

MINUTES

OF THE

ORDINARY MEETING OF THE COUNCIL

HELD ON

TUESDAY 15 MAY 2018

AT 6.30PM IN THE COUNCIL CHAMBERS

MELVILLE CIVIC CENTRE

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CONTENTS PAGE

Item Description	Page Number
ITEMS BROUGHT FORWARD	
CD18/8107 Development of Amenities Building at Bert Jeffery Park	15
M18/5624 Special Meeting of Electors – Compliance with the <i>Local Government Act 1995</i> – Motions Carried	33
ITEM FROM FINANCIAL MANAGEMENT, AUDIT, RISK AND COMPLIANCE COMMITTEE MEETING 7 MAY 2018	
M18/5615 Internal Audit Report – Review of Internal Audit Charter	45
URBAN PLANNING	
Nil	
COMMUNITY DEVELOPMENT	
CD18/8106 Investigation for a Suitable Location of a Men’s Shed	50
CD18/8107 Development of Amenities Building at Bert Jeffery Park <i>(item brought forward)</i>	15
MANAGEMENT SERVICES	
M18/5000 Common Seal Register	61
CORPORATE SERVICES	
C18/5617 Policy Review Corporate Services	65
C17/6000 Investment Statement for March 2018	70
C17/6001 Schedule of Accounts Paid for March 2018	78
C17/6002 Statements of Financial Activity for March 2018	82
LATE ITEM	
M18/5624 Special Meeting of Electors – Compliance with the <i>Local Government Act 1995</i> – Motions Carried <i>(item brought forward)</i>	33
MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	
16.1 Online Governance and Accountability Webpage	88
16.2 Expenditure on Organisational Environmental Sustainability Activities and Initiatives	90
ITEMS FOR WHICH THE MEETING MAY BE CLOSED	
T18/3781 Civic Library and Cultural Centre	93
C18/5623 Chief Executive Officer Performance Review	94



MINUTES OF THE ORDINARY MEETING OF THE COUNCIL HELD IN THE COUNCIL CHAMBERS, MELVILLE CIVIC CENTRE, 10 ALMONDBURY ROAD, BOORAGOON, COMMENCING AT 6.30PM ON TUESDAY 15 MAY 2018.

1. OFFICIAL OPENING

The Presiding Member welcomed those in attendance to the meeting and declared the meeting open at 6:30pm. Mr J Clark, Governance and Compliance Advisor, 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 M Woodall (Deputy Mayor)
Cr C Robartson
Cr N Pazolli, Cr S Kepert
Cr T Barling, Cr N Robins
Cr G Wieland, Cr J Barton
Cr K Mair
Cr P Phelan, Cr K Wheatland

WARD

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

3. IN ATTENDANCE

Mr M Tieleman	Acting Chief Executive Officer
Ms L Hartill	Acting Director Community Development
Mr S Cope	Director Urban Planning
Mr M McCarthy	Director Technical Services
Ms A Hill	A/Executive Manager Governance and Legal Services
Ms K Johnson	Executive Manager Organisational Development
Mr M Murphy	Manager City Buildings
Mr T Cahoon (6:44pm – 7.40pm)	Manager Healthy Melville
Mr J Clark	Governance and Compliance Advisor
Ms C Newman	Governance Coordinator
Ms J Head	Governance Officer

At the commencement of the meeting there were 43 members of the public and one representative from the Press in the Public Gallery.

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

Dr S Silcox, Chief Executive Officer
Ms C Young, Director Community Development

4.2 APPROVED LEAVE OF ABSENCE

Cr D Macphail – Central Ward

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

Nil.

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

Cr Pazolli advised he had just returned from leave and had been unable to access the attachments to some items and would draw the Council's attention to those during the course of the meeting.

6. QUESTION TIME

6.1 Questions Submitted Prior to the Meeting

6.1.1 Mr K Kelers, Alfred Cove

Council's request from residents and property owners for submissions on "Ground Lease of a Portion of Tompkins Park to Wave Park Group" dated 5th December 2016.

Question

Will the CEO please advise what has happened to the huge number of submissions and can they be made available to the Local Government inquiry? The numbers received and how many were responded to or acted on?

Response

A total of 3,694 valid submissions were received and reported to the Council at its Ordinary Meeting of Council on 21 February 2017 Item (CD17/8095). Given the vast number of submissions received the CEO was unable to reply to each individual submission and instead a reply was provided by way of a notice published on the City's website advising the public and all parties who provided a submission that the Council had voted to approved the conditional ground lease for the Wave Park on the portion of land at Tompkins Park.

The submissions have been retained in the City's Records. If the Authorised Inquiry considers it necessary to view all the submissions, then it will issue a Directions Notice to the City which would provide them to the Authorised Inquiry. The Inquiry Team has previously informed the City that it does not wish to receive unsolicited documents.

6.1.2 City of Melville Residents and Ratepayers Association (Inc)

Question

The City of Melville Residents and Ratepayers Associations have resubmitted questions from Agenda Briefing Forum of 1 May 2018.

Response

All questions apart from question 2 have been answered and recorded in the Agenda Briefing Forum Notes. Administration will respond to question 2 in the near future.

6.1.3 Mr E Nielsen, BooragoonQuestion 1

Mr Nielsen has submitted a question where he asks the Elected Members to direct the City Officers/Staff responsible for this, to revert to the previous website and only move forward with a new one when all 'irregularities' have been ironed out and it is therefore able to serve the public appropriately?

Response

Elected Members do not have the authority to direct the City officers in an operational matter. Administration will provide a response to Mr Nielsen.

6.1.4 City of Melville Residents and Ratepayers Association (Inc)

On 9 May the Association asked Mayor Aubrey and Deputy Mayor Woodall questions regarding the minutes on the 26 April SME, many of the questions asked during public question time were taken on notice, yet answers to those questions have not been included in the minutes. A number of the summaries of the speakers' presentations do not properly capture what was said, for example the summaries of Mr Tomas Fitzgerald's (page 15) and Mr Clive Ross' (page 17) presentation fail to capture the substantive points made in their presentations and the slides presented by Mr Ross were also not included in the minutes as per the City's normal practice, these questions were not answered so please explain:

Question 1

When Council will update the public minutes to include the answers to all of the questions taken on notice at the meeting?

Response

Questions relating to the Authorised Inquiry and the Judicial Review will be responded to at the conclusion of those processes. Responses to other questions will be posted on the website in the near future.

Question 2

Why has Council not properly captured the substantive points made by presenters in the summaries included in the minutes?

Response

The presenters did not provide written copies of their presentations, as such the presentations were summarised, which in itself is beyond the requirements of the legislation.

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

Question 3

Why has Council not included a copy of Mr Ross's presentation in the minutes, particularly considering it was a key part of the presentation?

Response

Mr Ross's presentation covered matters that are being considered by the Authorised Inquiry and therefore it was not considered appropriate for this information to be included in the minutes.

Question 4

Late item C18/5623 – Chief Executive Officer Performance - When will details of the City's and the CEO's performance against the annual targets and the CEO's contractual key performance indicators respectively be published?

Response

The legislation does not require the publication of the details of the CEO's performance review.

Late item M18/5624, in relation to the four motions overwhelmingly carried at the 26 April 2018 Special Meeting Electors, Officers recommendations point 2 states that the Council "Notes that the Chief Executive Officer has advised the Director General of the Department of Local Government, Sport and Cultural Industries the text of all Motions passed at this Special Meeting of Electors."

Question 5

For what purpose did the CEO forwarded these motions to the Director General, what comments did the CEO make about the motions?

Response

The Special Meeting of Electors was of interest to the Department and Motion 1 was directly related to the matters being considered by the Authorised Inquiry. The letter sent by the CEO to the Department was tabled at this meeting and is included in these minutes.

[Letter to Department of Local Government Sport and Cultural Industries](#)

Question 6

Did Council authorise the CEO's correspondence the Director General and was it also sent to the Minister?

Response:

No and no.

- 6.1 *Public Question Time – City of Melville Residents and Ratepayers Association Inc, continued.*

Question 7

How has the Minister and/or the Director General responded and what were their comments?

Response

The Director General has advised that if the matters are deemed to relate to the matters currently under the Authorised Inquiry then they may be incorporated within that process.

At 6:44pm Mr T Cahoon entered the meeting.

Late item M18/5624, in relation to the four motions overwhelmingly carried at the 26 April 2018 Special Meeting Electors, Officers recommendations point 3. states that the Council, “In relation to Motion 1, notes the intent of this Motion and the similarity between its subject matter and the matters under consideration by the current Authorised Inquiry.”

Question 8

Why is Council abdicating its responsibilities to the Authorised Inquiry, and other agencies, in order to properly, proficiently and independently investigate the community’s complaints about the handling of the Applecross property purchases, the subject of Motion 1?

Response

The Authorised Inquiry commenced prior to the Special Meeting of Electors. It would be improper for the Council to seek to pre-empt the findings of the Authorised Inquiry by conducting a parallel investigation into matters being considered by the Inquiry.

Question 9

Why didn’t Council act on these complaints in an independent and transparent manner with the initial complaints were raised quite some time ago; why was Council not fully transparent in responding to public questions around a year ago?

Response

The complaints were considered at the time and found to be baseless. All relevant information has been provided to the Authorised Inquiry which will make an independent determination.

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

Question 10

What will Council do to assure the community that it has the will, integrity and capability to transparently investigate, of its own accord independently of the CEO and his administration, similar complaints and allegation of breaches of the City's Codes of Conduct and other laws?

Response

Under the Local Government Act the role of Council is to govern the local government's affairs and be responsible for the performance of the local government's functions. It does not have an investigation or complaint management role, which are functions of the administration or external oversight bodies.

Question 11

Will the Mayor and Councillors who are implicated in the subject of Motion 1 declare their self-interest and exclude themselves from any debate and vote on the matter?

Response:

The disclosure of interests relating to that agenda item will be read prior to consideration of the item.

Question 12

The Mount Pleasant Bowling club have passed a unanimous resolution not to move from their clubhouse, will the city force them to move by taking legal action or other measures?

Response:

The Mt Pleasant Bowling Club has not passed such a motion.

6.1.5 Mr M McLerie, Booragoon

In the 8 May Melville Times "Confidence down" article it was stated "Mayor Russell Aubrey said the ongoing inquiry by the Department of Local Government, Sport and Cultural Industries (DLGSC) had knocked the community's confidence. "We know where that negative part comes from," he said. "We'll be relying on the inquiry team to put the community's mind to rest." Mr Aubrey reiterated his confidence the inquiry would be concluded soon and that the City would be given the all clear."; could Mayor Aubrey and Council please confirm;

Question 1

Was Mayor Aubrey's statement endorsed by Council and/or does Council fully agree with the Mayor's statements to the press?

Response:

Under Section 2.8(1)(d) of the *Local Government Act 1995*, The Mayor "speaks on behalf of the local government". When I am speaking on behalf of the City, it is not a requirement for all Elected Members to fully agree with statements that I make.

Question 2

Mayor Aubrey stated "We know where that negative part comes from"; exactly what and who are the sources of this purported negativity?

Response:

The negative part comes from those people who do not know or understand the City's rigorous compliance standards and the diligent manner in which they are applied.

Question 3

What is the factual basis upon which Mayor Aubrey relied in making the statement "the inquiry would be concluded soon and that the City would be given the all clear?"

Response

From the time the Inquiry was called, I was confident that the City's internal and external processes and procedures, auditing mechanisms and diligence of staff and Elected Members would result in no significant findings. At the initial meeting with the Inquiry team it was indicated the Inquiry should take a few months.

Question 4

Who exactly within the Department and/or the Minister's office has provided the information upon which Mayor Aubrey and/or Council has relied in making the various statements above to the press?

Response:

See the response to question 3 above.

6.1 *Public Question Time – Mr McLerie, Booragoon, continued.*

Question 5

Why has Mayor Aubrey and Deputy Mayor Woodall refused to independently investigate my multiple complaints to them since November 2017 about the CEO's and the City's refusal to deal with and properly remedy the City's failures to properly and proficiently fulfil its statutory Building Act Permit Authority function in relation to the disastrous demolition and serious building issues still present at the 10/10A Ince Road Attadale strata properties. When will Council independently investigate my multiple complaints about the CEO's failure to ensure the City properly and proficiently perform its statutory building services functions?

Response

The matter between the City and the owners of 10 Ince Road Attadale is currently before the State Administrative Tribunal and it would be inappropriate to comment on the matter before the SAT has made its determination. The City understands that Mr McLerie has also submitted complaints on this matter to the Building Commission. The City will cooperate with any request from the Commission to assist with its investigation.

The references to the "City's failures" and "CEO's failure" are statements of personal opinion. Should the outcomes of either the SAT process or the Building Commission process indicate that action needs to be taken by the City or the Council, this will be done.

6.2 Questions received at meeting

6.1.2 Ms A De Souza, Murdoch

Question 1

Why was the Applecross Cricket Club (ACC) having to play at Kent St, Vic Park when they should have been playing on their dedicated ground at Karoonda Park, Booragoon, years ago? It is acknowledged that it is nice to help out clubs from other Cities when we can, BUT NOT at the expense of Melville clubs.

Response

The Acting Director Community Services responded advised that Fremantle CBC have played for many years on Karoonda Reserve and we have many clubs in the City that have the names of other suburbs, but the majority of players reside in the City of Melville. Applecross Cricket Club has played for many years at Kent Street, as there has been no available ground for the placement of a turf wicket until recently at Bert Jeffery Park.

Question 2

The City has confirmed that there are no funds in the current budget to construct any buildings at Bert Jeffery Park (BJP)? So why is it in the 12 May edition of the Fremantle Herald, the ACC state and know they are getting "Dunnies for Bert"?

Response

The Acting Director Community Services advised that the item associated with facilities at Bert Jeffery Park is before Council tonight and is yet to have a decision made.

6.3 Questions Taken on Notice at 17 April 2018 Ordinary Meeting of Council

6.3.1 Mr W Green, Bull Creek

Question 1

Would the Council please consider providing a security guard in the Council Chambers for a period both before and after Council Meetings to help prevent the physical assault of residents and ratepayers by disturbed attendees in the public gallery?

Response

The matter receives ongoing review but to date there has been insufficient evidence of need to justify the expense of ongoing security attendance. The City assesses the potential number of attendees at each meeting and will engage crowd control staff where appropriate and in particular where divisive matters are being considered by the Council as part of its risk management function. Should there be instances of assault or similar of any person attending a meeting, the City will call the police and cooperate with any subsequent investigation.

The Mayor as Presiding Member has the responsibility to maintain order and has powers to have persons removed from the building in the event of any disturbance.

Question 2

Would the Council please consider extending its sound recording in the Council Chamber to include both before and after Council Meetings so that it may be provided to the police for their use as evidence in cases of assault by unstable and psychologically disturbed attendees in the public gallery, as well as Civil Law Suits?

Response

The City commences recording at the start of the meeting. Should there be a need recording can be commenced earlier and extended if required, and this would be assessed at the particular meeting.

7. AWARDS AND PRESENTATIONS

Nil.

8. CONFIRMATION OF MINUTES**8.1 ORDINARY MEETING OF THE COUNCIL – 17 APRIL 2018**
[Minutes 17 April 2018](#)**COUNCIL RESOLUTION**

At 6:56pm Cr Wieland moved, seconded Cr Robins–

That the Minutes of the Ordinary Meeting of Council held on Tuesday, 17 April 2018, be confirmed as a true and accurate record.

At 6:56pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (12/0)

8.2 NOTES OF AGENDA BRIEFING FORUM – 1 MAY 2018
[Notes 1 May 2018](#)**COUNCIL RESOLUTION**

At 6:56pm Cr Phelan moved, seconded Cr Barton–

That the Notes of Agenda Briefing Forum held on Tuesday, 1 May 2018, be received.

At 6:56pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (12/0)

8.3 SPECIAL MEETING OF ELECTORS – 26 APRIL 2018
[Minutes Special Meeting of Electors 26 April 2018](#)**COUNCIL RESOLUTION**

At 6:57pm Cr Barton moved, seconded Cr Robins –

That the Minutes of the Special Meeting of Electors held on Thursday, 26 April 2018, be confirmed as a true and accurate record.

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

CARRIED UNANIMOUSLY (12/0)

**8.4 FINANCIAL MANAGEMENT, AUDIT, RISK AND COMPLIANCE
COMMITTEE – 7 MAY 2018****COUNCIL RESOLUTION**

At 6:57pm Cr Woodall moved, seconded Cr Barling –

That the Minutes of the Financial Management, Audit, Risk and Compliance Committee Meeting held on Monday, 7 May 2018, be noted.

NB: Minutes to be confirmed at next meeting of the Financial Management, Audit, Risk and Compliance Committee.

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

CARRIED UNANIMOUSLY (12/0)

8.5 GOVERNANCE COMMITTEE – 9 MAY 2018**COUNCIL RESOLUTION**

At 6:57pm Cr Robartson moved, seconded Cr Phelan –

That the Minutes of the Governance Committee Meeting held on Wednesday, 9 May 2018, be noted.

NB: Minutes to be confirmed at next meeting of the Governance Committee.

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

CARRIED UNANIMOUSLY (12/0)

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

- Late Item C18/5623 – Chief Executive Officer Performance Review

9.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT

- C18/5617 Policy Review Corporate Services
- CD18/8107 Development of Amenities Building at Bert Jeffery Park
- Late Item M18/5624 Special Meeting of Electors – Compliance with the *Local Government Act 1995*.

10. DEPUTATIONS

The Mayor advised that the City has received a non-compliant deputation request. The City had requested the applicant to provide further information to make the deputation request compliant, this information had not been provided by 4pm today.

Mr McLerie, representing the City of Melville Residents and Ratepayers Association (Inc) requested to make a Deputation, with regard to Bert Jeffery Park.

It was established that Mr and Mrs Oldham of Murdoch were in the public gallery and wished to make a deputation against the Item CD18/8107 Development of Amenities Building at Bert Jeffery Park. This request was accepted in accordance with 7.10(4) of the *City of Melville Meeting Procedures Local Law 2017*, extract below:

“7.10 Deputations

- (1) Any person or group wishing to be received as a deputation by the Council is to either-*
 - (a) apply, before the meeting, to the CEO for approval; or*
 - (b) with the approval of the presiding member, at the meeting, address the Council.*
- (2) The CEO may either-*
 - (a) approve the request and invite the deputation to attend a meeting of the Council;*
 - (b) reject the request; or*
 - (c) refer the request to the Council to decide by simple majority whether or not to receive the deputation.*
- (3) Unless the Council resolves otherwise, a deputation invited to attend a Council meeting-*
 - (a) is not to exceed three persons, only two of whom may address the Council, although others may respond to specific questions from Members; and*
 - (b) is not to address the Council for a period exceeding 10 minutes without the agreement of the Council. A period not exceeding 5 minutes will be given for asking and answering questions. The presiding member may permit additional question time in circumstances where the matter is unclear.*
- (4) For the purpose of determining who may address the Council on an issue, all people either in favour of or opposed to an item for consideration are deemed to comprise a single deputation.*
- (5) Any matter which is the subject of an approved deputation to the Council is not to be decided by the Council until the deputation has completed its presentation.”*

At 7:08pm Mr P and Ms V Oldham, Murdoch entered the meeting and from 7:12pm to 7:29pm presented on Item CD18/8107 – Development of Amenities Building at Bert Jeffery Park and expressed:

- concerns about installation of turf cricket wickets and proposal for further amenities at Bert Jeffery Park.
- that Shirley Strickland and Winthrop Reserves should be further investigated as they have the require infrastructure.
- that major sporting facilities have cricket and football sharing the same grounds.
- concerns about the boundary distance measurements in accordance with Cricket Australia Guidelines.

At 7:15pm Cr Keperit left the meeting and returned at 7:17pm.

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

At 7:31 pm Cr Woodall moved, seconded Cr Barton –

That the application for new leaves of absence submitted by Cr Wheatland and Cr Robartson on 15 May 2018 be granted.

At 7:31pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (12/0)

12. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED**T18/3781 – Civic Library and Cultural Centre**

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

The Confidential Item was distributed to Elected Members on Friday, 27 April 2018 under confidential cover.

Late Item - C18/5623 – Chief Executive Officer Performance Review

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

The Confidential Item was distributed to Elected Members on Friday, 11 May 2018 under confidential cover.

13. PETITIONS

Nil.

At 7:31pm the Mayor brought forward items CD18/8107 – Development of Amenities Building at Bert Jeffery Park and M18/5624 – Special Meeting of Electors – Compliance with the *Local Government Act 1995* - Motions Carried for the convenience of the members of the public gallery

Disclosure of Interest

Item No.	CD18/8107
Member	Cr N Robins
Type of Interest	Impartiality
Nature of Interest	Has moved and voted on motions in support of cricket at Bert Jeffery Park and made social media posts stating support.
Request	Stay, discuss and vote
Decision	Not Required

**CD18/8107 – DEVELOPMENT OF AMENITIES BUILDING AT BERT JEFFERY PARK
(REC) (ATTACHMENT)**

Ward	:	Bateman – Kardinya – Murdoch
Category	:	Operational
Subject Index	:	Bert Jeffery Park
Customer Index	:	Bert Jeffery Park
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	M18/5605 – Special Meeting Of Electors – Bert Jeffery Park
Works Programme	:	Not Applicable
Funding	:	Not Applicable
Responsible Officer	:	Todd Cahoon Manager Healthy Melville

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>

**CD18/8107 – DEVELOPMENT OF AMENITIES BUILDING AT BERT JEFFERY PARK
(REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- This report follows Recommendations endorsed by the Council following a Special Meeting of Electors in February 2018 that requested a report be prepared for consideration by the Council on the development of any infrastructure at Bert Jeffery Park, by no later than May 2018.
- The report provides background regarding the installation of a turf cricket wicket at Bert Jeffery Park and the proposal for the installation of a small amenities facility at the Park.
- Results of the community engagement in regard the preferred location of the small amenities facility are provided that show a low response rate (9%) of local residents invited to comment, largely opposed to any installation of a small amenities facility at this site.
- Officers are recommending the location of the amenities facility in line with Cricket Australia Guidelines and the particular features of the site.
- Officers seek support, in principle, for the proposed location and project that will then be considered for funding in the 2019-2020 Budget.

BACKGROUND

The City of Melville greatly values the benefits of an active lifestyle and has strategic goals in place to contribute to a healthy and active community.

The provision of sporting reserves and infrastructure is a major factor in achieving this goal. However, the City of Melville for some time now has been currently facing a severe overuse of a number of its sporting reserves and must implement plans to resolve this issue.

In 2011, the City of Melville prepared a 20-year strategic plan for the future provision of active reserves within the City. The Strategic Provision of Active Reserves (SPARS) report identified that five sports would have a potential shortfall in sports fields by 2031, these were:

- Cricket - five fields;
- Soccer - four natural or two synthetic;
- Australian Rules Football – one field;
- Hockey - four natural or two synthetic; and
- Rugby Union – two fields.

The key finding from the review and subsequent work is that there is sufficient Public Open Space (POS) to accommodate all recreational activities beyond 2031. The overuse and capacity constraints is mainly due to the lack of fit for use infrastructure to support the increased number of participants on existing POS (reticulated grass, flood lights, change rooms, etc) and layout of sporting fields and mix of sports played on individual fields.

**CD18/8107 – DEVELOPMENT OF AMENITIES BUILDING AT BERT JEFFERY PARK
(REC) (ATTACHMENT)**

The City has developed a number of guiding strategies to address the issues facing the adequate provision for recreational activities.

- Review layout of sport fields and mix of sports played on existing reserves to optimize use (examples of these are Tompkins Park and Shirley Strickland Concept Plans);
- Installation of supporting infrastructure, e.g. flood lights, improved irrigation, toilets and changing facilities;
- Installation of non-organised sports infrastructure at parks and reserves, e.g. fitness paths and outdoor gym equipment;
- Improvement of existing public open space to cater for sports and non-organised sports use; and
- Ongoing review of projections. The update of initial review and broadening of the report to include other sports (Tennis, Netball, etc) has been listed to be completed for the past two years, but deferred due to a number of reasons (covered further on in this report). This project, now called the Recreation Infrastructure Strategy, is scheduled to commence 2018 and is estimated to be completed late 2018 or early 2019.

To understand the decision made to install a turf wicket block at Bert Jeffery Park, it is important to highlight some critical sequence of events that have led to this approval and the complexity of finding locations for sporting use.

The City has records of Applecross Cricket Club requesting to install a turf wicket within the City from as early as the year 2000. For many reasons, this request has not been able to be approved until recently.

The Applecross Cricket Club was established in 1975 and plays under the Western Australian Suburban Turf Cricket Associations competition. They are required to play their top grades on a turf wicket (lower grades play on a synthetic wicket). For many years, the Applecross Cricket Club have been utilising a turf facility in Victoria Park which is no longer available to the Club. The Club was relegated from the A and B grades of the competition in 2016 due to not having access to a turf wicket.

Investigations for a suitable site for a turf wicket

In relation to the investigation for suitable grounds for a turf cricket pitch the assessment looked at:

- Overall existing use of the reserve;
- The impact on other summer and winter users of the reserve due to placement of the turf block;
- Impact of access to the reserve for non-organised sports activities; and
- Scheduled upgrade works and available funds for the establishment of sports fields and supportive facilities, e.g. toilets and changing facilities.

CD18/8107 – DEVELOPMENT OF AMENITIES BUILDING AT BERT JEFFERY PARK
(REC) (ATTACHMENT)

There were a number of reserves discounted as not suitable for a number of reasons and then a small number of reserves investigated in more depth, these were:

Tompkins Park

The SPARS 2011 report identified the need to do a master plan of Tompkins Park, including Melville Bowling Club.

In 2013, the Tompkins Park Concept Plan investigated a number of options and opportunities for the relocation of the Melville Bowling Club and the City of Melville Bridge Club. Initially, the relocation of the bowling club was discounted in favour of investigating further the opportunity of relocation the Melville Bridge Club from Canning Highway site, which is listed as a strategic land holding for the City. After further investigation the Melville Recreation Centre was chosen as the best value proposition for the relocation of the Bridge Club.

In 2014-2015, investigations commenced on the suitability of a third turf wicket and Tompkins Park for Applecross Cricket Club's use. At a similar time, the Council resolved to bring forward the Concept Plan for Shirley Strickland Reserve and to investigate the relocation of Mount Pleasant Bowling Club to Shirley Strickland Reserve. To properly investigate the relocation of Mount Pleasant Bowling Club, it was necessary to complete a Lawns Bowls Strategy for the entire City.

Note: Both the bringing forward of the Shirley Strickland Reserve Concept Plan, the urgent need for the Bowls Strategy to inform the Concept Plan and the further delays in finalising the Tompkins Park Concept Plan caused delays in commencing the Recreation Infrastructure Strategy.

The Lawn Bowls Strategy 2016 identified the best location for a northern Lawn Bowls facility to be Tompkins Park. Given the need to accommodate bowling greens, and the impact of removing a synthetic wicket to install a turf wicket, Tompkins Park was discounted as a location for a turf wicket to be used by Applecross Cricket Club.

Shirley Strickland Reserve

The Shirley Strickland Reserve Concept Plan 2016 recommended the investigation of putting a turf wicket block on the main oval at the reserve. Staff from both Recreation Development and Natural Areas and Parks investigated this option. However, due to the unscheduled costs for reconfiguring the irrigation system, the impact on the junior football club in winter, the need to relocate the junior and senior cricket played on the synthetic wicket, Shirley Strickland Reserve main oval was discounted.

Winthrop Park

Winthrop Park was looked at closely, however there would have been a requirement to relocate floodlighting to be able to still fit the soccer pitches each side of the turf wicket. There was the requirement to upgrade the irrigation system (unscheduled) and the relocation of the existing teams playing on the synthetic wicket. It did however have existing change rooms and toilets.

**CD18/8107 – DEVELOPMENT OF AMENITIES BUILDING AT BERT JEFFERY PARK
(REC) (ATTACHMENT)****Bert Jeffery Park**

Bert Jeffery Park has been used on and off for sports training since the late 1980's, early 1990's. The SPARS 2011 report identified that Bert Jeffery could accommodate a senior cricket field with two hockey fields either side of the wicket. More recently in the last four years, the City has allocated pre-season soccer training to try and alleviate some of the overuse at other reserves. Due to the poor irrigation resulting in inefficient watering to maintain the turf and limited facilities the use of the Park has been limited until 2017.

When investigating suitable locations for the turf wicket, the City's Natural Areas and Parks Services team highlighted at a meeting in October 2016 the scheduled upgrade to the irrigation system at Bert Jeffery Park, which could allow for a turf wicket block. The size of the Park was suitable to a 68 metre boundary and Junior Soccer could still be played in winter. Furthermore, the Park has 35 parking bays around the perimeter, which is suitable for lower participation sports and being an overflow or second ground (i.e. no requirement for future club rooms, only storage, toilet and changing facilities).

With the field size and available parking, Bert Jeffery Park was identified as a suitable reserve to accommodate cricket and in particular a turf wicket.

Once the operational decision was made to approve the installation of the turf wicket at Bert Jeffery Park, it was highlighted to the Applecross Cricket Club that the provision of toilets and changing facilities may be some time off and subject to funding. The Club acknowledged this; however they were still seeking to urgently install the turf so to have it to a playable standard in 2018. Noting also that there is only a small window each year to order and have delivered the special clay needed for the wicket.

Throughout January 2017, City Officers continued to work with the Club in the planning and potential timeline for the installation.

In regard to consultation with local residents, in line with the City's stakeholder engagement framework, it was determined that there was no level of influence on the decision and the method of engagement to be used was to inform the local residents of the decision and any timelines for installation and potential use.

On 23 February 2017, a letter was sent to local residents informing them of the planned reticulation upgrade and the installation of a turf cricket wicket at Bert Jeffery Park. The letter summarised the rationale for the decision and noted the limited impact it should have. On 28 February 2017, a multi-signature letter was received objecting to the use. Subsequently, on 10 March 2017, a follow up letter was sent with frequently asked questions to correct misperceptions and provide further information and clarification.

The installation of the turf wicket commenced on 1 March 2017.

**CD18/8107 – DEVELOPMENT OF AMENITIES BUILDING AT BERT JEFFERY PARK
(REC) (ATTACHMENT)**

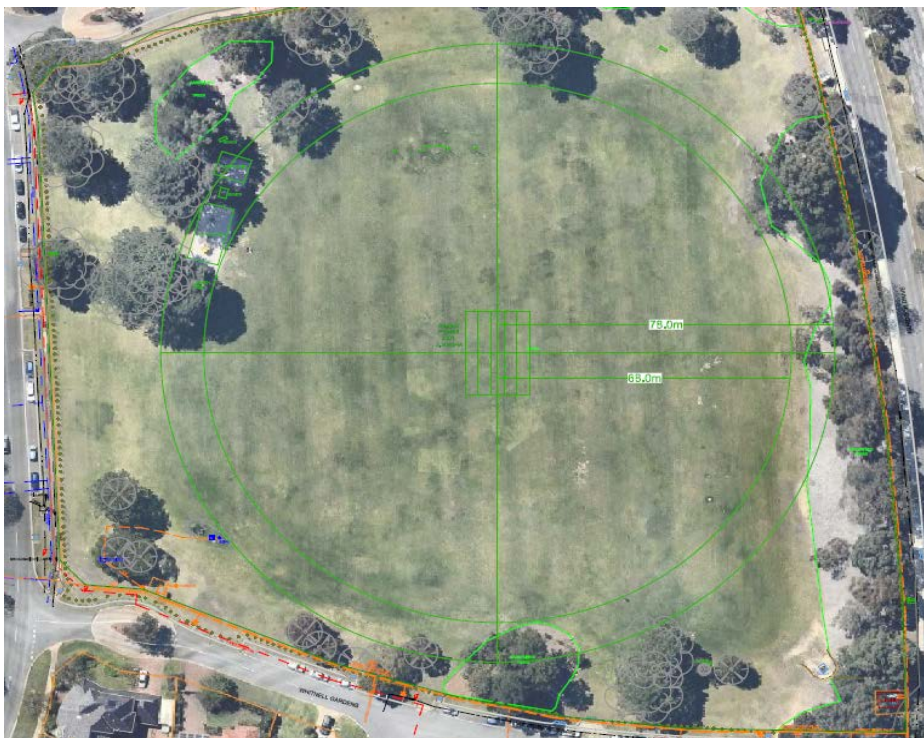
Greenkeeper’s Storage Shed

The Applecross Cricket Club applied for approval to install the Greenkeeper’s Storage Shed in September 2017. The Club received City of Melville Planning approvals on 16 November 2017, a Building Permit on 14 December 2017 and commenced construction of the storage shed in late December 2017/early January 2018. A letter informing the local residents of the installation of the Greenkeepers Storage Shed was sent on 24 November 2017. This letter also acknowledged the Motion with Notice adopted at the Ordinary Meeting of Council on 21 November 2017 Council Motion that residents will be provided with the opportunity to provide feedback on the proposed location of the amenities building at Bert Jeffery Park. Several images of the Greenkeeper’s Storage Shed visible from surrounding streets are attached to this item.

- [8107 from Fennessy Grn1 Bert Jeffery](#)
- [8107 from Fennessy Grn18 Bert Jeffery](#)
- [8107 from Johanson Prom15 Bert Jeffery](#)
- [8107 from Johanson Prom16 Bert Jeffery](#)
- [8107 from Whitnell Gdn Bert Jeffery](#)

The Applecross Cricket Club has also agreed to:

- Enter into a seasonal booking for the use of the facilities during the summer months. The booking will cover the responsibilities and conditions of hire in line with the City of Melville’s ground allocation process;
- Cover the cost of turf management and maintenance and to pay for all water use involved when maintaining the turf facility; and
- Cover all costs for the installation and ongoing maintenance and management of the Greenkeeper’s Storage Shed.



Aerial photograph showing the turf wicket location and a 68m boundary.

CD18/8107 – DEVELOPMENT OF AMENITIES BUILDING AT BERT JEFFERY PARK
(REC) (ATTACHMENT)

Cricket games commenced at Bert Jeffery Park on 13 January 2018. Since this time, the City has hired temporary toilets which have been delivered the day prior to the games and removed the day after. The cost of the hire was \$3,950 for the period 13 January 2018 to 10 March 2018 inclusive.

Amenities Building

For the level of use planned for Bert Jeffery Park, there is a requirement for a small amenities building consisting of two change rooms, universal access toilet, kitchenette and storage. There is no requirement for club room/social facilities as Bert Jeffery Park is a secondary sports field and these facilities are provided at other reserves for the clubs.

Officers investigated a number of options for modular buildings and had received an indicative quotation for a stage one amenities building, which included toilets, and ancillary room (change area) and small kiosk. With grant funding, it was identified that some minor facilities could be delivered sooner than originally planned. For this reason, a Community Sporting and Recreation Facilities Funding Grant (CSRFF) application was made to the Department of Sport and Recreation (now known as the Department of Local Government, Sport and Cultural Industries) as part of the March 2017 small grant funding round.

The application indicated that the estimated cost of the project would be \$135,000 for a small amenities building consisting of toilets, kitchenette and an axillary room. Subsequently, the City of Melville was advised that the grant application was successful and the project received a grant of \$40,000. On 5 July 2017, an update letter was sent to local residents informing of the successful grant application and that this would allow facilities to be built sooner at Bert Jeffery Park.

However, after further investigation, the civil works and other headworks required were significantly more than first estimated resulting in insufficient budget to complete the project.

Special Meeting of Electors 1 February 2018 and Ordinary Meeting of Council 20 February 2018

Following the Special Meeting of Electors on the 1 February 2018, a report was prepared for the February 2018 Ordinary Meeting of Council. Item T18/5605 Late Item – Special Meeting of Electors – Bert Jeffery Park was presented to Council and the following motion approved:

“That the Council;

- 1. Having considered the motion from the Special Meeting of Electors held on 1 February 2018, notes the intent of the motion.*
- 2. Notes that a report will be prepared for consideration by the Council on the development of any infrastructure at Bert Jeffery Park, for consideration by the Council, by no later than May 2018.*
- 3. Directs the Chief Executive Officer to advise the mover of the Motion at the Special Meeting of Electors in writing of the Council’s resolution.”*

This report seeks acknowledgement of basic provisions of amenities to support activities on reserves used for sporting proposes and makes recommendation for the preferred location of an amenities building at Bert Jeffery Park.

**CD18/8107 – DEVELOPMENT OF AMENITIES BUILDING AT BERT JEFFERY PARK
(REC) (ATTACHMENT)****DETAIL**

Reserves used for sporting activities are supported by infrastructure to facilitate the activity. This ranges from sports equipment like goal posts and cricket pitches, to amenities like toilets, storage, change rooms and club rooms. These facilities play an important role in helping people to become and stay active as well as improving the use and viability of the playing field for sport and other activities.

The standard provision of facilities is generally different depending on the type of sport played and the level; regional reserves have a different requirement than a local reserve. Basic amenities like toilets are considered an essential provision for any level of sporting activity as they support the comfort of players and spectators and enables users to abide by laws governing the use of public places.

Bert Jeffery Park is considered a satellite/overflow local sporting reserve. Amenities like toilets, change areas, kitchenette and storage are needed to support the type of activity at the Park, whereas social facilities like club rooms would not be needed.

A number of sports codes have released guidelines to assist local governments and clubs in the planning and provision of amenities and club room facilities.

Cricket Australia's Community Cricket Facility Guidelines 2015 and Football West's Facility Review and Development 2009 would be the most aligned guides for the development of facilities at Bert Jeffery Park. While each sporting reserve has particular uses to take into consideration, in general both of these guides would support, for a club satellite/overflow local sporting reserve (senior cricket and junior soccer), the inclusion of storage, toilets, change areas and a kitchenette and the exclusion of social club rooms.

Location for Amenities Building

In determining the most suitable location for the amenities building a number key considerations were used:

- Visual Impact;
- Connection of Services;
- Accessibility; and
- Usability.

In addition, supporting the key considerations, Cricket Australia provides a site analysis guide within the Community Cricket Facility Guidelines 2015 which is very relevant to the location of existing facilities as Bert Jeffery Park.

**CD18/8107 – DEVELOPMENT OF AMENITIES BUILDING AT BERT JEFFERY PARK
(REC) (ATTACHMENT)**

In regard to facility orientation, the guide highlights that the following should be considered:

- Limit exposure to prevailing weather;
- Central and perpendicular orientation to the pitch to maximise views for spectators and players; and
- Direct access to site entry points and car park.

Additionally, in regard to sun position, the guide recommends that the building's active elevation should face east.

The following diagram, provided in the Community Cricket Facility Guidelines 2015, indicates the preferred location for buildings (noted in red as point 2) to be on north-west to south-west side of the field.

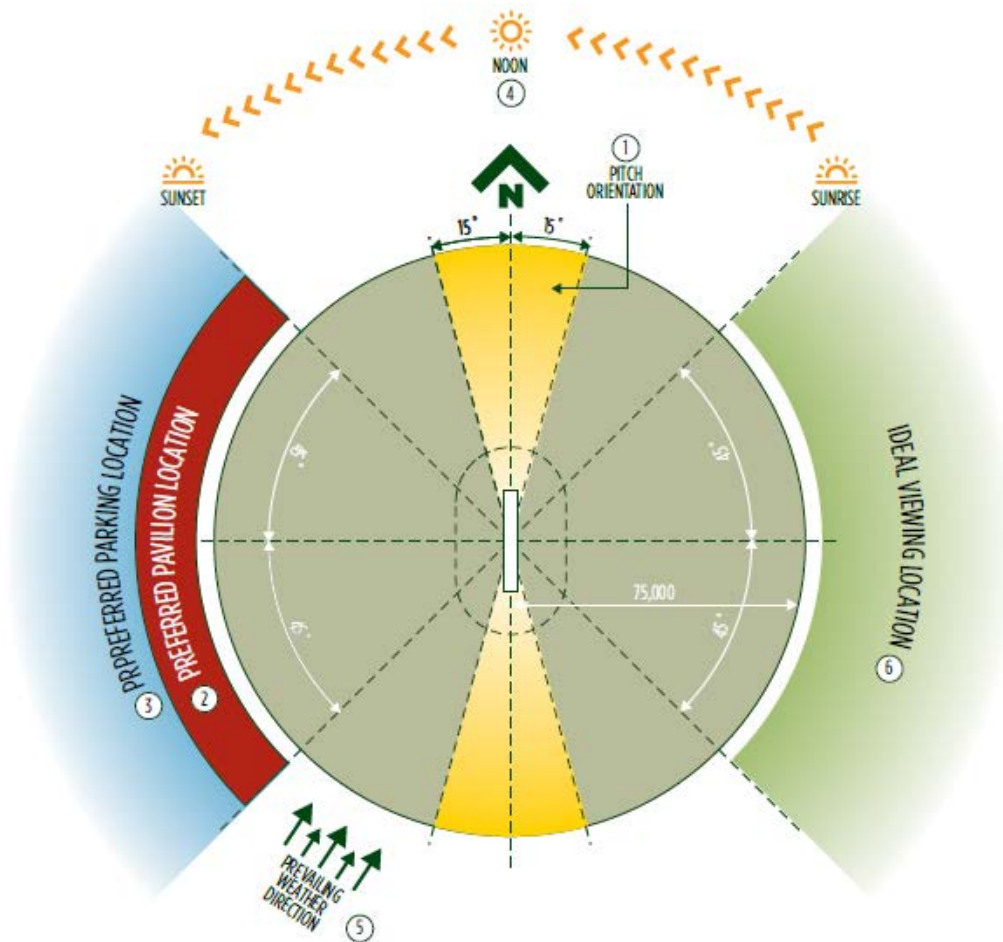


Diagram reproduced from the Community Cricket Facility Guidelines 2015 Guidance Note 03 – Clubrooms and Change Facilities page 51.

CD18/8107 – DEVELOPMENT OF AMENITIES BUILDING AT BERT JEFFERY PARK
(REC) (ATTACHMENT)

Bert Jeffery Park



In investigating a preferred location, the initial stage was to rule out sites that would not be suitable. Given the south-east location is a Water Corporation drainage site which floods and is undulated and unable to site any proposed building, it was ruled out.

The north-east location was previously discounted in favour of siting the Greenkeeper's Storage Shed there due to the following reasons.

- The west, south-west facing verandah would be subject to glare from the summer sun and prevailing weather direction;
- Accessibility is restricted from the main parking areas and the installation of paths to the amenities building would be difficult;
- Additional costs for the provision of power and sewage to the site (not required for the Greenkeeper's Storage Shed); and
- Additionally, the larger footprint could impact on ground level tree roots and the potential to damage existing trees.

**CD18/8107 – DEVELOPMENT OF AMENITIES BUILDING AT BERT JEFFERY PARK
(REC) (ATTACHMENT)**

In line with recommended guidelines, Officers looked at two key locations:

- North-west; and
- West to south-west.

The west to south-west area is open and less protected by surrounding trees making the visual impact of this location greater than the north-west. It does however have good access to parking and services.

The north-west and preferred location provides for easier access to utilities, easily accessible from parking and is protected from the afternoon sun and prevailing weather direction. The location provides good shade areas, a reduced visual impact due to the lower positioning from the road and links the amenities building to the playground. This location is in line with the recommended guidelines for building placement from Cricket Australia.



CD18/8107 – DEVELOPMENT OF AMENITIES BUILDING AT BERT JEFFERY PARK
(REC) (ATTACHMENT)

A summary of the considered locations on the site and impact to local residents appears below:

<p>North-west location</p> <p>The north-west and preferred location provides for easier access to utilities, easily accessible from available parking and is protected from the afternoon sun and prevailing weather direction.</p> <p>The location provides good shade areas, a reduced visual impact due to the lower positioning from the road and links the amenities building to the playground. This location is in line with the recommended guidelines for building placement from Cricket Australia.</p> <p><i>*See general note below on all locations.</i></p>	<p>North-east location</p> <p>The north-east location is discounted in favor of siting the Greenkeeper's Storage Shed due to the following reasons:</p> <ul style="list-style-type: none"> • The west, south-west facing verandah would be subject to glare from the summer sun and prevailing weather direction; • Accessibility is restricted from the main parking areas and the installation of paths to the amenities building would be difficult; • Additional costs for the provision of power and sewage to the site (not required for the Greenkeeper's Storage Shed); and • Additionally, the larger footprint could impact on ground level tree roots and the potential to damage existing trees. • Therefore it was ruled out as a possible location.
<p>South-west location</p> <p>The west to south-west area is open and less protected by surrounding trees making the visual impact for local residents of this location greater than the north-west. It does however have good access to parking and services.</p>	<p>South-east location</p> <p>The south-east location is a Water Corporation drainage site which floods and is undulated and unable to site any proposed building. Therefore it was ruled out as a possible location.</p>

Local considerations for all locations:

From the recent engagement process, Officers recognise that some residents do not want any development at Bert Jeffery Park and are keen to retain the reserve in its current state. This ensures their use of the main areas of the Park remain at all times. Some residents consider the proposal is larger than what is needed and will attract anti-social behaviours. A smaller number of residents support the use of the Park for cricket purposes.

**CD18/8107 – DEVELOPMENT OF AMENITIES BUILDING AT BERT JEFFERY PARK
(REC) (ATTACHMENT)**

Residents bordering Bert Jeffery Park on the corner of Whitnell Gardens, Fennessy Green and on Johanson Promenade will be most impacted by the installation of the amenity facility. There will be a visual impact caused by the installation of the Greenkeeper's Storage Shed and the amenities facility. When used, there will be an impact on the local amenity through car parking, some noise, and loss of access to the central part of the Park whilst sport is being played.

The proposed site for installation of the amenity facility will be approximately three metres lower than the drive ways of most local residents. The amenity facility will be situated close to the existing trees and playground meaning the visual impact will be partially lessened. By installing the Greenkeeper's Storage Shed and amenities building the City is unable to totally prevent a visual impact but the proposed locations lessens the extent of this visual impact.

The proposal would result in the loss of access to the central part of the Park whilst sport (cricket in summer and football in winter) is being played (this is no different to any other active reserve in the City). However, this loss is considered minimal as Bert Jeffery Park will be used for cricket in the summer months and small groups of training groups in the winter months. The impact of car parking has been monitored in the summer season of 2018 with no significant incidences. Officers from the City of Melville continuously educate sporting clubs in promoting good club management in regards to:

- Being a proactive community club and considering the closeness of local residents;
- Limiting noise from the clubs activity within reason; and
- In the case of Bert Jeffery Park car-pooling on training and match days.

Instances of anti-social behaviour are dealt with on a case by case basis.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

A total of 208 letters were sent to local residents calling for feedback on the proposed location of the amenity block at Bert Jeffery Park. As of 28 February 2018, the City received 19 submissions (9% of letters sent), 15 against and four in favour. There is a large amount of information contained within the submissions which covered:

- Criticised the process to date and the lack of consultation regarding the turf cricket pitch installation;
- Criticised the manner in which the City approached the installation of a Turf Cricket wicket;
- The size of the Park being too small to play cricket games;
- Concerns the amenity would attract antisocial behavior (Stranger Danger);
- Somerville Park is a better location;
- Inadequate facilities at the Park already;
- Safety of Children playing on the playground whilst cricket is being played;
- Loss of use of the Park in the summer and loss of access to the Park;
- Too dangerous for children to use the Park when games being played;
- Do not remove any trees;

CD18/8107 – DEVELOPMENT OF AMENITIES BUILDING AT BERT JEFFERY PARK
(REC) (ATTACHMENT)

- Remove current eyesore (new Greenkeeper's Storage Shed);
- Allocate the Cricket Club to a more suitable reserve (Tompkins Park);
- Increased noise, traffic movement and spectators in the local area; and
- Loss of property valuations.

Nine of the submissions said they did not want any sort of structure being built at Bert Jeffery Park and thought that they were unnecessary.

Applecross Cricket Club provided support in regard to the potential amenities building and the preferred location.

II. OTHER AGENCIES / CONSULTANTS

The Western Australian Cricket Association provided a support letter to the City of Melville in regard to the installation of a turf wicket within the City. The Department of Sport and Recreation (now known as the Department of Local Government, Sport and Cultural Industries) also provided grant funding of \$40,000.

City of Melville - Recreation Development and Natural Areas and Parks

The Strategic Provisions of Active Reserves Report 2011 – 2031 identified Bert Jeffery Park as a potential location for an additional Cricket Ground (as covered in location of turf block section of this business plan). The report highlighted that the sport of Cricket will require five additional senior ovals by 2031. The location was further investigated for the potential installation of a turf block during and after a joint meeting with Recreation Development and Natural Areas and Parks regarding the upgrading of the reticulation at the Park. It was agreed by all that further investigations should be made regarding the turf installation.

These investigations concluded that Bert Jeffery Park was suitable and it was agreed by Recreation Development and Natural Areas and Parks that the installation should take place.

STATUTORY AND LEGAL IMPLICATIONS

The standard Planning and Building approvals are required.

FINANCIAL IMPLICATIONS

This report deals with the overarching need for amenities to support the activities at Bert Jeffery Park and identifies the preferred location for an amenities building. A further report will be presented to the Council for consideration prior to the 2019-2020 Budget.

The options for facilities range from providing toilets and storage, to providing all the required facilities of changing areas, kitchenette and toilets. The options are presented in a way that could allow a staged build however staging the development will increase the cost overall.

**CD18/8107 – DEVELOPMENT OF AMENITIES BUILDING AT BERT JEFFERY PARK
(REC) (ATTACHMENT)**

The City has received a grant of \$40,000 through the State’s Community Sport and Recreation Facilities Fund indicating the State’s support of the project.

The remaining funds for the preferred building option will be presented in the 2019-2020 Budget for Council consideration.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risks Identified

Risk Statement	Level of Risk	Risk Mitigation Strategy
<p>Risk of people changing and needing to go to the toilet on a public reserve.</p> <p>Risk of reserve being under utilised and not supporting the sports played there due to no amenities.</p> <p>Risk of players and visitors being exposed to the elements.</p> <p>Increasing pressure and overuse of other reserves due to limited amenities at Bert Jeffery Park.</p>	<p>Moderation consequences which are likely, resulting in a Low level of risk.</p>	<p>The installation of the amenities will provide adequate facilities to support sporting activity and provide protection from the elements.</p>

POLICY IMPLICATIONS

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

The provision of amenities on activity reserves supports the achievement of this objective.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The alternative is to not provide an amenities building at Bert Jeffery Park. As mentioned in the details of this of this report, a basic level of amenities is required to facilitate sporting activities of active reserves. Basic amenities like toilets are considered an essential provision for any level of sporting activity as they support the comfort of players and spectators and enables users to abide by laws governing the use of public places.

An alternate location could be chosen for the future development of amenities at Bert Jeffery Park. The preferred location provides for the best balance of accessibility for users and impact on amenity for local residents.

**CD18/8107 – DEVELOPMENT OF AMENITIES BUILDING AT BERT JEFFERY PARK
(REC) (ATTACHMENT)****CONCLUSION**

The City has adequate public open space (POS), however needs to improve facilities and infrastructure on POS to support the increasing community demand for sporting facilities.

Bert Jeffery Park requires basic amenities like toilets, kitchenette and changing areas to facilitate the activities at the Park.

The north-west location for a future amenities building is in line with the recommended guidelines and overall provides the best balance between, accessibility, useability and impact on local amenity.

Procedural Motion

At 7.33pm Cr Robins moved, seconded Cr Barling

That the Council defer consideration of the report CD18/8107 – Development of Amenities Building at Bert Jeffery Park to the June 2018 Ordinary Meeting of Council.

At 7:35pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (12/0)

OFFICER RECOMMENDATION (8107)**APPROVAL**

That the Council;

1. Notes there is a basic level of supporting infrastructure required on active reserves to facilitate use.
2. Approves the Bert Jeffery Park location plan (attached) as the future location of any future amenities building at the Park.
3. Notes that a business case with facility options and costs will be presented with the 2019-2020 Annual Budget Report.

[8107 Proposed Amenities Building Bert Jeffery Reserve Location Plan](#)

The Mayor advised:

I and several other Council members have received emails from Clive Ross claiming that we are prohibited from participating in the discussion or voting on this item. He has threatened that complaints would be lodged if we participate and vote.

Mr Ross has also made other claims relating to this item. One is that some Council members and the CEO could be in breach of section 85 of the *Criminal Code* and liable to 7 years' imprisonment. Mr Ross also wrote to the Minister for Local Government last Sunday claiming that the CEO has breached section 5.71 of the *Local Government Act* which has a maximum penalty of 2 years' imprisonment.

The City's legal advice is that these claims by Mr Ross are misconceived and baseless.

Despite this, the CEO has referred all the claims and threats to the Director General of the Department of Local Government.

For the purposes of tonight's meeting, the Council members who have been threatened by Mr Ross have made disclosures of impartiality interests and have undertaken to participate and vote on this item on its merits – and not be influenced, in any way, by the claims and threats made by Clive Ross.

Disclosure of Interest

Item No.	M18/5624
Member	Mayor R Aubrey
Type of Interest	Impartiality
Nature of Interest	Associated with email from Mr Ross of 30 April 2018
Request	Stay, discuss and vote
Decision	Not Required

Item No.	M18/5624
Member	Cr Robins
Type of Interest	Impartiality
Nature of Interest	Associated with email from Mr Ross of 30 April 2018
Request	Stay, discuss and vote
Decision	Not Required

Item No.	M18/5624
Member	Cr Phelan
Type of Interest	Impartiality
Nature of Interest	Associated with email from Mr Ross of 30 April 2018
Request	Stay, discuss and vote
Decision	Not Required

Item No.	M18/5624
Member	Cr Wieland
Type of Interest	Impartiality
Nature of Interest	Associated with email from Mr Ross of 30 April 2018
Request	Stay, discuss and vote
Decision	Not Required

Item No. M18/5624
Member Cr Robartson
Type of Interest Impartiality
Nature of Interest Associated with email from Mr Ross of 30 April 2018
Request Stay, discuss and vote
Decision Not Required

Item No. M18/5624
Member Cr Woodall
Type of Interest Impartiality
Nature of Interest Participated and voted on items regarding purchase of properties in Moreau Mews and Kishorn Road, which Elector Motion 1 calls for an investigation.
Request Stay, discuss and vote
Decision Not Required

Item No. M18/5624
Member Cr Barling
Type of Interest Impartiality
Nature of Interest Participated and voted on items regarding purchase of properties in Moreau Mews and Kishorn Road, which Elector Motion 1 calls for an investigation.
Request Stay, discuss and vote
Decision Not Required

Item No. M18/5624
Member Cr Robins
Type of Interest Impartiality
Nature of Interest Participated and voted on items regarding purchase of properties in Moreau Mews and Kishorn Road, which Elector Motion 1 calls for an investigation.
Request Stay, discuss and vote
Decision Not Required

Item No. M18/5624
Member Cr Wheatland
Type of Interest Impartiality
Nature of Interest On the Board of Fremantle Netball Association who use the Melville Bowling Club facilities for functions.
Request Stay, discuss and vote
Decision Not Required

M18/5624 – SPECIAL MEETING OF ELECTORS – COMPLIANCE WITH THE LOCAL GOVERNMENT ACT 1995 - MOTIONS CARRIED (REC)

Ward	: All
Category	: Operational
Subject Index	: Council Administration
Customer Index	: Elected Members
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	: In Accordance with 2017-2018 Budget
Responsible Officer	: Jeff Clark – Governance and Compliance Advisor

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>

M18/5624 – SPECIAL MEETING OF ELECTORS – COMPLIANCE WITH THE LOCAL GOVERNMENT ACT 1995 - MOTIONS CARRIED (REC)**KEY ISSUES / SUMMARY**

- At the City of Melville Special Meeting of Electors held on 26 April 2018, four motions were carried and the Council needs to consider its response.
- Recommendations for the motions are referred for consideration of the Council.

BACKGROUND

The City of Melville held a Special Meeting of Electors on 26 April 2018. At the meeting four motions from electors were carried and the Council is required to consider the motion and decide on any future action that should be resolved in the interests of the City.

DETAIL

The Special Meeting of Electors was attended by 357 electors of the City and 13 non-electors.

The City provided additional information on the City's website to inform the community of the concerns of the City and limitations on the City's responses due to the Authorised Inquiry.

The following four motions were carried and are now for the Council to consider:

MOTION 1

Motion that the City of Melville (City) formally requests the Minister for Local Government, and the Local Government Inquiry into the City, to conduct a full investigation, allowing for public submissions, into the circumstances surrounding the City's purchase of properties at Moreau Mews and Kishorn Road, Applecross, with specific focus on whether:

- (a) the CEO; and /or
 - (b) the current, particular Elected Members who voted on 3 February 2016
- both:**
- (i) against the procedural motion calling for Item P16/3689 to be deferred, pending legal advice; and
 - (ii) for approval of Officer Recommendation 3689, with deletions from the original item P16/3689;

acted in accordance with all relevant and applicable legislation.

CARRIED

M18/5624 – SPECIAL MEETING OF ELECTORS – COMPLIANCE WITH THE LOCAL GOVERNMENT ACT 1995 - MOTIONS CARRIED (REC)**MOTION 2**

Motion that the City of Melville stop spending community funds on any changes to Tompkins Park until the outcomes of both the Supreme Court action, and the current and proposed Local Government Inquiries into the City, are delivered.

CARRIED

MOTION 3

Motion that the City of Melville stop plans for construction of a clubhouse or facilities at Bert Jeffrey (sic) Park, Murdoch.

CARRIED

MOTION 4

Motion that the City of Melville rescind the decisions to:

- (a) move the Melville Bowling Club from its current premises; and
- (b) close the Mt Pleasant Bowling Club and sell those premises for development.

CARRIED

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

Stakeholder engagement has occurred in relation to this motion, by meeting with the Requester and three other community members in addition to advertising the meeting in newspapers, notices in all City Libraries and Recreation Centres, the City's website and the City's public noticeboard.

The attendance of electors at the Special Meeting of Electors is considered to be stakeholder engagement on this matter.

II. OTHER AGENCIES / CONSULTANTS

Consultation has also taken place with the City's solicitors.

STATUTORY AND LEGAL IMPLICATIONS

The Council is required to consider any decisions from an electors meeting at the next or subsequent ordinary council meeting as noted below:

M18/5624 – SPECIAL MEETING OF ELECTORS – COMPLIANCE WITH THE LOCAL GOVERNMENT ACT 1995 - MOTIONS CARRIED (REC)*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.

FINANCIAL IMPLICATIONS

There may be significant financial implications relating to these motions.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

There are no strategic management implications contained in this report. There may be significant litigation risk associated with these motions and a risk to the City in being unable to achieve outcomes in its published strategic plans, particularly for the affected sporting clubs.

POLICY IMPLICATIONS

There are no policy implications.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

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

CONCLUSION

This report recommends that the motion carried at the Special Meeting of Electors held on the 26 April 2018 be considered and noted.

At 7:40pm Mr T Cahoon left the meeting and did not return.

M18/5624 – SPECIAL MEETING OF ELECTORS – COMPLIANCE WITH THE LOCAL GOVERNMENT ACT 1995 - MOTIONS CARRIED (REC)

At 7:40pm Cr Mair tabled a Reject and Replace Recommendation of the Officer's recommendation and the Mayor agreed to Cr Mair's request that each item be considered separately.

The mover and seconder consented the relocation of the words "acted in accordance with all relevant and applicable legislation" become a separate sentence under point 1(b)(ii).

At 7:41pm Cr Mair moved, seconded Cr Pazolli

That the Council Reject and Replace the Officer's Recommendation with the following-

- 1. That the City of Melville formally requests the Minister for Local Government, and the Local Government Inquiry into the City, to conduct a full investigation, allowing for public submissions, into the circumstances surrounding the City's purchase of properties at Moreau Mews and Kishorn Road, Applecross, with specific focus on whether:**

(a) the CEO, and/or

(b) the current, particular Elected Members who voted on 3 February 2016 both

- (i) against the procedural motion calling for Item P16/3689 to be deferred; pending legal advice; and**
- (ii) for approval of Officer Recommendation 3689, with deletions from the original item P16/3689**

acted in accordance with all relevant and applicable legislation.

At 8:17pm the Mayor submitted the motion that was declared

LOST (5/7)

Vote Result Summary	
Yes	5
No	7

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

M18/5624 – SPECIAL MEETING OF ELECTORS – COMPLIANCE WITH THE LOCAL GOVERNMENT ACT 1995 - MOTIONS CARRIED (REC)

At 7:59pm the Mayor requested that a member of the public gallery leave due to disruptive behaviour.

At 8:17pm Cr Mair moved, seconded Cr Barton -

- 2. That the City of Melville stop spending community funds on any changes to Tompkins Park until the outcome of both the Supreme Court action, and the current and proposed Local Government Inquiries into the City, are delivered.**

At 8:25pm Cr Barton moved, seconded Cr Wheatland-

That Cr Mair be granted an extension of time and be permitted to speak for a further five minutes.

At 8:25pm the Mayor submitted the motion that was declared

CARRIED UNANIMOUSLY (12/0)

At 8:51pm Cr Wheatland moved, seconded Cr Kepert-

That Cr Pazolli be granted an extension of time and be permitted to speak for a further two minutes.

At 8:51pm the Mayor submitted the motion that was declared

CARRIED UNANIMOUSLY (12/0)

Amendment

8:57pm Moved Cr Barling, seconded Cr Woodall

**That the last sentence of the motion be amended to read:
“...action, and the current Local Government Inquiry into the City, are delivered.”**

At 8:58pm the Mayor submitted the motion that was declared

CARRIED (10/2)

Vote Result Summary	
Yes	10
No	2

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

M18/5624 – SPECIAL MEETING OF ELECTORS – COMPLIANCE WITH THE LOCAL GOVERNMENT ACT 1995 - MOTIONS CARRIED (REC)

Substantive Motion as Amended

2. That the City of Melville stop spending community funds on any changes to Tompkins Park until the outcome of both the Supreme Court action, and the current Local Government Inquiry into the City, are delivered.

At 9:13pm the Mayor submitted the motion that was declared

LOST (6/7)

Vote Result Summary	
Yes	6
No	6

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

NOTE: Due to an equality of votes at the Council Meeting, the Presiding Member exercised his right to case a second vote to reach a decision in this matter (Section 5.21(3) of the *Local Government Act 1995*).

At 8:18pm Mr J Clark left the meeting and returned at 8:20pm.

At 8:30pm Cr Robartson left the meeting and returned at 8:32pm.

At 8:47pm Ms K Johnson left the meeting.

At 8:48pm Cr Robins left the meeting and returned at 8:49pm.

M18/5624 – SPECIAL MEETING OF ELECTORS – COMPLIANCE WITH THE LOCAL GOVERNMENT ACT 1995 - MOTIONS CARRIED (REC)

*At 9.14pm Cr Wheatland left the meeting and returned at 9:15pm.
At 9.14pm Cr Woodall left the meeting and returned at 9:17pm.*

At 9:15pm Cr Mair moved, seconded Cr Kepert -

- 3. That the City of Melville stop plans for construction of a clubhouse or facilities at Bert Jeffrey (sic) Park, Murdoch.**

Amendment

At 9:20pm Cr Pazolli moved, seconded Cr Wheatland -

That Council amend the motion as follows:

- **Replace the word “stop” with the word “delay”;**
- **Replace the words “ a clubhouse or facilities” with the word “amenities”;** and
- **After the word “Murdoch” includes the words “until further community consultation is completed.”**

Procedural Motion

At 9:32pm Cr Robartson moved, seconded Cr Barton -

That the motion put.

At 9:32pm the Mayor submitted the motion that was declared

CARRIED (9/3)

Vote Result Summary	
Yes	9
No	3

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

M18/5624 – SPECIAL MEETING OF ELECTORS – COMPLIANCE WITH THE LOCAL GOVERNMENT ACT 1995 - MOTIONS CARRIED (REC)

Amendment

At 9:20pm Cr Pazolli moved, seconded Cr Wheatland -

That Council amend the motion as follows:

- **Replace the word “stop” with the word “delay”;**
- **Replace the words “ a clubhouse or facilities” with the word “amenities”; and**
- **After the word “Murdoch” includes the words “until further community consultation is completed.”**

At 9:35pm the Mayor submitted the motion that was declared

CARRIED (8/4)

Vote Result Summary	
Yes	8
No	4

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

At 9.36pm Cr Kepert left the meeting and returned at 9.38pm.

At 9:40pm Cr Pazolli left the meeting and returned at 9:42pm.

M18/5624 – SPECIAL MEETING OF ELECTORS – COMPLIANCE WITH THE LOCAL GOVERNMENT ACT 1995 - MOTIONS CARRIED (REC)

Substantive motion as amended

At 9:15pm Cr Mair moved, seconded Cr Kepert -

- 3 That City of Melville delay plans for construction of amenities at Bert Jeffery Park, Murdoch until further community consultation is completed.**

At 9:43pm the Mayor submitted the motion that was declared

CARRIED (8/4)

Vote Result Summary	
Yes	8
No	4

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

In accordance with the requirements of the section 10 (1)(b) of the *Local Government (Administration) Regulations 1996*, Cr Mair submitted the rescission motion signed by:

Cr K Mair
Cr J Barton
Cr N Pazolli
Cr K Wheatland
Cr S Kepert

At 9.44pm Cr Mair moved, seconded Cr Barton -

- 4. That the City of Melville rescind the decisions to:**

- (a) move the Melville Bowling Club from its current premises; and
(b) close the Mt Pleasant Bowling Club and sell those premises for development.**

M18/5624 – SPECIAL MEETING OF ELECTORS – COMPLIANCE WITH THE LOCAL GOVERNMENT ACT 1995 - MOTIONS CARRIED (REC)

The Acting Chief Executive Officer provided advice on this matter in accordance with clause 18.4(2)(a) of the City of Melville Meeting Procedures Local Law 2017 as follows:

- (2) That the Council or a Committee shall not vote on a motion to revoke or change a decision of the Council or Committee whether the motion of revocation or change is moved with or without notice, if at the time the motion is moved or notice is given
 - (a) action has been taken to implement the decision.

The Acting Chief Executive Officer further advised that action has been taken to implement the Council's previous decision to move the Melville Bowling Club, evidenced by the entering into a conditional lease with the subsidiary of the Wave Park Group, which has obligations of the City. The City's officers have taken action to implement the Council's decision.

The Mayor advised that given the information provided by the Acting Chief Executive Officer, he was unable to accept the motion

REASONS:

1. Item 1: This motion supports the officer's recommendation in that it requests a full investigation to be carried out on the matter. Rather than the officers initiating this action alone, the Council should support them and the message directly not only to the Minister but also to Department of Local Government in support of the CEO's actions.
2. Item 2: The City of Melville should delay spending funds on changes to Tompkins Park immediately in order to await the outcome of the investigations since they may have an impact on future development or non-development of the Park.
3. Item 3: This motion will have no impact on the current usage of Bert Jeffries (sic) Park for cricket and other sports. But it will provide an opportunity for residents to be consulted more fully regarding the matter prior to any development on the oval.
4. Item 4: (a) The Melville Bowling Club has a valid lease agreement to remain in its clubrooms until 30/6/2019 and they have made a decision not to leave. (b) The community does not support the Mt Pleasant Bowling Club land being sold and the Bowling Club moving out.

At 9:48pm the Mayor adjourned the meeting
At 9:56pm the Mayor resumed the meeting

M18/5624 – SPECIAL MEETING OF ELECTORS – COMPLIANCE WITH THE LOCAL GOVERNMENT ACT 1995 - MOTIONS CARRIED (REC)

OFFICER RECOMMENDATION (5624)

NOTING

At 9:58pm Cr Wieland moved, seconded Cr Robins –

That the Council;

1. **Having considered the four motions from the Special Meeting of Electors held on 26 April 2018, notes the intent of the motions.**
2. **Notes that the Chief Executive Officer has advised the Director General of the Department of Local Government, Sport and Cultural Industries the text of all Motions passed at this Special Meeting of Electors.**
3. **In relation to Motion 2, notes the intent of this Motion.**
4. **In relation to Motion 3, notes the intent of this Motion.**
5. **In relation to Motion 4, notes the intent of this Motion.**
6. **Requests the Chief Executive Officer to advise the mover of the Motions at the Special Meeting of Electors in writing of the Council’s resolution.**

COUNCIL RESOLUTION (5624)

NOTING

That the Council, having considered the four motions from the Special Meeting of Electors held on 26 April 2018:

1. **Notes that the Chief Executive Officer has advised the Director General of the Department of Local Government, Sport and Cultural Industries the text of all Motions passed at this Special Meeting of Electors.**
2. **In relation to Motion 2, notes the intent of this Motion.**
3. **In relation to Motion 4, notes the intent of this Motion.**
4. **Requests the Chief Executive Officer to advise the mover of the Motions at the Special Meeting of Electors in writing of the Council’s resolutions.**

At 9.59pm the Mayor submitted the motion, which was declared

CARRIED (7/5)

Vote Result Summary	
Yes	7
No	5

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

14.1 REPORT FROM THE FINANCIAL MANAGEMENT, AUDIT, RISK AND COMPLIANCE COMMITTEE MEETING 7 MAY 2018

M18/5615 - INTERNAL AUDIT REPORT – REVIEW OF INTERNAL AUDIT CHARTER (REC) (ATTACHMENT)

Ward : All
 Category : Operational
 Subject Index : Internal Audit Report
 Customer Index : City of Melville
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : M16/5482 - Internal Audit Charter, Ordinary Meeting of the Council – 17 May 2016
 M18/5615 – FMARCC – 7 May 2018
 Works Programme : Not Applicable
 Funding : Not Applicable
 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 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 to note.</i>

**M18/5615 - INTERNAL AUDIT REPORT – REVIEW OF INTERNAL AUDIT CHARTER
(REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- The Internal Audit Charter is a formal document that defines the purpose, authority and responsibilities of the Process Improvement Auditor.
- This Charter was last reviewed in May 2016 and it is now due for review following the two year review cycle.

BACKGROUND

The Institute of Internal Auditors recommends that the purpose, authority, and responsibility of the internal audit activity is formally defined in an internal audit charter. The Internal Audit Charter is periodically reviewed by the Chief Executive Officer and the Financial Management, Audit, Risk & Compliance Committee (FMARCC).

The Internal Audit Charter:

- establishes the Process Improvement Auditor's function within the organisation;
- authorises access to records, personnel, and physical properties relevant to the performance of engagements; and
- defines the scope of internal audit activities.

DETAIL

The contents and format of the City's Internal Audit Charter were well researched when it was first developed and adopted in 2007.

Subsequent research conducted in 2009, 2012, 2014, 2016 and 2018 of various websites including the Institute of Chartered Accountants, Certified Practising Accountants, the Institute of Internal Auditors, Western Australian Local Government Association (WALGA), and the Department of Local Government confirmed that the City's Internal Audit Charter is still relevant, appropriate, and covers all key governance areas such as independence, objectivity, and professional auditing standards.

Based on the findings of this research, no substantive changes to the Internal Audit Charter are considered necessary.

A copy of the Internal Audit Charter is attached for review.

[5615 Internal Audit Charter](#)**STAKEHOLDER ENGAGEMENT****1. COMMUNITY**

No community consultation has been carried out.

2. OTHER AGENCIES/CONSULTANTS

No external consultation has been carried out.

M18/5615 - INTERNAL AUDIT REPORT – REVIEW OF INTERNAL AUDIT CHARTER
(REC) (ATTACHMENT)

STATUTORY AND LEGAL IMPLICATIONS

There is no specific legal requirement to have an internal audit function or internal audit charter for a local government. However, an amendment to the *Local Government Act 1995* in 2005 introduced a requirement that all local governments establish an audit committee. Such committees are to provide an independent oversight of the financial, audit, compliance and governance matters of a local government on behalf of the Council. As such, the FMARCC operates to assist the Council to fulfil its corporate governance, stewardship, leadership and control responsibilities in relation to the local government's financial reporting and audit responsibilities.

The establishment of an internal audit function is important to assist the FMARCC to discharge its responsibilities. It is also important to document formally the purpose, authority, independence, and responsibility of an internal audit function in a charter and have it reviewed regularly to ensure its relevance.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk	Risk Mitigation Strategy
Internal audit function may not be effective in its operations without a clearly defined internal audit charter regarding its purpose, authority, independence, and responsibility.	Initial Risk – Medium Residual Risk (after risk mitigation strategy) - Low	Have a well defined and regularly updated internal audit charter to clearly state the purpose, authority, independence, and responsibility of the internal audit function.

There are no environmental management implications in this report.

POLICY IMPLICATIONS

There are no specific policy implications associated with this report.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

No alternative options are presented as part of this report.

**M18/5615 - INTERNAL AUDIT REPORT – REVIEW OF INTERNAL AUDIT CHARTER
(REC) (ATTACHMENT)****CONCLUSION**

A well established internal audit charter defines the scope and responsibility of the internal audit activity which assists the FMARCC and Chief Executive Officer to discharge their responsibilities and achieve the corporate objectives.

OFFICER RECOMMENDATION AND COMMITTEE RESOLUTION (5615) NOTING

That the Financial Management, Audit, Risk and Compliance Committee notes the Internal Audit Charter 5615 Internal Audit Charter

At 7.04pm Cr Wheatland moved, seconded Cr Barling –

- 1 That the Financial Management, Audit, Risk and Compliance Committee note the Internal Audit Charter 5615 Internal Audit Charter
- 2 That the Financial Management, Audit, Risk and Compliance Committee refers the Internal Audit Charter to the Council with a recommendation for endorsement.

At 7.10pm the Presiding Member submitted the motion, which was declared
CARRIED UNANIMOUSLY (7/0)

COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION (5615) APPROVAL

That the Council endorses the Internal Audit Charter 5615 Internal Audit Charter

At 10:16pm the Mayor submitted the motion, which was declared
CARRIED EN BLOC (12/0)

14.2 REPORT FROM THE GOVERNANCE COMMITTEE MEETING – 9 MAY 2018**LATE ITEM C18/5623 – CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW (REC)
(CONFIDENTIAL ATTACHMENT)**

Item deferred to later in the meeting.
See page 94

14.3 REPORTS OF THE CHIEF EXECUTIVE OFFICER

CD18/8106 - INVESTIGATION FOR A SUITABLE LOCATION OF A MEN'S SHED (REC)
(ATTACHMENT)

Ward	:	All
Category	:	Strategic
Subject Index	:	Property Management – Leases Licences Agreements Contracts
Customer Index	:	Bicton Men's Shed
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	:	Proposed For Inclusion in the 2018-2019 Programme
Funding	:	Proposed For 2018-2019 Budget
Responsible Officer	:	Leanne Hartill Manager Neighbourhood Development

AUTHORITY / DISCRETION

DEFINITION

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

CD18/8106 - INVESTIGATION FOR A SUITABLE LOCATION OF A MEN'S SHED (REC)
(ATTACHMENT)**KEY ISSUES / SUMMARY**

- Men's Shed locations provide a safe, friendly and welcoming social environment where men are able to work on meaningful projects and share their skills with the broader community.
- The Bicton Men's Shed has been operating since June 2010 from the Bicton Uniting Church, Carrington Street, Palmyra.
- The Men's Shed Group has outgrown its current location and the Uniting Church has intentions of redeveloping the site which has required the Group to consider other suitable locations.
- The City has worked with the Group to consider a number of possible locations for a Men's Shed since 2013 with none able to meet all requirements of both community, the City and the Men's Shed Group.
- The City seeks support from Council to investigate Bob Gordon Reserve as a possible location for a Men's Shed in line with proposed park redevelopments on this site.

BACKGROUND

Men's Shed WA (MSWA) recognises a Men's Shed as '*any community-based, non-profit, non-commercial organisation that is accessible to all men and whose primary activity is the provision of a safe, friendly and welcoming environment where men are able to work on meaningful projects at their own pace in their own time in the company of other men. A major objective is to advance the health and wellbeing of their male members and to encourage social inclusion.*' Many Men's Sheds have expanded their operations to be more inclusive and provide benefits for all community members.

The Bicton Men's Shed has been operating since June 2010 at 1 Carrington Street, Palmyra, on the Uniting Church site.

In 2013, the Men's Shed Committee was notified by the Church that they would need to seek an alternate location within the next 12 to 18 months, with planned improvements to the site requiring the space where the Men's Shed was currently located. The Church agreed at this time to continue the current Men's shed lease through to November 2015, with the option to terminate the lease with six months' notice should the Men's Shed Committee source a suitable alternate location.

In August 2013, the Bicton Men's Shed wrote to the City seeking assistance to source an alternate location due to the likelihood of the Church redeveloping the site.

Over time, the membership of the Bicton Men's Shed has increased and funding sourced from Attadale Rotary and Lotterywest for equipment and improvements, including increased space.

CD18/8106 - INVESTIGATION FOR A SUITABLE LOCATION OF A MEN'S SHED (REC)
(ATTACHMENT)

Timeline for development and improvements of the Bicton Men's Shed:

Meeting to gauge support for a Shed	March 2010
Opening of first shed	June 2010
Opening of addition to shed	May 2011
Air conditioning of two sheds	September 2011
Shed 3 for kitchen/meeting	January 2012
Shed 4 for Metalwork & Painting	January 2012
Hard stand completed	February 2012
20' Sea container for storage	April 2012
Cyclone Dust extraction system	February 2014

Additional funds are raised through an annual membership fee of approximately \$100.

DETAIL

The City has investigated a number of possible locations for a Men's Shed, including Kardinya Hall, Hickey Street houses, Piney Lakes Environment Centre and Bill Ellson Reserve in Bateman (disused tennis courts adjacent to Mandala Hall).

The considerations for a suitable location of a Men's Shed include land zoned for recreation purposes, accessibility to public transport, parking, storage availability, proximity to residential housing; connection to community and/or sporting hub, accessibility for persons with mobility challenges.

The City has worked hard to manage stakeholder's requirements and investigate suitable locations over the years. The recent focus on park improvements at Bob Gordon Reserve identified this location as meeting the considerations required for a potential Men's Shed location.

CD18/8106 - INVESTIGATION FOR A SUITABLE LOCATION OF A MEN'S SHED (REC)
(ATTACHMENT)

Table 1 indicates positive considerations for each location:

Location	Land zoned recreation	Transport	Parking	Storage	Residential proximity	Connection to Hub	Accessibility	Comments
Kardinya Hall 2010	✓		✓	New building required	✓	✓	✓	Well utilised site – now accommodating Wood turners Group
Hickey Street Houses 2013	✓	✓						Heritage listed buildings, current residential layout not suitable
Piney Lakes 2015			✓	New building required	✓	✓	✓	Change of land use land clearing of bushland required
Bill Ellson Reserve 2016	✓		✓	New building required		✓	✓	Residents abutting park strongly oppose
Bob Gordon Reserve tbc	✓	✓	✓	✓ Possible sharing of facilities with new and existing building	✓	✓	✓	Further investigation and stakeholder engagement required

In late 2016, a possible suitable location for a Men's Shed was identified at Bill Ellson Reserve adjacent to Mandala Hall in the attached Concept Plan. The City worked with the Men's Shed Group to consider size and scale of a suitable facility with some initial concept drawings drafted. The Group organised a community event, financially supported by the City in July 2017 to gauge interest and support from the community to further investigate this location and gather together a Steering Committee to progress the possibility.

In line with the Council Community Hub Policy, additional groups were considered for inclusion in the proposed facility, including the Woodturners, believed to be a good fit, and were required to relocate from their room at Leisure Fit Melville due to impending renovations.

[8106 Bill Ellson Carpark Concept Plan](#)

CD18/8106 - INVESTIGATION FOR A SUITABLE LOCATION OF A MEN'S SHED (REC)
(ATTACHMENT)**Bob Gordon Reserve**

The City has been exploring options for a significant playground in the Leeming and Bull Creek area. The intention of this Parks and Environment project is to provide high quality recreational and gathering space for the Bull Creek and Leeming communities (the south-east neighbourhood).

The City engaged with residents of Bull Creek and Leeming, who came together to form a Community Reference Group (CRG). The purpose of the group was to identify a location and style for the new play space within the south-eastern neighbourhood. After a number of meetings, the CRG proposed Bob Gordon Reserve in Bull Creek as the most suitable location for the new play space. Bob Gordon Reserve is located at 10 Benningfield Road, Bull Creek.

[8106 Aerial view Bob Gordon Reserve](#)

The City then produced a Draft Concept Plan (attached) and requested community feedback in July 2017, with revision of the initial plan based on feedback. A large response was received with a total of 502 people taking the survey. In addition, there were media releases, letters were sent, signs were erected on site and two meetings were held at the park. As a result, verbal and written responses were also received and taken into consideration along with the survey. A report has been produced which includes an explanation of the process, as well as data and analysis of the feedback received.

[8106 Premier Playspace Revised Concept Plan Nov 2017](#)

The project engagement did not include any discussion about the inclusion of a Men's Shed on this site as the City was simultaneously investigating the Bill Ellson Reserve site, with support and involvement from the Men's Shed members and engaging with stakeholders in relation to a Men's Shed located at this Reserve.

As the Bill Ellson Reserve investigation proceeded, the proximity to residential housing adjacent to the park became a point of concern for residents who strongly opposed the location as suitable for any additional buildings.

The activity around Bob Gordon Reserve and proposed park redevelopments highlighted an opportunity to investigate the location of a Men's Shed at this Reserve.

The Bull Creek Leeming Scout Group currently have the management license for the building located on Bob Gordon Reserve and sublet the building to both regular and casual hirers, primarily during weekdays, with the Leeming Uniting Church using the building on Sunday mornings. The attached images show the Scout building location.

[8106 Images Bob Gordon Reserve](#)

CD18/8106 - INVESTIGATION FOR A SUITABLE LOCATION OF A MEN'S SHED (REC) (ATTACHMENT)

Meeting times for Scouts members as advertised on the website:

Joey's - Thurs 4:15 - 5:15 pm **Cubs** - Thurs 6:15 - 7:45 pm **Scouts** - Wed 6:30 - 8:30 pm

Operating hours for the Bicton Men's Shed are currently:

Summer (October – April): Mon 12 noon – 4.00 pm Wed and Fri 8 am – 12 noon

Winter (May – September): Mon 12 noon – 4.00 pm Wed and Fri 9 am – 1.00 pm

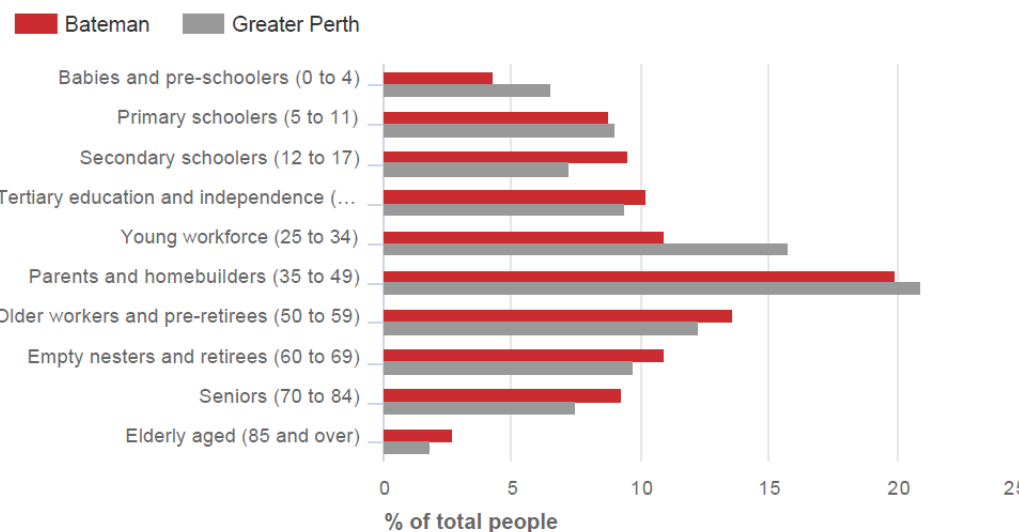
When considering suitable locations for a Men's Shed the local community demographics are also taken into account, specifically analysis of the numbers of people in the seniors' age groupings are considered.

The tables below indicate demographics for Bateman (Bill Ellson Reserve) and Bull Creek Bob Gordon Reserve).

Bateman

Age structure - service age groups, 2016

Total persons

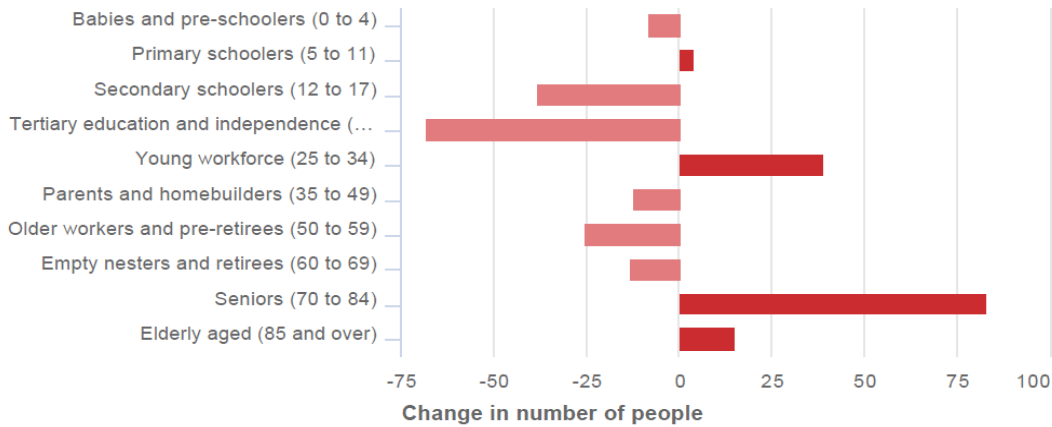


Source: Australian Bureau of Statistics, Census of Population and Housing, 2016 (Usual residence data). Compiled and presented in profile.id by .id, the population experts.

**CD18/8106 - INVESTIGATION FOR A SUITABLE LOCATION OF A MEN'S SHED (REC)
(ATTACHMENT)**

Change in age structure - service age groups, 2011 to 2016

Bateman - Total persons

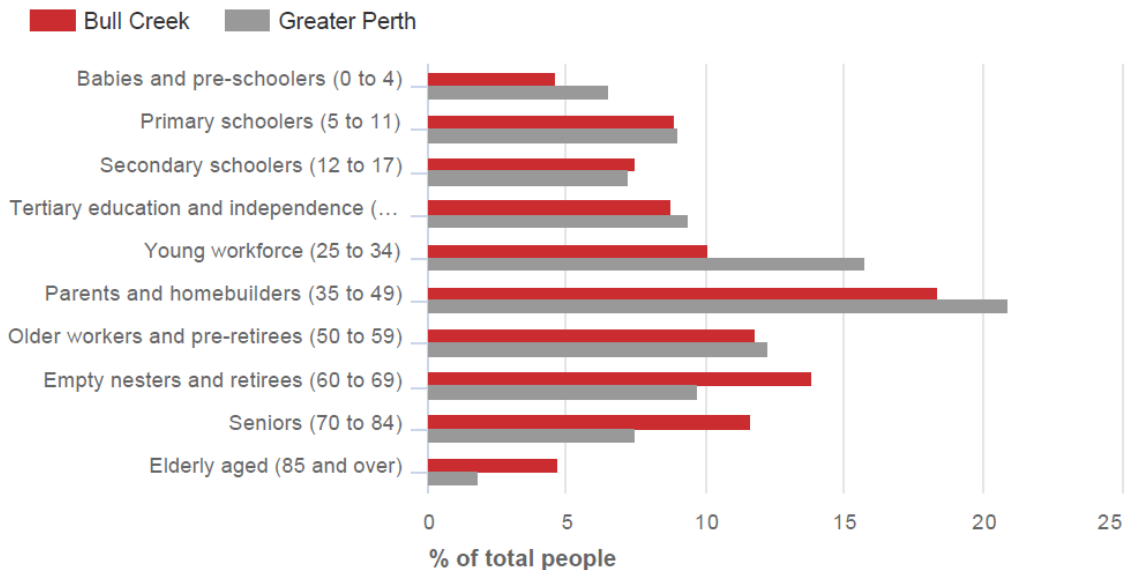


Source: Australian Bureau of Statistics, Census of Population and Housing, 2011 and 2016 (Usual residence data). Compiled and presented in profile.id by .id, the population experts.

Bull Creek

Age structure - service age groups, 2016

Total persons

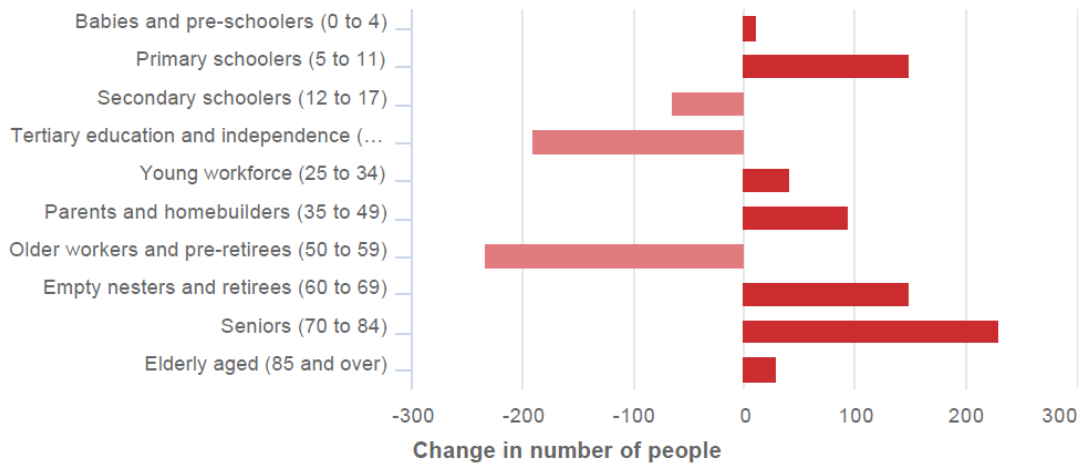


Source: Australian Bureau of Statistics, Census of Population and Housing, 2016 (Usual residence data). Compiled and presented in profile.id by .id, the population experts.

**CD18/8106 - INVESTIGATION FOR A SUITABLE LOCATION OF A MEN'S SHED (REC)
(ATTACHMENT)**

Change in age structure - service age groups, 2011 to 2016

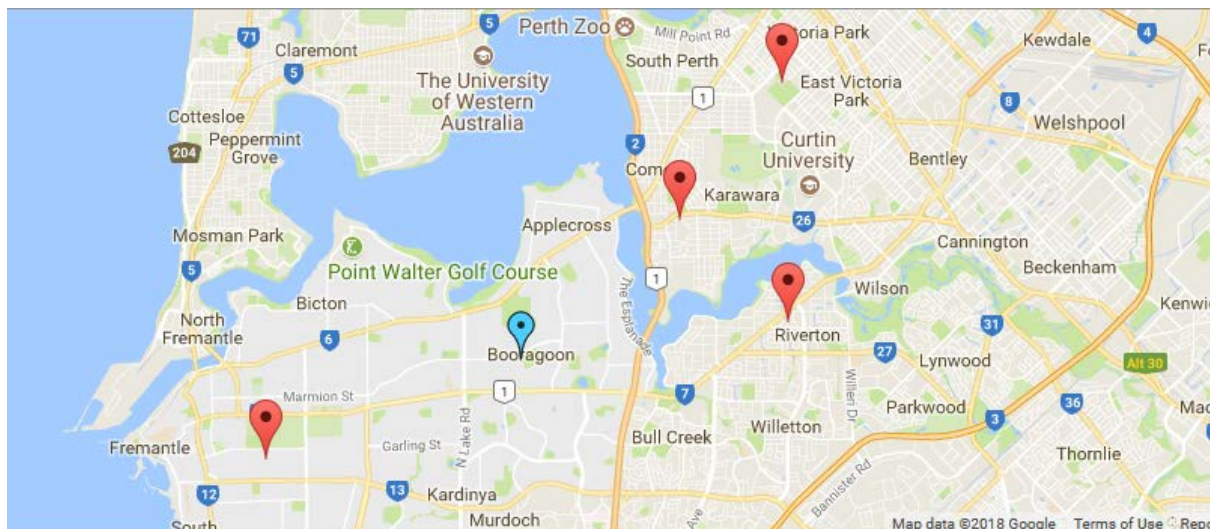
Bull Creek - Total persons



Source: Australian Bureau of Statistics, Census of Population and Housing, 2011 and 2016 (Usual residence data). Compiled and presented in profile.id by .id, the population experts.

For both Bateman and Bull Creek, the 2016 Census data indicates that the emerging groups are older persons in the 70 to 84 age range.

Men's Sheds within 10 km radius of Civic Centre (excluding Bicton Men's Shed).



Investigations as to the suitability of the site will include environmental and social impacts, current usage of the site, feedback from community and other stakeholders and financial requirements including external grant funding opportunities. These investigations will be considered in the context of planning for the whole site.

CD18/8106 - INVESTIGATION FOR A SUITABLE LOCATION OF A MEN'S SHED (REC)
(ATTACHMENT)

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

A comprehensive Stakeholder Engagement Plan will be developed if further investigation of the suitability of this site is supported, building on the engagement process already undertaken for the proposed park and playground improvements.

II. OTHER AGENCIES / CONSULTANTS

Not applicable.

STATUTORY AND LEGAL IMPLICATIONS

Not applicable.

FINANCIAL IMPLICATIONS

Included in the 2018-2019 capital budget is a proposal for \$100,000 to carry out a detailed design for Bob Gordon Reserve proposed park improvements. The opportunity to locate a Men's Shed on this site could be included in this design proposal.

Early discussions with the City of Cockburn also indicate there may be opportunity for a shared facility across local government areas. This would be discussed further if investigations progress.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk	Risk Mitigation Strategy
Council does not support further investigations of Bob Gordon Reserve as a potential Men's Shed location.	Unlikely/Major Consequence – Medium Risk	<ul style="list-style-type: none"> Investigation only at this stage provides for the gathering of more information for Council to make a decision regarding possible future funding. Communication strategy for community and stakeholders can provide details behind reasons for Council decision.
Community and stakeholder resistance to investigating a Men's Shed at this location.	Possible/Moderate Medium Risk	<ul style="list-style-type: none"> Extensive engagement strategy to build on momentum and participation of community in relation to the park improvements planning.

**CD18/8106 - INVESTIGATION FOR A SUITABLE LOCATION OF A MEN'S SHED (REC)
(ATTACHMENT)****POLICY IMPLICATIONS****CP – 037 Neighbourhood Development Community Hub Policy**

- *Appropriately located community facilities owned by the City.*
- *Facilities consolidated into identified community hubs which aim to provide:*
 - *effective and efficient service coordination and delivery;*
 - *place making;*
 - *community building;*
 - *a localised approach to the delivery of services;*
 - *a financially sustainable community asset.*
- *Provision of services to support and develop community groups.*

CP – 002 Stakeholder Engagement Policy

The City's engagement practices will identify, seek to understand and respond to the interests, risks and interdependences of all project stakeholders as well as address any legislative and public policy requirements for engagement.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The alternate option is to undertake no further investigations of City owned or controlled sites within the City for a Men's Shed and support the group by encouraging them to approach other landholders within the City or nearby localities. This would mean that older people living within the City may be required to travel longer distances to access a Men's Shed and the social and support services it provides. This may prove difficult to access for our community members resulting in increased social isolation.

CONCLUSION

Men's Sheds provide a unique and fulfilling social outlet for primarily senior men, although all members of the community benefit by having this resource easily accessible.

Bob Gordon Reserve has been identified as ideal for park improvements with engagement with the community and other stakeholders being undertaken to understand their requirements, interests and concerns. An opportunity is presented to build on this knowledge and relationships to investigate the suitability of a Men's Shed on this Reserve.

**CD18/8106 - INVESTIGATION FOR A SUITABLE LOCATION OF A MEN'S SHED (REC)
(ATTACHMENT)****OFFICER RECOMMENDATION (8106)****APPROVAL**

1. That the Council supports the investigation of Bob Gordon Reserve as a suitable location for a Men's Shed.
 2. That the \$100,000 allocation proposed in the 2018-2019 Capital Budget, for a detailed design of the proposed park improvements for Bob Gordon Reserve; if approved, include consideration of locating a Men's Shed on the site.
 3. That further engagement is undertaken with the community and other stakeholders in relation to investigating the Men's Shed location at Bob Gordon Reserve.
1. That a report be prepared for the Council on the outcome of the investigation as to the suitability of Bob Gordon Reserve for a Men's Shed, including costings.

Reject and Replace

At 10.03pm Cr Robins moved, seconded Cr

That a report be prepared for the August 2018 meeting of Council outlining at least five potential sites for a Men's Shed within the City of Melville, with advantages, disadvantages and preliminary costs of each site included.

Following clarification and advice from Officers, Cr Robins consented to withdrawing her motion.

Deferral Motion

At 10.10pm Cr Woodall moved, seconded Cr Robartson-

That the item be deferred for consideration of Heathcote, John Connell, Piney Lakes, Morris Buzzacott and Bill Ellson reserves and other reserves as nominated by Elected Members and presented for discussion at the earliest possible Elected Member Information Session.

At 10:13pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (12/0)

M18/5000 – COMMON SEAL REGISTER (REC)

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

AUTHORITY / DISCRETION

DEFINITION

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

KEY ISSUES / SUMMARY

This report details the documents to which the City of Melville Common Seal has been applied for the period from 20 March 2018 up to and including 16 April 2018 for the Council's noting.

M18/5000 – 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
CS2008	City of Melville and Melville Turf Inc.	Melville Turf Variation to the Licenced Area Portion of Morris Buzacott Reserve 31307. For a term of Five (5) years from 1 September 2015 and expiring on 31 August 2020.	4430234
CS2013	City of Melville and Maureen Silc	Heathcote Kitchen Building Studio 5 - Hire Agreement Commencing on the 1 January 2018 to 31 December 2018	4457877
CS2015	City of Melville and Migara & Tiffany Ramanyake	Heathcote Administration Building Studio 3 - Hire Agreement Commencing on the 1 January 2018 to 31 December 2018	4457879
CS2018	City of Melville and Erin Madeley	Admin Meeting Room 1 Heathcote - Hire Agreement Commencing on the 1 January 2018 to 31 December 2018	4457873
CS2045	City of Melville and ADCO Constructions Pty Ltd	Ground Anchor Lease/ Agreement between City of Melville and ADCO Constructions Pty Ltd For 855 & 857 Canning Highway Applecross and 1/37-39 & 41 Reynolds Road Mount Pleasant	4628137

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Not applicable.

M18/5000 – COMMON SEAL REGISTER (REC)**II. OTHER AGENCIES / CONSULTANTS**

Not applicable.

STATUTORY AND LEGAL IMPLICATIONS

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

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

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

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

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

FINANCIAL IMPLICATIONS

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

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

There are no policy implications in this report.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable.

CONCLUSION

This is a standard report for the Council's information.

M18/5000 – COMMON SEAL REGISTER (REC)**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5000)****NOTING**

That the Council notes the actions of His Worship the Mayor and the Chief Executive Officer in executing the documents listed under the Common Seal of the City of Melville from 20 March 2018 up to and including 16 April 2018.

At 10:16pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (12/0)

Disclosure of Interest

Item No.	C18/5617
Officer	Mr M Tieleman
Type of Interest	Financial
Nature of Interest	Section 5.60A of the <i>Local Government Act 1995</i> . May receive an acting salary when undertaking the CEO role.
Request	Stay, discuss and vote
Decision	Not Required

C18/5617 – POLICY REVIEW – CORPORATE SERVICES (REC) (ATTACHMENT)

Ward	: All
Category	: Policy
Subject Index	: Corporate Policy
Customer Index	: City of Melville
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: Item C16/5484 Policy Review – Corporate Services - Ordinary Meeting of the Council – 17 May 2016
Works Programme	: Not Applicable
Funding	: Not Applicable
Responsible Officer	: Marten Tieleman Director Corporate Services

AUTHORITY / DISCRETION

DEFINITION

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

C18/5617 – POLICY REVIEW – CORPORATE SERVICES (REC) (ATTACHMENT)**KEY ISSUES / SUMMARY**

- The policies within the responsibility of Corporate Services have been examined and those due for review have been brought forward with amendments for consideration and adoption.
- Policies that are defined as a Council Policy require the approval of the Council whereas Operational Policies are approved by the Chief Executive Officer.
- This report recommends that the reviewed policies be adopted.

BACKGROUND

A two yearly review cycle has been implemented to ensure all policies remain current. Officers have again reviewed all Corporate Services Council policies which are due for review.

DETAIL

All policies are held under one of two categories being, Council Policies or Operational Policies. The policies that are required to be approved by the Council relate to:

- Strategic Positioning of the Council
- Executive Functions
- Legislative Functions
- Chief Executive Officer and Senior Officer Appointments
- Termination payments in excess of contracts of employment or Award provisions.

All other Policies are considered to be operational in nature and have therefore been designated as Operational Policies. Operational policies are those which are made in relation to the functions of the Chief Executive Officer (CEO) as prescribed by Section 5.41 of the Local Government Act 1995 (Act) as follows:

- Management of the day to day operations of the local government;
- The employment, management supervision, direction and dismissal of other employees - subject to Section 5.37(2) in relation to senior employees.
- Ensuring that records and documents of the local government are properly kept for the purposes of the Act and any other written law: and
- Policy on powers and duties delegated by the Council within the limitations as set by Section 5.43 of the Act.

Corporate Services Directorate has 15 Council Policies. This report provides comment on 13 of the policies under the responsibility of the Corporate Services. Two policies have not been included in this review CP-106 Elected Members Social Media Policy was adopted by the Council at the meeting held 20 February 2018 and CP-023 Procurement Policy was reviewed by the Council at the April 2018 meeting.

C18/5617 – POLICY REVIEW – CORPORATE SERVICES (REC) (ATTACHMENT)

A summary of changes made to policies is outlined below:

CP-003 Public Relations

Change in accountable Officer and strengthening of the legislative and Code of Conduct requirements. Deleted 1 d. and 1 e. as wording incorporated into other clauses.

CP-007 Acting Chief Executive Officer

Changed to clarify that the role of Acting CEO must be filled by a Senior Employee of the Council as defined by the Act and for a maximum period of three months with periods in excess of that and up to the 12 month statutory limit being decided by the Council.

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

Amended policy to clarify that whilst the Long Term Financial Model is updated annually by administration to reflect changes brought about by the adoption of the Annual Budget by the Council and other factors that emerge, the Model itself is not readopted annually and that it is in fact the Long Term Financial Plan that is adopted by the Council. Other minor changes as highlighted in document.

CP-009 Investment of Funds Policy

Minor changes – Additional references to applicable Regulations and Accounting Standards.

CP-010 Self Supporting Loans

No changes proposed.

CP-024 Borrowings and Asset Financing

Change to reflect how unspent loans will be managed and disclosed, and arrangements for loan refinancing and paying off loans in advance of their final repayment date.

CP-025 Accounting

Changes to the Assets section to align with current standards and best practice concerning types of assets, classes of assets, componentisation and depreciation. Further detail provided around the revaluation of assets. Minor changes to Clause 14 Bad Debts Write Offs to correctly record sub-delegations from CEO to Directors and Manager Financial Services.

CP-026 Employee Appointments

Amendment of title of officer accountable for the Policy. Inclusion of the People Framework as a relevant document

CP-027 Severance Policy

Minor changes to definitions, exclusions for severance payment and references that policy maybe applicable to.

CP-030 Environmental Policy

Clarification that the Environmental Policy relates to the City of Melville as an organisation and acknowledgement of the leadership role within the broader community. Inclusion of relevant standards and updating naming of strategic documents.

CP-039 Quality Policy

Update of relevant version of the applicable standards and stronger definition of the scope.

CP-099 Risk Management Policy

Major revision – Policy Objectives and Scope revised, Definitions added, Addition of Risk Appetite explanation and tolerance levels. Update to Roles and Responsibilities,

C18/5617 – POLICY REVIEW – CORPORATE SERVICES (REC) (ATTACHMENT)

CP-104 Related Party Disclosures Policy

No changes proposed.

STAKEHOLDER ENGAGEMENT

No public consultation or communication is applicable.

STATUTORY AND LEGAL IMPLICATIONS

This review of policies has particularly included references to legislation to support the policy position. The policies are consistent with the current *Local Government Act 1995* and relevant Regulations.

FINANCIAL IMPLICATIONS

There are no financial implications for Council as a result of this report.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

The process of policy review will serve to minimise both strategic and risk management implications by ensuring the policies are consistent with current legislation.

Risk Statement	Level of Risk	Risk Mitigation Strategy
Administration undertakes functions delegated by Council in a manner not in accordance with the Council's objectives causing reputational risk Policies are not in compliance with legislative requirements or contemporary standard	Minor to Major depending on the issue. Minor consequences which are possible, resulting in a Medium level of risk	Ensure sound Council policies are in place that provide clear guidance to the administration. Periodic review mitigates against outdated legislative or other relevant references.

POLICY IMPLICATIONS

There are no identified policy implications that have been identified in this review.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The Council has policies to provide direction to officers on the Council's expectation of how a variety of matters will be addressed. This direction provides a consistent approach to all persons who make similar applications to the City. Should the Council resolve to remove

C18/5617 – POLICY REVIEW – CORPORATE SERVICES (REC) (ATTACHMENT)

Council Policies, officers would not have the understanding of the Council's intent in the great variety of matters and circumstances with the potential that persons would receive different responses from the City on similar matters. By providing a consistent approach, people will have confidence in the City's application of judgement on matters and that decisions are applied against a structure.

CONCLUSION

The individual policies have been reviewed by senior officers and their amendments are consistent with the current provisions of the *Local Government Act 1995* and Regulations.

OFFICER RECOMMENDATION (5617)**APPROVAL**

That the 13 policies reviewed by Corporate Services as contained in the following attachments be approved.

CP-003 Public Relations

CP-007 Acting Chief Executive Officer

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

CP-009 Investment of Funds Policy

CP-010 Self Supporting Loans

CP-024 Borrowings and Asset Financing

CP-025 Accounting

CP-026 Employee Appointments

CP-027 Severance Policy

CP-030 Environmental Policy

CP-039 Quality Policy

CP-099 Risk Management Policy

CP-104 Related Party Disclosures Policy

Deferral Motion

At 10.14pm Cr Pazolli moved, seconded Cr Barton-

That the item C18/5617 – Policy Review – Corporate Services be deferred to the June 2018 Ordinary Meeting of Council.

At 10:15pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (12/0)

C18/6000 - INVESTMENT STATEMENTS AS AT 31 MARCH 2018 (REC)

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

AUTHORITY / DISCRETION

DEFINITION

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

KEY ISSUES / SUMMARY

This report presents the investment statements for the period ending 31 March 2018 for the Council's information and noting.

C18/6000 - INVESTMENT STATEMENTS FOR MARCH 2018 (REC)

BACKGROUND

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

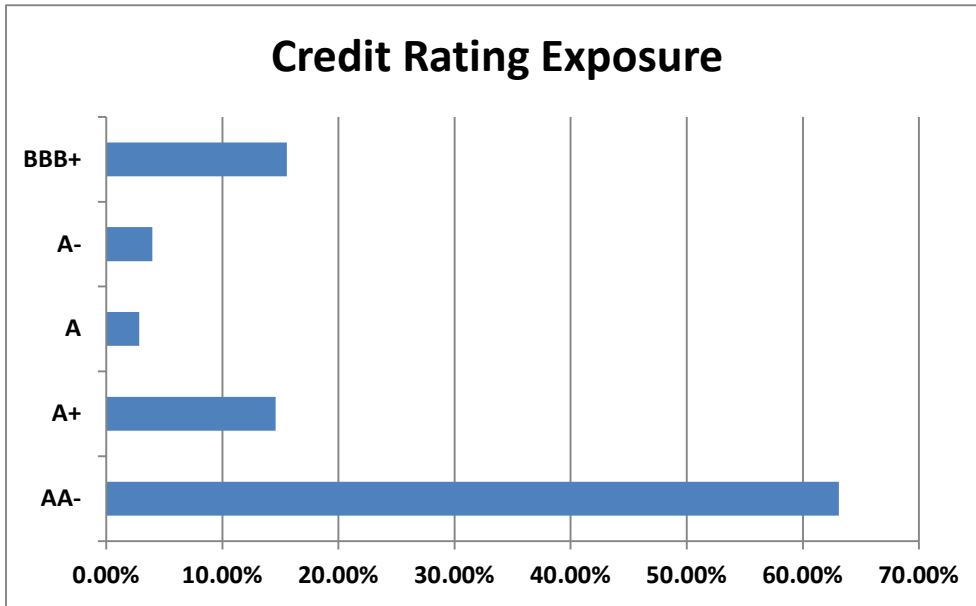
The investment of cash holdings is undertaken in accordance with Council Policy CP-009 - Investment of Funds, with the objective of maximising returns whilst maintaining low levels of credit risk exposure.

DETAIL

Summary details of investments held as at 31 March 2018 are shown in the tables below. The following statements detail the investments held by the City as at 31 March 2018.

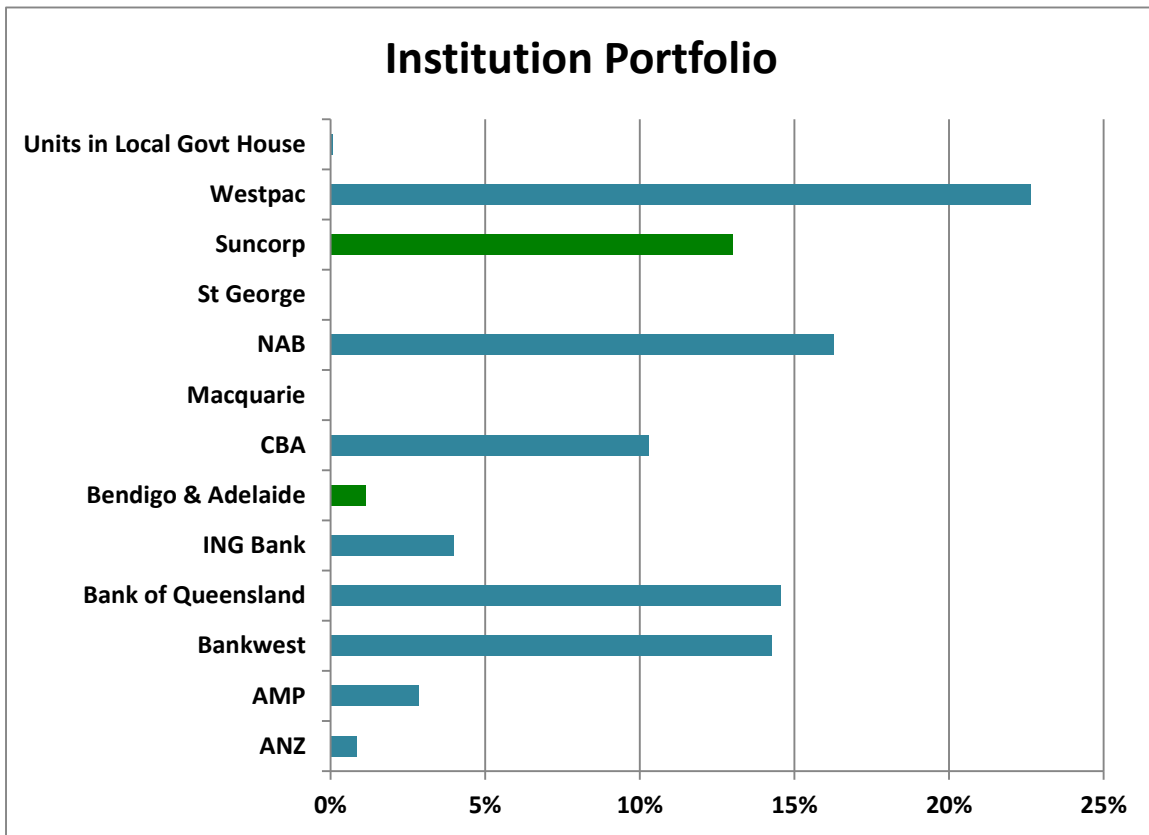
CITY OF MELVILLE	
STATEMENT OF INVESTMENTS	
FOR THE PERIOD ENDING 31 MARCH 2018	
SUMMARY BY FUND	AMOUNT \$
MUNICIPAL	\$ 42,351,806
RESERVE	\$ 133,396,239
TRUST	\$ 1,141,584
CITIZEN RELIEF	\$ 212,868
	\$ 177,102,497
SUMMARY BY INVESTMENT TYPE	AMOUNT \$
11AM	\$ 5,035,809
31DAYS AT CALL	\$ 23,000,000
60DAYS AT CALL	\$ 2,000,000
90DAYS AT CALL	\$ 8,600,000
TERM DEPOSIT	\$ 138,312,020
UNITS (Local Govt Hse)	\$ 154,668
	\$ 177,102,497
SUMMARY BY CREDIT RATING	AMOUNT \$
AA-	\$ 111,647,829
A+	\$ 25,800,000
A	\$ 5,000,000
A-	\$ 7,000,000
BBB+	\$ 27,500,000
UNITS (Local Govt Hse)	\$ 154,668
	\$ 177,102,497

C18/6000 - INVESTMENT STATEMENTS FOR MARCH 2018 (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-	1,500,000	0.85%	0.85%	30%	No	
AMP BANK (TERM)	TERM	A	5,000,000	2.82%	2.82%	25%	No	
BANKWEST (TERM)	TERM	AA-	25,000,000	14.12%	14.12%	30%	No	
BANK OF QUEENSLAND (TERM)	TERM	BBB+	25,500,000	14.40%	14.40%	15%	No	
BENDIGO AND ADELAIDE BANK (TERM)	TERM	BBB+	2,000,000	1.13%	1.13%	15%	Yes	2,000,000
COMMONWEALTH BANK (TERM)	TERM	AA-	18,000,000	10.16%	10.16%	30%	No	
ING BANK (TERM)	TERM	A-	7,000,000	3.95%				
ING BANK (FRTD)	FRTD	A-	-	0.00%	3.95%	25%	No	
MACQUARIE BANK (TERM)	TERM	A	-	0.00%	0.00%	25%	No	
NAB (TERM)	TERM	AA-	30,512,020	17.23%	17.23%	30%	No	
ST GEORGE BANK (TERM)	TERM	AA-	-	0.00%	0.00%	30%	No	
SUNCORP METWAY LTD (TERM)	TERM	A+	23,800,000	13.44%	13.44%	25%	Yes	23,800,000
WESTPAC (MAXI BONUS 1)	11AM	AA-	871,097	0.49%				
WESTPAC (MAXI BONUS 2)	11AM	AA-	1,047,452	0.59%				
WESTPAC (MAXI DIRECT)	11AM	AA-	3,117,260	1.76%				
WESTPAC (31DAYS AT CALL)	31DAYS AT CALL	AA-	23,000,000	12.99%				
WESTPAC (60DAYS AT CALL)	60DAYS AT CALL	AA-	2,000,000	1.13%				
WESTPAC (90DAYS AT CALL)	90DAYS AT CALL	AA-	8,600,000	4.86%				
WESTPAC (TERM)	TERM	AA-	-	0.00%	21.82%	30%	No	
UNITS IN LOCAL GOV'T HOUSE	NA	NA	154,668	0.09%	0.09%		N/A	
			177,102,497	100%	100%			25,800,000
Total Non Fossil Fuel Lending ADI								15%

C18/6000 - INVESTMENT STATEMENTS FOR MARCH 2018 (REC)



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

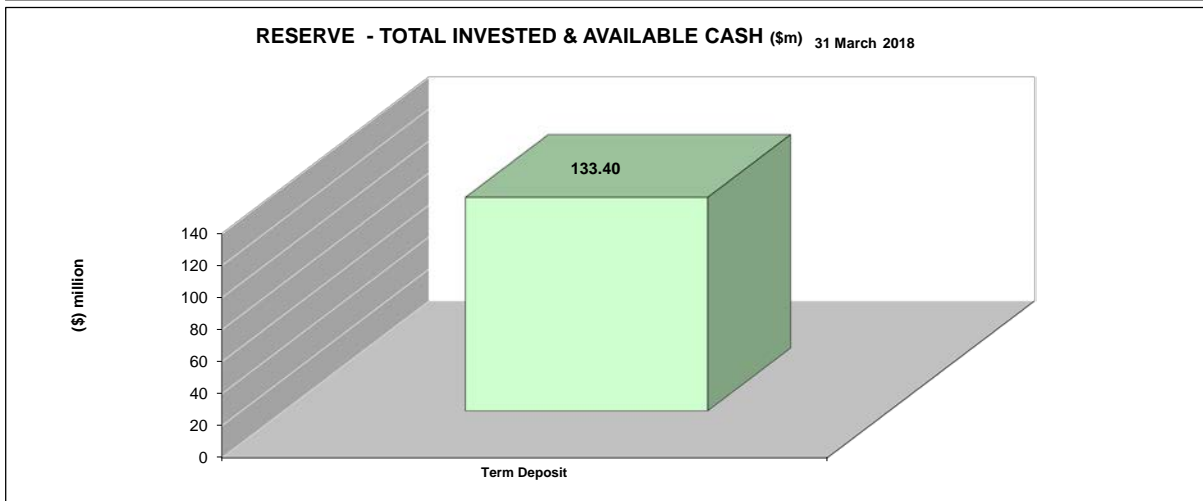
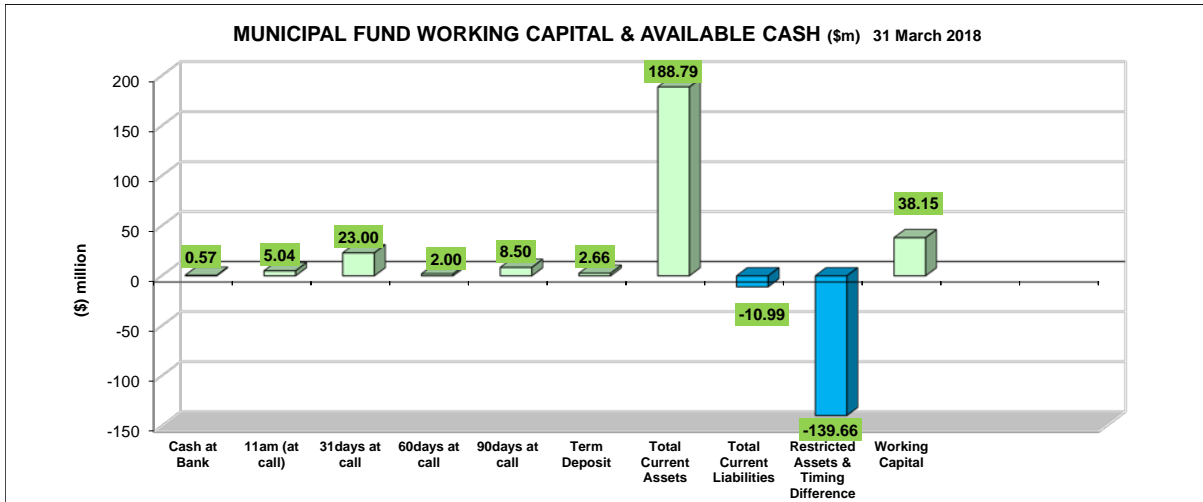
“Green investments” are authorised investment products made in authorised institutions that respect the environment by not investing in fossil fuel industries.

The total investment in authorised institutions that do not lend to industries engaged in the exploration for, or production of, fossil fuels, as at 31 March 2018 was \$25,800,000 or 15% of total investment holdings being in non-fossil fuels institutions. This compared to \$24,800,000 (14%) in February 2018. The amount of investment holdings in non-fossil fuels institutions increased from February as well as the percentage of the holding. The total investment holding for February was \$175,100,898 and March was \$177,102,497.

C18/6000 - INVESTMENT STATEMENTS FOR MARCH 2018 (REC)

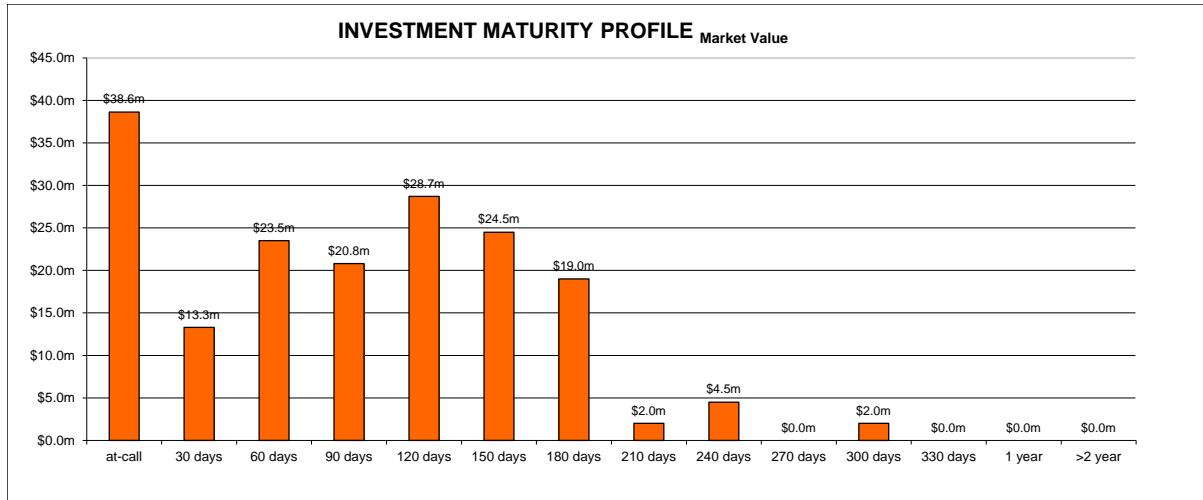
Net Funds Held

The graphs on the following page summarise the Municipal Fund working capital and available cash and the funds held in Cash Backed Specific Purpose Reserve Accounts as at 31 March 2018.



C18/6000 - INVESTMENT STATEMENTS FOR MARCH 2018 (REC)

The graph below summarises the maturity profile of the City's investments at market value as at 31 March 2018.



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.

C18/6000 - INVESTMENT STATEMENTS FOR MARCH 2018 (REC)

FINANCIAL IMPLICATIONS

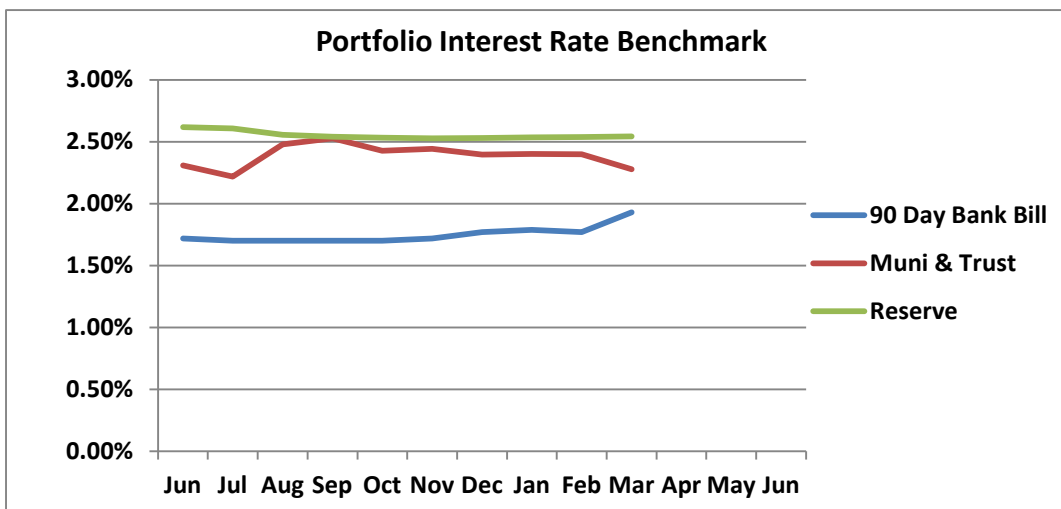
For the period ending 31 March 2018:

- Investment earnings on Municipal and Trust Funds were \$671,590 against a year to date budget of \$479,331 representing a \$192,259 positive variance.

The weighted average interest rate for Municipal and Trust Fund investments as at 31 March 2018 was 2.28% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 1.93%.

- Investment earnings on Reserve accounts were \$2,463,983 against a year to date budget of \$2,506,926 representing a \$42,943 negative variance.

The weighted average interest rate for Reserve account investments as at 31 March 2018 was 2.55% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 1.93%.



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.

C18/6000 - INVESTMENT STATEMENTS FOR MARCH 2018 (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 Cities boundaries and there is a tenuous link between the City's investment activities and lending to organisations producing fossil fuels, the City will, to the extent it can without putting invested funds at undue risk, direct its investments to financial institutions that do not lend to those organisations.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable as 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 2.28% to 2.55% which well exceeds the benchmark three month bank bill swap (BBSW) reference rate of 1.93%.

15% of the City's investment portfolio is invested in authorised deposit taking institutions that do not lend to industries engaged in the exploration for, or production of, fossil fuels. This compared to 14% in February 2018.

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

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (6000) NOTING

That the Council notes the Investment Report for the period ending 31 March 2018.

At 10:16pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (12/0)

C18/6001 – SCHEDULE OF ACCOUNTS PAID FOR MARCH 2018 (REC)
(ATTACHMENT)

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

AUTHORITY / DISCRETION

DEFINITION

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

KEY ISSUES / SUMMARY

This report presents the details of payments made under delegated authority to suppliers for the month of March 2018 and recommends that the Schedule of Accounts Paid be noted.

C18/6001 – SCHEDULE OF ACCOUNTS PAID FOR MARCH 2018 (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 the period ending 31 March 2018 including Payment Registers numbers, Cheques 646 - 651 and Electronic Funds Transfers batches 497 - 500, Trust Payments, Card Payments and Payroll was distributed to the Elected Members of the Council on 27 April 2018. Payments for the period totalled \$9,796,190.91 for the Municipal Fund and \$104,787.57 for the Trust Fund whilst new investment transactions totalled \$3,000,000.00. Details of the payments are shown in attachment [6001 March 2018](#).

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

Supplier Name	Remittance Number	Remittance Details	Amount
Asphaltech Pty Ltd	E062498, E062660 & E062954	Road resurfacing at various sites	\$1,633,461.03
Axiis Contracting Pty Ltd	E062674 & E062960	Concrete works at various sites	\$78,159.64
Building & Construction Industrial Training Fund	Chq 007165	Remittance of the building construction training levy collected by the City with building licence applications	\$55,703.12
Calibre Coatings Pty Ltd	E062548	Painting of LeisureFit Melville	\$32,802.00
Caltex	Direct Bank Transfer	Caltex fuel	\$92,382.97
CAM Management Solutions	E062594	Annual licence fee	\$31,451.75
City of Cockburn	E062508	Commercial waste tip fees for February	\$30,223.34
Contraflow Pty Ltd	E062645 & E062943	Traffic management services	\$35,006.55
DB Cunningham Pty Ltd	E062707	Progress claims for wetland drainage construction at four sites and foreshore revetment at Deep Water Point and Mount Henry Jetty	\$221,234.23
Department of Commerce	E062496	Remittance of Building Service Levy collected on building licence applications	\$49,084.45
Department of Fire & Emergency Services	E062651	ESL remittance for February	\$547,676.43
Devco Holdings Pty Ltd T/A Devco Builders	E062632 & E062929	Building maintenance	\$79,972.63
Dickies Tree Service	E062509 & E062824	Tree lopping services	\$29,531.15
EMSO Maintenance T/A Crabclaw Holdings Pty Ltd	E062572 & E062886	Building maintenance	\$54,192.58
Erebus Contracting Pty Ltd	E062702 & E062995	Draining installation at various sites	\$27,896.00
Flexi Staff	E062533 & E062847	Temporary employment	\$40,178.02
Forrest Hills Spraying Services	E062667	Herbicide spraying at various sites	\$59,106.00

**C18/6001 – SCHEDULE OF ACCOUNTS PAID FOR MARCH 2018 (REC)
(ATTACHMENT)**

Supplier Name	Remittance Number	Remittance Details	Amount
Hays Specialist Recruitment (Australia) Pty Ltd	E062659 & E062953	Temporary employment	\$52,309.61
Hydroquip Pumps & Irrigation	E062536 & E062852	Irrigation pumps and repairs at various sites	\$57,327.60
Hyland Management & Contractors Pty Ltd	E063029	Progress claims for refurbishment of Blue Gum Recreation Centre	\$32,841.05
McLeods Barristers and Solicitors	E062569 & E062884	Legal services	\$39,761.31
Natural Area Management and Services	E062758 & E063051	Weed control at various sites	\$32,633.00
Pearmans Electrical & Mechanical Services	E062630 & E062928	Electrical services	\$42,805.91
Redfish Technologies Pty Ltd	E062620	Council Chambers vision system refresh	\$62,484.61
Southern Metropolitan Regional Council	E062593	RRRC loan repayment and MSW, MRF and green waste gate fees for February	\$866,436.04
South West Group	E062868	2017/2018 contribution for NRM facilitator position	\$32,500.00
Synergy	E062532 & E062846	Electricity charges	\$315,763.77
Talis Consultants	E062951	Building audits	\$35,384.80
Titan Ford	E062870	Purchase of Ford Ranger, servicing and parts for vehicles	\$36,848.45
Tree Amigos Tree Surgeons	E062622 & E062921	Tree lopping services	\$27,971.13
Tree Care WA Pty Ltd	E062748 & E063045	Tree lopping services	\$45,921.50
Tree Planting & Watering (ATF) Baroness Holdings Pty Ltd	E062658 & E062952	Street tree watering	\$107,394.38
Triton Electrical Contractors Pty Ltd	E062655 & E062948	Irrigation maintenance	\$39,841.11
Turf Care WA Pty Ltd	E062898	Vertimowing and spraying of herbicides at major reserves	\$60,304.96
Veraison Enterprises Pty Ltd	E062624	Bi-monthly coaching sessions	\$28,548.30

Payroll

Supplier Name	Remittance Number	Remittance Details	Amount
Various Banking Institutions	Direct Bank Transfers 07/03/018 & 21/03/2018	Payment of salaries and wages to City employees net of tax and deduction for pays 18 and 19.	\$2,137,561.22
Australian Taxation Office	Direct Bank Transfers 07/03/018 & 21/03/2018	Pay as You-Go taxation and other deductions from employee payroll for pays 18 and 19.	\$665,053.00
Creditors & Advances	Direct Bank Transfers 07/03/018 & 21/03/2018	Payment of superannuation, union membership, council rates, vehicle deductions, Centrelink, etc. for pays 18 and 19.	\$529,759.55
Total			\$3,332,373.77

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Not applicable.

**C18/6001 – SCHEDULE OF ACCOUNTS PAID FOR MARCH 2018 (REC)
(ATTACHMENT)****II. OTHER AGENCIES / CONSULTANTS**

Not applicable.

STATUTORY AND LEGAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

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

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable as this report presents information for noting only.

CONCLUSION

Payments for the period totalled \$9,796,190.91 for the Municipal Fund and \$104,787.57 for the Trust Fund whilst new investment transactions totalled \$3,000,000.00.

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

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (6001)**NOTING**

That the Council notes the Schedule of Accounts paid for the period ending 31 March 2018 as approved by the Director Corporate Services in accordance with delegated authority DA-035, and detailed in attachment [6001 March 2018](#)

At 10:16pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (12/0)

C18/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR MARCH 2018 (AMREC)
(ATTACHMENTS)

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

AUTHORITY / DISCRETION

DEFINITION

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

KEY ISSUES / SUMMARY

This report presents:

- The Statements of Financial Activity by Program, Sub-Program and Nature and Type, for the period ending 31 March 2018 and recommends that they be noted by the Council.
- The variances for the month of March 2018 and recommends that they be noted by the Council.
- The Budget amendments required for the month of March 2018 and recommends that they be adopted by Absolute Majority decision of the Council.

**C18/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR MARCH 2018 (AMREC)
(ATTACHMENTS)**
BACKGROUND

The Statements of Financial Activity for the period ending 31 March 2018 have been prepared and tabled in accordance with the *Local Government (Financial Management) Regulations 1996*.

DETAIL

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

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

Variances

CITY OF MELVILLE
EXTRACT OF RATE SETTING STATEMENT FOR VARIANCE IN EXCESS OF \$50,000
for the Period 1 July 2017 to 31 March 2018

	<i>March Actual</i>	<i>YTD Rev. Budget</i>	<i>YTD Actual</i>	<i>Variance</i>	<i>Variance</i>	<i>Annual Budget</i>	<i>Annual Rev. Budget</i>
	\$	\$	\$	\$	%	\$	\$
OPERATING ACTIVITIES							
Revenue from operating activities (excluding rates and non-operating grant, subsidies and contributions)							
General Purpose Funding	386,229	7,790,762	8,072,196	281,433	4%	10,206,355	10,999,670
Community Amenities	186,590	3,074,217	3,223,722	149,504	4%	3,480,202	3,589,789
Recreation and Culture	539,904	6,013,545	6,068,745	55,200	1%	8,570,847	8,112,196
Transport	96,402	946,960	1,004,663	57,702	-8%	1,381,713	1,381,884
Economic Services	75,664	1,976,404	2,464,133	487,729	25%	2,613,767	2,513,346
Other Property and Services	(38,753)	2,341,375	227,046	(2,114,329)	-90%	1,881,450	2,591,525
	1,301,628	25,301,092	24,248,008	(1,053,084)		31,450,827	32,586,278
Expenditure from operating activities							
Governance	(316,828)	(3,850,592)	(3,363,741)	486,852	-13%	(5,263,277)	(5,405,189)
General Purpose Funding	(130,699)	(602,702)	(705,147)	(102,445)	17%	(3,232,581)	(3,236,203)
Law, Order, Public Safety	(320,191)	(3,056,721)	(2,914,510)	142,211	-5%	(4,118,059)	(4,191,587)
Health	(86,348)	(842,192)	(790,673)	51,519	-6%	(1,168,492)	(1,132,184)
Education & Welfare	(199,172)	(2,064,209)	(1,898,937)	165,272	-8%	(2,729,585)	(2,753,750)
Community Amenities	(2,036,985)	(19,044,731)	(17,734,107)	1,310,625	-7%	(24,667,337)	(25,756,300)
Recreation and Culture	(2,310,296)	(22,312,478)	(21,079,772)	1,232,705	-6%	(29,988,278)	(29,800,055)
Transport	(1,630,557)	(13,015,142)	(12,594,052)	421,090	-3%	(17,725,955)	(17,728,094)
Economic Services	(172,944)	(1,827,660)	(1,894,457)	(66,796)	4%	(2,390,021)	(2,401,934)
Other Property and Services	(576,617)	(7,212,114)	(5,370,305)	1,841,809	-26%	(10,369,279)	(10,806,754)
	(7,785,495)	(73,878,707)	(68,398,713)	5,479,994		(101,719,144)	(103,274,353)
Investing Activities							
Non-operating grants, subsidies and contributions	864,285	2,523,943	2,153,597	(370,346)		2,236,267	4,024,864
Purchase of Furniture & Equipment	(128,518)	(1,785,225)	(1,192,074)	593,151	-33%	(2,173,668)	(3,432,075)
Purchase of Land & Buildings	(229,491)	(3,540,897)	(1,815,019)	1,725,878	-49%	(12,992,772)	(20,721,385)
Purchase of Infrastructure Assets	(2,168,104)	(12,386,529)	(9,559,054)	2,827,475	-23%	(17,552,829)	(25,071,192)

**C18/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR MARCH 2018 (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 March 2018](#) and [6002H March 2018](#).

Revenue

\$85.41 million in Rates was raised to 31 March 2018, compared to \$82.57 million being \$2.84m or 3.4% more than for the same reporting period last year. This is compared with a revised year to date budget of \$85.46 million, resulting in a negative variance of \$52,649 (0.06%).

Money Expended in an Emergency and Unbudgeted Expenditure

Not applicable for March 2018.

Budget Amendments

Details of Budget Amendments requested for the month of March 2018 are shown in attachment [6002J March 2018](#). Highlighted are five budget amendment journals greater than \$50,000 that were processed in March 2018:

- \$6,829,449 – 2017-2018 Mid-year budget review as per Council item C18/6157.
- \$937,964 – Budget adjustments for capital works module as per 2017-2018 mid-year budget review.
- \$295,000 – Transfer and assign 2017-2018 mid-year budget review amendment for Urban Forest and Heathcote Lower Land Precinct to capital works module.
- \$57,383 – Creation of budget for new position.
- \$81,818 – Creation of new budget for supervision fee income and related expenditure.

Rates Debtors

Rates, Refuse, Fire and Emergency Service Authority and Underground Power payments totalling \$7,833,869 were collected over the course of the month. Rates collection progress for the month of March is 0.3% above the target of 94%. This represents a dollar value of \$275,040. As at 31 March 94.3% of 2017-2018 rates including prior year arrears had been collected compared with 94.2% collected for the same time last year. Rates collection for 2017-2018 excluding prior year rate arrears is 96.8%.

Total sundry debtor balances decreased by \$248,094 over the course of the month from \$587,072 to \$338,978. The 90+ day's debtor balance increased by \$6,180 from \$147,830 to \$154,010.

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 March 2018.

C18/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR MARCH 2018 (AMREC)
(ATTACHMENTS)

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

DESCRIPTION	LINK
Statement of Financial Activity By Nature and Type – March 2018	<u>6002A Nature Type March 2018</u>
Rate Setting Statement by Program – March 2018	<u>6002B Program March 2018</u>
Rate Setting Statement by Sub-Program – March 2018	<u>6002C Sub Program March 2018</u>
Representation of Net Working Capital – March 2018	<u>6002E March 2018</u>
Reconciliation of Net Working Capital – March 2018	<u>6002F March 2018</u>
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater – March 2018	<u>6002H March 2018</u>
Details of Budget Amendments requested – March 2018	<u>6002J March 2018</u>
Summary of Rates Debtors – March 2018	<u>6002L March 2018</u>
Graph Showing Rates Collections – March 2018	<u>6002M March 2018</u>
Summary of General Debtors aged 90 Days Old or Greater – March 2018	<u>6002 March 2018</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:

**C18/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR MARCH 2018 (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.

FINANCIAL IMPLICATIONS**Variances**

Variances are detailed and explained in attachment [6002H March 2018](#) (Notes on Statement of Variances in excess of \$50,000 by Sub-Program).

**C18/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR MARCH 2018 (AMREC)
(ATTACHMENTS)**

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.

CONCLUSION

The attached financial reports reflect a positive financial position of the City of Melville as at 31 March 2018.

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

At 10.15 pm Cr Barling moved, seconded Cr Woodall -

That the Council:

- Notes the Rate Setting Statement and Statements of Financial Activity for the month ending 31 March 2018 as detailed in the following attachments:**

DESCRIPTION	LINK
Statement of Financial Activity By Nature and Type – March 2018	6002A Nature Type March 2018
Rate Setting Statement by Program – March 2018	6002B Program March 2018
Rate Setting Statement by Sub-Program – March 2018	6002C Sub Program March 2018
Representation of Net Working Capital – March 2018	6002E March 2018
Reconciliation of Net Working Capital – March 2018	6002F March 2018
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater – March 2018	6002H March 2018
Details of Budget Amendments requested – March 2018	6002J March 2018
Summary of Rates Debtors – March 2018	6002L March 2018
Graph Showing Rates Collections – March 2018	6002M March 2018
Summary of General Debtors aged 90 Days Old or Greater – March 2018	6002N March 2018

- By Absolute Majority Decision adopts the budget amendments, as detailed in the attached Budget Amendment Reports for March 2018 [6002J March 2018](#).**

At 10.15pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (12/0)

15. EN BLOC ITEMS

At 10.16pm Cr Barling moved, seconded Cr Wieland –

That the recommendations for items M18/5615, M18/5000, C18/6000 and C18/6001 be carried En Bloc.

At 10.16pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (12/0)

16. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

16.1 Online Governance and Accountability Webpage

At 10.16pm Cr Barling moved, seconded Cr Woodall –

That the Council

- 1. Requests the Chief Executive Officer to arrange for the creation of a dedicated Governance and Accountability page on the City of Melville website.**
- 2. For the page to include information readily available to the public, including but not limited to:**
 - Mayor and Councillor sitting fees, allowances and meeting attendances backdated to November 2017;**
 - A register of Declarations of Interest as disclosed by Elected Members and or Officers at meetings of the Council backdated to November 2017;**
 - The Online Gift and Contribution to Travel register that already exists on its own dedicated web page; and**
 - Links to external websites for public information.**
- 3. That this matter be referred to an Elected Member Information Session prior to being published on the website.**

At 10:23 pm the Mayor submitted the motion, which was declared

CARRIED (10/2)

Vote Result Summary	
Yes	10
No	2

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

Reasons for Motion

1. The City of Melville was among the first West Australian local governments to publish an online Gift and Contribution to Travel register on its website. This was passed unanimously at the Ordinary Meeting of Council held 8 December 2015. Adding the extra information should not be a heavy administration burden.
2. Meeting attendance is already published on the City website in the Community Annual Report and can be determined by going through the minutes.
3. Elected Members Allowances and Expenses are already published on the City website as in Policy CP - 091.
4. Financial, Proximity and Impartiality Declaration of Interests given by Elected Members and Officers at Council meetings are already published in Council Meeting Minutes.
5. Providing the information that is already available on the City of Melville website on one page will aid in its location by residents and ratepayers and other visitors to the web page thus increasing the City's governance and accountability.

16.2 Expenditure on Organisational Environmental Sustainability Activities and Initiatives

At 10:23pm Cr Barling moved, seconded Cr Wheatland—

That the Council:

1. **Acknowledges that among the City of Melville's environmental sustainability achievements the City:**
 - **Is one of only four Local Government Authorities in Western Australia and one of only 24 within Australia that is a member of the 'Global Covenant of Mayors for Climate & Energy';**
 - **Was one of the first local governments in WA to implement an Urban Forest Strategy;**
 - **Was one of the first local governments in WA to implement the processing of municipal solid waste into compost and is the only Perth metropolitan Council currently undertaking a Food Organics, Garden Organics Waste trial. (Along with the City of Melville the trial is also being undertaken on behalf of the City of Fremantle and Town of East Fremantle); and**
 - **Under the Global Covenant of Mayors for Climate & Energy is currently working towards a target of 48% emission reduction from its own facilities and operations by 2025.**
2. **Requests the Chief Executive Officer to amend the 'Environmental Policy - CP-030' to require that a minimum of one percent (1%) of current rate revenue be expended annually on activities or initiatives that are intended to reduce the energy usage and or carbon footprint of the City of Melville or transferred to the Organisational Environmental Sustainability Initiatives Reserve Fund to subsequently be used for such purposes.**

Procedural Motion

At 10.28pm Cr Barton moved

That the motion put.

Cr Pazolli advised the meeting that he wanted to speak against the motion, as such the Mayor did not accept the procedural motion.

At 10.39pm Cr Barling, with the consent of the seconder withdrew the motion for further consideration and presentation at an EMIS.

Reasons for Motion

1. The Global Covenant of Mayors for Climate & Energy is the largest international alliance of Cities and local governments with a shared long-term vision of promoting and supporting action to combat climate change and move to a low emission, resilient society. It is also considered the largest global organised action on climate change outside of the 2015 Paris Accord.
2. Under the Global Covenant of Mayors the City of Melville is currently working towards a target of 48% emission reduction from its own facilities and operations by 2025 within the areas of Electricity, Road Transportation, Solid Waste and Waste Water.
3. The City of Melville is planning to spend around \$600,000 on the installation of Photo-Voltaic Solar Panels at LeisureFit Melville, the City's Operations Centre and other sites next financial year. These installations will not only help mitigate climate change by aiding in the reduction of carbon emissions they will also help reduce other air pollution and save the City money with a payback period of around 18 months.
4. The City of Melville is planning to spend \$300,000 on the implementation of actions and tasks within the Urban Forest Strategic Plan next financial year. In the 2017 planting season 1,629 trees were planted within streetscapes and parks. Maintaining and growing an urban forest canopy within the city is essential in helping reduce the Urban Heat Island Effect in a warming climate thus reducing power usage during hot days. Urban forests also have other environmental and socio-cultural impact as well as significant biodiversity and aesthetic benefits. (This expenditure is covered by the 1% annual contribution to the Public Open Space Reserve.)
5. The City currently spends over \$3 million per year on municipal solid waste processing to ensure it is composted rather than going straight to landfill. This method of waste disposal mitigates a significant amount of methane being produced as well as savings in the Landfill Levy and reducing overall need for limited landfill space on the Swan Coastal Plain.
6. Funds within the Organisational Environmental Sustainability Initiatives Reserve Fund could be used for a number of different initiatives including but not limited to:
 - To cover the additional portion above the price of a standard vehicle that may be required for a more efficient model whether to reduce air pollution directly such as SO_x, CO_x, NO_x, particulates etc. by purchasing petrol rather than diesel or by reduction of pollution and energy by purchase of petrol/electric hybrid or fully electric models;
 - Purchase and installation of solar PV panels
 - Retrofitting of buildings to make them more energy efficient, such as upgrades to LED lighting, insulation and energy management systems;
 - Energy and emissions audits; and
 - To cover information, marketing and educational programs to promote the City's environmental sustainability activities and initiatives as well as engage and encourage behaviour change by residents and City staff.

At 10:38pm Ms K Johnson entered the meeting

17. MOTIONS WITHOUT NOTICE BY ABSOLUTE MAJORITY OF THE COUNCIL

Nil.

18. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED**T18/3781 – Civic Library and Cultural Centre**

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

The Confidential Item was distributed to Elected Members on Friday, 27 April 2018 under confidential cover.

Late Item - C18/5623 – Chief Executive Officer Performance Review

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

The Confidential Item was distributed to Elected Members on Friday, 11 May 2018 under confidential cover.

COUNCIL RESOLUTION

At 10.40pm Cr Wieland moved, seconded Cr Phelan–

That the meeting be closed to the public to permit discussion on a confidential matter (Item T18/3781 – Civic Library and Cultural Centre) covered under section 5.23 (2) (c) of the *Local Government Act 1995* and late Item - C18/5623 – Chief Executive Officer Performance Review covered under section 5.23 (2) (a) of the *Local Government Act 1995*.

At 10:40pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (12/0)

At 10:40pm the remaining members of the public gallery the representative of the press left the meeting.

CONFIDENTIAL ITEM - T18/3781 – CIVIC LIBRARY AND CULTURAL CENTRE (REC)
(CONFIDENTIAL ATTACHMENTS)

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3781) APPROVAL

At 10.45pm Cr Wieland moved, seconded Cr Robartson

That Council:

- 1. Notes the original business case.**
- 2. Notes the project progress made to date including the current suspension of development activity caused by AMP Capital's delay in commencing the Garden City Redevelopment project.**
- 3. Notes the outcomes from the March 2018 review of the business case financial assumptions.**
- 4. Requests the Chief Executive Officer to investigate and report back on the feasibility of relocating the Council Chambers and associated Civic facilities as part of the Library and Cultural Centre project, noting that this does not include relocating the existing office space for administration in the current Civic Centre.**
- 5. Approves the inclusion of a basement car-park at an estimated additional cost of \$4.75m.**
- 6. Approves the proposed forward works improvements to the adjacent development lots in conjunction with the Library and Cultural Centre project at an estimated additional cost of \$1.35m.**
- 7. That following resolution by the Council, the above resolutions be made public.**

At 10:58pm the Mayor submitted the motion that was declared

CARRIED (11/0)

Vote Result Summary	
Yes	11
No	0

Vote Result Detailed	
Cr Barton	Yes
Cr Kepert	Yes
Cr Mair	Yes
Cr Pazolli	Yes
Cr Phelan	Yes
Cr Robartson	Yes
Cr Robins	Yes
Cr Wheatland	Yes
Cr Wieland	Yes
Cr Woodall	Yes
Mayor	Yes

At 10:47pm Cr Kepert left the meeting and returned at 10.48pm

At 10:57pm Cr Barling left the meeting and returned at 11:00pm

At 11:00pm Ms L Hartill left the meeting and did not return.
 At 11:00pm Mr M McCarthy left the meeting and did not return.
 At 11:00pm Mr S Cope left the meeting and did not return.
 At 11:00pm Ms A Hill left the meeting and did not return.
 At 11:00pm Mr M Murphy left the meeting and did not return.
 At 11:00pm Ms J Head left the meeting and did not return.
 At 11:00pm Ms C Newman left the meeting and did not return.

LATE ITEM C18/5623 – CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW (REC)
(CONFIDENTIAL ATTACHMENT)

Ward : All
 Category : Operational
 Subject Index : Personnel file
 Customer Index : Personnel file
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : C18/5606 – Chief Executive Officer Performance Review Process – Governance Committee 7 March 2018
 C18/5591 – Chief Executive Officer Performance Review – Ordinary Meeting of Council – February 2018
 Works Programme : Not applicable
 Funding : Not applicable
 Responsible Officer : Kylie Johnson
 Executive Manager Organisational Development

AUTHORITY / DISCRETION

DEFINITION

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

**LATE ITEM C18/5623 – CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW (REC)
(CONFIDENTIAL ATTACHMENT)****KEY ISSUES / SUMMARY**

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

BACKGROUND

On 20 March 2008 Dr Shayne Silcox commenced in the role of CEO at the City of Melville. The last performance review was held in 2017. In 2016 a new four year contract was finalised with the CEO, and made effective from 20 March 2016 in accordance with Council resolution (5465).

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

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

DETAIL

The review process endorsed by Council in February 2018 is detailed in confidential attachment 5623_Chief_Executive_Officer_Performance_Review, which details estimated dates. Due to availability issues the Governance Committee was re-scheduled to 9 May 2018. As indicated in the process, the Governance Committee is to discuss the CEO performance, future expectations, performance criteria, performance development, and review the salary package, for recommendation to the Council.

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

LATE ITEM C18/5623 – CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW (REC)
(CONFIDENTIAL ATTACHMENT)

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

The Performance Report from the CEO was provided to Elected Members on 12 March 2018. The CEO Performance Review – Consultant Report was distributed to Elected Members on Friday 4 May 2018 under confidential cover:

The process for the Governance meeting is as follows:

<i>Action</i>	<i>Purpose</i>	<i>CEO involvement</i>
1. Discussion between Ms Helen Hardcastle and Governance Committee relating to the report from the Performance Review Consultant on survey results, potential changes to performance criteria and relevant remuneration data	Clarify key comments to be delivered to the CEO on behalf of the Elected Members including -past performance – <i>based on matters relating to specified performance criteria within the employment contract</i> -future performance criteria -performance development	CEO not present
2. CEO to provide comment on performance and future priorities	Discussion on the CEO's Performance Review document and CEO to detail his perspective of his and the organisation's performance and future priorities	CEO to be present
3. Feedback to CEO from Governance Committee on performance	Ensure CEO understands views of Elected Members on performance and priorities, with reference to the survey response report, which is within the CEO Performance Review - Consultant Report.	CEO to be present
4. Discussion of current performance criteria	To ensure contract performance criteria reflect expected desired outcomes – Governance Committee to discuss with the CEO proposed and agreed criteria for 2018-2019.	CEO to be present
5. Discussion of performance development plan – review of the comments on professional development opportunities provided by the Consultant	To ensure performance development areas are discussed. It is noted the Mayor is authorised to approve professional development for the CEO, as specified in contract of employment.	CEO to be present
6. Remuneration discussion	Review of salary level	CEO not present

LATE ITEM C18/5623 – CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW (REC)
(CONFIDENTIAL ATTACHMENT)

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Not applicable.

II. OTHER AGENCIES / CONSULTANTS

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

STATUTORY AND LEGAL IMPLICATIONS

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

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

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

FINANCIAL IMPLICATIONS

The fee for the Performance Review Consultant has been included in the 2017-2018 operational budget. Any change to the salary package of the CEO will be reflected in the operational budgets for 2017-2018 and 2018-2019.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

**LATE ITEM C18/5623 – CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW (REC)
(CONFIDENTIAL ATTACHMENT)****POLICY IMPLICATIONS**

Not applicable

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

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

CONCLUSION

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

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

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

OFFICER RECOMMENDATION AND COMMITTEE RESOLUTION (5623)**APPROVAL**

At 7.05pm Cr Robartson moved, seconded Cr Robins–

That the Governance Committee recommends to the Council:

- 1. That the Chief Executive Officer Performance Criteria and Key Performance Indicators to be used in 2018-2019 are those detailed in the confidential attachment entitled “Chief Executive Officer Performance Criteria”.**
- 2. That the Performance Development Plan detailed in confidential attachment entitled “Chief Executive Officer Performance Development Plan 2018-2019” is approved.**
- 3. That the base salary component for the Chief Executive Officer be reviewed as recommended by the Governance Committee and the base salary determination be provided under confidential cover to the Council as an attachment entitled “Salary Recommendation 2018” for approval, to take effect from 20 March 2018.**

At 8.48pm the Presiding Member submitted the motion, which was declared

CARRIED UNANIMOUSLY (8/0)

LATE ITEM C18/5623 – CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW (REC)
(CONFIDENTIAL ATTACHMENT)

COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION APPROVAL

At 11:03pm Cr Robartson moved, seconded Cr Phelan–

That the Council approves the recommendations of the Governance Committee as follows;

- 1. That the Chief Executive Officer Performance Criteria and Key Performance Indicators to be used in 2018-2019 are those detailed in the confidential attachment entitled “Chief Executive Officer Performance Criteria”.**
- 2. That the Performance Development Plan detailed in confidential attachment entitled “Chief Executive Officer Performance Development Plan 2018-2019” is approved.**
- 3. That the base salary component for the Chief Executive Officer be reviewed as recommended by the Governance Committee and the base salary determination be provided under confidential cover to the Council as an attachment entitled “Salary Recommendation 2018” for approval, to take effect from 20 March 2018.**

At 11:20pm the Mayor submitted the motion, which was declared

CARRIED (10/2)

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

COUNCIL RESOLUTION

At 11:21pm Cr Barling moved, seconded Cr Weiland –

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

At 11:21pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (12/0)

No members of the public entered the meeting.

19. CLOSURE

There being no further business to discuss, the Mayor declared the meeting closed at 11:22pm.