to annual payments to the RRG to cover operational overheads, loan facilities and project costs in return for providing waste management and associated services.

### DETAIL

The summary of key changes made to the draft Establishment Agreement can be located within document [Summary of Proposed Amendments](#).

A copy of the track changed Establishment Agreement is attached to this report – [Final Establishment Agreement](#). The confidential attachment **Project Participants Agreement** has been distributed to Elected Members under confidential cover.

### STAKEHOLDER ENGAGEMENT

Not applicable.

## **EI23/4023 – REVIEW AND ENDORSEMENT FOR THE ESTABLISHMENT AGREEMENT OF THE RESOURCE RECOVERY GROUP (REC) (CONFIDENTIAL ATTACHMENT)**

### **OTHER AGENCIES / CONSULTANTS**

Not applicable.

### **STATUTORY AND LEGAL IMPLICATIONS**

The RRG is a regional local government as defined under the *Local Government Act 1995* and undertakes statutory and governance requirements similar to a Local Government.

### **FINANCIAL IMPLICATIONS**

Not applicable.

### **STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

Not applicable.

### **POLICY IMPLICATIONS**

Not applicable.

### **CONCLUSION**

Due to changes in the waste streams and processing methodologies from the original 2-bin Bedminster Processing system to the 3-bin Food Organics Garden Organics (FOGO) system, and the reduction in Participating Member Councils and rebranding of the SMRC to the RRG, a review and endorsement of the amended Establishment Agreement is required.

### **OFFICER RECOMMENDATION (4023)**

### **APPROVAL**

**That the Council reviews and endorses the Resource Recovery Group Establishment Agreement.**

**Urban Planning**

**UP23/4020 – REVIEW OF LOCAL PLANNING POLICY 2.2 OUTDOOR ADVERTISING AND SIGNAGE (REC) (ATTACHMENT)**

Ward : All  
 Category : Policy  
 Application Number : Not Applicable  
 Property : Not Applicable  
 Proposal : Review of Local Planning Policy 2.2 Outdoor Advertising and Signage  
 Applicant : Not Applicable  
 Owner : Not Applicable  
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
 Previous Items : Item P16/3718 – Review of Planning Policies  
 Item P15/3617 - Adoption of Outdoor Advertisements and Signage Policy for Public Consultation  
 Responsible Officer : Peter Prendergast  
 Manager Statutory Planning

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**UP23/4020 – REVIEW OF LOCAL PLANNING POLICY 2.2 OUTDOOR ADVERTISING AND SIGNAGE (REC) (ATTACHMENT)**

**KEY ISSUES / SUMMARY**

- Local Planning Policy 2.2 Outdoor Advertising and Signage (LPP2.2) is the key document for the assessment of advertising and signage across the City.
- Where a sign meets the standards outlined in this policy, it is exempt from the need for development approval from the City.
- LPP2.2 requires a review to make it easier for customers and decision makers to interpret, which will in turn make it easier for customers to do business in the City. This aligns with a number of the City's objectives and strategies.
- The key changes to LPP2.2 relate to:
  1. An updated policy scope to clarify the relationship between this policy and other documents in the planning framework;
  2. Clarifying the relationship between the policy and the City of Melville *Activities in Thoroughfares, Public Places and Trading Local Law 2014*;
  3. Updated provisions relating to temporary signage;
  4. New provisions relating to signage for sporting clubs.
- Preliminary engagement on the review of the signage policy occurred in November 2021. A strong theme of this engagement was the need to give sporting clubs opportunities to display their sponsorship signage.
- The proposed changes to LPP2.2 are not considered to be minor and therefore will require advertising for a minimum of 21 days in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations).

**BACKGROUND**

A substantial review of LPP2.2 was undertaken in March 2015. The policy provisions encourage the display of good quality advertising, designed to relate well in terms of scale and visual impact to the use, or activity it serves and supports. The LPP sets out specific criteria for various sign types and limits the number of signs which are permitted to be displayed.

In 2016, a minor review was undertaken. This review involved the renaming of the policy suite and updates to refer to the current planning framework. The City of Melville Strategic Community Plan sets out several community aspirations for the City. One of these aspirations is Growth and Prosperity. This policy review will make it easier for customers and decision makers to interpret, which will in turn make it easier for customers to do business in the City.

**Scheme Provisions**

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

## UP23/4020 – REVIEW OF LOCAL PLANNING POLICY 2.2 OUTDOOR ADVERTISING AND SIGNAGE (REC) (ATTACHMENT)

### Site Details

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

### DETAIL

The intent behind these policy changes is to simplify the requirements to enable clear and unambiguous implementation. On that basis, the policy has been updated to establish the minimum standards for each sign type within each clause and to simplify the structure of the policy where possible. The key changes to LPP 2.2 are described below under each individual header. A copy of the policy with tracked changes has been attached to this report.

1. An updated policy scope to clarify the relationship between this policy and other documents in the planning framework;

The policy scope has been updated to clearly state that this policy seeks to exempt a range of signage from the need for development approval. The scope has been updated to make reference to other documents in the planning framework such as the Metropolitan Region Scheme and Activity Centre Plans.

2. Clarifying the relationship between the policy and the City of Melville *Activities in Thoroughfares, Public Places and Trading Local Law 2014*;

The policy provisions have been updated to clearly state that it applies to all land within the City of Melville district including reserves, thoroughfares and private land. The current policy provisions state that signage within thoroughfares is administered under the local law however the local law is not the appropriate tool to assess the amenity impacts of signage and therefore it is preferable that they are considered under this local planning policy instead.

3. Updated provisions relating to temporary signage;

The current policy provisions relating to temporary signage are confusing and therefore changes are proposed to make this section easier to interpret. The proposed changes exempt temporary signage from the need for approval subject to meeting certain criteria. All temporary signage under this clause is proposed to be permitted for 30 days as opposed to the existing 14 days permissible under the current policy provisions.

4. New provisions relating to signage for sporting clubs.

Preliminary engagement on the review of the signage policy occurred in November 2021. A strong theme of this engagement was the need to give sporting clubs opportunities to display sponsor signage.

### [4020 – LPP2.2 Outdoor Advertising and Signage](#)

**UP23/4020 – REVIEW OF LOCAL PLANNING POLICY 2.2 OUTDOOR ADVERTISING AND SIGNAGE (REC) (ATTACHMENT)**

Most sporting clubs in the City of Melville are located on public open space reserves. The objectives of this zone are to set aside areas for public open space and to provide for a range of active and passive recreation including buildings, courts and other incidental structures. The Scheme objectives are silent in relation to signage on reserves. Under the provisions of the Regulations, there are no exemptions for development on a reserve meaning that a development application should be lodged with the City for consideration prior to new signage being erected on site. In considering an application for signage, officer must take into account a wide range of factors including the aims of the scheme.

The aims of the Scheme are varied in nature however in summary they seek to:

- protect and conserve natural environmental values;
- to enhance existing open space;
- enhance and maintain a business friendly environment;
- to promote healthy and active lifestyles and a sense of community.

In considering an application the City must also have regard to a range of relevant matters outlined in Clause 67 (2) of the Regulations including the compatibility of the development with its settings and the impact of the development on the community as a whole.

In developing policy provisions which relate to signage on reserves it is important to keep the above matters in mind. The City's open space reserves provide key locations for people to be able to enjoy the outdoors while undertaking active and passive recreation. These spaces are used by a range of people with various interests and needs. While sporting clubs rely on funding from sponsors they often do not have the exclusive use rights of public open space. Therefore their needs should not be elevated over the desire of others to use these spaces without their enjoyment being impacted by the visual clutter caused by multiple sponsorship signs. The inclusion of sponsorship on these spaces can be seen by some as the encroachment of private commerce on public space. The policy provisions therefore set a deliberately conservative benchmark, allowing clubs to display some sponsorship signage without creating a negative visual impact.

The proposed policy provisions are broken into three parts. Temporary signage during events, temporary signage relating to club registration days and permanent signs to accommodate club sponsors.

The temporary event signage gives clubs the flexibility to promote their sponsors during events such as game days, training or other functions in the best way that suits them. The provisions are relaxed on the basis that the signs will be removed the day off the event and will not have a negative impact on other users of the reserve.

The club registration signage is designed to enable sporting clubs to clearly market the registration period for a period of thirty days. The registration signage is limited to the club itself to prevent visual clutter in the vicinity of the club.

The sponsorship signs as noted above are conservative in nature aimed at providing sporting clubs with clarity on the amount of signage they can display without approval while ensuring that the amenity impact on the reserve is minimised.

**UP23/4020 – REVIEW OF LOCAL PLANNING POLICY 2.2 OUTDOOR ADVERTISING AND SIGNAGE (REC) (ATTACHMENT)**

**Local Planning Scheme and Local Policy Requirements**

The proposed changes to LPP2.2 are consistent with the various aims and objectives of LPS 6.

**R-Code Requirements**

Not Applicable.

**STAKEHOLDER ENGAGEMENT**

Under the provisions of the Regulations, amendments to planning policy must be advertised unless the City is of the opinion that the changes are minor. It is considered that the proposed additional exemptions result in a requirement to advertise the amended policy for 21 days including newspaper and online consultation.

Advertising Required:	To be carried out following the Council resolution.
Neighbour's Comment Supplied:	Not Applicable
Reason:	Not Applicable
Support/Object:	Not Applicable

**I. COMMUNITY**

Refer to the above stakeholder engagement section. Advertising will be carried out for 21 days including newspaper and online consultation. In addition to this, key stakeholders will be notified of the public consultation process.

**II. OTHER AGENCIES / CONSULTANTS**

There are no other agency or consultant stakeholder implications identified as part of this report.

**STATUTORY AND LEGAL IMPLICATIONS**

No statutory or legal implication have been identified as a part of this review.

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**UP23/4020 – REVIEW OF LOCAL PLANNING POLICY 2.2 OUTDOOR ADVERTISING AND SIGNAGE (REC) (ATTACHMENT)**

**POLICY IMPLICATIONS**

The local planning policy the subject of this report has been reviewed to ensure it remains consistent with the current planning framework and will continue to provide a sound basis for the assessment and determination of planning applications. In its amended form, the policy is intended to allow for additional convenience and flexibility to customers and ratepayers through clarifying the City's expectations in relation to signage.

**COMMENT**

Refer to detail section of the report above.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Council may choose not to amend the policy, however this is not recommended as the changes to the policy are intended to increase convenience for customers and ratepayers.

**CONCLUSION**

A number of changes are proposed to LPP2.2 to improve its operation. These include an updated policy scope and new provisions relating to sporting clubs.

It is recommended that the Council resolve to adopt the amended policy with consultation in accordance with Clause 4 of the Regulations. A report on submissions will be submitted to Council for consideration in due course.

**OFFICER RECOMMENDATION (4020)**

**APPROVAL**

**That the Council:**

- 1. Pursuant to Clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015* to adopt the amended Local Planning Policy 2.2 Outdoor Advertising and Signage for the purposes of public consultation for a period of not less than 21 calendar days; and**
- 2. Where no submissions in objection are received in response to the consultation undertaken, that the final adoption of Local Planning Policy 2.2 Outdoor Advertising and Signage shall be authorised by the Chief Executive Officer.**

**[4020 – LPP2.2 Outdoor Advertising and Signage](#)**

**UP23/4021 – 13 THE ESPLANADE / 64 KISHORN ROAD, MOUNT PLEASANT FUTURE  
OPTIONS REPORT (REC)**

Ward	: Applecross – Mount Pleasant
Category	: Strategic
Application Number	: Not Applicable
Property	: 13 The Esplanade/64 Kishorn Road, Mt Pleasant
Proposal	: Response to Council Resolution
Applicant	: Not Applicable
Owner	: City of Melville
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: Item P20/3867 – Submissions Report – Ground Lease Redevelopment Proposal 13 The Esplanade and 64 Kishorn Road, Mt Pleasant – Ordinary Meeting of Council held on 29 September 2020 Item M22/5890 – Ground Lease Redevelopment Agreement 13 The Esplanade and 64 Kishorn Road, Mt Pleasant – Ordinary Meeting of Council held 15 February 2022. Item M22/5895 – Motions Carried at the General Meeting of Electors Held 2 February 2022 – Ordinary Meeting of Council held 15 March 2022 Item 16.1 Motion with Notice Mount Pleasant Senior Citizens Site Being Public Open Green Space – Ordinary Meeting of Council held 15 March 2022 Item 18.1 Confidential Item M22/5890 Ground Lease Redevelopment Agreement 13 The Esplanade and 64 Kishorn Road, Mt Pleasant – Alternate Motion - Ordinary Meeting of Council held on 19 April 2022 Item 12.1 - Petition – Rezone 13 The Esplanade/ 67 Kishorn Road, Mount Pleasant to Public Open Space – Ordinary Meeting of Council held 21 June 2022 Item UP22/3933 – 13 The Esplanade /64 Kishorn Road, Mount Pleasant Future Options Report – Ordinary Meeting of Council held 19 July 2022. (Deferred) Item UP22/3993 – 13 The Esplanade /64 Kishorn Road, Mount Pleasant Future Options Report – Ordinary Meeting of Council held 18 October 2022.
Responsible Officer	: Jeremy Rae Strategic Property Executive Gavin Ponton Acting Director Urban Planning

**UP23/4021 – 13 THE ESPLANADE / 64 KISHORN ROAD, MOUNT PLEASANT FUTURE OPTIONS REPORT (REC)**

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

- At the Ordinary Meeting of the Council held on 15 March 2022 Council resolved to direct the CEO to prepare a report on 13 The Esplanade/64 Kishorn Road, Mount Pleasant.
- The resolution requested a number of options be considered with a report back to the July 2022 Ordinary Meeting of Council.
- At the July Council Meeting the item was deferred until the 18 October 2022 OMC.
- The report considered future options for the site including retaining the former Canning Bridge Senior Citizens site to community use, particularly as public open green space (POS) with tree planting; sale of the site; identification of appropriate locations for POS in the Canning Bridge area; possible future uses for the site including commercial uses; and on how and when public consultation for uses or selling of the site is appropriate.
- The investigation of future options for the site were summarised in the report and further investigation, detailed analysis and comprehensive community consultation were recommended for the site once the Canning Bridge Activity Centre Plan (CBACP) review is finalised.
- At the October 2022 meeting the Council resolved to note the key principles in the Options Report and to direct the Chief Executive Officer to continue investigations into open space options and opportunities at Canning Bridge, and to report back in March 2023.
- Further POS opportunities and investigations have been undertaken and are proposed to be presented to Council via an Elected Member Engagement Session in March 2023.
- As noted in the October 2022 Council resolution, final decisions on POS at Canning Bridge should only be made following completion and adoption of the review of the CBACP.
- This item responds to the need to report back to Council in March 2023. The report notes the scheduled EMES presentation on open space opportunities for March 2023 and notes the timetable for consideration of the review of the CBACP.

**UP23/4021 – 13 THE ESPLANADE / 64 KISHORN ROAD, MOUNT PLEASANT FUTURE  
OPTIONS REPORT (REC)**

**BACKGROUND**

The Council has considered several items relating to the land at 13 The Esplanade/64 Kishorn Road, Mount Pleasant. In considering a multi signature letter (petitioners) in relation to the future use of this site at the Ordinary Meeting of Council held 18 October 2022, Council resolved:

**That the Council:**

- 1. Notes the Officer's Report has responded to the instructions stemming from Council Resolution Item 16.1 Motion with Notice – Mount Pleasant Senior Citizens Site Being Public Open Space - at the Ordinary Meeting of Council held 15 March 2022;**
- 2. Notes and carefully considers the options analysis for the site detailed in the Report, including the future long term financial implications for the City and its ratepayers in relation to each option for the site; and**
- 3. Notes that the Officer's advice is that Council should only consider implementing a change of use for the site to Public Open Space (POS) or Community use, after the CBACP Review has been completed and the recommendations from that Review have been adopted by the Council.**
- 4. Notes that in accordance with point 3 above, a response to the petitions received regarding the future of the former Mount Pleasant Senior Citizens site be held over to the March 2023 Ordinary Meeting of Council.**
- 5. Acknowledges its commitment to provide additional public open space in the CBACP following the conclusion of the CBACP review process.**
- 6. That identified sites are subject to environmental assessment.**
- 7. Directs the Chief Executive Officer to continue investigations into appropriate locations for public open space in the CBACP, with the findings of such investigations to be presented to Elected Members before the end of March 2023.**

This report responds to parts 3, 4 and 7 of the above motion.

The multi signature letter that the City received related to the future use of this property stated and requested that:

*The Canning Bridge precinct is devoid of green space and with its proximity to high traffic volume (Freeway and Canning Hwy), causes an increase in air pollution. The population in this area is rapidly increasing and there will be a greater need for people to have somewhere to socialise nearby. The closest park is on the corner of Clive/Ogilvie Streets (800 metres away) and Deep Water point (1.4 kms.) The Petitioners therefore request that 13 The Esplanade/64 Kishon Rd Mount Pleasant be turned into green space incorporating tree planting.*

**UP23/4021 – 13 THE ESPLANADE / 64 KISHORN ROAD, MOUNT PLEASANT FUTURE  
OPTIONS REPORT (REC)**

**DETAILS**

Point three of the October motion was that the Council should only consider implementing a change of use for the site to Public Open Space (POS) or Community use, after the CBACP review has been completed and the recommendations from that Review have been adopted by the Council.

The review of the CBACP has progressed and it is expected that the final draft and suggested modifications to the document will be presented to Council in April 2023. Results of further investigations into open space options (Point 7 of the October 2022 resolution) will be the subject of an Elected Members Engagement Session in March 2023. A report on the further investigations is also intended to be presented to the Council meeting in April 2023. These further investigations will inform the Council's final recommendation on the wider CBACP review.

Point four of the resolution, that a response to the petitions received regarding the future of the former Mount Pleasant Senior Citizens site be held over to the March 2023 Ordinary Meeting of Council, is dependent on point three.

As noted above, the results of the further open space investigations will be presented at an EMES in March 2023. Wider considerations regarding open space will also form part of Council's recommendations on the review of CBACP, scheduled for April 2023. Given this timing, it will not be possible to provide a definitive response to petitioners in March 2023.

This item responds to the need to report back to Council in March 2023 and notes the process in late March 2023 and April 2023 which will enable a more complete response to the Council's October 2022 resolution.

**STAKEHOLDER ENGAGEMENT**

There are no stakeholder engagement implications presented as part of this report. It is noted that the Council owned sites in Canning Bridge are not currently designated as open space. However, a proposal to identify the sites as open space under the CBACP and/or Local Planning Scheme 6 would require an engagement phase prior to a decision being made.

**I. COMMUNITY**

Not applicable.

**II. OTHER AGENCIES / CONSULTANTS**

Consultation with other agencies would be required should processes to modify the zoning of the land under LPS6 or the designation of the land under the CBACP be proposed.

**STATUTORY AND LEGAL IMPLICATIONS**

There are no statutory and legal implications presented as part of this report.

**UP23/4021 – 13 THE ESPLANADE / 64 KISHORN ROAD, MOUNT PLEASANT FUTURE  
OPTIONS REPORT (REC)**

**FINANCIAL IMPLICATIONS**

Earlier reports highlight the potential significant revenue generation from Council owned land in the CBACP. This revenue is recognised in the City’s long term financial planning. Conversion of sites to open space would impact revenue generation and introduce construction and ongoing maintenance costs.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

The subject property is a strategic land asset of the City. Previous reports on this matter outlined financial implications of different options regarding future use of the lands. Further work being undertaken for March and April 2023 will elaborate on these implications and alternative funding mechanism to achieve POS needs whilst maintaining revenue opportunities.

<b>Risk Statement &amp; Consequence</b>	<b>Level of Risk</b>	<b>Risk Treatment</b>
Quarantining of revenue potential of strategic land assets reduces City’s revenue raising capacity, placing additional reliance on ratepayer funding resulting in higher-than-normal increases in annual rates. The City’s ratepayers will incur the cost burden into the future.	Major consequences which are possible, resulting in a <b>High</b> level of risk	Decision makers understand the financial implications and acknowledge alternative POS provision models which achieve desired levels of open space whilst preserving the City’s revenue generation opportunities and the implications for annual rates to increased year by year.

**POLICY IMPLICATIONS**

There are no policy implications with this proposal.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

This report is for noting and highlighting the results of additional investigations to be presented in March/April 2023. Alternative options and their implications will be discussed further in subsequent reporting.

**UP23/4021 – 13 THE ESPLANADE / 64 KISHORN ROAD, MOUNT PLEASANT FUTURE  
OPTIONS REPORT (REC)**

**COMMENT/CONCLUSION:**

This item responds to the need to report back to Council in March 2023 and notes the process in late March 2023 and April 2023 which will enable a more complete response to the Council's October 2022 resolution.

Key themes of this additional work will relate to:

- The acknowledgement that additional open space is required in the CBACP precinct
- The financial impact of converting the City's commercial landholdings to POS.
- The mechanisms that are available to achieve similar, or better, open space outcomes using, for example, developer contributions, whilst preserving the significant ongoing revenue streams and reducing ongoing impacts on ratepayers.

**OFFICER RECOMMENDATION (4021)**

**NOTING**

**That the Council:**

1. **Notes the progress report regarding the multi signature letter and petition in regards to the Mount Pleasant Senior Citizens Site at 13 The Esplanade/64 Kishorn Road, Mount Pleasant; and**
2. **Notes that further information on open space options and opportunities at the Canning Bridge Precinct are proposed to be presented to an Elected Member Engagement Session and Council meeting in March and April 2023, respectively. These items are intended to inform decision making on the wider review of the Canning Bridge Activity Centre Plan, which in turn will enable a response to the multi-signature letter and petition referred to in (1) above.**

**15 MOTIONS WITH PREVIOUS NOTICE**

**16 MOTIONS WITHOUT PREVIOUS NOTICE (approval by absolute majority)**

**17 MATTERS FOR WHICH MEETING WAS CLOSED TO THE PUBLIC**

**18 DECISIONS MADE WHILE MEETING WAS CLOSED TO THE PUBLIC**

**19 CLOSURE**