

MINUTES

OF THE

ORDINARY MEETING OF THE COUNCIL

HELD ON

TUESDAY, 17 SEPTEMBER 2019

AT 6.30PM IN THE COUNCIL CHAMBERS

MELVILLE CIVIC CENTRE

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1. OFFICIAL OPENING

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

Affirmation of Civic Duty and Responsibility

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

2. PRESENT

His Worship the Mayor R Aubrey

COUNCILLORS

Cr T Barling (Deputy Mayor)
Cr N Robins
Cr C Robartson, Cr M Woodall
Cr N Pazolli, Cr S Kepert
Cr G Wieland, Cr J Barton
Cr D Macphail, Cr K Mair
Cr P Phelan, Cr K Wheatland

WARD

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

3. IN ATTENDANCE

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

Mr B Taylor
Ms C Newman
Ms J Head / T Wright

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

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

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

Nil.

4.2 APPROVED LEAVE OF ABSENCE

Nil.

5. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION) AND DECLARATIONS BY MEMBERS**5.1 DECLARATIONS BY MEMBERS WHO HAVE NOT READ AND GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPERS PRESENTED BEFORE THE MEETING.**

Nil.

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

Nil.

6. QUESTION TIME**6.1 Questions Received with Notice**

Nil.

6.2 Questions Received without Notice**6.2.1 City of Melville Residents and Ratepayers Association**

Late Item M19/5705 – 12 August 2019 Special Meeting of Electors Motions

Question 1

1.1 *Why was this item not presented to the 3 September ABF, and is seemingly yet another significant item being rushed through Council at the last minute as a Late Item?*

Response

The report is a complete and comprehensive report that was not ready to be presented to the Agenda Briefing Forum.

6. *Question Time, City of Melville Residents and Ratepayers Assoc. (Inc), continued*

Question 2

- 1.2 *The City has stated in the M19/5705 report "A subsequent Officer report addressing the content of the presentations made at the Special Meeting will be provided to a future Meeting of the Council". Why is CEO Marten Tieleman allowing these motions to be presented to Council to make a significant decision without all information and without the benefit of the referenced future Officer report.*

Response

While Report M19/5705 responds mainly to the motions of the Special Meeting of Electors, a subsequent report will be presented to the Elected Members, in response to statements made during the presentations regarding Planning matters. The responses will provide clarification and will not result in a change to the recommendations presented in the report.

Question 3

- 1.3 *What has CEO Marten Tieleman and/or Directors Steve Cope, Mick McCarthy, Christine Young and/or Mr Alan Ferris done about the material presented by Mr David Maynier at the SME. That is Mayor Aubrey's own 8 December 2018 admission he would engage*

"the Director General on Monday and asking him when he is going to 'close these groups down'. That's what his 2 IC said they were going to do when they instigated the Inquiry 12 months ago".

That is, what has CEO Tieleman and/or the Senior Employees done about Mayor Aubrey's knowledge of, and potential involvement in, the wilful whitewashing of the Inquiry Report, after all Mayor Aubrey has stated that the Inquiry was intended only to shut down the few noisy lobby groups, particularly the MRRA (Whitewash); something that is contrary to Minister Templeman's 29 November 2017 Inquiry media statement which said

"the DLGSC will conduct the inquiry to explore whether there are underlying issues to the nearly 300 complaints against the City made to the Minister and the department since 2014".

Response

The Administration has no comment to make in relation to the statements made by the Mayor. The City welcomed the opportunity to have an independent party review the City's operations in relation to the matters covered by the Authorised Inquiry and provided full cooperation to requests from the authorised persons from the Department of Local Government, Sport and Cultural Industries conducting the Inquiry.

6. *Question Time, City of Melville Residents and Ratepayers Assoc. (Inc), continued*

Question 4

- 1.4 *Is Council fully aware of the details of the 311 complaints about the City from 68 individuals received by the Minister and DLGSC since 1 January 2014 that were the cause for the Inquiry, as Minister Templeman further confirmed on 13 December 2017.*

Response

Neither the Council nor City officers have been provided with information regarding the 311 complaints referred to in the question.

Question 5

- 1.5 *Has Council ever been provided a list of the 945 complaints the City is reported as saying it had received between 1 January 2015 and 29 November 2017?*

Response

The Council has not been provided with a list of complaints received between 1 January 2015 and 29 November 2017.

Question 6

- 1.6 *How many complaints about the City have been submitted since 29 November 2017, and what has Council done about them?*

Response

All complaints received by the City since 29 November 2017 have been or are being dealt with by the City. The Council has no involvement in the administration or resolution of individual complaints. All complaints are responded to by the City in accordance with the City's complaints handling procedures.

Question 7

- 1.7 *How many of the complaints since 1 January 2014 remain unresolved in the eyes of the complainants. What is Council doing to resolve these?*

Response

The City acknowledges that complainants are not always satisfied with the outcome in relation to complaints made. The City cannot respond to what number of complaints remain unresolved "in the eyes" of each particular complainant.

It is also noted that complainants have appeal processes to independent review agencies such as the Ombudsman, Department of Local Government, Sport and Cultural Industries, the State Appeals Tribunal, Public Sector Commission, CCC, the Office of the Freedom of Information Commissioner, who will make determinations on matters that a complainant believes the City has not addressed to their satisfaction.

6. *Question Time, City of Melville Residents and Ratepayers Assoc. (Inc), continued*

Question 8

- 1.8 *Why hasn't CEO Tieleman and/or Senior Employees taken responsibility and accountability for the M19/5705 report?*

A statement was also made about a staff member, their position, qualification and accountability, which has been removed.

Response

All reports are coordinated and prepared by responsible officers on behalf of the Chief Executive Officer and presented to the Council.

This report is a coordinated response prepared with input from relevant services areas and presented to the Council for consideration, by the Chief Executive Officer.

Question 7

- 1.9 *Shouldn't Mayor Aubrey, and any other Councillor that was aware of the Whitewash, 1) declare that fact and 2) recuse themselves from any further involvement in M17/5705.*

Response

It is for each Elected Member to make declarations where they believe that they have an interest in a matter before the Council. Should the City of Melville Residents and Ratepayers Association (Inc) believe that the Inquiry was a "whitewash" these concerns should be taken up with the Minister or the Department of Local Government Sport and Cultural Industries.

6.3 Questions Taken on Notice at Previous Meeting

Ordinary Meeting of Council – 20 & 27 August 2019

6.3.1 City of Melville Residents and Ratepayers Association

Question 1

Why is the on-line gift register not live, or at least updated at least weekly?

Response

The collation of the on-line gift register is currently a manual process and the information on the website was updated every three months as there were no specific update requirements prescribed by legislation. The recent amendments to the *Local Government Act 1995* will require that the on-line gift register be an up-to-date version. The City is refining its processes to ensure compliance with the new legislation when proclaimed.

6. *Question Time, City of Melville Residents and Ratepayers Assoc. (Inc), continued*

Question 2

Why there are disparities between gifts claimed by Cr Duncan Macphail (\$2,358) and Mayor Russell Aubrey (\$315) for attending same event in Taipei (lines 600 and 599 respectively)?

Response

The South West Group, which was the event organiser, is funded by a number of local governments, provided an allocation for each delegate for flights and accommodation, which do not need to be declared (refer section 5.83(2) of *the Local Government Act 1995*).

One delegate chose to include the flights and accommodation portion and the other chose to only declare the gift components (for example meals and events paid for by an external party). There is a slight variation in the total costs for each delegate and this relates to the events attended or meals provided, taxi fares, as well as slight variations in flight costs (depending on when they were booked) even though all delegates travelled on the same flights.

Question 3

Why have Mayor Aubrey and Cr Macphail have (sic) not provided adequate detail of the travel, including a proper breakdown of the expenses incurred? Did either take

- a) *additional personal time away in conjunction with the trips?*

Or

- b) *a travel companion?*

Response

The *Local Government Act 1995* does not require this information to be reported in the register. Any additional expenses incurred for themselves or for a partner are the responsibility of the delegate.

Question 4

What as the total cost of the trips to Taipei for each of Mayor Aubrey and Cr MacPhail (sic)?

Response

All costs associated with the trip to Taipei were paid for by the South West Group (except for any personal costs). There was no requirement for South West Group delegates (or their member councils) to incur any specific costs associated with attending Smart Cities Summit and Expo.

A collective package was negotiated by the South West Group that included travel and accommodation for twelve delegates, and a stand promoting the South West Metro Region as part of the Expo. This included commitment that at least four Mayors from the SWG member councils would attend and participate in key events such as the international Mayors Summit.

6. *Question Time, City of Melville Residents and Ratepayers Assoc. (Inc), continued*

Question 5

Who funded Mayor Aubrey's and Cr MacPhail's (sic) trips to Taipei and in what amount, ie what portion was paid for by the City, the South West Group and the Elected Members themselves?

Response

The South West Group, as in response 4, funded all costs associated with the travel for the event for Mayor Aubrey and Councillor Macphail. The South West Group, with the assistance of Austrade Taiwan, and other sponsors had negotiated a consolidated delegation package to attend the Expo. Collectively, this included flights and accommodation for twelve delegates and a stand promoting the South West Metro Region as part of the Expo.

Any personal costs associated with the travel were funded by the delegates.

Question 6

What was the justification for both Mayor Aubrey and Cr Macphail attending this event in addition to Mr Tom Griffiths of the South West Group, what was the value proposition?

Response

The South West Group Board was invited by Austrade Taiwan to attend the South West Group Delegation to Smart City Summit and Expo, Taipei. The City of Melville delegates to the South West Group Board are the Mayor and CEO. Mr Tieleman was unable to attend this event due to existing commitments and Cr Macphail attended as a delegate due to his chairing of the South West Economic Development Foundation.

The 2019 Smart City Summit and Expo is an annual exhibition focused on smart city developments and solutions. It is considered by Austrade to be the most comprehensive intelligent solutions event in the Asia-Pacific region. The Expo connects smart city government, business leaders, policy makers and industry experts from around the world, with previous events attracting approximately 30,000 visitors from over 50 countries, including over 120 Mayors and municipal representatives.

The 2019 Expo focus areas are: Smart Transportation; Smart Energy; Resilient City; A.I. Integration; 5G Infrastructure; Digital Place Making; and Circular Economy. Learnings and experiences from the delegation are incorporated into the South West Group's approach to Smart Regions – this program is currently underway and aims to support its member councils in delivering community services more efficiently and/or effectively.

6. *Question Time, City of Melville Residents and Ratepayers Assoc. (Inc), continued*

The intended outcomes from sending a delegation to Taiwan for the Expo were:

- Gather intelligence on how smart city technology and data gathering can best be used to:
 - improve the quality of service delivery to communities;
 - reduce operating costs of providing services to communities;
 - provide knowledge that can be used to improve decision-making.
- Build relationships with comparable Governments from around Australia and other nations that have successfully implemented smart city initiatives to drive measurable improvements in service delivery for their communities.
- Gather information and ideas for how technology and data could be used to develop a regional approach to smart city technology in the South West region.

Question 7

What gifts did Mr John Christie received (sic) at line 516?

Response

The information related to Mr Christie has been removed from the Register as required by section 5.89(6) of the *Local Government Act 1995*, as Mr Christie has ceased to be a person required to make a disclosure. These records are retained by the City for public inspection only, as required by section 5.89(7) of the *Local Government Act 1995*.

Question 8

What the gifts (sic) did former Shayne Silcox received (sic) at lines 535, 538, 538 (sic), 542 and 550 whilst he was still in the employ of the City?

Do these gifts add to the more than (sic) \$18,000 of travel, entertainment and accommodation gift fr (sic) CEO Shayne Silcox declared since 2016, and if so by what amount?

Response

The information related to Dr Silcox has been removed from the Register as required by section 5.89(6) of the *Local Government Act 1995*, as Dr Silcox has ceased to be a person required to make a disclosure. These records are retained by the City for public inspection, as required by section 5.89(7) of the *Local Government Act 1995*.

6. *Question Time, City of Melville Residents and Ratepayers Assoc. (Inc), continued*

Question 9

Why has Ms Christine Young, Director Community Development, only just declared travel, entertainment and accommodation gifts to the value of \$5,300 dating back to September 2018 (lines 614 and 615); in breach of the local government statutory requirements?

Question 10

What was the total cost of Ms Young trips, who paid and in what proportion and who funded Ms Young's total time away?

Question 11

What corrective action will Council take in relation to Ms Young's apparent statutory breaches?

Response

In response to questions 9, 10 and 11 these are operational matters that have been addressed by the Chief Executive Officer.

We understand that the City has stopped providing parking permits to Disabled Returned Veterans TPI to enable them to park free of charge in City paid parking areas

Question 12

Why has the City stopped providing parking permits to our veterans?

Response

Permits were previously issued which were not provided for in the Parking Local Law or Fees and Charges Manual. These permits were withdrawn, with the holders being advised, until further investigation could be undertaken as to how they could be implemented.

Question 13

Does the City appreciated (sic) the stress that this unannounced change has caused some of our heroic war veterans?

Question 14

When will the City reverse their decision and provide free parking permits to our veterans?

Response

In response to questions 13 and 14, the City has been engaging with The Australian Federation of Totally and Permanently Incapacitated Ex-Servicemen and Women West Australian Branch (TPI Association WA) for several months.

6. *Question Time, City of Melville Residents and Ratepayers Assoc. (Inc), continued*

We have been researching (looking at Policy and Legislation) with the intention to make it possible for the City to allow TPI Association WA members to have parking concessions when parking within the City of Melville.

It is intended that a future report will be presented to the Council on this matter and if approved by the Council this will result in many more persons being eligible for parking concessions than has previously been the case.

Question 15

Why has Mayor Russell Aubrey not proactively supported our veterans act to rectify this?

Response

This is an operational matter that is being dealt with as outlined in the previous response and the Mayor will consider the matter when presented to the Council.

At the 16 July OMC Council **did not answer** our question in relation to the Authorised Inquiry as it had not made a decision on its response, so please answer it now. That is:

Question 16

On 27 June Mayor Russell Aubrey was reported in the press as saying ‘the release of a long-awaited report into the City vindicates the way it dealt with a small number of “unreasonable people” in the community’; subsequently other comments along the lines of ‘The independent inquiry report has totally exonerated and vindicated the Council for any wrongdoing’ as posted on the Aubrey cabal’s Melville Community Chat Facebook page by Ms Vanessa Robertson, and Aubrey cabal devotee who has the support of Mayor Aubrey and Cr Phelan. Given the Authorised Inquiry report has a number of adverse findings against the City and Minister Templeman has highlighted that the City needs to change its culture to be more open, transparent and to better deal with complaints:

- a) *does Council fully endorse the abovementioned comments made in the media? and*
- b) *will Council fully accept accountability for the City’s identified failures?*

Response

The Mayor is the authorised spokesperson for the Council. At the Ordinary Meeting of Council held 16 July 2019, the Council endorsed all five officer recommendations related to Item M19/5697 – Report on the Outcome of the Authorised Inquiry into the City of Melville (Minutes of the Ordinary Meeting of Council held 16 July 2019 pages 8 – 29).

This matter is to be further considered in the Late Item being presented to tonight’s meeting, with an officer recommendation that specifically addresses acceptance of the City’s identified failures. The outcome of the discussion, debate and resolution of this matter will provide the response to this question.

7. AWARDS AND PRESENTATIONS

Nil.

8. CONFIRMATION OF MINUTES**8.1 ORDINARY MEETING OF THE COUNCIL – 20 & 27 AUGUST 2019,
[Minutes_20 & 27 August 2019](#)****COUNCIL RESOLUTION**

At 6:54pm Cr Wheatland moved, seconded Cr Wieland –

That the Minutes of the Ordinary Meeting of the Council held on Tuesday, 20 & 27 August 2019, be confirmed as a true and accurate record.

At 6:54pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (13/0)

**8.2 NOTES OF AGENDA BRIEFING FORUM – 3 SEPTEMBER 2019,
[Notes_3 September 2019](#)****COUNCIL RESOLUTION**

At 6:54pm Cr Barling moved, seconded Cr Robartson –

That the Notes of Agenda Briefing Forum held on Tuesday, 3 September 2019, be received.

At 6:55pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (13/0)

**8.3 MINUTES FINANCIAL MANAGEMENT, AUDIT, RISK AND COMPLIANCE
COMMITTEE – 19 AUGUST 2019****COUNCIL RESOLUTION**

At 6:55pm Cr Wheatland moved, seconded Cr Macphail –

That the Minutes of Financial Management Audit and Risk Compliance Committee held on Monday, 19 August 2019, be received.

At 6:55pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (13/0)

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

- Mayor Aubrey – Late Item M19/5705 Special Meeting of Electors 12 August 2019 – Motions. Financial Interest.
- Mr M Tieleman – Item T19/3814 – Demolition of Blue Gum Pump Station. Proximity Interest.

9.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT

- Cr Barton – Late Item M19/5705 Special Meeting of Electors 12 August 2019 – Motions. Interest Under the Code.

10. DEPUTATIONS**10.1 Mr R Eaves of Bicton and Mr M McLerie of Bicton**

Petition – Footpath, Beach Street, Bicton.

10.2 Mr M McLerie, representing City of Melville Residents and Ratepayers Association (Inc), Mr D Maynier of Attadale and Mr C Ross of Applecross
Late Item M19/5705 Special Meeting of Electors 12 August 2019 – Motions.**11. APPLICATIONS FOR NEW LEAVES OF ABSENCE**

At 6:57pm Cr Wheatland moved, seconded Cr Wieland–

That the application for new leave of absence submitted by Cr Phelan on 17 September 2019 be granted.

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

CARRIED UNANIMOUSLY (13/0)

12. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

- T19/3821 – Pre-Qualified Panel Supply of Refurbishment Services for a Two Year Term with Option Periods, confidential attachment.

That the meeting be closed to members of the public, if required, to allow for items deemed confidential in accordance with Sections 5.23 (2), (c) of the *Local Government Act 1995* to be discussed behind closed doors.

At 7:00pm Mr Eaves and Mr McLerie entered the Council Chambers for the purpose of making a deputation on Item 13 Petitions, and a Petition received in relation to a footpath in Beach Street, Bicton. The deputation concluded at 7:19pm.

At 7:17pm Cr Phelan left the meeting and returned at 7:24pm.

At 7:19pm Cr Kepert left the meeting and returned at 7:23pm.

At 7:30pm Mr Eaves and Mr McLerie departed the Council Chambers.

An Officer Advice Note in relation to this matter was tabled at the meeting

[Advice Note Petition Beach Street Footpath](#)

13. PETITIONS

A petition signed by one elector, has been received as follows:

“We, the undersigned, all being electors of the City of Melville, respectfully request that the Council pass a motion to direct the CEO to cease current plans to install a footpath on Beach Street Bicton from Blackwall Reach Parade to Harris St until proper interactive community consultation with the affected local residents and ratepayers has been completed and the views of all of those that have already expressed concerns with the proposed designs and the City’s process have been heard by Council, including those in the community that signed the submission I delivered to Council via CEO Mr Marten Tieleman on 20 August 2019, a copy of which is attached.

On completion of the community consultation the CEO is to provide a report and recommendation to Council for its decision.

The community consultation should consider various alternatives, including not doing anything, and assess each option for safety, cost, impact on street parking, street scape aesthetics, impact on verge uses and existing treatments.”

Attached to the petition was a copy of a multi-signature letter previously received on 20 August 2019 and signed by 9 residents. Elected Members were advised thereof in the Elected Member Bulletin of 23 August 2019. The multi signature letter advised that:

“We the undersigned residents of Beach Street, Bicton oppose the construction of a footpath on either side of Beach Street.”

OFFICER RECOMMENDATION

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

That the petition be acknowledged.

13. PETITIONS

Amendment

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

That the recommendation be changed to as per the options provided at clause 7.11(4) of City of Melville Meeting Procedures Local Law 2017 to:

“That the petition be acknowledge and a report be prepared.”

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

CARRIED (9/4)

Vote Result Summary	
Yes	9
No	4

Vote Result Detailed	
Cr Barling	Yes
Cr Barton	Yes
Cr Kepert	Yes
Cr Macphail	Yes
Cr Mair	Yes
Cr Pazolli	Yes
Cr Robartson	Yes
Cr Wheatland	Yes
Cr Woodall	Yes
Cr Phelan	No
Cr Robins	No
Cr Wieland	No
Mayor	No

COUNCIL RESOLUTION

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

That the petition be acknowledged and a report be prepared.

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

CARRIED (9/4)

At 7:44pm The Mayor brought forward Late Item M19/5705 – Special Meeting of Electors Held 12 August 2019 – Motions, for the convenience of the Public Gallery.

At 7:44pm Cr Macphail left the meeting and returned at 7:46pm.

At 7:44pm Cr Robins left the meeting and returned at 7:46pm.

At 7:44pm Mr McLerie, representing the City of Melville Residents and Ratepayers Association (Inc) and Mr Maynier and Mr Ross entered the Chambers for the purpose of making a deputation on Late Item M19/5705 –Special Meeting of Electors held 12 August 2019 Motions. The deputation concluded at 8:00pm.

At 8:09pm Mr McLerie, Mr Maynier and Mr Ross departed the Chambers.

Disclosure of Interest

Item No.	M19/5705
Member	Mayor Aubrey
Type of Interest	Financial Interest
Nature of Interest	Owns property in Canning Bridge Activity Centre area
Request	Leave
Decision	Leave

Item No.	M19/5705
Member	Cr J Barton
Type of Interest	Interest Under the Code
Nature of Interest	Relative owns property in Applecross
Request	Stay, discuss and vote
Decision	Stay, discuss and vote

**LATE ITEM M19/5705 – SPECIAL MEETING OF ELECTORS HELD 12 AUGUST 2019 –
MOTIONS (REC)**

Ward	: All
Category	: Meetings
Subject Index	: Special Meeting of Electors
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	: Not Applicable
Works Programme	: Not Applicable
Funding	: Not Applicable
Responsible Officer	: Louis Hitchcock Executive Manager Governance and Legal Services

**LATE ITEM M19/5705 – SPECIAL MEETING OF ELECTORS HELD 12 AUGUST 2019 –
MOTIONS (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 checked="" type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes & policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
<input type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

KEY ISSUES / SUMMARY

- A Special Meeting of Electors was held on Monday 12 August 2019.
- The Agenda for the August Ordinary meeting of Council was prepared and distributed on Friday 2 August 2019, prior to when the Special Meeting was held.
- The Minutes of the Special Electors meeting were presented to the Council to be confirmed at its Ordinary Meeting held on 20 August 2019.
- The period of time between the Special Meeting of Electors and the August Ordinary Council Meeting did not enable the preparation of an Officer response report with recommendations for consideration by the Council at its meeting held on 20 August 2019 and, in accordance with Section 5.33 (1)(a) of the *Local Government Act 1995* is now being presented to the first Ordinary Council Meeting thereafter, being the 19 September 2019.
- This report has been prepared to present the resolutions from the Special Meeting of Electors and to provide information deemed relevant, in order for the Council to consider and vote on the resolutions and/or any actions relating to the resolutions.

**M19/5705 – SPECIAL MEETING OF ELECTORS HELD 12 AUGUST 2019 - MOTIONS
(REC)****BACKGROUND**

On 9 July 2019, the City received a request to hold a Special Meeting of Electors signed by 137 electors. The holding of Special Meetings of Electors is covered in the *Local Government Act 1995* as follows:

“5.28. Electors’ special meetings

- (1) *A special meeting of the electors of a district is to be held on the request of not less than—*
 - (a) *100 electors or 5% of the number of electors —whichever is the lesser number; or*
 - (b) *$\frac{1}{3}$ of the number of council members.*
- (2) *The request is to specify the matters to be discussed at the meeting and the form or content of the request is to be in accordance with regulations.*
- (3) *The request is to be sent to the mayor or president.*
- (4) *A special meeting is to be held on a day selected by the mayor or president but not more than 35 days after the day on which he or she received the request.”*

In accordance with the requirements of the Act, a Special Meeting of Electors was advertised to be held at the Mount Pleasant Baptist Community College, 497 Marmion Street, Booragoon on Monday 12 August 2019, commencing at 6.30pm. The Notice of Meeting was advertised in the West Australian Newspaper on Saturday, 27 July 2019 in addition to being displayed on public notice boards at all the City of Melville libraries and the Civic Centre and on the City of Melville website.

The purpose of the meeting, as contained in the request, was to discuss:

1. The Authorised Inquiry into the City of Melville, the report recommendations, community feedback, community involvement to ensure transparent review of actions taken by the City to address the recommendations: and
2. Issues relating to Tompkins Park, Bert Jeffery Park and the Melville Bowling Club lease; and
3. Issues relating to the Canning Bridge precinct plan including but not limited to, the proposed planning policy, the City’s disregard of majority community submissions and the City’s continued support for building applications that are inconsistent with community objectives.

DETAIL

Prior to the commencement of the meeting, the requestor of the meeting requested that the matters to be discussed be in the following order:

1. Canning Bridge
2. Authorised Inquiry
3. Tompkins Park

The Special Meeting of Electors was attended by 419 electors and 7 non-electors.

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(REC)**

The meeting requestor advised that there were eight speakers to the matters before the meeting:

Order	Presenter	Issue
1.	Mr C Ross, Applecross	Introduction of all presentations
2.	Mr P Cuttone, Applecross	Issues relating to the Canning Bridge precinct plan including but not limited to, the proposed planning policy, the City's disregard of majority community submissions and the City's continued support for building applications that are inconsistent with community objectives.
3.	Mr D Kenny, Applecross	
4.	Mr C Shepherd, Pricewaterhouse Coopers	
5.	Mr T Fitzgerald, Palmyra	The Authorised Inquiry into the City of Melville, the report recommendations, community feedback, community involvement to ensure transparent review of actions taken by the City to address the recommendations.
6.	Mr D Maynier, Attadale	
7.	Ms M Sandford, Applecross	Issues relating to Tompkins Park, Bert Jeffery Park and the Melville Bowling Club lease
8.	Mr G Gear, Alfred Cove	

This report addresses the motions passed at the Special Meeting of Electors. A subsequent Officer Report addressing the content of the presentations made at the Special Meeting will be provided to a future Meeting of the Council.

Three motions were presented to the meeting with all three motions being carried at the meeting and these are now for the Council to consider as follows:

MOTION 1

That the City of Melville Council:

- 1. Rejects the proposed Draft Local Planning Policy 1.18: Canning Bridge Activity Centre Plan (CBACP), due to its failure to properly address the Community's and Council's expressed concerns with the height limits being approved within the CBACP.**
- 2. Requires the CEO to immediately initiate a comprehensive review of the CBACP, commencing with presentation of a detailed Project Plan prepared with Community consultation and which includes the appointment of external experts to assist the City in conducting and completing the review.**
- 3. Immediately withdraws the delegated authority that authorises the City's planners to submit Responsible Authority Reports (RARs) to the JDAP (without Council approval) and instructs the CEO to present all RARs to Council for final approval before being submitted to JDAP.**

**M19/5705 – SPECIAL MEETING OF ELECTORS HELD 12 AUGUST 2019 - MOTIONS
(REC)**OFFICER COMMENTMotion 1, Part 1

The issue of building heights and the process for assessing applications for bonus height within the Canning Bridge Activity Centre Plan area has been the subject of a number of recent Council reports and resolutions. At the Ordinary Meeting of Council held on 20 and 27 August 2019 Council considered items relevant to the specific content of Parts 1 and 2 of Motion 1.

In relation to Part 1, at the Ordinary Meeting of Council held 20 and 27 August 2019 the Council considered Item P19/3810 – Adoption of Local Planning Policy – Canning Bridge Activity Centre – Bonus Building Height Provisions. Council resolved not to proceed with the Draft Local Planning Policy as follows:

“That the Council resolves not to proceed with Draft Local Planning Policy LPP1.18 Canning Bridge Activity Centre Plan – Bonus Building Heights Provisions and instead opts to immediately initiate a review of the Canning Bridge Structure Plan.”

Officer Recommendation 1

That the Council notes that at the Ordinary Meeting of Council held 20 and 27 August 2019 (Item P19/3810 – Adoption of Local Planning Policy – Canning Bridge Activity Centre – Bonus Building Height Provisions) the Council resolved to not proceed with the Draft Local Planning Policy LPP 1.18 Canning Bridge Activity Centre Plan – Bonus Building Heights Provision and to initiate a review of the Canning Bridge Structure Plan.

Motion 1, Part 2

In relation to Part 2, at the Ordinary Meeting of Council held 20 and 27 August 2019, the Council considered Item P19/3817 – Review of Canning Bridged Activity Centre Plan – Project Scope, and resolved as follows:

**M19/5705 – SPECIAL MEETING OF ELECTORS HELD 12 AUGUST 2019 - MOTIONS
(REC)*****“That the Council:***

1. ***in accordance with Part 6 of the Planning and Development (Local Planning Schemes) Regulations 2015, the Council resolves to accept and initiate the following amendment to the Canning Bridge Activity Centre Plan for the purposes of advertising:***

Modification to paragraph one of the pre-requisites to the Bonus Provision associated with Elements 21 and 22 of the Canning Bridge Activity Centre Plan by adding an additional sentence, “In the M10 and M15 quarters of Kintail and Ogilvie (those quarters within the City of Melville), the maximum bonus height is 5 additional stories.”

2. ***directs the Chief Executive Officer to progress the following actions in relation to the Canning Bridge Activity Centre Plan:***
 - a. ***a review, including scope items as outlined in Option B “Review/Clarification of Existing CBACP Building Height and Bonus Provisions” (3817 Scope Summary Option B) be progressed having regard to the outcomes of stage one.***
 - b. ***a review of the remaining scope items under Option C “Comprehensive Review of Building Height and Bonus Provisions” (3817 Scope Summary Option C) particularly in relation to re-defining optimal built form and preparation of related planning controls, not be commenced until there is sufficient certainty that such measures are achievable.***
 - c. ***investigations to support completion of scope items under Options B and C being outsourced.***
 - d. ***to fund the completion of scope items under Options B and C (if applicable) through the reallocation of Strategic Urban Planning project funds and/or Council approval of budget amendments.***
3. ***notes that a further report will be presented to Council at the conclusion of the advertising period to enable consideration of submissions and recommendations to the Western Australian Planning Commission.”***

The City has commenced work on the amendment relating to the five story limit on bonus height and advertising of this proposal is planned to commence late September 2019. The process of any subsequent Canning Bridge Activity Centre Plan Review would incorporate thorough stakeholder and community engagement.

Officer Recommendation 2

That the Council notes and confirms the resolution of the Council of the Ordinary Meeting of Council held 20 and 27 August 2019 Item P19/3817 – Review of Canning Bridged Activity Centre Plan – Project Scope.

**M19/5705 – SPECIAL MEETING OF ELECTORS HELD 12 AUGUST 2019 - MOTIONS
(REC)**Motion 1, Part 3

At the Ordinary Meeting of Council held 18 June 2019, the Council considered Item M19/5691 – Review of City of Melville Delegated Authority Manual which is the annual review of the City's Delegations of Authority. The Delegated Authority Manual, as attached to the Council Item, is reviewed on an annual basis and specific to this motion, contains Delegation DA-020 Planning and Related Matters, which includes the following extract:

“make recommendations to the Western Australian Planning Commission, Department of Planning, Lands and Heritage Department of Parks and Wildlife (for Swan River Trust), Heritage Council, State Heritage Office, Joint Metro Central Development Assessment Panel and other government departments and instrumentalities on matters associated with the subdivision and/or development of land;”

At the Ordinary Meeting of Council, the delegations as contained in the Delegated Authority Manual where adopted by the Council by unanimous resolutions, as follows:

“That the Council by Absolute Majority decision adopts the amended City of Melville Delegated Authority Manual as attached 5691 Delegated Authority Manual.”

Regulation 12 of the Development Assessment Panel Regulations 2011 states that a responsible authority to which a DAP application is made must give the presiding member of the DAP that will determine the application, a report on the application in a form approved by the Director General.

The State Development Assessment Panel Practice Notes 2018 states:

“Regulation 12 Responsible Authority Reports

- 1. Regulation 12 of the DAP Regulations require each responsible authority, being the relevant local government and/or the Western Australian Planning Commission (‘WAPC’), to provide a responsible authority report (‘RAR’). The RAR is to include an assessment and provide a recommendation, with sufficient information to enable the DAP to determine the application...”*

“The RAR is to be provided by the responsible authority’s planning officer...”

“The RAR is not a resolution of the relevant local government’s council, it is the professional opinion of the local government’s planning officer who assessed the application. It is improper for Councillors of a local government to influence the planning officer’s report in any way.

If the local government council wishes to make a statement regarding an application before a DAP, it should do so by making a submission either by including a copy of the Council Resolution as an attachment to the RAR or via an approved deputation at the DAP meeting.”

The State Development Assessment Panel Frequently Asked Questions under the Planning and Development (Development Assessment Panels) Regulations 2011, December 2018 states:

**M19/5705 – SPECIAL MEETING OF ELECTORS HELD 12 AUGUST 2019 - MOTIONS
(REC)**

22. *Can a local government in Council alter the responsible authority report (RAR) as prepared by the relevant professional planner?*

“...The RAR is primarily concerned with providing the DAP with technical data. The views of a Council may also be relevant, especially in providing information of a public interest nature and community concern. However, the DAP is best assisted if both sets of information are submitted separately, otherwise there is the real danger of confusing the DAP members.

Finally, it is worth remembering that clause 2.10 of the DAP Standing Orders 2017 (Standing Orders) require:

“A DAP is to invite the responsible authority officer preparing a responsible authority’s report for a development application to attend, or to send a representative to, a DAP meeting at which the application is to be determined.”

Therefore, it is likely that the author of the report or responsible authority representative will attend the DAP meeting and be required to explain the regulation 12 report, including if any alterations are made by Council”.

In undertaking assessment of development applications, local government planning officers are guided by the applicable planning framework adopted by state and local government (including Metropolitan Region Scheme, State Planning Policies, Residential Design Codes, local planning scheme, local planning strategy, structure plans, and local planning policies).

Local Planning Policy 1.1: Planning Process and Decision Making provides for Council involvement in the DAP process, in that Elected Members can request that an RAR be referred to the Council for information and consideration, where:

- (a) The DAP application has been the subject of public consultation and submissions in opposition have been received; and/or
- (b) The DAP application relates to a site within the Canning Bridge or Melville City Centre Structure Plan areas, and requires consideration of proposed ‘community benefits’ in lieu of proposed building height.

Where an RAR is referred to a meeting of the Council prior to its formal consideration by the JDAP, the minutes of the Council meeting are submitted to the JDAP as an attachment to the RAR.

Based on the above it is considered that the recommendation in Motion 1, Part 3 for withdrawal of the delegated authority to officers would not be consistent with DAP Regulations as further explained in the guidance provided by the DAP Practice Notes.

It is noted that under current Local Planning Policy 1.1 Elected Members can request that a RAR be referred to the Council for consideration prior to consideration of the RAR by the JDAP.

Officer Recommendation3

That the Council supports that the delegated authority that authorises the City’s planners to submit Responsible Authority Reports (RARs) to the JDAP (without Council approval) not be withdrawn as this would be inconsistent with the provisions of the Planning and Development (Development Assessment Panels) Regulations 2011, as explained in the guidance provided by the State Development Assessment Panel Practice Notes 2018 (relating to Regulation 12).

**M19/5705 – SPECIAL MEETING OF ELECTORS HELD 12 AUGUST 2019 - MOTIONS
(REC)****MOTION 2**

The City of Melville to prepare and submit to the Minister for Local Government an Addendum to the City's recent response to the Minister. The Addendum to:

- 1. acknowledge and accept that Minister Templeman's call for cultural change is appropriate and fully supported by the City;**
- 2. contain a list of the City's Local Laws and Council Policies that the City will immediately review (with community consultation) with a focus on ensuring the rights of residents and ratepayers - the list to include the Local Law on Deputations and as a minimum the following Council Policies: Dealing with Unreasonable individuals, Legal representation, Question Time and on what constitutes a "direct interest";**
- 3. acknowledge that the recent Authorised Inquiry has not addressed the underlying cause of ratepayer complaints, of which there are 719 service complaints in the three year period, and therefore the City is still required to address those underlying complaints;**
- 4. acknowledge the City's failures to comply with the requirements of the Local Government Act 1995 and Local Government (Administration) Regulations 1996 and to commit to inquiring into why such failures occurred, identifying the parties/processes responsible and reporting back to Council on actions taken.**

OFFICER COMMENT

At the Ordinary Meeting of the Council held 16 July 2019, a report was presented to the Council on the Inquiry outcomes and recommendations, with all seven recommendations being supported by the Council as recommended by the Officer Recommendation, as follows:

"That the Council:

- 1. receives The Report (5697_COM_Inquiry_Report) of the Inquiry into the City of Melville, produced by the Department of Local Government, Sport and Cultural Industries, and tabled in State Parliament on 27 June 2019.*
- 2. notes and supports the Recommendations 1,3,4,5,6 and 7 of The Report of the Inquiry into the City of Melville*
- 3. supports Recommendation 2 and directs the Chief Executive Officer to expedite the engagement of an independent person to review and act on complaints about the City's processes and decisions for a period of 3 months from the date of engagement.*
- 4. by Absolute Majority Decision approves a budget amendment to debit account 100.29105.7126.000 (Inquiry) and credit the Rates Equalisation Reserve Account (Funds to be used) 277.28129.7888.000 for the amount of \$150,000 to cover the costs of implementing the recommendations of The Report of the Inquiry into the City of Melville.*
- 5. authorises the Chief Executive Officer to forward the minutes (this report and resolution of the Council) to the Minister for Local Government, Sport and Cultural Industries to meet the statutory obligation contained in Section 8.14(3) of the Local Government Act 1995."*

**M19/5705 – SPECIAL MEETING OF ELECTORS HELD 12 AUGUST 2019 - MOTIONS
(REC)**

In accordance with point 5, the Minister for Local Government was advised of the Council resolutions, and provided with an extract of the Minutes of the 16 July 2019 Meeting which included a copy of the Officer report and the resolutions of the Council on this matter.

In the report presented to the Council at the July 2019 Meeting, the City detailed and responded to the all findings and opportunities for improvement highlighted in the Inquiry Report. The report also addressed noted shortcoming of the City as identified in the Inquiry Report, including the circumstance in which they occurred and any actions taken to rectify those matters, including the unauthorised purchase of the property at 50-52 Kishorn Road, Applecross, which was addressed with the Council at the time the incident occurred and fully disclosed to the Authorised Inquiry investigative team.

In the Officer report, the City recognised that there are a number of opportunities for it to better engage with the community, provide more transparency and better access to information, with outcomes and strategies including, but are not limited to:

- providing the community with better information around the legislation associated with the Local Government and its decision making processes.
- communicating the effect on the wider community and alignment with the City's community developed strategies.
- updating information available to the community on processes that are open for the community to participate in.
- consideration of alternative avenues to provide information to enable easier community access to the information listed in section 5.94 of the Act.
- continuously improving processes to respond to matters that are of community interest.
- increasing awareness of the City's complaint management processes.
- improving awareness of the extent of the City's functions, roles and responsibilities.
- improving awareness of the City's processes and procedures.
- continuing to review and improve the information accessible by the public including, on-line information, in relation to the legislation associated with Local Government and its decision making process.

These represent a desire for the City to meaningfully engage with its community, and work is progressing in this direction.

Upon the Council receiving the Inquiry Report, the City has implemented a project team to action the recommendations contained in the Report, in line with the resolutions of the Council, with the City currently in the final stages of appointing the Consultant to undertake the Governance Review as required in Recommendation 4 and 5 of the Report. The team has also progressed the appointment of an independent person to review and action on complaints as required in Recommendation 2.

The first priority of the project team is the achievement of the recommendations contained in the Inquiry Report, with many of these requiring completion prior to December 2019 and scheduling through to 2020.

**M19/5705 – SPECIAL MEETING OF ELECTORS HELD 12 AUGUST 2019 - MOTIONS
(REC)**

As a secondary priority the team is also working with the content of the report in relation to the findings to identify improvements to existing processes and procedures.

It is recognised that there is a measure of dissatisfaction with the Inquiry process or the outcomes as contained within the Inquiry Report. However, the City had no influence over the scope of the Inquiry, how the Inquiry was conducted or the findings, outcomes and recommendations of the Inquiry. The City, in the first instance is obligated to address the recommendations from the Inquiry Report, as resolved by the Council.

In relation to the motions passed at the Special Meeting of Electors the following comments are provided:

Motion 2, Part 1

The City of Melville to prepare and submit to the Minister for Local Government an Addendum to the City's response to the Minister. The Addendum to:

- 1. Acknowledge and accept that Minister Templeman's call for cultural change is appropriate and fully supported by the City;**

In terms of Section 8.14 of the Local Government Act 1995 the City provided a response to the Director General, Department of Local Government, Sport and Cultural Industries dated 28 July 2019. Attached to that letter was a copy of the Agenda and Minutes of the 16 July Meeting. In the letter and report it was stated that the Council supports the full compliance with the findings and recommendations.

The Council report provided acknowledgement and listed improvement opportunities on a number of comments made in the report, including paragraph 171, which stated that:

"A number of the recommendations will be the catalyst the organisation needs to drive a culture change which will ensure all parties are better informed, have a better understanding and ultimately more effective and positive governance."

The Administration noted in the report to the Council that the opportunity for this change was to comply with the report's recommendations fully and other opportunities listed in the said report. The City also acknowledged and accepts the need to work towards more meaningful and mutually respectful community engagement, prior to commencing projects, and when reviewing existing projects and processes.

Officer Recommendation 4

That the Council directs the CEO to prepare and submit to the Minister for Local Government an addendum to the City's response to the Director General, Department of Local Government, Sport and Cultural Industries dated 28 July 2019, advising that the Council reiterates that it acknowledges and accepts that Ministers Templeman's call for cultural change is appropriate and fully supported by the City.

**M19/5705 – SPECIAL MEETING OF ELECTORS HELD 12 AUGUST 2019 - MOTIONS
(REC)**Motion 2, Part 2

2. **Contain a list of the City’s Local Laws and Council Policies that the City will immediately review (with community consultation) with a focus on ensuring the rights of residents and ratepayers - the list to include the Local Law on Deputations and as a minimum the following Council Policies: Dealing with Unreasonable individuals, Legal representation, Question Time and on what constitutes a “direct interest”;**

It should be noted that there is no Local Law on Deputations. The Local Government Act does not provide for Deputations. Deputations are a Council consultation mechanism provided under the *City of Melville Meeting Procedures Local Law 2017*. Council at its meeting held on 27 August considered and adopted a Policy on the *Deputations to the Council* and for this to be implemented after 1 October 2019.

There is also no policy on Dealing with Unreasonable Individuals (sic) the policy is CP-0107 Managing Unreasonable Conduct by Customers.

The Legal Representation policy referred to is CP-017 *Legal Representation Policy Elected Members and Employees* and the Question Time policy is CP-014 *Public Question Time at Council and Committee Meetings*.

The City works through its Council Policies and Local Laws on a continuous basis, with these being reviewed and refined to meet the changing needs of the organisation, the community and to align with current legislation. Local Laws are governed by a legislative process which has a mandatory community consultation requirement and this is undertaken in every instance a Local Law is reviewed.

The policies mentioned have been dealt with by the Council after input by community groups by way of deputations, and approaches made to Councillors by interested groups.

In the 16 July 2019 report to Council (Item M19/5697, pages 26 of the minutes) it was stated that –

“The following four Council Policies are specifically mentioned in The Report and will continue to be monitored and reviewed within the established policy review cycle or as required, to ensure that they accurately reflect the position of the Council and provide transparency into any associated processes:

- *CP-014 - Public Question Time at Council or Committee Meetings*
- *CP-107 - Managing Unreasonable Conduct by Customers*
- *CP-017 – Legal Representation Policy Elected Members and Employees*
- *CP-101 – Complaints Management Policy.”*

Officer Recommendation 5

That the Council directs the CEO to review the following Policies and Local Laws within the established Policy and Local Law review cycles, with consideration to community consultation.

- Meeting Procedure Local Law relating to Deputations
- CP-014 Public Question Time at Council and Committee Meetings.
- CP-017 Legal representation Policy Elected Members and Employees
- CP-0107 Managing Unreasonable Conduct by Customers.

**M19/5705 – SPECIAL MEETING OF ELECTORS HELD 12 AUGUST 2019 - MOTIONS
(REC)**

Motion 2, Part 3

3. **acknowledge that the recent Authorised Inquiry has not addressed the underlying cause of ratepayer complaints, of which there are 719 service complaints in the three year period, and therefore the City is still required to address those underlying complaints;**

The resolution relates to the “underlying cause of ratepayer complaints.” In the Minister’s media statement of 27 June 2019 has stated that:

‘In accordance with the principles of natural justice, all named and affected parties were provided relevant sections of the report and offered the opportunity to comment prior to release.’

The City is mindful that continuous meaningful, mutually respectful engagement is necessary to address ongoing concerns of all ratepayers.

Officer Recommendation 6

That the Council directs the CEO to continue to work with residents and customers to address ongoing concerns of all ratepayers,

Motion 2, Part 4

4. **acknowledge the City’s failures to comply with the requirements of the Local Government Act 1995 and Local Government (Administration) Regulations 1996 and to commit to inquiring into why such failures occurred, identifying the parties/processes responsible and reporting back to Council on actions taken.**

The following findings relating to non-compliance with the Act and Regulations that were acknowledged and addressed in terms of actions to be undertaken, in the Officer report of 16 July 2019

Finding	Outcome and City’s Response
5	<p>The Presiding Member did not comply with regulation 7(2) of the Administration Regulations.</p> <p>Inquiry Outcome Improvement action required.</p> <p>City’s Response Noted.</p> <p>The Mayor reopened question time to respond to a question that had been submitted at the meeting that was unrelated to any item on the Council Agenda.</p> <p>As the member of the public, that submitted the question, was in attendance, the Mayor’s action was, at the time, seen to be in their best interest and was recorded in the minutes of that meeting.</p>

**M19/5705 – SPECIAL MEETING OF ELECTORS HELD 12 AUGUST 2019 - MOTIONS
(REC)**

Finding		Outcome and City's Response
9	There was no legislative basis for the City to request the identity of Complainant A office bearers prior to the processing of the request for information, and more professional and reasonable efforts should have been made by the City to facilitate this request through more effective means of communication.	<p>Inquiry Outcome Improvement action required.</p> <p>City's Response The City acknowledges the comment provided by the Authorised Persons at paragraph 70-72 of The Report in relation to this matter. The City will engage with an applicant with regards to an applicant's specific needs, in line with the Finding</p>
13	That the Mayor and/or the City of Melville failed to respond to requests from individuals or organisations based on the status of the organisation or individual until such time legal advice had been provided to them therefore breaching s5.96 of the LG Act.	<p>Inquiry Outcome Improvement action required.</p> <p>City's Response The finding relating to the status of the organisation or individual is noted.</p> <p>It is not clear how the Mayor is potentially in breach of s5.96 of the LG Act, this being an operational provision under Part 5 of the LG Act (Administration), Division 7 (Access to Information). The City will seek this clarity from the Department.</p>
15	The CEO did not have Council's approval to purchase 50-52 Kishorn Road, Applecross which in turn caused the administration to seek retrospective approval from council.	<p>Inquiry Outcome Improvement action required.</p> <p>City's Response The Finding 15 is accepted and the City notes that at item 134 and 135 of The Report, the Council had approved the purchase of 50-52 Kishorn Road, Applecross prior to settlement on 20 April 2017.</p> <p>With respect to this matter, prior to seeking the Council's approval to proceed to settlement, advice was sought from the Department on this unusual occurrence and was advised verbally that the proposed course of rectification action was the proper one to adopt.</p>

Officer Recommendation 7

That the Council acknowledges the City's failures to comply with the requirements of the Local Government Act 1995 and Local Government (Administration) Regulations 1996 in relation to the Inquiry Report Findings 5, 9, 13, and 15 and its undertaking to implement the required improvements to the City's processes, procedures and systems.

**M19/5705 – SPECIAL MEETING OF ELECTORS HELD 12 AUGUST 2019 - MOTIONS
(REC)****MOTION 3****The City of Melville to**

- 1. Include Bert Jeffrey Park in the Active Reserve Infrastructure Strategy (ARIS) process and stop all changes to Bert Jeffrey Park and rescind previous decisions;**
- 2. Renew the long-term lease with the Melville Bowling Club immediately;**
- 3. Confirm that the proposed review of Tompkins Park will include community and stakeholder engagement**

OFFICER COMMENTMotion 3, Part 1

Bert Jeffrey Park (BJP) is included in the Active Reserve Infrastructure Strategy. It appears the media statement may have been misunderstood. BJP is included in the work associated with the Strategy and will be considered along side all other Active Reserves in the development of the Strategy which will highlight infrastructure requirements over the next 20 years. The media statement regarding BJP was in specific reference to the project (development of an amenities building) and not the Park as a whole.

The media statement said the following:

*“It is important to note that the development of the ARIS will not impact **current projects** such as Tompkins Park, Shirley Strickland Reserve and Bert Jeffrey Park as previous Council decisions have been made in relation to these **projects.**”*

All of these Reserves will be considered in the development of the ARIS.

Any specific work/projects currently planned/approved, such as the construction of a small amenity block at BJP, would continue to be implemented. The media statement included the BJP project, plus Tompkins Park and Shirley Strickland projects that would continue to be implemented as per resolutions from the Council.

The draft Active Reserve Infrastructure Strategy report will also be available for public comment and feedback, prior to being presented to Council for adoption.

Officer Recommendation 8

The Council confirms that Bert Jeffrey Park is included in the Active Reserve Infrastructure Strategy (ARIS) process.

**M19/5705 – SPECIAL MEETING OF ELECTORS HELD 12 AUGUST 2019 - MOTIONS
(REC)**Motion 3, Part 2

The Melville Bowling Club is currently on a monthly periodic lease under 'hold over' provisions in their existing lease. It would not be prudent to enter into different lease arrangements until the Review of Tompkins Park redevelopment (Council motion Item 16.2 of the 21 May 2019 Ordinary Meeting of Council, below) project is completed and reported to the Council. The Melville Bowling Club was formally advised of this in June 2019.

Item 16.2 - Review of Redevelopment of Tompkins Park Facility, 21 May 2019 Ordinary Meeting of Council.

"That Council requests the Chief Executive Officer to:

1. *Put on hold the further implementation of the redevelopment of the Tompkins Park facility pending a review by Council of redevelopment options and community requirements for the Tompkins Park facility.*
2. *Facilitate and arrange workshops and/or EMIS meetings for Council to consider the community requirements and redevelopment options including appropriate community consultation for the Tompkins Park facility as an input into the following review of the Tompkins Park facility.*
3. *Undertake a review of options for the redevelopment of the Tompkins Park facility taking into consideration and addressing:*
 - *the change in circumstances resulting from the Surf Wave Park Ground Lease should it not proceed;*
 - *the refusal of the Melville Bowls Club to shift to a new Tompkins Park Bowls facility;*
 - *the reduction in the numbers of Mt Pleasant Bowls Club members likely to join in a new Tompkins Park Bowls facility;*
 - *the financial status of the Mt Pleasant Bowls Club;*
 - *the financial status of the Tompkins Park Community and Recreational Association;*
 - *the financial sustainability of a re-organised Tompkins Park Community and Recreational Association with and without a Function Centre and/or café business;*
 - *the requirements for additional public open space and Dunkley Ave storm flood mitigation;*
 - *any other relevant considerations.*
4. *Provide a report to Council on the results of the review of the Tompkins Park facility for Council approval before any further work proceeds."*

Officer Recommendation 9

That the Council supports the existing lease arrangements remaining in place until the Review of the Tompkins Park Redevelopment project is completed and reported to the Council.

**M19/5705 – SPECIAL MEETING OF ELECTORS HELD 12 AUGUST 2019 - MOTIONS
(REC)**Motion 3, Part 3

The review of Tompkins Park which is currently in progress does include engagement with relevant stakeholders. All Tompkins Park sporting groups, including the Melville Bowling Club, will be involved. An initial meeting was held with the Melville Bowling Club on the 30 July 2019 and officers are waiting on feedback from the Club regarding the review. Elected Member Workshops have also commenced as part of the review process as this was a resolution made by Council on 21 May 2019 (above).

Officer Recommendation 10

That the Council confirms that the review of the options for the redevelopment of Tompkins Park will include stakeholder engagement.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

The Special Meeting of Electors is a public meeting for purpose of the identified issues. The meeting was advertised in accordance with the requirements of the Local Government Act, which included the local paper, the City's noticeboards and the City's website.

II. OTHER AGENCIES / CONSULTANTS

Where applicable, external agencies have been engaged as outlined in reports referenced in this item.

STATUTORY AND LEGAL IMPLICATIONS

The Local Government Act requires that any decision made at an electors meeting are considered by the Council:

5.33. Decisions made at electors' meetings

- (1) *All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable—*
 - (a) *at the first ordinary council meeting after that meeting; or*
 - (b) *at a special meeting called for that purpose,**whichever happens first.*

- (2) *If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.*

**M19/5705 – SPECIAL MEETING OF ELECTORS HELD 12 AUGUST 2019 - MOTIONS
(REC)**

FINANCIAL IMPLICATIONS

There are no additional financial implications associated with this report. Any financial implications associated with resolutions of the Council have been detailed in the reports referenced.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk	Risk Mitigation Strategy
<p>The risks relating to the matters raised at the Special Meeting of Electors are considered and reported in the various Council reports on each matter.</p> <p>This report satisfies the compliance requirements in relation to the Council considering decision made at the Special Meeting of Electors</p>	N/a	N/a

POLICY IMPLICATIONS

There are no additional policy implications associated with this report, any policy implications associated with resolutions of the Council have been detailed in the reports referenced.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The Council is required by the *Local Government Act 1995* to consider any motions passed at a General Meeting of Electors.

CONCLUSION

Officers have provided comments on individual motions carried at the Special Meeting of Electors held 12 August 2019. This report recommends that the associated officer comments be considered.

Procedural Motion

At 8:09pm Cr Kepert moved, seconded

Request for deferral of the item in its entirety.

LAPSED FOR WANT OF A SECONDER

**M19/5705 – SPECIAL MEETING OF ELECTORS HELD 12 AUGUST 2019 - MOTIONS
(REC)**

At 8:12pm the Chief Executive Officer advised that in accordance with section 5.33(1) of the *Local Government Act 1995*, the decisions made at the Special Meeting of Electors held 12 August 2019 need to be considered, and cautioned against deferring the matters without consideration. Based on this, the procedural motion for a deferral of the item lapsed for want of a seconder.

Prior to discussion and debate on the matter, it was agreed to consider each recommendation would be considered individually.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5705) APPROVAL

That the Council, acknowledges Motion 1 from the Special Meeting of Electors held 12 August 2019 as being:

“That the City of Melville Council:

- 1. Rejects the proposed Draft Local Planning Policy 1.18: Canning Bridge Activity Centre Plan (CBACP), due to its failure to properly address the Community’s and Council’s expressed concerns with the height limits being approved within the CBACP.*
- 2. Requires the CEO to immediately initiate a comprehensive review of the CBACP, commencing with presentation of a detailed Project Plan prepared with Community consultation and which includes the appointment of external experts to assist the City in conducting and completing the review.*
- 3. Immediately withdraws the delegated authority that authorises the City’s planners to submit Responsible Authority Reports (RARs) to the JDAP (without Council approval) and instructs the CEO to present all RARs to Council for final approval before being submitted to JDAP.”*

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5705/1) APPROVAL

At 8:15pm Cr Wieland moved, seconded Cr Robins –

In respect to Motion 1, the Council:

- 1 notes that at the Ordinary Meeting of Council held on 20 and 27 August 2019 (Item P19/3810 – Adoption of Local Planning Policy – Canning Bridge Activity Centre – Bonus Building Height Provisions) the Council resolved to not proceed with the Draft Local Planning Policy LPP 1.18 Canning Bridge Activity Centre Plan – Bonus Building Heights Provision and to initiate a review of the Canning Bridge Structure Plan.**

At 8:16pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (13/0)

**M19/5705 – SPECIAL MEETING OF ELECTORS HELD 12 AUGUST 2019 - MOTIONS
(REC)**

At 8:19pm Cr Wieland moved, seconded Cr Macphail –

- 2 notes and confirms the resolution of the Council of the Ordinary Meeting of Council held on 20 and 27 August 2019 Item P19/3817 – Review of Canning Bridged Activity Centre Plan – Project Scope.**

Procedural Motion

At 8:23pm Cr Pazolli moved, seconded Cr Kepert

That item 2 be deferred until the November 2019 Ordinary Meeting of Council.

At 8:24pm Ms Young left the meeting and returned at 8:26pm.

At 8:27pm during the discussion and debate the Mayor declared a financial interest in the matter and left the meeting.

At 8:27pm the Deputy Mayor assumed the Chair.

At 8:28pm during the discussion and debate Cr Barton declared an interest under the Code.

Procedural Motion

At 8:23pm Cr Pazolli moved, seconded Cr Kepert

That item 2 be deferred until the November 2019 Ordinary Meeting of Council.

At 8:34pm the Presiding Member submitted the motion, which was declared

LOST (4/8)

Vote Result Summary	
Yes	4
No	8

Vote Result Detailed	
Cr Barton	Yes
Cr Kepert	Yes
Cr Mair	Yes
Cr Pazolli	Yes
Cr Macphail	No
Cr Phelan	No
Cr Robartson	No
Cr Robins	No
Cr Wheatland	No
Cr Wieland	No
Cr Woodall	No
Cr Barling	No

**M19/5705 – SPECIAL MEETING OF ELECTORS HELD 12 AUGUST 2019 - MOTIONS
(REC)****Amendment**

At 8:35pm Cr Pazolli moved, seconded

That the following words be included at the end of the recommendation:

“...and directs the CEO to expedite the contracting of the outsourced components of the motion part 2C, to commence the work on the reviews.”

At 8:37pm Cr Pazolli withdrew his amendment.

At 8:37pm Mr McCarthy left the meeting and returned at 8:39pm

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5705/2) APPROVAL

At 8:19pm Cr Wieland moved, seconded Cr Macphail –

- 2 notes and confirms the resolution of the Council of the Ordinary Meeting of Council held on 20 and 27 August 2019 Item P19/3817 – Review of Canning Bridged Activity Centre Plan – Project Scope.**

At 8:38pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (13/0)

At 8:38pm the Deputy Mayor, Cr Barling relinquished the Chair.

At 8:38pm the Mayor returned to the meeting and assumed the Chair

OFFICER RECOMMENDATION (5705/3) APPROVAL

At 8:39pm Cr Robartson moved, seconded Cr Wieland –

- 3 That the Council supports that the delegated authority that authorises the City’s planners to submit Responsible Authority Reports (RARs) to the JDAP (without Council approval) not be withdrawn as this would be inconsistent with the provisions of the Planning and Development (Development Assessment Panels) Regulations 2011, as explained in the guidance provided by the State Development Assessment Panel Practice Notes 2018 (relating to Regulation 12).**

**M19/5705 – SPECIAL MEETING OF ELECTORS HELD 12 AUGUST 2019 - MOTIONS
(REC)**

COUNCIL RESOLUTION

Procedural Motion

At 8:39pm Cr Pazolli moved, seconded Cr Kepert

That the matter be deferred to the November 2019 Ordinary Meeting of Council and request the CEO obtain legal advice on the validity of the withdrawal of the delegation and if Council is able to withdraw the delegation an indication of how the Council can provide an RAR report.

At 8:41pm the Mayor submitted the motion, which was declared

CARRIED (7/6)

Vote Result Summary	
Yes	7
No	6

Vote Result Detailed	
Cr Barton	Yes
Cr Kepert	Yes
Cr Mair	Yes
Cr Pazolli	Yes
Cr Wheatland	Yes
Cr Woodall	Yes
Mayor	Yes
Cr Barling	No
Cr Macphail	No
Cr Phelan	No
Cr Robartson	No
Cr Robins	No
Cr Wieland	No

**M19/5705 – SPECIAL MEETING OF ELECTORS HELD 12 AUGUST 2019 - MOTIONS
(REC)****OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5705) APPROVAL**

That the Council, acknowledges Motion 2 from the Special Meeting of Electors held 12 August 2019 as being:

“The City of Melville to prepare and submit to the Minister for Local Government an Addendum to the City’s recent response to the Minister. The Addendum to:

- 1. acknowledge and accept that Minister Templeman’s call for cultural change is appropriate and fully supported by the City;*
- 2. contain a list of the City’s Local Laws and Council Policies that the City will immediately review (with community consultation) with a focus on ensuring the rights of residents and ratepayers - the list to include the Local Law on Deputations and as a minimum the following Council Policies: Dealing with Unreasonable individuals, Legal representation, Question Time and on what constitutes a “direct interest”;*
- 3. acknowledge that the recent Authorised Inquiry has not addressed the underlying cause of ratepayer complaints, of which there are 719 service complaints in the three year period, and therefore the City is still required to address those underlying complaints;*
- 4. acknowledge the City’s failures to comply with the requirements of the Local Government Act 1995 and Local Government (Administration) Regulations 1996 and to commit to inquiring into why such failures occurred, identifying the parties/processes responsible and reporting back to Council on actions taken”.*

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5705/4) APPROVAL

At 8:42pm Cr Robins moved, seconded Cr Macphail–

In respect to Motion 2, the Council:

- 4 directs the Chief Executive Officer to prepare and submit to the Minister for Local Government an addendum to the City’s response to the Director General, Department of Local Government, Sport and Cultural Industries dated 28 July 2019, advising that the Council reiterates that it acknowledges and accepts that Ministers Templeman’s call for cultural change is appropriate and fully supported by the City;**

At 8:43pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (13/0)

**M19/5705 – SPECIAL MEETING OF ELECTORS HELD 12 AUGUST 2019 - MOTIONS
(REC)**

OFFICER RECOMMENDATION (5705/4)

APPROVAL

At 8:43pm Cr Barling moved, seconded Cr Robins–

5 directs the Chief Executive Officer to review the following Policies and Local Law within the established Policy and Local Law review cycles, with consideration to community consultation;

- **Meeting Procedure Local Law relating to Deputations**
- **CP-014 Public Question Time at Council and Committee Meetings.**
- **CP-017 Legal representation Policy Elected Members and Employees**
- **CP-0107 Managing Unreasonable Conduct by Customers**

Procedural Motion

At 8:43pm Cr Kepert moved, seconded Cr Pazolli

That the matter be deferred to the November 2019 Ordinary Meeting of Council.

At 8:44pm the Mayor submitted the motion, which was declared

LOST (5/8)

Vote Result Summary	
Yes	5
No	8

Vote Result Detailed	
Cr Barton	Yes
Cr Kepert	Yes
Cr Mair	Yes
Cr Pazolli	Yes
Cr Wheatland	Yes
Cr Barling	No
Cr Macphail	No
Cr Phelan	No
Cr Robartson	No
Cr Robins	No
Cr Wieland	No
Cr Woodall	No
Mayor	No

**M19/5705 – SPECIAL MEETING OF ELECTORS HELD 12 AUGUST 2019 - MOTIONS
(REC)****OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5705/5) APPROVAL**

At 8:43 Cr Barling moved, seconded Cr Robins –

- 5 directs the Chief Executive Officer to review the following Policies and Local Law within the established Policy and Local Law review cycles, with consideration to community consultation;**
- Meeting Procedure Local Law relating to Deputations**
 - CP-014 Public Question Time at Council and Committee Meetings.**
 - CP-017 Legal representation Policy Elected Members and Employees**
 - CP-0107 Managing Unreasonable Conduct by Customers**

At 8:47pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (13/0)

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5705/6) APPROVAL

At 8:48 Cr Robins moved, seconded Cr Macphail –

- 6 directs the Chief Executive Officer to continue to work with residents and customers to address ongoing concerns of all ratepayers; and**

At 8:51pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (13/0)

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5705/7) APPROVAL

At 8:52pm Cr Barling moved, seconded Cr Macphail–

- 7 acknowledges the City's failures to comply with the requirements of the *Local Government Act 1995* and *Local Government (Administration) Regulations 1996* in relation to the Inquiry Report Findings 5, 9, 13, and 15 and its undertaking to implement the required improvements to the City's processes, procedures and systems.**

At 8:52pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (13/0)

**M19/5705 – SPECIAL MEETING OF ELECTORS HELD 12 AUGUST 2019 - MOTIONS
(REC)****OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5705/3) APPROVAL**

That the Council, acknowledges Motion 3 from the Special Meeting of Electors held 12 August 2019 as being:

“The City of Melville to

- (1) Include Bert Jeffrey Park in the Active Reserve Infrastructure Strategy (ARIS) process and stop all changes to Bert Jeffrey Park and rescind previous decisions;*
- (2) Renew the long-term lease with the Melville Bowling Club immediately;*
- (3) Confirm that the proposed review of Tompkins Park will include community and stakeholder engagement.”*

In respect to Motion 3, the Council:

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5705/8) APPROVAL

At 8:52pm Cr Macphail moved, seconded Cr Wieland –

- 8 confirms that Bert Jeffrey Park is included in the Active Reserve Infrastructure Strategy (ARIS) Process.**

At 8:52pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (13/0)

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5705/9) APPROVAL

At 8:52pm Cr Wieland moved, seconded Cr Robartson –

- 9 supports the existing lease arrangements remaining in place until the Review of the Tompkins Park Redevelopment project is completed and reported to the Council.**

At 8:54pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (13/0)

**M19/5705 – SPECIAL MEETING OF ELECTORS HELD 12 AUGUST 2019 - MOTIONS
(REC)****OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5705/10) APPROVAL**

At 8:54pm Cr Wieland moved, seconded Cr Robins –

- 10 confirms that the review of the options for the redevelopment of Tompkins Park will include stakeholder engagement.**

At 8:54pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (13/0)

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5705/11) APPROVAL

At 8:54pm Cr Wheatland moved, seconded Cr Robins –

- 11 directs the Chief Executive Officer to inform the movers of the motions of the Council's decisions in writing.**

At 8:55pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (13/0)

At 8:55pm the Mayor adjourned the meeting.

At 9:02pm the Mayor resumed the meeting.

14.1 ITEM FROM THE FINANCIAL MANAGEMENT, AUDIT, RISK AND COMPLIANCE COMMITTEE MEETING 11 MARCH 2019

M19/5696 – FINANCIAL MANAGEMENT REVIEW REPORT (REC) (CONFIDENTIAL ATTACHMENT)

Ward : All
 Category : Operational
 Subject Index : Audits - External
 Customer Index : Moore Stephens
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : Item M16/5478 – Financial Management Review Report 10 May 2016
 Works Programme : Not Applicable
 Funding : 2018/2019 Budget
 Responsible Officer : Ken Wan
 Process Improvement Auditor

AUTHORITY / DISCRETION

DEFINITION

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

M19/5696 – FINANCIAL MANAGEMENT REVIEW REPORT (REC) (CONFIDENTIAL ATTACHMENT)**KEY ISSUES / SUMMARY**

- Chief Executive Officers (CEO's) are required by legislation to undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every three financial years (previously four years) and report to the local government the results of those reviews.
- This report contains the results of a recently conducted independent review undertaken by Moore Stephens, an external consultant.
- The review identified 10 areas for improvement. The risk weighting of their 10 findings are summarised as follows:
Minor Risk – Four – Opportunities for Improvement
Moderate Risk – Six – Management action required within a reasonable period of time.
High Risk – Zero
- The six findings with Moderate risk weighting are:
 1. Purchase orders should be sent to all suppliers;
 2. Credit card holders should review and sign the credit card transactions report as soon as possible;
 3. Listing of credit card transactions should be reported in the list of payments presented to Council;
 4. Fixed asset reconciliations should be signed and dated by senior staff as evidence of review;
 5. Appropriate IT training should be provided at least on an annual basis; and
 6. Issues in the Leisure Fit Centres have not all been addressed.
- Most recommendations are considered to be refinements of the existing controls and will be implemented over the next three months. Items five and six are scheduled to be completed by June 2020. The progress of implementation will be tracked by the Process Improvement Auditor until completion.
- Moore Stephens will present this Report to the Financial Management, Audit, Risk and Compliance Committee (FMARCC) and answer any questions the FMARCC may have in relation to the Report.

BACKGROUND

The objective of this three yearly financial management review is to assist the Chief Executive Officer in discharging his responsibility to undertake a review of the appropriateness and effectiveness of the financial management systems and procedures of the City as required by Regulation 5(2)(c) of the *Local Government (Financial Management) Regulations 1996*.

Moore Stephens was appointed to conduct the financial management review in April 2019 and the report was finalised in July 2019 and is now tabled for review by the FMARCC.

M19/5696 – FINANCIAL MANAGEMENT REVIEW REPORT (REC) (CONFIDENTIAL ATTACHMENT)

DETAIL

Mr Greg Godwin, partner of Moore Stephens, addressed the FMARCC on 19 August 2019 to present the findings and recommendations of this review and answer any questions the FMARCC may have.

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

No community consultation has been carried out.

II. OTHER AGENCIES / CONSULTANTS

No external consultation with other agencies has been carried out.

External consultant Moore Stephens was engaged to conduct this review.

STATUTORY AND LEGAL IMPLICATIONS

Regulation 5(2)(c) of the *Local Government (Financial Management) Regulations 1996* requires the CEO to undertake a review of the appropriateness and effectiveness of the financial management systems and procedures of the Local Government Council regularly (and not less than once in every three financial years) and report to the Local Government the results of those reviews.

It should be noted that this Regulation was amended and gazetted in June 2018 changing the frequency of review from once in every four years to once in every three years.

FINANCIAL IMPLICATIONS

A budget of \$25,000 had been provided for this review and the actual cost was \$24,000.

STRATEGIC AND RISK MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk	Risk Mitigation Strategy
Financial and compliance objectives may not be achieved if core financial systems are not regularly reviewed to ensure they remain relevant and effective.	Initial Risk – Medium Residual Risk (after risk mitigation strategy) - Low	Engage independent professionals to critically evaluate the City's core financial systems once every three years.

M19/5696 – FINANCIAL MANAGEMENT REVIEW REPORT (REC) (CONFIDENTIAL ATTACHMENT)**POLICY IMPLICATIONS**

There are no direct policy implications associated with this report.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

No alternative options are presented as part of this report.

CONCLUSION

The review confirms that the City's financial systems and procedures are compliant in 16 of the areas audited and identified four key matters of a minor rating as opportunities for improvement and six areas of a moderate rating that require further management action within a reasonable time period. Management has undertaken to action those improvements that are necessary prior to 30 June 2020.

COMMITTEE AND COUNCIL RESOLUTION (5696)**APPROVAL**

That the Financial Management, Audit, Risk and Compliance Committee recommends to the Council that the report on the review into the City's financial management systems and procedures by Moore Stephens be adopted.

At 9:07pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (13/0)

14.2 REPORTS OF THE CHIEF EXECUTIVE OFFICER

P19/3809 - REVIEW OF LOCAL PLANNING POLICY 1.2 ARCHITECTURAL AND URBAN DESIGN ADVISORY PANEL AND COUNCIL POLICY 68 STREET NUMBERING (REC) (ATTACHMENT)

Ward : All
 Category : Operational
 Application Number : None
 Property : None
 Proposal : Review Of Local Planning Policy 1.2 Architectural And Urban Design Advisory Panel And Council Policy 68 Street Numbering
 Applicant : N/A
 Owner : N/A
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : P16/3718 Review of Planning Policies
 Responsible Officer : PeterPrendergast
 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"/>	Legislative	<i>Includes adopting local laws, town planning schemes & policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
<input type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

P19/3809 - REVIEW OF LOCAL PLANNING POLICY 1.2 ARCHITECTURAL AND URBAN DESIGN ADVISORY PANEL AND COUNCIL POLICY 68 STREET NUMBERING (REC) (ATTACHMENT)**KEY ISSUES / SUMMARY**

- Design WA is a State Government initiative to ensure good design is at the centre of all development in Western Australia. As a part of Stage 1 of this project a number of documents have been produced including the Design Review Guide, which provides guidance on the operation of design review panels.
- Local Planning Policy 1.2 Architectural and Urban Design Advisory Panel (LPP1.2) is proposed to be renamed to Local Planning Policy 1.2 'Design Review Panel'. It is also proposed to amend the document so that it refers to the Design Review Guides and to provide specific guidance for the operation for the City of Melville Design Review Panel where required.
- The Planning and Development (Local Planning Scheme) Regulations 2015 (the Regulations) outline the process for amending local planning policies. The proposed changes are considered to be minor in nature and therefore are not required to be advertised.
- Council Policy CP-068 Street Numbering was first adopted in 2011 and exists to ensure a consistent approach to street numbering in the City Of Melville. Minor modifications are proposed to improve the administration of this policy particularly with regard to corner lots, apartment development and the decision making process.
- At the March 2019 Ordinary Council Meeting, a motion was passed which directed the CEO to investigate changes to CP-068 Street Numbering in order to clarify the City's approach in relation to numbering of corner lots, including a diagrammatical explanation. The policy has been updated to respond to this request.
- The proposed changes are considered to be minor in nature and therefore it is recommended that these are adopted by Council without modification.

It is recommended that the minor changes to the policies are adopted by Council and an advertisement placed in the local newspaper and on the City's website to inform customers of these changes.

BACKGROUND

The policies, referred to in this report have been operational for a number of years and have been the subject of regular review to ensure they meet the City's requirements.

At the March Ordinary Council Meeting (Item 16.2), Council resolved that:

The Council directs the CEO to investigate an amendment to Street Numbering Policy CP– 068 regarding allocation of street numbers for new properties that arise from the subdivision of corner lots. The amendment is to include diagrammatical explanations of new street numbering allocations that arise from the subdivision of corner lots. Amendments to the policy are to be presented in a report to Council for final approval.

**P19/3809 - REVIEW OF LOCAL PLANNING POLICY 1.2 ARCHITECTURAL AND URBAN DESIGN ADVISORY PANEL AND COUNCIL POLICY 68 STREET NUMBERING (REC)
(ATTACHMENT)****DETAIL**Local Planning Policy 1.2 Architectural and Urban Design Advisory Panel (LPP1.2)

Design WA is a State Government initiative to ensure good design is at the centre of all development in Western Australia. As a part of Stage 1 of this project a number of documents have been produced including the Design Review Guide, which provides guidance on the operation of design review panels.

The following changes to LPP 1.2 are proposed:

- Rename to Local Planning Policy 1.2 Design Review Panel. Design Review Panel is the name used across the Design WA suite of documents; this name change will improve clarity and consistency.
- Modify the policy background to make reference to history of design review in the City of Melville and to acknowledge Design WA.
- Update the policy objectives to refer to the Design Review Guide produced by the state government and to clarify that the role of this policy is to augment the state government position to make provision for the City Of Melville's specific requirements.
- Removal of clauses which are covered by the Design Review Guide.
- Simplifying the policy, in particular the types of development which will be presented to the Design Review Panel.

These changes are administrative in nature and do not impact on the operation of the LPP. It is therefore recommended that these changes are approved by Council without advertising as is permitted by the Planning and Development (Local Planning Scheme) Regulations 2015.

[3809 LPP1.2 Design Review Panel](#)[Council Policy CP-068 Street Numbering](#)

Under the provisions of the Local Government Act, the City has the power to assign street numbers to properties within its boundaries. The Local Law relating to Street Numbering provides further detail in relation to matters such as the assignment of street numbers to properties, the display of street numbers, offences and penalties. Clause 2 of the Local Law relating to Street Numbering states that the local government shall assign a street number which allows of unambiguous and easy identification of a lot. It also provides the Local Government with the power to renumber an existing lot when required.

Council Policy CP-068 Street Numbering (CP-068) augments the provisions of the relevant Australian Standard in order to provide extra clarity for the community and for decision makers. Street numbers are generally assigned by the City at the subdivision clearance stage of development, however for grouped and multiple dwellings provisional street numbering may be granted at the built strata or development approval stage.

P19/3809 - REVIEW OF LOCAL PLANNING POLICY 1.2 ARCHITECTURAL AND URBAN DESIGN ADVISORY PANEL AND COUNCIL POLICY 68 STREET NUMBERING (REC) (ATTACHMENT)

The following changes to CP-068 are proposed:

- Provide further clarity regarding the default position for the numbering of corner lots the application of suffixes to corner lots and with regard to street numbering for apartment development in Clause 2.2.
- The provision of a diagram to explain the default numbering for corner lot subdivision.
- Modify Clause 4.3 to reflect to clearly indicate the process outlined in Local Planning Policy 1.1 Planning Process and Decision Making applies.

These changes will result in greater clarity for staff and customers. The changes are considered to be administrative in nature and therefore are recommended to be approved without consultation.

[3809 CP-068 Street Numbering](#)**STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

The *Regulations* came into effect on 19 October 2015. Clause 5 of Schedule 2 of the Regulations contains requirements for amending a local planning policy. In accordance with subclause 5(2) the local government may amend a local planning policy without advertising if in the opinion of the local government the proposed changes are minor in nature. In this instance the changes to the policy are of an administrative nature to reflect the current planning framework and advertising of the policy is not recommended.

II. OTHER AGENCIES / CONSULTANTS

Clause 4(4) of Schedule 2 of the Regulations requires that Council advise the Western Australian Planning Commission (WAPC) if it is of the opinion that it is inconsistent with any State Planning Policy. The proposed changes are of an administrative nature only and do not change the intent or operation of the policies. Therefore the WAPC is not required to be consulted.

STATUTORY AND LEGAL IMPLICATIONS

Local planning policies augment the provisions of Local Planning Scheme No.6 and provide a sound basis for planning decisions. Provided a policy is soundly based, they are given strong regard when a decision is under review in the State Administrative Tribunal. Council Policy CP-68 Street Numbering augments AS/NZS Standard 4819:2003: Geographic information – Rural and urban addressing to provide extra clarity for customers and decision makers. The proposed minor modifications to Local Planning Policy 1.2 and CP68 will improve the operations of the City.

P19/3809 - REVIEW OF LOCAL PLANNING POLICY 1.2 ARCHITECTURAL AND URBAN DESIGN ADVISORY PANEL AND COUNCIL POLICY 68 STREET NUMBERING (REC) (ATTACHMENT)**FINANCIAL IMPLICATIONS**

There are no financial implications for the City which result from this report.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

Local Planning Policy 1.2 and Council Policy 68 are proposed to be updated as detailed above.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Council could resolve to require the modifications to the existing policies to be advertised to the community.

This is not recommended as it is considered the changes are minor in nature and will not impact on the objectives or operations of the City.

CONCLUSION

The report recommends minor modifications to Local Planning Policy 1.2 Architectural and Urban Design Panel and Council Policy 68 Street Numbering CP to improve the administration of these policies and the overall customer experience.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3809) APPROVAL

That the Council resolves:

- 1) To amend Local Planning Policy 1.2 Architectural and Urban Design Panel as detailed in the attached policy.**
- 2) To amend Council Policy 68 Street Numbering as detailed in the attached policy.**
- 3) To endorse the minor modifications of Local Planning Policy 1.2 Architectural and Urban Design Panel and Council Policy 68 Street Numbering without advertising as permitted by Clause 5 of the Planning and Development (Local Planning Schemes) Regulations 2015.**
- 4) To endorse the publication of a notice in the local newspaper to give effect to these amendments.**

At 9:07pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (13/0)

Disclosures of Interest

Member	Mr M Tieleman
Type of Interest	Proximity Interest
Nature of Interest	Owns property across from Blue Gum Reserve
Request	Leave
Decision	Leave

At 9:03pm Mr Tieleman, Chief Executive Officer, having declared and interest in the item left the meeting.

T19/3814 – DEMOLITION OF BLUE GUM LAKE PUMP STATION 1 (REC)

Ward	: Applecross/MountPleasant
Category	: Strategic
Subject Index	: Blue GumLake
Customer Index	: City of Melville
Disclosure of any Interest	: Chief Executive Officer, Mr Marten Tieleman declares a proximity interest as he owns a property across the road from Blue Gum Lake
Previous Items	: None
Works Programme	: NotApplicable
Funding	: Community Facilities Reserve
Responsible Officer	: Mario Murphy – Manager CityBuildings

AUTHORITY / DISCRETION

DEFINITION

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

T19/3814 – DEMOLITION OF BLUE GUM LAKE PUMP STATION 1 (REC)**KEY ISSUES / SUMMARY**

- Delegated Authority 'DA-090 Grant of Demolition Permit' grants authority to the Chief Executive Officer to approve demolition permits in accordance with relevant sections of the *Building Act 2011*, *Building and Construction Industry Training Levy Act 1990* and the *Heritage Act 1990* except that Council approval is required for demolition of buildings on property owned by the City of Melville.
- This report recommends that the Council approve the demolition of the Blue Gum Lake Pump Station 1, Moolyeen Road, Mount Pleasant.
- A flood assessment of the Booragoon and Blue Gum Lakes has identified that there is sufficient capacity in the lakes to contain the rainfall generated in a 100 year storm event. The pump station at Blue Gum Lake, which is a Council owned property and is in a dilapidated condition, is therefore no longer required to transfer overflow to the Swan River.
- The demolition works for the above is to be undertaken by the City and is funded from the carry forward of the \$30,000 budget to repair the roof of the pump station.

BACKGROUND

Delegated Authority 'DA-090 Grant of Demolition Permit' grants authority to the Chief Executive Officer to approve demolition permits in accordance with relevant sections of the *Building Act 2011*, *Building and Construction Industry Training Levy Act 1990* and the *Heritage Act 1990* except that Council approval is required for demolition of buildings on property owned by the City of Melville.

The Blue Gum Lake Pump Station is owned by the City and was constructed in the 1970s forming part of the pumping infrastructure linking Booragoon Lake, Blue Gum Lake and the Swan River. This pumping infrastructure was utilised during large rainfall events to transfer water from Booragoon Lake to Blue Gum Lake and then to a discharge point in the Swan River. As a result of our drying climate the need for the infrastructure has subsided with the Blue Gum Lake Pump Station non-operational for almost 20 years.

The building fabric, particularly the roof, and the pumping equipment are in poor condition. The 2017 - 2018 Capital Works Programme included \$30,000 budget to replace the roof of the building. It was decided to postpone the replacement of the roof while the City carried out a flood assessment of Booragoon and Blue Gum Lakes to determine whether the infrastructure is still required. This assessment is complete and recommends that the Blue Gum Lake Pump Station can be demolished.

T19/3814 – DEMOLITION OF BLUE GUM LAKE PUMP STATION 1 (REC)

DETAIL

The City appointed engineering consultant, Cardno, to carry out a flood assessment of Booragoon and Blue Gum Lakes. The flood assessment found that the combined capacity of Booragoon and Blue Gum Lakes is sufficient to contain the rainfall generated during a critical 100 year storm event. There is no risk of overtopping to Blue Gum Lake during such an event and therefore no flood risk to neighbouring properties. There is therefore no requirement to maintain a pump station at Blue Gum Lake to transfer overflow to the Swan River, and the report recommends that the existing station can be demolished.



The building is a utilitarian pumping station, in poor condition and with no opportunity to repurpose for community uses. Demolition will remove the City's ongoing maintenance liability for the building. The City proposes to appoint a demolition contractor to demolish the building in late 2019. The existing budget to repair the roof of the pump station will be transferred to cover the costs of demolishing the building and reinstating the verge. The original budget was funded by the Community Facilities Reserve and therefore is an appropriate reserve to fund the demolition.

T19/3814 – DEMOLITION OF BLUE GUM LAKE PUMP STATION 1 (REC)**STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

The pumping station is in very poor condition with no opportunity to repurpose for community benefit. Engagement with the community was therefore not deemed necessary for the demolition of this asset. Upon approval of demolition and prior to the works commencing, the surrounding properties will be informed of the impending demolition works to be undertaken. The site will be reinstated to a condition consistent with existing verge area around this section of the lake.

II. OTHER AGENCIES / CONSULTANTS

Engineering consultant, Cardno, prepared the flood assessment for Booragoon and Blue Gum Lake.

STATUTORY AND LEGAL IMPLICATIONS

Delegated Authority 'DA-090 Grant of Demolition Permit' requires any property (Buildings) owned by the City of Melville and recommended for demolition, to be referred to the Council for approval, prior to demolition.

FINANCIAL IMPLICATIONS

The cost of demolition of the Blue Gum Lake Pump Station is estimated at approximately \$30,000.

The original budget for the roof repair was adopted in the 2017-2018 Capital Works Programme funded from the Community Facilities Reserve. The funds were carried forward to 2018-2019 and remained unspent. The funds have now been carried to the 2019-2020 financial year. The Community Facilities Reserve is the appropriate reserve to fund the demolition works.

The Pump Station building has a Written Down Value of \$36,717.38 in the Finance Asset Register. Both the demolition cost and the Written Down Value will be considered as loss of disposal in the financial statement.

T19/3814 – DEMOLITION OF BLUE GUM LAKE PUMP STATION 1 (REC)

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

While the building is adjacent to Blue Gum Lake the demolition works and reinstatement will only pertain to the building envelope. A hazardous materials report will be undertaken prior to the demolition to determine if there is any asbestos material. If so it must be dealt with by a licensed contractor in the prescribed manner. Any infrastructure extending beyond the building envelope, for example the inlet pipe at the edge of the lake, will be left in situ to avoid disturbance to the lake and fringing vegetation.

Risk Statement	Level of Risk	Risk Mitigation Strategy
Risk to environment, particularly the Blue Gum Lake during/following demolition works	Major consequences which are possible, resulting in a High level of risk.	The following conditions will apply to the contractor undertaking the demolition works: <ul style="list-style-type: none"> • All demolition works restricted to the building envelope. • Back fill pump pit only with certified dieback free clean fill • All works will be required to be undertaken during dry conditions to avoid any run-off
Risk Statement	Level of Risk	Risk Mitigation Strategy
Risk of injury to public during/following demolition activities.	Major consequences which are possible, resulting in a High level of risk.	A contractor undertaking works will be required to provide safe work practices and a management plan that would include activities such as; Traffic Management Plan, security fencing, Job Safety Analyses, all required tickets etc. Once demolition is complete the site will be reinstated to a condition consistent with the surrounding verge.

POLICY IMPLICATIONS

There are no Policy implications associated with this report apart from CP-023 Procurement of Products or Services Policy which would apply should the decision be made by the Council to approve the demolition.

T19/3814 – DEMOLITION OF BLUE GUM LAKE PUMP STATION 1 (REC)**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Council could choose not to approve the demolition of the Pump Station. Implications would include requirement to replace the existing dilapidated roof and ongoing maintenance costs.

CONCLUSION

A recent flood assessment has concluded that the pump station at Blue Gum Lake is no longer required and can be demolished. The building is in poor condition and offers no opportunity for repurpose for community benefit.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3814) APPROVAL

At 9:04pm Cr Robartson moved, seconded Cr Macphail –

That the Council approves the demolition of the Blue Gum Lake (Reserve 25562) Pump Station 1, Moolyeen Road, Mount Pleasant.

At 9:04pm the Mayor submitted the motion, which was declared
CARRIED UNANIMOUSLY (13/0)

At 9:04pm Mr Tieleman returned to the meeting.

T19/3821 - PRE-QUALIFIED PANEL FOR THE SUPPLY OF REFURBISHMENT SERVICES FOR A TWO YEAR TERM WITH OPTION PERIODS (REC) (CONFIDENTIAL ATTACHMENT)

Ward : All
 Category : Operational
 Subject Index : Tenders
 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 : NotApplicable
 Works Programme : Refurbishment Capital Programme
 Funding : Approximately \$1,000,000 per year but subject to change each year depending on the capital program
 Responsible Officer : Mario Murphy
 Manager City Buildings

AUTHORITY / DISCRETION

DEFINITION

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

T19/3821 - PRE-QUALIFIED PANEL FOR THE SUPPLY OF REFURBISHMENT SERVICES FOR A TWO YEAR TERM WITH OPTION PERIODS (REC) (CONFIDENTIAL ATTACHMENT)**KEY ISSUES / SUMMARY**

To recommend the acceptance of the applications as contained in the confidential attachment T19/3821 P181903 Contract and Tender Advisory Unit Minutes.

BACKGROUND

The City is seeking to establish a suitably qualified and experienced Panel of Pre-qualified Suppliers for the supply of building refurbishment services for an initial term of two years with three additional 12 month option periods which will be exercised at the sole discretion of the City.

The City intends to divide the Panel into three categories. The Respondents could apply for one or more categories.

- Category 1 – Heritage \$25,000 To \$550,000
- Category 2 – General \$25,000 To \$200,000
- Category 3 – General \$200,001 To \$550,000

Unless directed otherwise by the City's Representative, works the City believes (at its sole discretion) fall in the following categories are excluded from the Panel.

- New buildings
- Design and construct projects
- Maintenance work
- Specialist work
- Works requiring a single trade
- Projects below \$25,000
- Projects over \$550,000

DETAIL

Qualitative scores were achieved by joint agreement of the evaluation panel members at the evaluation meeting after each panel member had scored the submission individually. The City set four qualitative criteria for this Request, being Demonstrated Experience, Key Personnel & Subcontractors, Management Systems and Social Responsibility.

Respondents were not evaluated on price due to the unique nature of each refurbishment project. Each refurbishment project will be quoted by all relevant Pre-qualified Suppliers and value for money will be independently assessed for each individual project.

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

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

The Evaluation Report and associated confidential attachments were distributed to Elected Members on 30 August 2019 under confidential cover.

T19/3821 - PRE-QUALIFIED PANEL FOR THE SUPPLY OF REFURBISHMENT SERVICES FOR A TWO YEAR TERM WITH OPTION PERIODS (REC) (CONFIDENTIAL ATTACHMENT)

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

No stakeholder engagement has been required or undertaken for this panel.

II. OTHER AGENCIES / CONSULTANTS

No external agencies or consultants were required or engaged for this panel.

STATUTORY AND LEGAL IMPLICATIONS

Local Government (Functions and General) Regulations 1996 24AB “A local government may establish a panel of pre-qualified suppliers to supply particular goods or services to the local government”.

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

FINANCIAL IMPLICATIONS

Total Panel Value	Approximately \$1,000,000 per year but subject to change each year depending on the capital program.
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STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

The provision of these services has no major strategic implications or major environmental implications.

There are no residual risk implications following the invitation and evaluation process conducted for this item. Actions taken to address identified risks are included in the table attached as Confidential Attachment – Evaluation Report Appendix C.

POLICY IMPLICATIONS

CP-023 Procurement of Products or Services

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The City could advertise all refurbishment projects individually, however this might result in a missed opportunity to improve time frames, improve working relations with suppliers and decrease risks linked with using unknown suppliers.

CONCLUSION

The CTAU is satisfied that the recommended applicants have demonstrated that they have the necessary demonstrated experience, key personnel & subcontractors and management systems. The recommended applicants have high qualitative scores and would meet the City’s needs.

T19/3821 - PRE-QUALIFIED PANEL FOR THE SUPPLY OF REFURBISHMENT SERVICES FOR A TWO YEAR TERM WITH OPTION PERIODS (REC) (CONFIDENTIAL ATTACHMENT)**CONTRACT AND TENDER ADVISORY UNIT AND COUNCIL RESOLUTION (3821)
APPROVAL**

That the Council:

1. **Accepts the recommendation as contained in the Confidential Attachment – T19/3821 P181903 Contract and Tender Advisory Unit Minutes.**
2. **Upon resolving the recommendation, directs that the successful Respondents' names be inserted in the minutes below this point 2:**

Category 1 – Heritage \$25,000 To \$550,000

- **Hyland Management & Contractors Pty Ltd
ABN: 21 607 506 356**
- **Devco Holdings Pty Ltd ATF Devereaux Family Trust T/AS Devco Builders
ABN: 27 992 937 955**
- **Enviro Infrastructure Pty Ltd
ABN: 97 606 436 293**
- **Hoskins Investments Pty Ltd ATF M R Hoskins Family Trust T/AS AE Hoskins Building Services
ABN: 14 941 679 801**
- **Merym Pty Ltd T/AS EMCObuilding
ABN: 73 009 174 510**

Category 2 – General \$25,000 To \$200,000

- **Candor Contractors Pty Ltd T/AS Candor Contractors
ABN: 75 602 476 040**
- **Hyland Management & Contractors Pty Ltd
ABN: 21 607 506 356**
- **Devco Holdings Pty Ltd ATF Devereaux Family Trust T/AS Devco Builders
ABN: 27 992 937 955**
- **Oban Group Pty Ltd T/AS Oban Group
ABN: 11 602 100 210**
- **Enviro Infrastructure Pty Ltd
ABN: 97 606 436 293**
- **Hoskins Investments Pty Ltd ATF M R Hoskins Family Trust T/AS AE Hoskins Building Services
ABN: 14 941 679 801**

Category 3 – General \$200,001 To \$550,000

- **Candor Contractors Pty Ltd T/AS Candor Contractors
ABN: 75 602 476 040**
- **Shelford Constructions Pty Ltd
ABN: 17 051 265 546**
- **Symmons Nominees Pty Ltd ATF H&S Symmons Family Trust T/A Total Project Solutions
ABN: 14 133 193 410**
- **Geared Construction Pty Ltd
ABN: 41 606 049 245**
- **Devco Holdings Pty Ltd ATF Devereaux Family Trust T/AS Devco Builders
ABN: 27 992 937 955**
- **Byte Construct Pty Ltd
ABN: 68 150 403 204**

At 9:07pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (13/0)

M19/5706 – LIVE STREAMING OF COUNCIL MEETING (REC)

Ward	: All
Category	: Operational
Subject Index	: City of Melville
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	: Motion with Notice 16.1 – Review of Recordings of Meetings Policy – CP-088 (February 2018) Motion with Notice 16.1 – Report on the Requirement of Live Audio/Visual Streaming of Council Meetings (June 2019) M19/5670 – Creation, Access and Retention of Audio Recordings of Meeting of the Council Policy (March 2019)
Works Programme	: Not Applicable
Funding	: Not Applicable
Responsible Officer	: Corrine Newman Governance Coordinator

AUTHORITY / DISCRETION

DEFINITION

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

M19/5706 – LIVE STREAMING OF COUNCIL MEETING (REC)**KEY ISSUES / SUMMARY**

- In March 2019 the Council resolved to publish the audio recordings of its Council meetings on its website, with implementation from April 2019.
- There has been general support to consider live audio visual streaming of Council meetings through electronic format, including social media.
- The City has established indicative costs to progress this project using its existing audio equipment.
- The initial findings of this project have provided indicative set up costs and have identified the aspects of the project that require further consideration and clarification.
- This report recommends that following the 2019 Local Government Elections a workshop be held with Elected Members before progressing with this project.

BACKGROUND

At the Ordinary Meeting of Council held in February 2018, the Council resolved:

That the Council directs the Chief Executive Officer to be guided by the Local Government Act, Regulations and Department of Local Government, Sport and Cultural Industries Guidelines as well as any other applicable law, in undertaking a review of the City of Melville Recording of Meetings Policy CP-088:

1. *That a recording (either a web stream, direct download or both) of the public Council meetings be provided on the City of Melville website from the date of the instigation of the updated policy excluding certain sections of the meetings eg. items for which the meeting should be closed to the public etc.;*
2. *The cost and technical practicability of providing a live audio stream (and possibly video) of each public Council meeting be investigated with the intent of implementation;*
3. *That the updated policy includes guidance to the public as to the use of the recordings under the Commonwealth Copyright Act eg. that editing or altering of any part of the download or web stream is not permitted;*
4. *That the City be guided by the Policies of other WA and Australian Councils that provide a similar facility to their residents eg. City of Perth, City of Joondalup etc.;*
5. *That the Recording of Meetings Policy CP-088 be extended to all public meetings: Ordinary Meetings of Council, Agenda Briefing Forums, Special Meetings of Council, Electors Annual General Meetings and Special Electors Meetings; and*
6. *That the draft amended Policy be included in an Elected Members Bulletin for comment to Officers prior to discussion at an Elected Members Information Session and subsequent presentation to the May 2018 Ordinary Meeting of Council."*

M19/5706 – LIVE STREAMING OF COUNCIL MEETING (REC)

In March 2019, the Council approved implementation of revised Council Policy CP-088 – Creation, Access and Retention of Audio Records of the Council Meetings Policy, which includes audio recordings of Council meetings being available on the City’s website. This was implemented in May 2019, with the audio recordings of Agenda Briefing Forums, Council Meetings and Electors meetings since that date being made available for the community to listen to on the City’s website.

At the Ordinary Meeting of Council held 18 June 2019 Council resolved the following:

“The Council requests the Chief Executive Officer to investigate the requirements and potential costs of accommodating live audio and visual media streaming of all public and open Council meetings. A report is to be provided to the Council which outlines these requirements of live media streaming on the City’s website as well as social media platforms prior to the Ordinary Meeting of Council of the 20th of September 2019.”

DETAIL

The City commissioned an external consultant to assist with the assessment of the existing equipment and the options for implementing audio/visual live streaming of Council meetings held in the Council Chambers.

All options presented in this report integrate with and re-use the existing audio system, including microphones.

Set up costs

Option	Cost	Advantage/Benefits	Disadvantage/ Risks
1A Single Fixed Camera, existing streaming system	Less than \$10,000 plus ongoing resource cost to manage.	<ul style="list-style-type: none"> • Low cost service • Simple system – potentially managed internally 	<ul style="list-style-type: none"> • Wide angle single screen – low picture quality, inability to see who is speaking. • Will not provide option to view Agenda/Presentations • Cannot be upgraded in the future. • No picture in picture/ split screen
1B Single Fixed Camera, New Streaming system	\$10,000 - \$15,000 plus ongoing resource to manage		<ul style="list-style-type: none"> • Additional cabling required
2 Three Camera (PTZ) Streaming	\$20,000 - \$25,000 plus ongoing resource to manage	<ul style="list-style-type: none"> • Can present agenda in split screen • Closer video stream • Possible to add more cameras (1 – 2) in the future. • Higher quality feed for user. 	<ul style="list-style-type: none"> • Higher cost • More set up required • Replacement of streaming system to allow for multiple cameras • Manual operation of PTZ (resource required) • Additional cabling required (more than single camera system)

M19/5706 – LIVE STREAMING OF COUNCIL MEETING (REC)

Ongoing Resource for Content Delivery:

Option	
Internally Managed	Purchase of Content Delivery Network approx \$12,000 Training on use of CDN (\$2,000) Ongoing resource
External Support	Ongoing cost of \$12,000 - \$16,000 per annum Limited involvement of City of Melville resources required

Should the Council wish to pursue an option that allows for automatic identification and zooming in on the particular person speaking, the existing audio system would require replacement. At this stage this option has not been considered.

Depending on the options chosen, there may be a need to modify the layout of the Council Chambers. These costs have not been quantified at this time.

There are a limited number of local governments in the Western Australian metropolitan area, and fewer in regional areas, that live-stream Council meetings. Of those that do, there is a combination of:

- Live audio only
- Live audio visual
- Video recordings
- Audio recordings

In an effort to increase transparency and encourage local governments to live-stream their meetings, the *Local Government Act 1995* has had statutory protection to the Local Government from defamation for publishing council proceedings on its website included as part of the most recent amendments. This protection does not extend to the people making comments such as Council members, officers and members of the public.

Other Issues to be Addressed

- Assessment of need and function of cameras.
- Assessment of room layout for cameras.
- Requirements for sharing of deputations/presentations as part of live-streaming.
- Requirement to share agenda document as part of live-streaming
- Training requirements for Elected Members and staff.
- Platform and accessibility of live stream and archived documents
- IT implications such as network issues, data storage and information handling

At the time of this report being presented to the Council, the City of Melville is in its caretaker period in relation to the 2019 Local Government Elections in accordance with CP-105 Election Caretaker Period.

It is considered that the decision to implement or otherwise live-streaming of Council meetings is a significant decision of the Council. There are a number of matters to be addressed that would provide greater clarity with respect to the direction the Council takes on this project and it would be appropriate to further discuss these with Elected Members at a workshop for this purpose.

M19/5706 – LIVE STREAMING OF COUNCIL MEETING (REC)**STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

There have been a number of approaches from the community with respect to live-streaming of Council meetings. It is clear that there is a portion of the community that would value the ability to engage with the Council's decision making process through a digital means.

II. OTHER AGENCIES / CONSULTANTS

The City has engaged an external consultant to undertake the production of an Options Paper with respect to this project, with the Governance Team and the Information Technology Team working in close consultation with respect to this project due to the significant implications on the City's IT network, including storage, security and consideration of relevant information handling practice.

STATUTORY AND LEGAL IMPLICATIONS

The recent amendments to the *Local Government Act 1995* have included new clause:

9.57 A. Local government protected from liability for defamation: council proceedings on website

- (1) *In this section —*
council proceedings means proceedings at a meeting of the council or a committee of the council;
matter has the meaning given in the *Defamation Act 2005* section 4.
- (2) *A local government is not liable to an action for defamation in relation to matter published on its official website as part of a broadcast, audio recording, or video recording, of council proceedings.*

Consideration to training for Elected Members and staff and clear guidelines for the community on the implications of comments made would form part of this project.

FINANCIAL IMPLICATIONS

Further investigation is required to establish total project costs. There are no specific funds allocated for this project in the 2019-2020 adopted Budget. Once further clarity on the project is obtained, options for funding will be considered.

The cost of the consultant engaged to investigate and report back on the options canvassed in this report was \$7,150 (including GST) which included the review of the existing set up and equipment in the Council Chambers, meeting with officers from IT and Governance and investigation of suitable options.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

A number of risks have been identified in the initial stages of this project. These will be further investigated, along with mitigation strategies as this project progresses.

M19/5706 – LIVE STREAMING OF COUNCIL MEETING (REC)**POLICY IMPLICATIONS**

The current Council Policy CP-088 – Creation, Access and Retention of Audio Records of the Council Meetings Policy addresses the access to audio recordings of Council meetings on the City's website. This policy would need to be revised to provide clear guidance and direction in relation to the live streaming of Council meetings.

CP-105 Election Caretaker Period policy applies in relation to decisions of the Council and the publishing of information.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The Council could resolve not to progress this project, and the existing arrangements to publish the audio recordings of Council meetings only on the website at the same time as the minutes are released will continue.

CONCLUSION

Initial investigations into the requirements and potential costs of live audio/visual streaming of Council meetings has shown that the existing audio recording system can be utilised, however further clarity on the preferences of the Council and the longer term implications is required to better understand project costs.

It is suggested that a workshop of Elected Members and relevant staff would enable these details to be better understood and better define the project scope.

OFFICER RECOMMENDATION (5706)**APPROVAL**

That the Council notes the information provided in this report and directs the Chief Executive Officer to convene a workshop of Elected Members in November 2019 to discuss and clarify the expected outcomes of audio visual live streaming of Council Meetings, with a further report to be presented to the Council.

At 9:07pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (13/0)

M19/5000 – COMMON SEAL REGISTER (REC)

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

AUTHORITY / DISCRETION

DEFINITION

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

KEY ISSUES / SUMMARY

This report details the documents to which the City of Melville Common Seal has been applied for the period from 25 July 2019 up to and including 21 August 2019 for the Council's noting.

M19/5000 – 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
CS2116	City of Melville & Capital Community Radio Inc.	Management Agreement between City of Melville & Capital Community Radio for 5 years commencing on 21 November 2019 and expiring on the 20 November 2024.	5107749
CS2129	City of Melville and Peter Chor Phang Wong	Temporary Withdrawal of Caveat to enable the registration of the discharge of Mortgage.	4374996

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Not applicable.

II. OTHER AGENCIES / CONSULTANTS

Not applicable.

M19/5000 – COMMON SEAL REGISTER (REC)**STATUTORY AND LEGAL IMPLICATIONS**

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

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

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

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

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

FINANCIAL IMPLICATIONS

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

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

There are no policy implications in this report.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable.

CONCLUSION

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

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 25 July 2019 up to and including 21 August 2019.

At 9:07 pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (13/0)

C19/6000 – INVESTMENT STATEMENTS FOR JULY 2019 (REC)

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

AUTHORITY / DISCRETION

DEFINITION

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

KEY ISSUES / SUMMARY

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

Final investment figures for the year end roll-over are yet to be finalised as inter-fund transfers between Municipal and Reserve accounts still need to be undertaken.

C19/6000 – INVESTMENT STATEMENTS FOR JULY 2019 (REC)

BACKGROUND

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

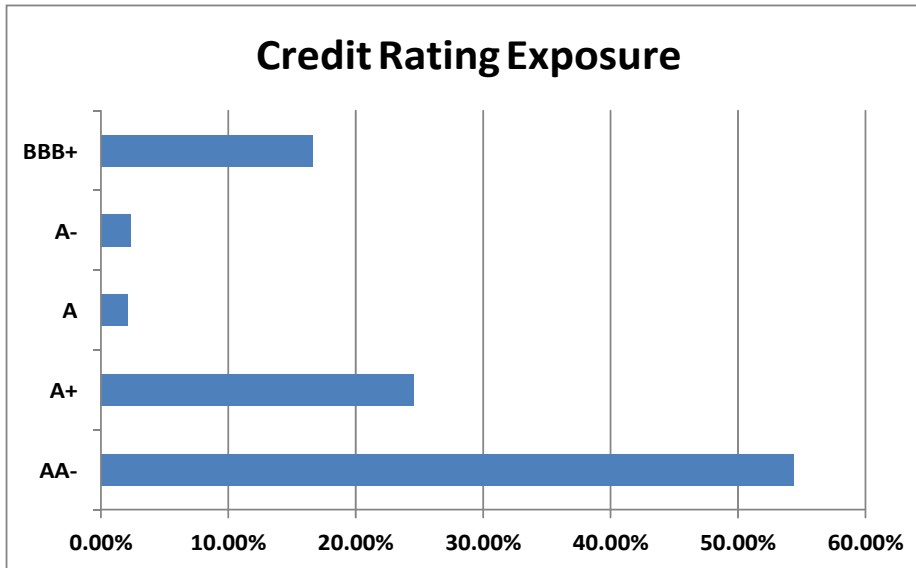
The investment of cash holdings is undertaken in accordance with Council Policy CP-009 - Investment of Funds, with the objective of maximising returns whilst maintaining low levels of credit risk exposure.

DETAIL

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

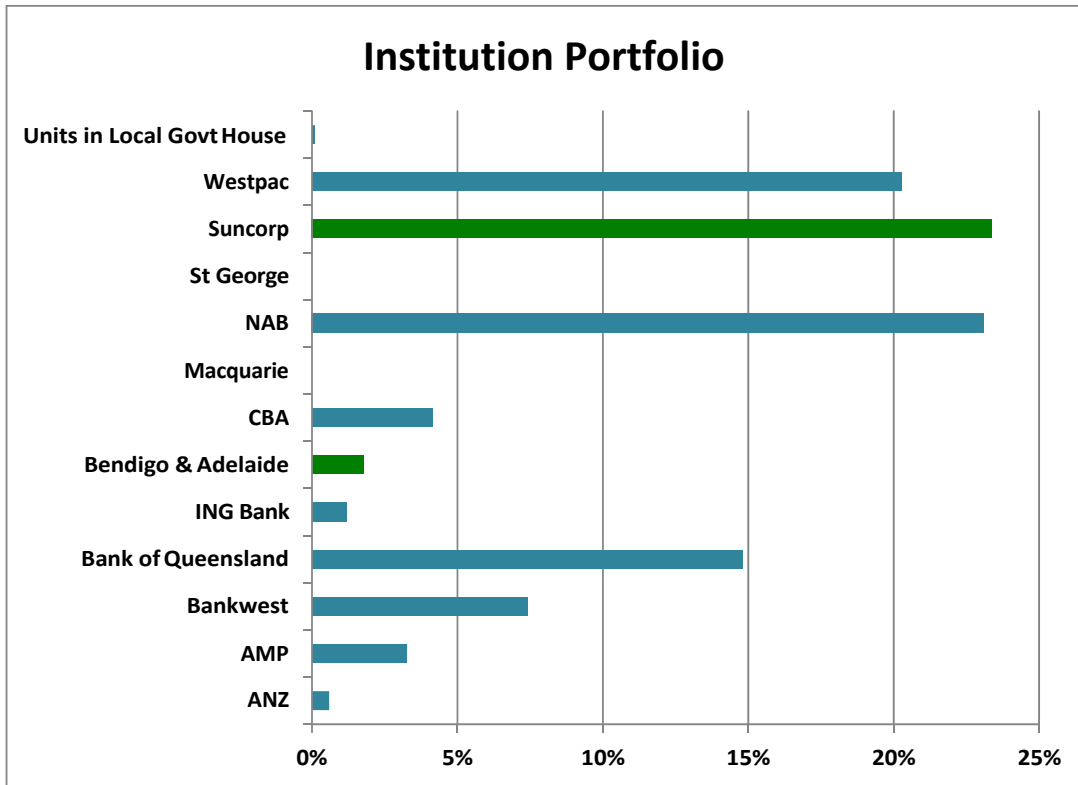
CITY OF MELVILLE	
STATEMENT OF INVESTMENTS	
FOR THE PERIOD ENDING 31 JULY 2019	
SUMMARY BY FUND	AMOUNT
	\$
MUNICIPAL	\$ 34,969,445
RESERVE	\$ 132,772,894
TRUST	\$ 973,546
CITIZEN RELIEF	\$ 221,321
	\$ 168,937,205
SUMMARY BY INVESTMENT TYPE	AMOUNT
	\$
11AM	\$ 3,641,560
31DAYS AT CALL	\$ 6,000,000
60DAYS AT CALL	\$ 2,000,000
90DAYS AT CALL	\$ 16,600,000
TERM DEPOSIT	\$ 140,520,474
UNITS (Local Govt Hse)	\$ 175,171
	\$ 168,937,205
SUMMARY BY CREDIT RATING	AMOUNT
	\$
AA-	\$ 91,762,033
A+	\$ 41,500,000
A	\$ 3,500,001
A-	\$ 4,000,000
BBB+	\$ 28,000,000
UNITS (Local Govt Hse)	\$ 175,171
	\$ 168,937,205

C19/6000 – INVESTMENT STATEMENTS FOR JULY 2019 (REC)



DIVERSIFICATION RISK & GREEN INVESTMENTS									
INSTITUTION	INVESTMENT TYPE	S & P RATING	AMOUNT	\$	ACTUAL PROPORTION	INSTITUTION PROPORTION	MAX. % WITH ANY ONE INSTITUTION	NON FOSSIL FUEL	INVESTMENT WITH ADI WITH NON FOSSIL FUEL
ANZ BANK (TERM)	TERM	AA-	1,000,000		0.59%	0.59%	30%	No	
AMP BANK (TERM)	TERM	A	5,500,001		3.26%	3.26%	25%	No	
BANKWEST (TERM)	TERM	AA-	12,500,000		7.40%	7.40%	30%	No	
BANK OF QUEENSLAND (TERM)	TERM	BBB+	25,000,000		14.80%	14.80%	15%	No	
BENDIGO AND ADELAIDE BANK (TERM)	TERM	BBB+	3,000,000		1.78%	1.78%	15%	Yes	3,000,000
COMMONWEALTH BANK (TERM)	TERM	AA-	7,000,000		4.14%	4.14%	30%	No	
ING BANK (TERM)	TERM	A-	2,000,000		1.18%				
ING BANK (FRTD)	FRTD	A-	-		0.00%	1.18%	25%	No	
MACQUARIE BANK (TERM)	TERM	A	-		0.00%	0.00%	25%	No	
NAB (TERM)	TERM	AA-	39,020,473		23.10%	23.10%	30%	No	
ST GEORGE BANK (TERM)	TERM	AA-	-		0.00%	0.00%	30%	No	
SUNCORP METWAY LTD (TERM)	TERM	A+	39,500,000		23.38%	23.38%	25%	Yes	39,500,000
WESTPAC (MAXI BONUS 1)	11AM	AA-	0		0.00%				
WESTPAC (MAXI BONUS 2)	11AM	AA-	-		0.00%				
WESTPAC (MAXI DIRECT)	11AM	AA-	3,641,560		2.16%				
WESTPAC (31DAYS AT CALL)	31DAYS AT CALL	AA-	6,000,000		3.55%				
WESTPAC (60DAYS AT CALL)	60DAYS AT CALL	AA-	2,000,000		1.18%				
WESTPAC (90DAYS AT CALL)	90DAYS AT CALL	AA-	16,600,000		9.83%				
WESTPAC (TERM)	TERM	AA-	6,000,000		3.55%	20.27%	30%	No	
UNITS IN LOCAL GOVT HOUSE	NA	NA	175,171		0.10%	0.10%		N/A	
			168,937,205		100%	100%			42,500,000
Total Non Fossil Fuel Lending ADI									25%

C19/6000 – INVESTMENT STATEMENTS FOR JULY 2019 (REC)



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

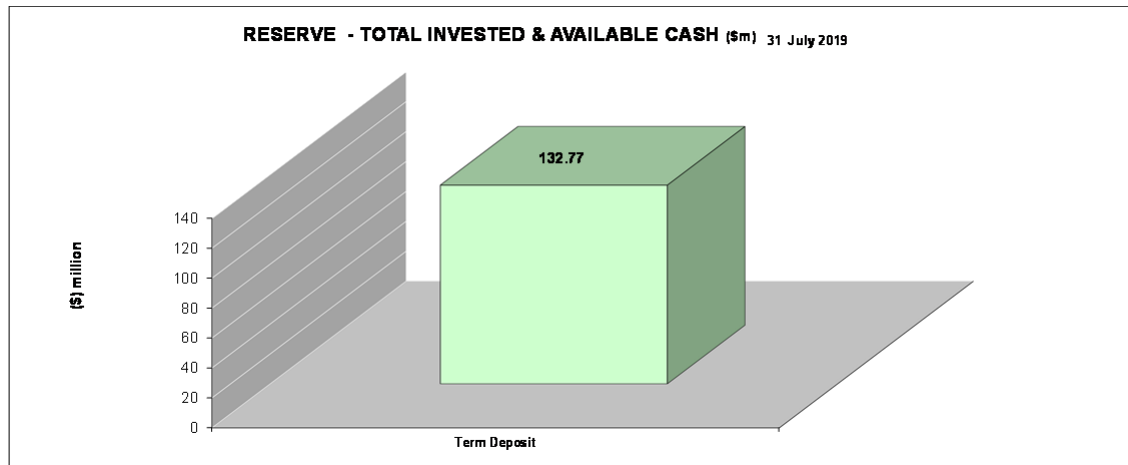
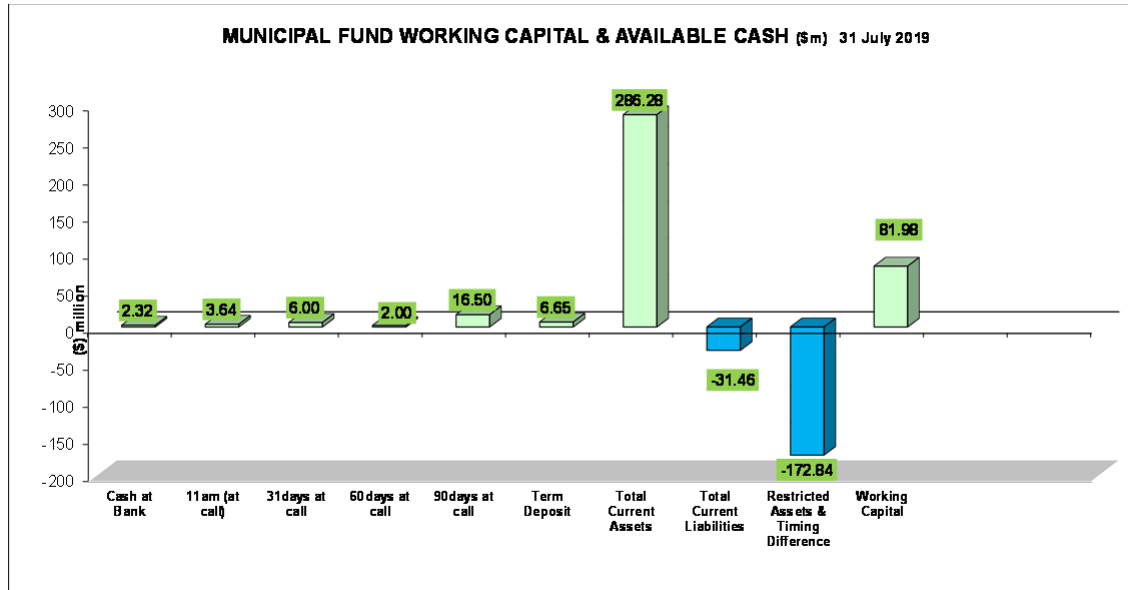
“Green investments” are authorised investment products made in authorised institutions that respect the environment by not investing in fossil fuel industries.

The total investment in authorised institutions that do not lend to industries engaged in the exploration for, or production of, fossil fuels, as at 31 July 2019 was \$42,500,000 or 25% of total investment holdings being in non-fossil fuels institutions, compared to \$43,500,000 (26%) in June 2019. The total investments holding for June and July were \$170,434,255 and \$168,937,205 respectively.

C19/6000 – INVESTMENT STATEMENTS FOR JULY 2019 (REC)

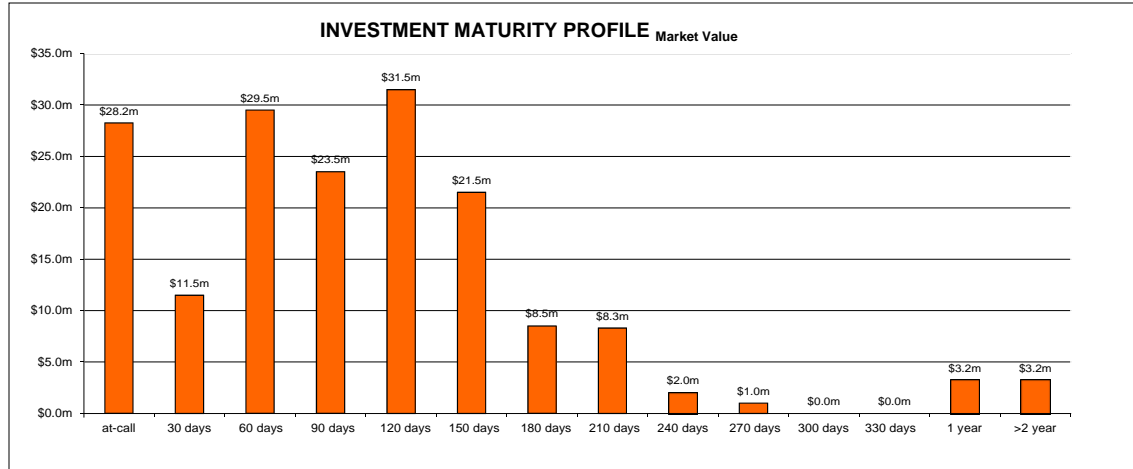
Net Funds Held

The graphs on the following page summarise the Municipal Fund working capital and available cash and the funds held in Cash Backed Specific Purpose Reserve Accounts as at 31 July 2019.



C19/6000 – INVESTMENT STATEMENTS FOR JULY 2019 (REC)

The graph below summarises the maturity profile of the City’s investments at market value as at 31 July 2019.



STAKEHOLDER ENGAGEMENT

I. COMMUNITY

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

II. OTHER AGENCIES / CONSULTANTS

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

STATUTORY AND LEGAL IMPLICATIONS

The following legislation is relevant to this report:

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

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

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

C19/6000 – INVESTMENT STATEMENTS FOR JULY 2019 (REC)

FINANCIAL IMPLICATIONS

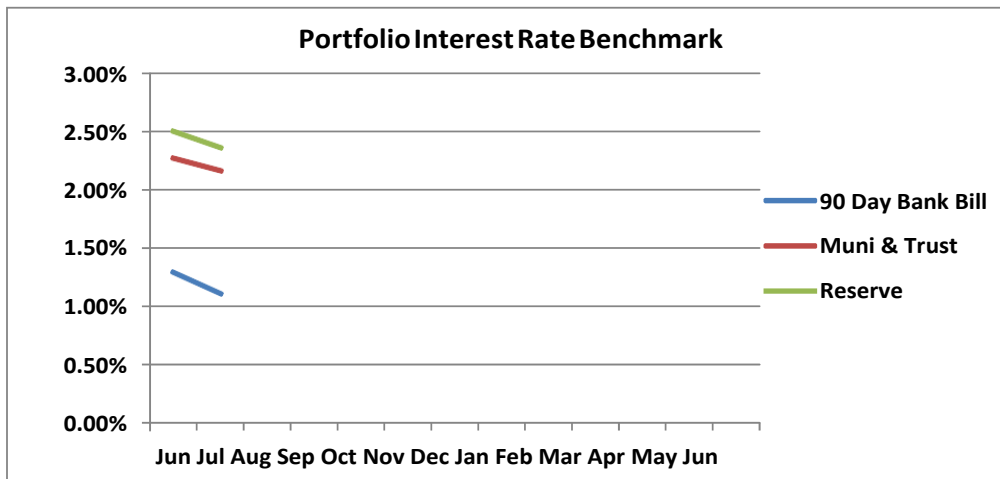
For the period ending 31 July 2019:

- Investment earnings on Municipal and Trust Funds were \$59,705 against a year to date budget of \$62,083 representing a negative variance of \$2,378.

The weighted average interest rate for Municipal and Trust Fund investments as at 31 July 2019 was 2.17%. Average rate of return for investment income for the 2019-20 budget is 2.2% per annum.

- Investment earnings on Reserve accounts were \$289,100 against a year to date budget of \$258,333 representing a positive variance of \$30,767.

The weighted average interest rate for Reserve account investments as at 31 July 2019 was 2.37%, compared to the expected average rate of return for Reserve investment for the 2019-20 budget is 2.2% per annum.



STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Strategic

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

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

Risk

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

C19/6000 – INVESTMENT STATEMENTS FOR JULY 2019 (REC)**Environmental**

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

POLICY IMPLICATIONS

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

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

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable as 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 2.17% to 2.37% which exceeds the benchmark three month bank bill swap (BBSW) reference rate of 1.11%.

25% 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 26% in June 2019.

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 July 2019.

At 9:07pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (13/0)

C19/6001 – SCHEDULE OF ACCOUNTS PAID FOR JULY 2019 (REC) (ATTACHMENT)

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

AUTHORITY / DISCRETION

DEFINITION

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

KEY ISSUES / SUMMARY

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

C19/6001 – SCHEDULE OF ACCOUNTS PAID FOR JULY 2019 (REC) (ATTACHMENT)

BACKGROUND

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

DETAIL

The Schedule of Accounts Paid for July including Payment Registers numbers, Cheques 718 - 721 and Electronic Funds Transfers batches 586 – 591, Trust Payments, Card Payments and Payroll was distributed to the Elected Members of the Council on 30 August 2019. Payments for the period totalled \$10,168,548.35 for the Municipal Fund and \$57,440.35 for the Trust Fund whilst new investment transactions totalled \$10,500,000.00. Details of the payments are shown in attachment [6001 July 2019](#).

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

Supplier Number	Supplier Name	Description of Supply	Amount
15333	Aquamonix Pty Ltd	Irrigation parts and servicing at various locations	\$81,727.25
16015	Aquatic Services WA Pty Ltd	Maintenance to swimming pool plant	\$36,592.49
13723	Aurion Corporation Pty Ltd	Software licence 2019-2020	\$30,646.08
11523	Australia Post Perth	Mail charges	\$39,499.60
14724	Axiis Contracting Pty Ltd	Concrete works	\$32,908.46
12911	Body-Bike Australia	Lifestyle equipment	\$49,031.41
16739	Brightmark Group Pty Ltd	Cleaning services	\$29,280.98
10442	Christou Design Group Pty Ltd	Architectural services for Library and Cultural Centre	\$73,507.50
10056	City of Cockburn	Commercial waste tip fees and long service leave liability	\$66,309.09
11615	Dell Australia Pty Ltd	IT equipment	\$53,068.40
14051	Department of Fire and Emergency Services	ESL remittance for June	\$124,621.47
11918	Department of Transport WA	Vehicle licencing 2019-2020	\$60,445.40
17010	E Fire & Safety	Building maintenance	\$37,350.50
10452	Ellenby Tree Farm Pty Ltd	Tree supply	\$38,258.00
11380	EMSO Maintenance	Building maintenance	\$40,922.02
16433	Facilities First Australia	Cleaning services	\$48,730.07
10097	Forpark Australia	Playground equipment and maintenance	\$58,304.40
16223	Holton Connor Architects & Planners	Consultancy for Tompkins Park Redevelopment Project	\$36,563.12

C19/6001 – SCHEDULE OF ACCOUNTS PAID FOR JULY 2019 (REC) (ATTACHMENT)

Supplier Number	Supplier Name	Description of Supply	Amount
10501	Hydroquip Pumps & Irrigation	Irrigation and watering systems	\$76,645.70
16282	Hyland Management & Contractors Pty Ltd	Progress claim for refurbishment of 27 Hammad Street	\$71,087.50
11544	LGIS Insurance Broking	Insurance premiums 2019-2020	\$206,124.64
10490	LGIS WA	Insurance premiums 2019-2020	\$651,775.92
14228	Mastec Australia Pty Ltd	Bin supply	\$87,848.64
16638	Melville Toyota	Purchase of Toyota Hilux and vehicle repairs	\$33,505.73
14646	Murdoch University	Assessment of Local Government Facilities	\$84,143.40
17940	Natural Area Management & Services	Bush regeneration and foreshore maintenance	\$46,900.22
13563	Pearmans Electrical & Mechanical Services Pty Ltd	Electrical maintenance	\$77,154.27
16850	Plan E Landspace Pty Ltd	Concept review for South East playspaces	\$28,105.00
14755	Pro Crack Seal	Crack sealing works	\$77,973.50
16280	Quantum Building Services Pty Ltd	Building maintenance	\$45,940.72
17445	Reino International Pty Ltd	Replacement of parking meters	\$111,832.21
16704	Satterley Property Group Pty Ltd	Redevelopment of Carawatha project costs for June 2019	\$115,939.70
12203	Southern Metropolitan Regional Council	MRF, MSW and Green Waste gate fees for June, MSW gate fees July and RRRC loan repayment	\$735,580.02
16605	Synergy Electricity Generation & Retail Corporation	Electricity charges	\$305,612.44
16506	TCD Services Australia	Drainage works	\$199,772.14
18870	Technology One Ltd	Software Licence 2019-2020	\$88,848.63
11020	Total Eden Pty Ltd	Irrigation supplies	\$28,653.42
16707	Traffic Logistics Australia	Traffic management services	\$30,210.00
17037	Tree Care WA Pty Ltd	Tree pruning services	\$114,070.98
14158	Triton Electrical Contractors Pty Ltd	Electrical works for irrigation cubicle	\$39,578.00
12319	Western Australian Local Government Association	Subscriptions 2019-2020	\$68,955.68
10311	Western Power Electricity	Cash call for Melville North Underground Power project	\$600,000.00

C19/6001 – SCHEDULE OF ACCOUNTS PAID FOR JULY 2019 (REC) (ATTACHMENT)

Trust payments in excess of \$25,000 for the period are detailed as follows

Supplier Number	Supplier Name	Description of Supply	Amount
10004	Building and Construction Industrial Training Fund	Regulatory fees and government charges	\$29,455.75
99995	Building Commission	Regulatory fees and government charges	\$27,984.60

Payroll

Supplier Name	Remittance Number	Remittance Details	Amount
Various Banking Institutions	Direct Bank Transfers 10/07/2019 & 24/07/2019	Payment of salaries and wages to City employees net of tax and deduction for pays 1 and 2.	\$2,260,750.00
Australian Taxation Office	Direct Bank Transfers 10/07/2019 & 24/07/2019	Pay as You-Go taxation and other deductions from employee payroll for pays 1 and 2.	\$732,988.00
Creditors and Advances	Direct Bank Transfers 10/07/2019 & 24/07/2019	Payment of superannuation, union membership, council rates, vehicle deductions, Centrelink, etc. for pays 1 and 2.	\$552,670.40
Total			\$3,546,408.40

Investments

Summary of new investments as follows:

Bank	Date	Amount
Westpac	2/07/2019	\$1,000,000
Westpac	2/07/2019	\$3,000,000
Westpac	25/07/2019	\$2,000,000
Commonwealth Bank	29/07/2019	\$1,000,000
Westpac	31/07/2019	\$1,500,000
Suncorp	31/07/2019	\$1,000,000
National Australia Bank	31/07/2019	\$1,000,000
Total		\$10,500,000

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Not applicable.

C19/6001 – SCHEDULE OF ACCOUNTS PAID FOR JULY 2019 (REC) (ATTACHMENT)**II. OTHER AGENCIES / CONSULTANTS****STATUTORY AND LEGAL IMPLICATIONS**

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

FINANCIAL IMPLICATIONS

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

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

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

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable as this report presents information for noting only.

CONCLUSION

Payments for the period totalled \$10,168,548.35 for the Municipal Fund and \$57,440.35 for the Trust Fund whilst new investment transactions totalled \$10,500,000.00.

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

OFFICER RECOMMENDATION (6001)**NOTING**

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

At 9:07pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (13/0)

**C19/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR JULY 2019 (AMREC)
(ATTACHMENTS)**

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

AUTHORITY / DISCRETION

DEFINITION

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

KEY ISSUES / SUMMARY

<p>This report presents:</p> <ul style="list-style-type: none"> • The Statements of Financial Activity by Program, Sub-Program and Nature and Type, for the period ending 31 July 2019 and recommends that they be noted by the Council. • The final figures for 2018-2019 are yet to be finalised. As a result, the budget figures for July 2019 do not include the approved carried forward budgets from the 2018-2019 financial year. These will be reflected in the August month end report. • The variances for the month of July 2019 and recommends that they be noted by the Council. • The Budget amendments required for the month of July 2019 and recommends that they be adopted by Absolute Majority decision of the Council.

**C19/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR JULY 2019 (AMREC)
(ATTACHMENTS)**

BACKGROUND

The Statements of Financial Activity for the period ending 31 July 2019 have been prepared and tabled in accordance with the *Local Government (Financial Management) Regulations 1996*.

DETAIL

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

1. Rate Setting Statement by Program, which provides details on the Program classifications,
2. Rate Setting Statement by Sub-Program, which provides further details on the Program classifications and,
3. Statement of Financial Activity by Nature and Type, which provides details on the various categories of income and expenditure.

Variations

EXTRACT OF RATE SETTING STATEMENT FOR VARIANCE OVER \$50,000 for the Period 1 July 2019 to 31 July 2019							
	July Actual \$	YTD Rev. Budget \$	YTD Actual \$	Variance \$	Variance %	Annual Budget \$	Annual Rev. Budget \$
OPERATING ACTIVITIES							
Revenue from operating activities (excluding rates and non-operating grant, subsidies and contributions)							
Recreation and Culture	991,532	911,205	991,532	80,327	9%	8,755,894	8,757,894
Economic Services	4,321,314	4,196,823	4,321,314	124,491	3%	3,038,466	6,276,583
Expenditure from operating activities							
Governance	(452,435)	(626,887)	(452,435)	174,453	-28%	(6,152,018)	(6,060,892)
Law, Order, Public Safety	(258,499)	(331,690)	(258,499)	73,191	-22%	(4,080,799)	(4,077,889)
Education & Welfare	(197,710)	(257,131)	(197,710)	59,421	-23%	(3,067,314)	(3,021,913)
Community Amenities	(1,791,942)	(1,984,299)	(1,791,942)	192,356	-10%	(26,222,531)	(26,175,870)
Recreation and Culture	(2,407,978)	(3,072,917)	(2,407,978)	664,939	-22%	(36,049,663)	(35,671,315)
Transport	(1,205,252)	(1,372,150)	(1,205,252)	166,897	-12%	(17,962,135)	(17,962,135)
Other Property and Services	(1,126,260)	(1,373,853)	(1,126,260)	247,593	-18%	(12,673,457)	(11,583,212)
Investing Activities							
Purchase of Plant & Equipment	29,507	(30,561)	29,507	60,068	-197%	(1,811,477)	(1,766,504)
Purchase of Infrastructure Assets	(275,421)	(39,500)	(275,421)	(235,921)	597%	(31,028,602)	(24,561,172)

**C19/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR JULY 2019 (AMREC)
(ATTACHMENTS)**

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

Revenue

\$89.23 million in Rates was raised as at 31 July 2019 compared to a year to date budget of \$88.92 million. There is a positive variance of \$313,172 (0.35%) when compared to year to date actual.

Money Expended in an Emergency and Unbudgeted Expenditure

Not applicable for July 2019.

Budget Amendments

Details of Budget Amendments requested for the month of July 2019 are shown in attachment [6002J July 2019](#). There were four budget amendments, greater than \$50,000, processed in July 2019:

- \$1,664,839 – Correction to depreciation for various assets.
- \$95,936 – Transfer of employee costs to new responsible officer.
- \$7,505,570 – Transfer of budget for Alfred Cove East Underground Power and Melville North Underground Power to correct account number.
- \$9,911,298 – Reversal of carry forward estimate for Roads and Buildings.

Rates, Refuse, Fire and Emergency Service Authority and Underground Power payments totalling \$9,406,273 were collected over the course of the month. Rates collection progress for the month of July is 0.6% above the target of 7.3%. This represents a dollar value of \$552,748. As at 31 July 7.9% of the 2019-2020 rates, including prior year arrears had been collected compared with 2.3% collected for the same time last year. Rates collection for 2019-2020 excluding prior year rate arrears is 8.3%.

Total sundry debtor balances increased by \$502,241 over the course of the month from \$482,266 to \$984,507 in July. The 90+ day's debtor balance decreased by \$67,702 from \$306,286 to \$238,584.

Granting of concession or writing off debts owed to the City

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

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

**C19/6002 – STATEMENTS OF FINANCIAL ACTIVITY for JULY 2019 (AMREC)
(ATTACHMENTS)**

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

DESCRIPTION	LINK
Statement of Financial Activity By Nature and Type – July 2019	<u>6002A_Nature_Type_July_2019</u>
Rate Setting Statement by Program – July 2019	<u>6002B_Program_July_2019</u>
Rate Setting Statement by Sub-Program – July 2019	<u>6002C_Sub_Program_July_2019</u>
Representation of Net Working Capital – July 2019	<u>6002E_July_2019</u>
Reconciliation of Net Working Capital – July 2019	<u>6002F_July_2019</u>
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater – July 2019	<u>6002H_July_2019</u>
Details of Budget Amendments requested – July 2019	<u>6002J_July_2019</u>
Summary of Rates Debtors – July 2019	<u>6002L_July_2019</u>
Graph Showing Rates Collections – July 2019	<u>6002M_July_2019</u>
Summary of General Debtors aged 90 Days Old or Greater – July 2019	<u>6002N_July_2019</u>

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Not applicable.

II. OTHER AGENCIES / CONSULTANTS

Not applicable.

STATUTORY AND LEGAL IMPLICATIONS

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

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

**C19/6002 – STATEMENTS OF FINANCIAL ACTIVITY for JULY 2019 (AMREC)
(ATTACHMENTS)****34. Financial activity statement report — s. 6.4**

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

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

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

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

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

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

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

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

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

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

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

**C19/6002 – STATEMENTS OF FINANCIAL ACTIVITY for JULY 2019 (AMREC)
(ATTACHMENTS)****FINANCIAL IMPLICATIONS****Variances**

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

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

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

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable

CONCLUSION

The attached financial reports reflect a positive financial position of the City of Melville as at 31 July 2019. The approved carried forwards from the 2018-2019 financial year will be finalised and included in the August 2019 reports.

The attached Advice Note was tabled at the Agenda Briefing Forum 3 September 2019
[Advice Note C19_6002](#)

**C19/6002 – STATEMENTS OF FINANCIAL ACTIVITY for JULY 2019 (AMREC)
(ATTACHMENTS)**

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

At 9:06pm Cr Wieland moved, seconded Cr Barling –

That the Council:

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

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

- 2. By Absolute Majority Decision adopts the budget amendments, as detailed in the attached Budget Amendment Reports for July 2019 [6002J July 2019](#).**
- 3. Notes that the room hire fees for the Cirque Community Space will be applicable from 7 October 2019 following a public notice to be published 26 September 2019.**
- 4. By Absolute Majority Decision, in accordance with Section 6.16 of the Local Government Act 1995, adopts the following room hire fees for the Cirque Community Space**

Commercial rate \$40 p/hour*
Community rate \$27 p/hour**
Half price commercial rate \$20 p/hour for up to 1 month***
Half price community rate \$13.50 p/hour for up to 1 month***

***The commercial rate applies to bookings used for the purpose of profit making activities or the promotion of the same.**

****The non-commercial rate applies to bookings that do not contribute to profit making activities of a commercial nature, but may contribute to the ongoing operations of an established not for profit entity.**

*****Half price rates apply for up to one month, and only if the booking is part of an ongoing program to be held at the Cirque Community Space.**

At 9:06pm the Mayor submitted the motion, which was declared

CARRIED ABSOLUTE MAJORITY (13/0)

15. EN BLOC ITEMS

At 9:07pm Cr Robartson moved, seconded Cr Phelan–

That the recommendations for items M19/5696, P19/3809, T19/3821, M19/5706, M19/M19/5000, C19/6000 and C19/6001 be carried En Bloc.

At 9:07pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (13/0)

16. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**16.1 Additional Playground Equipment at Wireless Hill**

At 9:07pm Cr Mair moved, seconded Cr Barton –

That the Council requests the Chief Executive Officer to investigate installing additional playground equipment at Wireless Hill, such as a traditional swing and slide, in this or next financial year.

Amendment

At 9:12pm Cr Woodall moved, seconded Cr

That after the words “Wireless Hill” include the words “and at the and Dudley Hartree Park”

Prior to further discussion on the matter, the Mayor invited the Director Technical Services to provide an overview of the Capital Works Program to assess the requirements for playground equipment and the Director Community Development to clarify the philosophy associated with the style of play spaces at Wireless Hill.

At 9:23pm during discussion and debate on the item Cr Barton withdrew her seconding of the motion

At 9:07pm Cr Mair moved, seconded –

That the Council requests the Chief Executive Officer to investigate installing additional playground equipment at Wireless Hill, such as a traditional swing and slide, in this or next financial year.

LAPSED FOR WANT OF A SECONDER

16. *Motions of Which Previous Notice Has Been Given continued*

16.2 Verge Treatment

That the Council requests the CEO to investigate the inclusion of a general condition for verges where there is not a foot path or dual use path, the verge must have access by pedestrians the approximate width of a dual path to ensure their safe passage without having to go onto a road.

At 9:25pm Cr Mair withdrew this motion.

16.3 Community Forum

COUNCIL RESOLUTION

At 9:26pm Cr Mair moved, seconded Cr –

That the Council requests the CEO to investigate

- 1. holding monthly Community Forums in the Council Chambers to hear questions and deputations by residents and resident groups on any issue.**
- 2. recording minutes of those Community Forums for future reference.**

LAPSED FOR WANT OF A SECONDER

17. MOTIONS WITHOUT NOTICE BY ABSOLUTE MAJORITY OF THE COUNCIL

Nil.

LATE ITEM M19/5705 – SPECIAL MEETING OF ELECTORS HELD 12 AUGUST 2019 – MOTIONS (REC)

Item brought forward – See Page 15

18. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil.

19. CLOSURE

There being no further business to discuss, the Mayor declared the meeting closed at 9:27pm.