City of Melville

AGENDA

FOR THE

ORDINARY MEETING OF THE COUNCIL

TUESDAY, 16 NOVEMBER 2021
COMMENCING AT 6.30PM

Held electronically in accordance with Regulation 14D(2)(a) of the Local Government (Administration) Regulations 1996.

Due to the State of Emergency declared in Western Australia, effective 16 March 2020 and the subsequent government directives with regard to public gatherings, in order to meet the requirements of Regulation 14E(3)(b) of the *Local Government (Administration) Regulations 1996,* the public may view this meeting electronically and the minutes and audio recording of the meeting will be available on the City's website as soon as practicable after the meeting.

Use this link to attend electronically, Register for the Ordinary Meeting of Council 16 November 2021

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

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The Audio Recording will be available within 10 days of the meeting and may be accessed at www.melvillecity.com.au in accordance with the provisions of the Policy.

DISTRIBUTED: 29 OCTOBER 2021

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NOTICE OF MEETING

I respectfully bring to the attention of Elected Members that an Ordinary Meeting of the Council will be held in the Council Chambers, Melville Civic Centre, 10 Almondbury Road, Booragoon on Tuesday, 16 November 2021 commencing at 6.30pm.

The business paper for the Meeting is scheduled below and your attendance is requested.

Marten Tieleman
Chief Executive Officer

AGENDA

1. OFFICIAL OPENING

The Presiding Member will cause the Acknowledgement of Country to be read aloud by an Elected Member.

The Presiding Member will bring to the attention of the meeting Disclaimer.

The Presiding Member will bring to the attention of the meeting the 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

3. IN ATTENDANCE

4. APOLOGIES AND APPROVED LEAVE OF ABSENCE

4.1 APOLOGIES

4.2 APPROVED LEAVE OF ABSENCE

Cr Glynis Barber – Bicton-Attadale-Alfred Cove 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.

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

6. QUESTION TIME

7. AWARDS AND PRESENTATIONS

8. CONFIRMATION OF MINUTES

8.1 ORDINARY MEETING OF THE COUNCIL – 12 OCTOBER 2021

Minutes 12 October 2021

RECOMMENDATION

That the Minutes of the Ordinary Meeting of the Council held on Tuesday, 12 October 2021 be confirmed as a true and accurate record.

8.2 NOTES OF AGENDA BRIEFING FORUM – 9 NOVEMBER 2021

(Notes of the Agenda Briefing Forum will be available on Friday, 12 November 2021)

RECOMMENDATION

That the Notes of Agenda Briefing Forum held on Tuesday, 9 November 2021, be received.

8.3 SPECIAL MEETING OF THE COUNCIL – 18 OCTOBER 2021

Minutes 18 October 2021

RECOMMENDATION

That the Minutes of the Special Meeting of the Council held on Monday, 18 October 2021 be confirmed as a true and accurate record.

8.4 SPECIAL MEETING OF THE COUNCIL – 27 OCTOBER 2021

Minutes 27 October 2021

RECOMMENDATION

That the Minutes of the Special Meeting of the Council held on Wednesday, 27 October 2021 be confirmed as a true and accurate record.

8.4 FINANCIAL MANAGEMENT, AUDIT, RISK AND COMPLIANCE COMMITTEE – 15 NOVEMBER 2021

RECOMMENDATION

That the Minutes of the Financial Management, Audit, Risk and Compliance Committee Meeting held on Monday, 15 November 2021 be noted.

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

9. DECLARATIONS OF INTEREST

The Members' and Officers' attention is drawn to the following provisions of the *Local Government Act 1995* regarding disclosures of interest;

9.1 FINANCIAL INTERESTS

A declaration under this section requires that the nature of the interest must be disclosed. Consequently, a member who has made a declaration must not preside, participate in, or be present during any discussion or decision making procedure relating to the matter the subject of the declaration.

9.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT

Councillors and staff are required, in addition to declaring any financial interest, to declare any interest arising from the City of Melville Code of Conduct, that might cause a conflict. The member/employee is also encouraged to disclose the nature of the interest. The member/employee must consider the nature and extent of the interest and whether it will affect their impartiality. If the member/employee declares that their impartiality will not be affected then they may participate in the decision making processes.

10. DEPUTATIONS

11. APPLICATIONS FOR NEW LEAVES OF ABSENCE

12. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

Confidential Item M21/5865 - Variation to Agreement for Lease for Melville Health, Aged and Community Care (WA) Pty Ltd

Confidential Item M21/5877 - Ground Lease Redevelopment Agreement 13 The Esplanade and 64 Kishorn Road, Mt Pleasant

13. PETITIONS

14. REPORTS OF THE CHIEF EXECUTIVE OFFICER

P21/3950 - REVIEW OF LOCAL PLANNING POLICY 3.1 RESIDENTIAL DEVELOPMENT (REC) (ATTACHMENT)

Ward	:	All
Category	:	Policy
Application Number	:	Not applicable
Property	:	Not applicable
Proposal	:	Review of Local Planning Policy 3.1 Residential Development
Applicant	:	Not applicable
Owner	:	Not applicable
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	P11/3248 Final Adoption Urban Planning Policies – Residential Development Policy – 20 September 2011. P13/3438 Amendment to Council Policy 078 Residential Development 19 November 2013 P16/3728 Review of Council Policy CP-078 – Ordinary Meeting of Council 15 November 2016. P16/3718 - Review of Planning Policies – Ordinary Meeting of Council 20 September 2016. P21/3934 - Review Of Local Planning Policy 3.1 Residential Development and LPP 1.17 Additional Development Exemptions – Ordinary Meeting of Council 20 July 2021.
Responsible Officer	:	Peter Prendergast Manager Statutory Planning

P21 3950- REVIEW OF LOCAL PLANNING POLICY 3.1 RESIDENTIAL DEVELOPMENT (REC) (ATTACHMENT)

AUTHORITY / DISCRETION

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

KEY ISSUES / SUMMARY

- At the July 2021 Ordinary Council Meeting, the Council resolved to advertise proposed changes to Local Planning Policy 3.1 Residential Development (LPP3.1).
- Two submissions were received during the consultation period, each making suggested changes to the planning policy which are presented and considered in this report.
- Minor modifications are proposed in response to the submissions received. These are not considered to require further advertising.
- It is recommended that the amended LPP3.1 be adopted as per the provisions of Planning and Development (Local Planning Schemes) Regulations 2015.
- If supported a notice to advise the public of the changes to the local planning policies will be published in the local newspaper and on the City's website.

BACKGROUND

The City of Melville has maintained a Residential Development policy in its current format since 2011 and has reviewed this periodically in response to changes to the planning framework, including the R-Codes. The policy modifies a number of the deemed to comply provisions of the R-Codes to ensure that development is of a high quality, taking into account the character and amenity of residential areas, and those specific to certain aspects of residential development in the City of Melville.

P21 3950- REVIEW OF LOCAL PLANNING POLICY 3.1 RESIDENTIAL DEVELOPMENT (REC) (ATTACHMENT)

During 2020 in response to the state of emergency brought about by COVID-19, the State Government initiated a range of planning reform measures aimed at stimulating the economy by making it easier for people to make minor changes to their homes or businesses. A review of State Planning Policy 7.3 Residential Design Codes Volume 1 (the R-Codes) also occurred in 2020, with the aim of simplifying the process and reducing "red tape" by exempting development from the need to obtain development approval. These changes to the R-Codes were gazetted in July 2021.

In July 2021, a report was presented to the Council recommending a number of changes to Local Planning Policy 3.1 Residential Development (LPP3.1) in response to the changes to the R-Codes. At that meeting, the Council supported the changes and resolved to require the proposed changes to the policy be advertised for public comment.

3950 LPP3.1 Residential Development Policy 3.1 With Changes from July OMC Accepted

Scheme Provisions

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

Site Details

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

DETAIL

The detail regarding the proposed changes to LPP3.1 was provided previously in Item P21/3934 of the 20 July 2021 Ordinary Meeting of Council. In response to the submissions received as a result of the advertising of this revised policy content, the following proposed further changes are of note:

Garage Width

One of the submissions received raised concerns and made recommendations regarding the removal of the garage width provisions from Local Planning Policy 3.1. This submission notes that narrow lots are common in the City of Melville and there is a market expectation to provide double garages when such lots are developed rather than single or tandem garages as envisaged by the R-Codes and the current LPP. By removing the garage width provisions from the policy, and placing full reliance on the R Code provisions, it is likely that the City will experience increased development application numbers for single homes where they are proposed on narrow lots and where a double width garage is included. To avoid this it is suggested that an updated clause to promote high quality design outcomes for single storey homes on lots between 10 and 12 metres wide be introduced.

P21 3950- REVIEW OF LOCAL PLANNING POLICY 3.1 RESIDENTIAL DEVELOPMENT (REC) (ATTACHMENT)

The City acknowledges that in the absence of a policy to guide garage width, landowners, designers and developers would not have certainty in relation to the City's expectations leading to lengthy assessment timeframes and potentially inconsistent outcomes across the City. This is not consistent with the State Government's planning reform agenda, which promotes a planning system that is contemporary, easy to navigate, streamlined and consistent.

The proposed policy provisions are a minor modification to the garage width provisions in the existing adopted version of LPP3.1. The key changes being:

- Provisions expanded to capture lots between 10-12 metres, rather than 10.5-12 metres. 10 metre wide lots are common in the City of Melville and the City regularly deals with Development applications for single storey dwellings on 10 metre wide lots.
- The garage shall be setback a metre from the alignment of the habitable room, rather than 0.5 metres, thereby minimising any adverse streetscape impacts.
- Further guidance is provided regarding the design of the entry feature to improve the relationship with the street.
- A landscaping plan is required.

These provisions will ensure that landowners, designers and developers have certainty in relation to the City's expectations for lots between 10 and 12 metres, while maintaining high levels of streetscape engagement.

Front setback

The policy is proposed to be modified to allow eaves of a building to protrude forward of the minimum setback. Eaves are considered to be a positive building element, contributing to the articulation of buildings and improving their environmental performance.

Boundary walls

The policy is proposed to be modified to clarify that boundary walls are permitted to each boundary in areas coded R30 and higher. This is consistent with the established approach in areas coded R20 and R25 and allows for the effective use of space on smaller lots associated with these density codes.

STAKEHOLDER ENGAGEMENT

Advertising Required:	Yes
Neighbour's Comment Supplied:	2 submissions received – refer comments below.
Reason:	As per council resolution
Support/Object:	Support with comments.

P21 3950- REVIEW OF LOCAL PLANNING POLICY 3.1 RESIDENTIAL DEVELOPMENT (REC) (ATTACHMENT)

I. COMMUNITY

The *Regulations* came into effect on 19 October 2015. Clause 5 of Schedule 2 of the Regulations contains requirements for amending a local planning policy. At the July 2021 Ordinary Council Meeting, Council resolved to advertise proposed changes to Local Planning Policy 3.1 Residential Development (LPP3.1). A summary of the comments received during the consultation period along with an officer response is provided in the comment section below.

The proposed changes to the policy in response to the submissions received are minor in nature and are not considered to require further advertising. A notice of the revised policy will be published in the local newspaper and on the City's website if it is adopted by Council.

II. OTHER AGENCIES / CONSULTANTS

Clause 4(4) of Schedule 2 of the Regulations requires that Council advise the Western Australian Planning Commission (WAPC) if it is of the opinion that it is inconsistent with any State Planning Policy.

The proposed changes align LPP 3.1 with the recent changes made to the R-Codes. The changes to the R-Codes were advertised to various stakeholders for comment in 2020 by the Department of Planning, Lands and Heritage.

Clause 7.3.1(a) of the R-Codes allows local planning policies to be adopted which amend or replace specific deemed to comply provisions. The proposed policy provisions only deal with the allowed matters and as such are permitted without the involvement of the WAPC.

Given the above, the WAPC is not required to be consulted in relation to this matter.

STATUTORY AND LEGAL IMPLICATIONS

No statutory or legal implication have been identified as a part of this review. Properly adopted local planning policies are required to be given due regard by the decision maker.

FINANCIAL IMPLICATIONS

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

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

The local planning policies which are the subject of this report have been reviewed to ensure they remain consistent with the current planning framework. This review will ensure these continue provide a sound basis for the assessment and determination of planning applications.

P21 3950- REVIEW OF LOCAL PLANNING POLICY 3.1 RESIDENTIAL DEVELOPMENT (REC) (ATTACHMENT)

The proposed policy changes are considered to be consistent with the State Government's planning reform agenda, which promotes a planning system that is contemporary, easy to navigate, streamlined and consistent.

COMMENT

The following table contains a summary of the issues raised during the submission period and an officer comment in response.

Issue	Officer comment	Action taken
Policy should allow eaves to protrude forward of the building line.	Eaves are a positive building element in terms of building aesthetics and energy efficiency. This suggestion is supported.	Policy updated to include clarification regarding eaves.
Garage width provisions should be expanded to capture 10 to 12 metre wide lots and improve streetscape outcomes.	Comment provided under the detail section of this report.	Policy updated with garage width provisions.
Blade walls should be excluded from averaging.	This suggestion is considered to be too specific to include in a policy provision. Blade walls typically do not occupy a large footprint and therefore can be offset as a part of a buildings average front setback with limited impact on the functionality of the dwelling.	No change proposed.
Secondary street averaging should be as per the R-Codes.	This matter was detailed in the report to the July Council Meeting. The secondary street provisions result in higher levels of building articulation, better passive surveillance and reduced building bulk compared to the standard R-Codes provisions. These provisions have been in place for a number of years and operate successfully.	No change proposed.

P21 3950- REVIEW OF LOCAL PLANNING POLICY 3.1 RESIDENTIAL DEVELOPMENT (REC) (ATTACHMENT)

Issue	Officer comment	Action taken
Policy should accommodate setbacks on lots with angled boundaries.	While the City is supportive of the sentiment expressed in the submission, Clause 7.3.1 of the R-Codes does not permit a change to the lot boundary setback provisions contained in Clause 5.1.3 C3.1 and therefore this change cannot be accommodated.	No change proposed.
Policy should accommodate a reduced setback for bench height kitchen or scullery windows.	Refer comment above.	No change proposed.
The policy should allow for a portion of solid fence for services.	This provision is contained under Clause C4.4 of Fences and Street Walls.	No further change proposed.
The permeability requirements of the policy should be updated to allow for solid fencing at T-junctions and round-a-bouts.	Allowing solid front fencing as of right is not supported. The design principles of the R-Codes allow for appropriate design responses to deal with traffic impacts on higher order roads, however this needs to be considered as a part of a development application.	No change proposed.
Residents should be able to choose solid fencing to the secondary street for privacy and security.	The policy provisions balance resident privacy and security with the need to create an engaging streetscape with opportunities for passive surveillance.	No change proposed.
Residents should be able to choose a fence higher than 1.8 metres where needed for security and privacy.	The policy provisions balance resident privacy and security with the need to create an engaging streetscape with opportunities for passive surveillance.	No change proposed.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Council may choose not to adopt the amended policy however, this is not recommended as it may lead to inconsistency between the R-Codes and the City's Local Planning frameworks. Council may also choose to make further changes to the proposed policy however this may result in the need for the policy to be advertised to the general public and the WAPC.

P21 3950 - REVIEW OF LOCAL PLANNING POLICY 3.1 RESIDENTIAL DEVELOPMENT (REC) (ATTACHMENT)

CONCLUSION

It is proposed to amend LPP 3.1 Residential Development to take account of the changes proposed as outlined in this report. The proposed changes to the policy which are proposed in response to the submissions received are minor and are permissible under the provisions of the R-Codes. LPP 3.1 retains key development controls relating to streetscapes which will continue to deliver quality residential development across the City.

If supported, the adopted changes would be advertised in the local newspaper and on the City's website as required by the Regulations.

OFFICER RECOMMENDATION (3950) **APPROVAL**

That the Council:

1. **Pursuant to clause 4, Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 adopts the changes to Local Planning Policy 3.1 Residential Development.**
   3950 LPP3.1 Residential Development Policy 3.1 (with changes in response to submissions.)

2. **Endorses the publication of a notification of the changes in the local newspaper and on the City's website as required by the Planning and Development (Local Planning Schemes) Regulations 2015.**

P21/3951 - REQUEST FOR SCHEME AMENDMENT – CHILDCARE PREMISES (REC) (ATTACHMENT)

Ward	:	City Wide
Category	:	Strategic
Application Number	:	Not applicable
Property	:	Not applicable
Proposal	:	Request for Scheme Amendment – Restriction of Childcare Premises in Residential Areas
Applicant	:	Not applicable
Owner	:	Various
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	Item P21-3937 - Review of Local Planning Policy 1.12 Child Care Premise and Family Day Care – Ordinary Meeting of the Council 17 August 2021.
Responsible Officer	:	Peter Prendergast Manager Statutory Urban Planning

AUTHORITY / DISCRETION

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

P21/3951 - REQUEST FOR SCHEME AMENDMENT – CHILDCARE PREMISES (REC) (ATTACHMENT)

KEY ISSUES / SUMMARY

- Local Planning Scheme 6 (LPS6) was gazetted on 27 May 2016. LPS6 sets out the broad vision for the City of Melville and includes zoning and the permissible land uses in each zone.
- At the Ordinary meeting of the Council on 17 August 2021, the Council resolved to request the Chief Executive Officer to prepare for Council approval a Scheme Amendment to LPS6 to list Child Care Centres as a prohibited use (X use) for sites within residential zoning located on Primary Regional Roads (PRR's) being Canning Highway, Leach Highway and South Street.
- This proposed amendment will affect a significant number of properties along Canning Highway, Leach Highway and South Street.
- The proposal is for a scheme amendment to:
  - Introduce in the LPS6 Zoning Table (Table 3), a new split classification for Child Care Premises located within residential areas which abut PRR's;
  - Modify the existing "A" use classification within Table 3 to an A/X_4 classification with a notation detailing that such uses will be classed as an "X" use where they abut a PRR.
- Council is requested to endorse the advertising of the proposed scheme amendment.
- At the conclusion of public advertising the amendment would be re-presented to the Council for the consideration of submissions received in response to the advertising and to determine whether or not to support the amendment.

BACKGROUND

A Notice of Motion was passed at the Ordinary Meeting of the Council on 17 August 2021 to prepare a Scheme Amendment to LPS6 to classify list Child Care Premises as an prohibited use ("X" use) for sites which are zoned Residential that abut Primary Regional Roads (Canning Highway, Leach Highway and South Street).

This motion was initiated by the Council to provide greater certainty in respect of land use permissibility for child care land uses located on PRR within residential areas. It is noted that the recently amended LPP 1.12 Child Care Premises and Family Day Care which classes' lots zoned Residential zones that abut PRRs as "Undesirable", is a document of due regard in the decision making process, whereas the land use permissibility recommended by the proposed Scheme Amendment would, if endorsed by the WAPC, have full effect on the decisions taken in respect of such land uses in such locations.

P21/3951 - REQUEST FOR SCHEME AMENDMENT – CHILDCARE PREMISES (REC) (ATTACHMENT)

DETAIL

Child Care Premises are currently designated A_1 within areas zoned Residential under the City's LPS 6 with a corresponding notation which states:

> *"the use may be subject to specific Scheme provisions and/or policy which may impose restrictions with reference to site suitability criteria, positioning on site or the amount or proportion of land or floorspace allocated to the particular use"*

The City's LPP 1.12 informs the assessment of applications for Child Care Premise and Family Day Care land uses across the City of Melville. It sets out expectations in relation to the preferred locational characteristics, design criteria and the information which should be provided with an application for Child Care Premises. A review of LPP1.12 was undertaken having regard to the amendment requested by Council in April 2021 Ordinary Council Meeting. The amended LPP 1.12 was endorsed by Council in September 2021.

A number of changes were recommended by the Council at the Ordinary Meeting of Council on 17 August 2021, notably classifying Child Care Centres as Undesirable' when they are zoned Residential and abut a PRR.

Extract from LPS 6 showing the current use classification for Child Care Premises:

Table 3 - Zoning Table

USE AND DEVELOPMENT CLASS	ZONES									
	Residential	Centre				Mixed Use	Service Commercial	Light Industry	Private clubs institutions and places of worship	Urban Development
		C1	C2	C3	C4					
amusement parlour	X	Refer to Clause 18 (7)	Refer to Clause 18 (7)	P	D	X	D	X	X	Refer to Clause 18 (7)
art gallery	D			P	P	D	X	A	P	
bed and breakfast	A_1			D	D	A	X	X	X	
betting agency	X			P	P	X	X	X	X	
brewery	X			D	X	X	P	P	X	
bulky goods showroom	X			X	X	X	D	X	X	
caretakers dwelling	D			D	D	P	D	A	P	
car park	X			A	A	A	D	D	D	
child care premises	A_1			P	D	D	D	X	D	
cinema/theatre	X			A	X	X	X	X	X	

Accordingly, it is proposed to modify the use classification for Child Care Premise on Table 3 in LPS6 to read A/X_4 within the Residential Zone. A note will be added below stating that the use is "X" where Child Care Premises abut roads classed as "Primary Regional Roads/ Primary Distributor Roads" under the Metropolitan Region Scheme. The Schedule of Modifications is attached.

3951_Schedule_of_Modifications_to_LPS6_1

P21/3951 - REQUEST FOR SCHEME AMENDMENT – CHILDCARE PREMISES (REC) (ATTACHMENT)

STAKEHOLDER ENGAGEMENT

If the Council resolved to initiate the scheme amendment to LPS6 it would be required to arrange a public advertising period. Advertising is neither required, nor is it usually undertaken in determining whether or not to initiate a scheme amendment or structure plan amendment.

I. COMMUNITY

This amendment is required to be advertised to the community. Advertising will commence following the initiation of the amendment. Formal advertising will involve notification in a local newspaper and information on the City's website.

II. OTHER AGENCIES / CONSULTANTS

The Environmental Protection Agency will be consulted as required under the Planning and Development (Local Planning Scheme) Regulations 2015 ('the Regulations').

STATUTORY AND LEGAL IMPLICATIONS

An amendment to LPS 6 requires a resolution of the Council to initiate the process, including the commencement of advertising. Procedures are specified by the Planning and Development (*Local Planning Schemes)* Regulations 2015. In summary the amendment would require advertising for comment, review of submissions and then forwarding of a recommendation on the amendment to the Western Australian Planning Commission (WAPC). The WAPC would then forward a recommendation on the proposed amendment to the Minister for Planning, for determination. It is noted that once a scheme amendment is initiated it is open for the Minister for Planning to proceed to determine the application or to make modifications to the content of the amendment.

FINANCIAL IMPLICATIONS

Should the Council resolve to proceed with the initiation of a scheme amendment costs will be incurred associated with the preparation of supporting planning reports and advertising.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

The City's Local Planning Strategy seeks to provide for greater intensity of development within activity centres and along key transport corridors and to leave suburban residential areas relatively unchanged. There is a risk that the proposed amendment may be seen as inconsistent with the intentions of the Local Planning Strategy and as such may not be supported by the decision maker (WAPC).

P21/3951 - REQUEST FOR SCHEME AMENDMENT – CHILDCARE PREMISES (REC) (ATTACHMENT)

POLICY IMPLICATIONS

LPP 1.12 Child Care Premises and Family Day Care, which states that child care uses on PRR's within residential area are undesirable, would require to be updated should the scheme amendment be approved by the WAPC and endorsed by the Minister. .

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The Council could resolve to not initiative the proposed scheme amendment

CONCLUSION

The request for this Scheme Amendment reflects the position taken by the Council to seek to prevent the location of child care centres on PRR's within residential areas within the City, and reflects a broader concern held by the Council regarding the amenity implications of locating such sensitive land uses on highly trafficked roads.

It is recommended that the proposed scheme amendment be initiated to enable commencement of advertising. At the conclusion of the advertising period the amendment will be presented to Council to review submissions and consider next steps.

OFFICER RECOMMENDATION (3951) **APPROVAL**

That the Council:

1. **Pursuant to Section 75 of the *Planning and Development Act 2005*, resolves to prepare and initiate scheme amendment No. 13 to Local Planning Scheme 6 to modify the land use classification for Child Care Premises in Table 3 – Zoning Table of Local Planning Scheme No. 6 as shown on Schedule of Modifications to LPS6 1**

2. **Notes the amendment is a "standard" amendment under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 for the following reasons:**
   - **The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.**
   - **The amendment satisfies the definition of a standard amendment and does not reflect the characteristics of a complex or basic amendment.**

3. **Notes that a further report will be presented to the Council at the conclusion of the advertising process for the amendments.**

M21/3923 – NEW LEASE AGREEMENTS FOR SPORTING AND RECREATION CLUBS (REC)

Ward	:	All
Category	:	Strategic
Subject Index	:	Community
Customer Index	:	Community and Sports & Recreation Clubs
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	Item T21/3901 – John Connell Reserve Upgrade Proposals – Ordinary Meeting of Council held 16 February 2021.
Works Programme	:	Not Applicable
Funding	:	Not Applicable
Responsible Officer	:	Jeremy Rae – Strategic Property Executive

AUTHORITY / DISCRETION

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

M21/3923 – NEW LEASE AGREEMENTS FOR SPORTING AND RECREATION CLUBS (REC)

KEY ISSUES / SUMMARY

- The City of Melville's CEO has received formal written requests from several sports and recreation clubs in Melville to have new lease agreements with maximum lease terms.
- The requests following on from the Council granting long term leases to the Melville and Mount Pleasant Bowling Clubs.
- The following Clubs and Associations have requested new long term leases and where leases have an unexpired period the lessee will be required to surrender their existing leases:-
    1. Swan River Rowing Club Inc.
    2. Tompkins Sports and Recreation Association Inc.
    3. Melville Glades Golf Club Inc.
    4. Kardinya Bowling Club Inc.
    5. Leeming Bowls and Recreation Club Inc.
    6. Leeming Sports Association Inc.
    7. Bowmen of Melville Inc.

- This report considers and recommends the term and changes to conditions of new leases and licenses to be offered.

BACKGROUND

The City of Melville has received a number of requests from Sports and Recreational Clubs and Associations who have existing lease and management license agreements with the City. Where these facilities are under the Reserves Management Orders on Crown land, like the Mt Pleasant Bowling Club, they are subject to the Minister for Lands consent under Section 18 of the Land Administration Act (LAA) 1997.

The following Clubs and Associations have requested new long term leases and will be required to surrender their existing leases:-

- Swan River Rowing Club Inc.
- Tompkins Sports and Recreation Association Inc
- Melville Glades Golf Club Inc.
- Kardinya Bowling Club Inc.
- Leeming Bowls and Recreation Club
- Leeming Sports Association
- Bowmen of Melville

The Representatives from each of the Clubs and Associations have written to the City's Chief Executive Officer requesting new long term leases and as the requested lease terms are outside the CEO's delegation, Council is requested to consider and decide on whether to grant new long term leases to the Clubs and Associations.

The City's administration preference is that existing lease and license arrangements with all Community Groups, Associations and Sporting and Recreation Clubs should run their full term under existing agreements with the view that the City will grant continued tenure via new leases and licenses based on the same terms should the Clubs and Associations wish to extend their tenure arrangements.

M21/3923 – NEW LEASE AGREEMENTS FOR SPORTING AND RECREATION CLUBS (REC)

The Clubs and Associations wish to receive approval from Council for new long term lease arrangements similar to the maximum term granted to the Mount Pleasant Bowling Club. However, it is noted that the Mount Pleasant Bowling Club lease is not the standard lease being used and is not recommended for adoption going forward as it contains some anomalies which the Club and Council wanted included for the benefit of the club.

The new proposed standard lease and licence includes that the Lessee be responsible for maintenance, renewal and upgrades of all items within the lease premises including any fencing which encompasses the lease boundary as detailed in the maintenance schedule attaching to the agreement.

It should be noted that the Melville Bowls Club lease approved by Council last year provides for the Lessee to be responsible for all maintenance of assets within the lease premises including any boundary fencing.

Other examples of Clubs with this type of lease are; Melville Water Polo Club, Swan River Rowing Club, Melville Glades Golf Club and South of Perth Yacht Club.

DETAILS

Summary of Existing Lease and License Arrangements

The City recognises that the Clubs and Associations have operated continuously for a long period of time and that the City has granted the Clubs significant benefit via peppercorn leases and license agreements to provide them with continued quiet enjoyment to conduct their activities and promote sporting activities.

By agreeing to grant new long term leases the City is required to ensure that the lease agreements are consistent both in format and with legal effect with the City's other 80 or so sporting club, association and community lease and license agreements. The City's standard lease and license agreements were previously prepared on advice from the City's solicitors to ensure the City retain legal rights attaching to the land and protection over its assets as landlord. It also ensures that the City can comply with its statutory obligations and duty of care for all its residents and ratepayers and not just members of the Clubs and Associations.

The following is a summary of the new lease term requests received by the City from the respective Clubs and Associations:-

Lessee	Old Tenure	Old Term (Expires)	New Tenure	Requested Term (Expires)
Swan River Rowing Club	Lease	10+5+5 Years (31/12/36)	Lease	21 Years (31/08/42)
Tompkins Park Sports and Rec	Lease	10 Years (31/12/30)	Deed Variation	10 Years (31/12/40)
Melville Glades Golf Club	Lease	21 Years (31/08/28)	Lease	21 Years (31/08/42)
Kardinya Bowling Club	License	5 Years (30/06/22)	Lease	21 Years (31/08/42)
Leeming Bowls and Rec Club	License	5 Years (30/06/22)	Lease	21 Years (31/08/42)
Leeming Sports Association	License	5 Years (30/06/22)	Lease	21 Years (31/08/42)
Bowmen of Melville	License	5 Years (30/06/24)	Lease	21 Years (31/08/42)

M21/3923 – NEW LEASE AGREEMENTS FOR SPORTING AND RECREATION CLUBS (REC)

The City's administration in conjunction with the Clubs has agreed the standard terms and conditions of the lease including the Special Conditions, as per its standard lease agreement. It is proposed and recommended that all future leases and licenses reflect these standard terms and conditions.

In addition the following special conditions have been amended and included and agreed to be the Club's in this report:

1. Either party can terminate the Lease for any reason upon 12 months' notice in writing to the other party in an event that is out of the control of the Lessor.

2. An additional clause - "Surrender of Lease or License" has been included in the agreements to affect the surrender and cancellation of the existing lease agreement from the Surrender date being the date of commencement of the new leases.

Swan River Rowing Club (Inc.)

Members from the Swan River Rowing Club located at Canning Bridge met with the City's CEO and staff on 3 March 2021 to discuss their current lease arrangements and need for an extension of the lease term so the Club can undertake improvements to its facilities by way of building improvements.

The current lease commenced on 1 January 2017 for an initial term of 10 years expiring on 31 December 2026 with two further terms of 5 years each. In total all the full term of the lease is 20 years with expiry on 31 December 2036. In effect the lease has a 15 year period remaining before expiry.

The current lease area is over a portion of Apex Reserve 26811 which is vested by the State Government to the City of Melville by way of Management Order with the Power to Lease for up to a maximum term of 21 years. The granting of any lease by the City is subject to approving consent from the Minister for Lands under Section 18 of the Land Administration Act (LAA). The current lease was consented to by the Minister.

As the maximum lease term the City can grant under the Management Order is 21 years, the Swan River Rowing Club has requested this term in full. The Department of Planning, Lands and Heritage (DPLH) will only permit this term if a new lease is entered into and the current lease is surrendered. In following the Department's advice the City has drafted a new lease with the Swan River Rowing Club reflecting the City's standard lease which the Swan River Rowing Club has agreed with.

M21/3923 – NEW LEASE AGREEMENTS FOR SPORTING AND RECREATION CLUBS (REC)

Key Terms of New Lease Agreement

Term	21 Years
Further Term	Nil
Commencing	1 September 2021
Expiry	31 August 2042
Purpose	Recreation pursuant to the authorised uses determined by the Minister for Lands. Facilitating the sport of rowing, storage of boats and equipment and provisions of a clubhouse.

Tompkins Park Community and Recreational Association (Inc.)

In April 2021 the Tompkins Park Community and Recreational Association contacted the City to request a further term of 10 years at Tompkins Park as the Club requires security of tenure so the Association can plan ongoing investments. It is proposed that the Club be offered a further term of 10 years by way of a Deed of Variation approved by Council.

Key Terms of Deed of Lease Variation Agreement

Further Term	10 Years
Commencing	1 January 2031
Expiry	31 December 2041

Melville Glades Golf Club (Inc.)

The Management of the Melville Glades Golf Club contacted the City's CEO in writing dated 14 April 2021 on behalf of its membership, requesting the City of Melville grant another 21 year term lease subject to the surrender of its existing lease which expires on 31 August 2028. The request by the Club is on the basis that it can plan future capital expenditure and to give the Club's Board certainty when making these decisions.

Key Terms of New Lease Agreement

Term	21 Years
Further Term	Nil
Commencing	1 September 2021
Expiry	31 August 2042
Purpose	Activities necessary for and ancillary to the functions of a golf course and related recreational activities. Notwithstanding any other provision of this Lease, the Lessee must not permit any function held at the premises to continue after 1.00am without prior written approval of the Lessor.

M21/3923 – NEW LEASE AGREEMENTS FOR SPORTING AND RECREATION CLUBS (REC)

Kardinya Bowling Club (Inc.)

Kardinya Bowling Club currently operates with a Management License for a term of 5 years with the license expiring on 30 June 2022. The Club has requested that the City grant a new **lease** for a term of 21 years.

Key Terms of New Lease Agreement

Term	21 Years (10+11)
Further Term	Nil
Commencing	1 September 2021
Expiry	31 August 2042
Purpose	Recreation pursuant to authorised uses provided by the Minister for Lands being Bowling Club Activities. The Lessor acknowledges that the whole or part of the premises may be sublet, hired out or occupied in order to profit provided that the responsibility for the coordination of such subletting, hiring or occupancy be delegated to a nominated bookings officer of the Lessee's choice and provided that the Lessee shall keep proper records of all such bookings which shall be available for inspection by the Lessor at any reasonable time upon the request of the Lessor.

The granting of the above leases are supported in the Officer Recommendation.

At the February 2021 Council meeting (Item T21/3901) John Connell Reserve Upgrade Proposals - the Council resolved not to proceed with the Development WA Memorandum of Understanding for the John Connell Reserve Redevelopment Project and that the Council

> *"Brings forward the preparation of the Master Plan for the entire 122 hectare John Connell Reserve for consideration in the 2021-2022 budget "*

The lease Bowmen of Melville is not supported at this time, however it is recommended to reconsider this request once the City is satisfied that any new long term lease will not impact the City's ability to;

- implement future masterplan recommendations as in the case of the sporting and recreational planning for John Connell Reserve, or
- unnecessary restrict the use of playing fields by the City of Melville community, and
- until a community leases and licenses policy is developed to guide affective use of community assets.

M21/3923 – NEW LEASE AGREEMENTS FOR SPORTING AND RECREATION CLUBS (REC)

Leeming Bowls and Recreation Club (Inc.)

Leeming Bowls and Recreation Club currently operate with a Management License with the City for a term of 5 years with the license expiring on 30 June 2022. The management license covers the bowling greens and associated infrastructure but does not cover the club room facilities. The Leeming Sports Association has a management license for the club rooms. The Club has requested that the City grant it a new lease for a term of 21 years. It is not uncommon for a longer term lease of bowling greens and associated infrastructure as the maintenance, renewal and upgrade of these facilities are the responsibility of the club and not the City. The Officer's recommend that the Council approves the new lease subject to it reflecting the appropriate maintenance obligations aligned to the shared use of the club rooms with the Leeming Sporting Association (Inc.) and the benefit of a long term lease being granted to the Club.

Leeming Sporting Association (Inc.)

Leeming Sporting Association currently operates with a Management License with the City for a term of 5 years with the license expiring on 30 June 2022. The Association has requested that the City grant it a new lease for a term of 21 years. There is no reason for this length of lease with history showing that length of lease does not impact on the licensee's/lessee's ability to successfully attain grant funding and/or self supporting loans. Leeming Sports Association is not proposing to fund any significant capital improvement that would warrant a long term lease. The potential impact on the City's ability to schedule activity on the sports fields as access to amenities is controlled by the licensee. The Officer's recommend that the Council approves the new lease for a term of 21 years aligned to the same dates as the proposed Leeming Bowls and Recreation Club with the same maintenance obligations and lease structure which applies to the Tompkins Sports and Recreation Association lease.

Bowmen of Melville Incorporated

On 23 March 2021 the City was advised by a Councillor that the Bowmen of Melville, who lease a portion of John Connell Reserve under a License Agreement with the City for Archery purposes, requesting a long term lease as the Club would like to invest in new facilities and require long term security of tenure. On 30 March 2021 the acting President of Bowmen of Melville wrote to the City's CEO outlining the Club's request for a new 21 year lease term.

The Masterplan for John Connell Reserve will be undertaken to enhance sport and public open spaces on the Reserve. Depending on the outcome of this planning process there may be an impact of the Bowmen of Melville's lease area. As such, it is recommended that either the granting of the new lease be deferred until the outcome of this planning is known (12 months).

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Not Applicable.

M21/3923 – NEW LEASE AGREEMENTS FOR SPORTING AND RECREATION CLUBS (REC)

II. OTHER AGENCIES / CONSULTANTS

Not Applicable.

STATUTORY AND LEGAL IMPLICATIONS

None

FINANCIAL IMPLICATIONS

The Premise leases of Swan River Rowing Club, Melville Glades Golf Club, Leeming Bowling Club and Kardinya Bowling Club have no cost implication to the City as all maintenance, renewal and upgrades are funding by the lessee/licensee.

Tompkins Park Community and Recreational Association are based on a turnover rent lease, which in essence, provides funding to the City for the renewal of the building.

The granting of a long term lease where the City is providing financial support (maintenance and renewal of buildings), as per Leeming Sports Association, has the potential to create a future financial liability to the City which may not deliver the best outcome for the community.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

The risks associated for the City in granting long term leases of 21 years include:-

1. Long term master-planning planning for improvements and future uses of the leased Reserves maybe compromised in the long run as the assets are locked up with long term leases and the City may not be able to terminate the leases without the agreement by mutual consent from the Clubs and Associations. In effect tying these important community assets up.

2. Clubs and Associations potentially run a greater risk of insolvency the longer the lease term, due to many factors which are outside the control or the club and association. Ongoing solvency of the Lessee and Licensee should be a paramount consideration when granting long term leases and licenses to the parties. Under existing lease and license agreements the City is unable to terminate the agreements in the event of insolvency or membership decline of the clubs and associations. This is a significant risk to the City and community and may result in sporting and recreational reserves being tied up for years and not being used for their intended purpose.

3. The utilisation of sports fields by the community may be impacted by the ability to access amenities under the control of long term lessee's causing increase pressure on other playing fields in the City and the community's ability to be physically active in their chosen sport.

M21/3923 – NEW LEASE AGREEMENTS FOR SPORTING AND RECREATION CLUBS (REC)

4. The Council endorsed Sustainability Policy, Environmental Policy and Commitments on Climate Action may require the City to provide improvements and modification to the assets or changes to use, resource sharing arrangements and billing structures, which may or may not be agreed by the clubs at a later stage. The proposed new long term leases do not allow for this and the City is exposed to risk that may impact its ability to meet its targets in relation to these leased assets. A clause will need to be included in future lease/license agreements to enable the Council to maintain partnership, control or terminate a lease as required to meet the wider community needs specifically to meet the environmental or sustainability objectives and targets.

Risk Statement and Consequence	Level of Risk	Risk Treatment
There is risk that the City of Melville is tying up important sporting and recreation crown land for long term periods and foregoing the opportunity for alternative or other uses in the future.	**Low** level of risk Moderate consequences which would be rare.	Mitigated by inclusion of 12 month termination notice clauses in the agreements which can be exercised by either the City or the Lessee/Licensee. Authorising CEO to enter into new leases when masterplan activities have been completed and any potential impacts on the lease premises have been identified and quantified.
There is the risk that if the club or association collapses the City of Melville may be required by Council to grant additional funding to support their continued operation despite declining memberships and ongoing insolvency. The result would be that ratepayers would be subsidising the club members financially to the tune social and playing members which might be considered inequitable.	**Medium/High** level of risk Major consequences which include financial loss to the City potentially affecting its credit rating and inequity of financially supporting some clubs and associations at the expense of others.	The Lease and License agreements contain obligations on clubs and associations to provide proof of financial position and capacity to continue to operate viability. However, this is only a reporting requirement and the City is unable to enforce termination of the lease/license where Council provides additional financial support to failing clubs and associations.

M21/3923 – NEW LEASE AGREEMENTS FOR SPORTING AND RECREATION CLUBS (REC)

POLICY IMPLICATIONS

This report proposes that Community Leasing and Licensing Policy be developed to establish a fair and equitable basis on which Community Groups, Associations and Sporting and Recreation Club leases and licenses are prepared and approved by the CEO under a modified Delegated Authority.

ALTERNATIVE OPTIONS AND THEIR IMPLICATIONS

1. Not approve the clubs and associations requests for new long term lease agreements and continue with the existing leases and licenses running their full terms. On expiry renew the agreements in line with the existing lease and license terms under the current CEO delegation.

2. Not approve these requests for new agreements and develop and approve a Community Leasing and Licensing Policy to establish a fair and equitable basis on which community and sporting club leases and licenses are prepared and approved by the CEO under a modified Delegated Authority by Council.

CONCLUSION

The City historically provides long term leases to clubs where there is demonstrated sustainable community benefit and minimal financial support provided by the City for the provision of the facilities being leased. The requests from Swan River Rowing Club, Melville Glades Golf Club, Kardinya Bowling Club, Tompkins Park Sports and Recreational Association, Leeming Bowls and Recreation Club and Leeming Sporting Association are all in line with this principle. Bowmen of Melville also meets this objective, however given the master planning of John Connell Reserve for sport and recreational use and contamination remediation, it is prudent to wait until after the master plan is completed prior to entering into a long term lease.

A policy position needs to be developed to guide decisions relating to future leases and licenses to ensure the cost to community, sport and recreation groups, of using City of Melville buildings, facilities and services is equitable and results in a fair distribution of costs between those groups and the City's rate payers.

M21/3923 – NEW LEASE AGREEMENTS FOR SPORTING AND RECREATION CLUBS (REC)

OFFICER RECOMMENDATION (3923) **APPROVAL**

That the Council:

1. approves the new lease terms requested by the Clubs and Associations with immediate effect and authorises the Chief Executive Officer to finalise and execute the new lease agreements in accordance with these length of term together with the special conditions: -
    a. Tompkins Park Sporting Association (10 Years - Lease Variation)
    b. The Swan River Rowing Club Inc. (21 Years - New Lease)
    c. Melville Glades Golf Club Inc. (21 Years - New Lease)
    d. Kardinya Bowling Club Inc. (21 Years - New Lease)
    e. Leeming Bowls and Recreation Club Inc. (21 Years - New Lease)
    f. Leeming Sporting Association Inc. (21 Years - New Lease)

2. notes the intention of the Bowmen of Melville Inc. desire for long term lease, however defers the decision on granting long term lease until; the impact on the City's ability to implement future planning of this site in accordance with the existing zonings; and until a policy on community leases and licenses is developed.

3. directs the Chief Executive Officer to prepare and finalise the leases with the sporting clubs and associations for the terms requested and rescind the current lease and license agreements with effect from the commencement date of the new lease agreements.

4. directs the Chief Executive Officer to develop a community leasing and licensing policy to establish a fair and equitable basis on which community groups, associations and sporting and recreation club leases and licenses are prepared and approved by the Chief Executive Officer under a modified delegated authority.

M21/5872 - ELECTION OF REPRESENTATIVES TO COMMITTEES 2021-2023 (AMREC)

Ward	:	All
Category	:	Policy
Subject Index	:	Elected Members Profile
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	:	M19/5709 – Election of Representatives to Advisory, Local Government and Community Committees, 21 October 2019 and M19/5714 – Election of Representatives to Advisory, Local Government and community Committees, Part 2 19 November 2019.
Works Programme	:	Not Applicable
Funding	:	Not Applicable
Responsible Officer	:	Julie Head Governance Officer

AUTHORITY / DISCRETION

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

M21/5872 - ELECTION OF REPRESENTATIVES TO COMMITTEES 2021-2023 (AMREC)

KEY ISSUES / SUMMARY

- This report provides the Council with the opportunity to review the continuation of each Committee and if still required, to elect representatives to the various Occasional, Advisory and Community Committees for a term of two years.
- This report reviews the Advisory and Community Committees and recommends continued representations as required by Council Policy CP-021 Advisory and Management Committees.

BACKGROUND

The biennial review of the various Advisory, Local Government and Community Committees and the Elected Member and officer representation on each Committee is due to be undertaken.

The last review was held in October 2017 after the October 2017 biennial election. It is proposed that the term for membership of all Committees be two years and be concurrent with the Local Government election cycle.

DETAIL

Part of the process for electing representatives on Committees should include a review of the need for the Committee to see if it should continue, combine with another Committee or be disbanded. Policy CP-021 Advisory and Management Committees - requires that review of the City's Advisory and Management Committees be undertaken at least once every four years and that a report be presented to the Council on the performance and role of each Committee. Each Committee is to be assessed and a determination made on whether the Committee will continue. This review was last undertaken in 2019.

Under Section 5.10(4) of the *Local Government Act 1995*, where a Council representative is required on any Standing or Advisory Committee of the Council, His Worship the Mayor has the right to be appointed as one of the representatives. This does not apply to representation on non-Council committees.

M21/5872 - ELECTION OF REPRESENTATIVES TO COMMITTEES 2021-2023 (AMREC)

1. ADVISORY, LOCAL GOVERNMENT AND COMMUNITYCOMMITTEES 2021-2023

1.1. BEELIAR REGIONAL PARK COMMUNITY ADVISORY COMMITTEE

Meeting Frequency - Meets first Thursday of every even month starting between 5.00pm - 5:30pm.

Function - The Beeliar Regional Park Community Advisory Committee was formed in 1996 and is chaired by Professor Phillip Jennings. The Committee is administered by the Regional Parks Branch of the Department of Biodiversity, Conservation and Attractions. The Committee currently meets every two months on a Thursday evening at the Cockburn Wetlands Education Centre.

The Committee provides an avenue for the public to be formally involved in implementing the Beeliar Regional Park Management Plan. The Committee provides a forum at which issues affecting the Park are discussed.

Previous Representatives – The 2019-2021 elected representative on the Committee were Cr Wheatland, with Cr Pazolli as the Deputy. The officer representative on the Committee is the City's Environmental Officer.

No officer in attendance, contact is City of Melville Environmental Officer.

Committee Representation - One (1) Elected Member and One (1) Deputy.

NOMINATIONS FOR 2021-2023	DEPUTY

1.2 CITY OF MELVILLE NEIGHBOURHOOD WATCH COMMITTEE

Meeting Frequency - Meets bi monthly on the third Monday from 6:30pm - 8:00pm

Function - to advise the Council on matters associated with Neighbourhood Watch coordination within the City of Melville area.

Previous Representatives - In 2019-2021 the representative on the Neighbourhood Watch City of Melville Committee was Cr Mair with former Cr Kepert as the Deputy.

The Committee consists of Representatives from -
- City of Melville
- Neighbourhood Watch Volunteers
- WA Police

Officer in Attendance -
- Safer Melville Coordinator
- Coordinator or Team Leader Community Safety Service (CSS)

Committee Representation One (1) Elected Member and One (1) Deputy.

NOMINATIONS FOR 2021-2023	Deputy
Cr	Cr
Cr	

M21/5872 - ELECTION OF REPRESENTATIVES TO COMMITTEES 2021-2023 (AMREC)

1.3 CITY OF MELVILLE ROAD SAFETY AND TRAVELSMART WORKING GROUP

Meeting Frequency - Meets monthly on the second Tuesday of the month from 4:00pm - 6:00pm or as required.

Vision - Increase the proportion of residents using active transport modes and reduce the number and severity of road crashes in the City of Melville.

Objectives –

- Support the local implementation of the State Road Safety Strategy.
- To formulate, review and promote TravelSmart initiatives.
- To actively engage in initiatives that will improve road safety and TravelSmart behaviour amongst City of Melville residents.

Representatives - There were no nominations for elected representatives on the City of Melville Road Safety and Travel Smart Committee 2019-2021.

Working Group Representation - Elected Member or the Deputy

Officers in Attendance -

- TravelSmart Officer
- Traffic and Road Safety Coordinator
- Community Members
- Representatives (x4)

Committee Representation – Up to Two (2) Elected Member representatives and One (1) Deputy.

NOMINATIONS for 2021-2023	**Deputy**
Cr	Cr
Cr	

M21/5872 - ELECTION OF REPRESENTATIVES TO COMMITTEES 2021-2023 (AMREC)

1.4 DEPARTMENT OF BIODIVERSITY, CONSERVATION AND ATTRACTIONS (FORMALLY SWAN RIVER TRUST)

Meeting Frequency - Meets first Monday of each month at 9.00am

Function - manage and protect the Swan River.

Representatives - The 2021-2023 delegates to the Swan River Trust were former Cr Kepert with Cr Barber as the deputy.

The Trust representatives will consist of -

Representatives from -
- The City of Melville
- Swan River Trust
- Planning & Development Environmental Quality Committee

Officer in Attendance -To be determined depending on the issue i.e. Environmental Coordinator, Director Urban Planning, or Director Technical Services.

Committee Representation - One (1) Elected Member and One (1) Deputy.

NOMINATION for 2021-2023	Deputy
Cr	Cr

1.5 JANDAKOT AIRPORT COMMUNITY AVIATION CONSULTING GROUP

Meeting Frequency - Meets every 3 months at 4:00pm for between thirty & sixty minutes, next meeting 27 November 2019.

Function – provide a forum for discussion of all aspects of Airport planning and operations.

Representatives - The Council representatives on the 2019-2021 Jandakot Airport Community Aviation Consulting Group were former Cr Robartson with Cr Woodall as the Deputy.

The Committee consists of Representatives from –
- City of Melville
- Civil Aviation Authority
- Trades & Labour Council
- Ministry for Planning
- City of Cockburn
- City of Canning
- Aviation Industry

No officer in attendance, City of Melville contact is Manager Strategic Urban Planning.

Committee Representation - One (1) Elected Member and One (1) Deputy

NOMINATION 2021-2023	DEPUTY
Cr	Cr

M21/5872 - ELECTION OF REPRESENTATIVES TO COMMITTEES 2021-2023 (AMREC)

1.6 MELVILLE CARES INC

Meeting Frequency - Meets last Tuesday of each month at 1.30pm

Function - to provide home care services for residents in need with the aim of maintaining persons in their own homes for as long as possible.

Representatives
The 2019-2021 representatives on the Melville Cares Inc Board were Cr Barber with Cr Sandford as the Deputy. City of Melville has no automatic nomination rights to the Melville Cares Board. Councillors will need to nominate for Melville Cares Board.

The Board consists of Representatives from -
- City of Melville
- Melville Cares Presiding Member
- Melville Cares Deputy Presiding Member
- Melville Cares Secretary
- Melville Cares Treasurer
- Community representatives (6)

Officer in Attendance – Not Required, Officers can be available as requested.

Committee Representation - One (1) Elected Member and One (1) Deputy.

NOMINATION 2021-2023	DEPUTY
Cr	Cr

1.7 MELVILLE CITIZENS RELIEF FUND (Inc)

Meeting Frequency - Meets bi-monthly - Wednesday evening.

Function - oversee the management of the Relief Fund and distribution of the financial feature of the emergency relief fund and food parcels of approved applicants, who reside within the City of Melville. Applicants are vetted by the Financial Counsellor.

City of Melville Representatives - The 2019 – 2021 City of Melville representatives on the Melville Citizens Relief Fund (Inc.) were Cr Fitzgerald with Cr Robins as the Deputy.

Officer in Attendance - not required, occasional attendance by Financial Counsellor.

Note – *Former Cr Robartson is a member of this Committee in his own right as a member of the Community.*

Committee Representation - One (1) Elected Member and One (1) Deputy.

NOMINATION 2021-2023	DEPUTY
Cr	Cr

M21/5872 - ELECTION OF REPRESENTATIVES TO COMMITTEES 2021-2023 (AMREC)

1.8 MELVILLE/COCKBURN CHAMBER OF COMMERCE INC

Meeting Frequency - Meets on a Wednesday once a month.

Function – assisting local businesses in the City of Melville, with the role of the representative being to enhance the communication lines between the Chamber and the Council.

Representatives - The 2019-2021 representatives to Melville/Cockburn Chamber of Commerce were Cr Mair with Cr Sandford as the Deputy. Council Members will act as observers and do not have seats on the Board.

Officer in Attendance – Director Urban Planning.

Committee Representation - One (1) Elected Member and One (1) Deputy.

NOMINATION 2021-2023	DEPUTY
Cr	Cr

1.9 MELVILLE LOCAL EMERGENCY MANAGEMENT COMMITTEE (LEMC)

Meeting Frequency - Meets quarterly on a Wednesday at 10am at the Civic Centre, next meeting is scheduled for 10am on Wednesday 24 November 2021.

Function –
The Melville LEMC brings together key stakeholders in emergency management within its boundaries to plan and prepare for emergency management incidents and to meet the requirement of relevant legislation, policy statements and other emergency management related standards. The LEMC conducts planning and encourages information exchange on emergency management issues and hazards and is not an operational group

Representatives
The 2019-2021 Elected representatives on the Melville Local Emergency Management Committee were Cr Mair and Cr Wheatland, with Cr Robins and Cr Barber as the respective Deputies.

The Committee consists of –

City of Melville:
- 2 Elected Members
- Manager Natural Areas and Parks
- Manager Resource Recovery and Waste
- Manager Neighbourhood Development
- Coordinator Environmental Health
- Coordinator Rangers and Emergency Management

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WA Police
- District Emergency Management Advisor Metropolitan
- Superintendent South Coastal Region
- District Officer South Coastal Region (Beeliar)
- District Officer State Emergency Service (SES) South Coastal Metropolitan Region
- Department of Communities
- Senior District Emergency Services Officer
- District Local Welfare Coordinator

Additional Stakeholders:
Stakeholders shall include, but not be limited to, one representative from:
- St John Ambulance
- Department of Health
- DFES
- Fiona Stanley Hospital
- St John of God Hospital
- Melville SES
- Red Cross Society
- Murdoch University
- Westfield Shopping Centre, Booragoon
- South Metropolitan TAFE (Murdoch)

Committee Representation - Two (2) Elected Members and Two (2) Deputies.

NOMINATIONS 2021-2023	DEPUTIES
Cr	Cr
Cr	Cr

1.10 MURDOCH PRECINCT STRATEGIC GROUP

Meeting Frequency - Meets quarterly on a Thursday - at 7.00am.

Function - to share information on the proposed development of the Murdoch Precinct.

Representatives
The 2019-2021 representatives on the Murdoch Precinct Strategic Group were Cr Macphail and Cr Woodall with former Cr Robartson and Cr Robins as respective deputies.

The Committee consists of representatives from -
- City of Melville
- St John of God Healthcare Murdoch
- Murdoch Challenger TAFE
- Spotless Linen
- Rangeview Remand Centre
- Murdoch University
- Murdoch Police Service
- Department of Planning Lands and Heritage
- City of Cockburn
- Health Department of WA

M21/5872 - ELECTION OF REPRESENTATIVES TO COMMITTEES 2021-2023 (AMREC)

- Public Transport Authority
- Main Roads WA
- Fiona Stanley Hospital
- Western Power
- Department of Agriculture & Food
- Wesfarmers Energy
- South West Group
- LandCorp

Officers in Attendance -
- Chief Executive Officer
- Director Urban Planning
- Director Technical Services
- Manager Strategic Urban Planning

Committee Representation - One (1) Bateman-Kardinya-Murdoch Ward Member and one (1) other Elected Member and Two (2) Deputies including one Bateman-Kardinya-Murdoch Member

NOMINATIONS 2019-2021	DEPUTIES
Cr	Cr
Cr	Cr

1.11 PERTH AIRPORTS MUNICIPALITIES GROUP

Meets quarterly on Thursdays at 7.00pm.

Representatives
The 2019-2021 representatives on the Perth Airports Municipalities Group were former Cr Kepert with former Cr Barton as Deputy.

The objects of the Group are -:

(a) To provide a forum of meaningful discussion on issues which affect Metropolitan Airports and their environs;

(b) To investigate, report and formulate recommendations in respect of matters affecting or likely to affect the development of Metropolitan Airports;

(c) To monitor the use and environmental impact of Metropolitan Airports on neighbouring communities;

(d) To advise relevant State and Federal ministers, State and Commonwealth government departments, the Noise Management Committee, and the Owner/s of Perth and Jandakot airports on issues of major concern affecting airports and the surrounding communities;

M21/5872 - ELECTION OF REPRESENTATIVES TO COMMITTEES 2021-2023 (AMREC)

(e) To establish and maintain a strong partnering relationship with the Owner/s of Perth and Jandakot airports for the purpose of open and effective dialogue to identify, discuss, advise, research and seek proactive resolutions to issues affecting the airports and the immediate local community;

(f) To provide a conduit and consultation mechanism for the expression of community views and a proper exchange of information with members of the community;

(g) To consider all proposals affecting airport development and operations before policy decisions are made and before changes are effected in relevant legislation and regulations;

(h) To liaise with the airport emergency procedures committees where necessary on matters involving emergency co-ordination and rescue response;

(i) To pursuer active participation on AMAC and such other bodies that may come into existence for the purpose of fostering participation in the development, use and monitoring the impact of airports;

(j) To promote the economic benefits or civil aviation airports; and

(k) To liaise with local government on issues of concern to the community, and to provide a forum for discussion of planning and development

Committee Representation - One (1) Elected Member.

No officer in attendance, contact is CoM City of Melville Environmental Officer.

Committee Representation – One (1) Elected Member and One (1) Deputy.

NOMINATION 2021-2023	**DEPUTY**
Cr	Cr

M21/5872 - ELECTION OF REPRESENTATIVES TO COMMITTEES 2021-2023 (AMREC)

1.12 RESOURCE RECOVERY GROUP (FORMERLY SOUTHERN METROPOLITAN REGIONAL COUNCIL)

(Meets every two months on Thursdays at 5:00pm)

Function - Acts as the Board of Directors for development and operations of the Southern Metropolitan Regional Council's Regional Resource Recovery Centre, and other activities applicable under the Southern Metropolitan Regional Council's Terms of Reference

Representatives
The 2019-2021 representatives on the Southern Metropolitan Regional Council was former Cr Kepert with former Cr Robartson as Deputy.

The Committee consists of -

One (1) Elected Member from –
- City of Melville
- Town of East Fremantle
- City of Fremantle

Officers in Attendance -

- Director Technical Services – Advising Officer
- Director Corporate Services - alternate Advising Officer.

Committee Representation - One (1) Elected Member and One (1) Deputy

NOMINATION 2021-2023	DEPUTY
Cr	Cr

M21/5872 - ELECTION OF REPRESENTATIVES TO COMMITTEES 2021-2023 (AMREC)

1.13 SAFER MELVILLE ADVISORY COMMITTEE

Meeting Frequency - (Meetings held every two months on the third Wednesday of the month at 5.30pm)

Next meeting scheduled to be held 20 November 2019

Vision - To promote safety and injury reduction for people living, working and visiting the City of Melville by applying the *Safe Communities* framework.

Scope - The *Safe Community* framework promotes a model where all sectors of the community work together in a coordinated and collaborative way, forming partnerships to promote safety, manage risk, increase the overall safety of all its members and reduce the fear of harm.

The scope of safety adopted by the Safer Melville Advisory Committee includes:

- Intentional (e.g. domestic violence) and unintentional injury (road safety, fall prevention, child safety)
- Community Safety (crime prevention, CPTED, perceptions of safety, community violence)
- Risk Management (Sports and recreation safety, community events)
- Environment
- Community Health (mental health, physical activity, drugs and alcohol)
- Emergency Management (Natural disaster management)

The Safer Melville Advisory Committee supports the right of all individuals living, working or visiting the City of Melville to carry out their daily life without fear or risk of harm or injury; and the shared responsibility of organisations, businesses, government agencies and all other people in the community to ensure this is possible.

Objectives -

1. Provide leadership and consultation in the identification, development and evaluation of activities and programs aligned with the *Safe Communities* framework in the City of Melville.
2. Facilitate formation of *Safe Communities* Partnerships amongst key stakeholders within the district of the City of Melville to reduce injury and improve safety for individuals and the wider community.
3. Provide education and information to individuals, businesses and the wider community on injury prevention and safety.
4. Promote and support opportunities for the community to feedback issues and concerns relating to injury and safety in the City of Melville through the community members represented on the committee.
5. Prioritise and facilitate sustainable community based programs and links to improve safety and prevent injury in the City of Melville.
6. Periodically review the progress of the City of Melville Community Safety & Crime Prevention Plan.

Representatives

The 2019-2021 representatives on the Safer Melville Advisory Committee were Cr Woodall and Cr Robins with former Cr Barton and former Cr Kepert as respective deputies.

M21/5872 - ELECTION OF REPRESENTATIVES TO COMMITTEES 2021-2023 (AMREC)

Committee Representation
Where possible external representation from:

- Palmyra Police Station
- Murdoch Police Station
- Community Engagement Division – WA Police
- Department of Education
- Department of Premier and Cabinet - Aboriginal Affairs portfolio
- Department of Health - South Metro Health Service
- Department of Communities – Housing, and Child Protection and Family Support portfolios
- Department of Justice – Corrective Services portfolio, Wandoo Prison
- Fiona Stanley Hospital
- Injury Matters
- Melville Cockburn Chamber of Commerce
- Road Safety and Travel Smart Committee
- Community (up to four representatives)

Officers in Attendance –

- Director Community Development (as required)
- Manager Neighbourhood Amenity
- Coordinator Community Safety Service
- Safer Melville Coordinator

Committee Representation– Two (2) with One (1) Elected Member as Deputy.

NOMINATIONS 2021-2023	DEPUTIES
Cr	Cr
Cr	

M21/5872 - ELECTION OF REPRESENTATIVES TO COMMITTEES 2021-2023 (AMREC)

1.14 SOUTH WEST GROUP ENVIRONMENTAL FORUM (FORMERLY SOUTH WEST REFERENCE GROUP)

AND

SOUTH WEST CORRIDOR DEVELOPMENT AND EMPLOYMENT FOUNDATION

The City has been advised that these two committees now hold combined meetings and therefore require one representative and one deputy across the two committees combined.

SOUTH WEST GROUP ENVIRONMENTAL FORUM (FORMERLY SOUTH WEST REFERENCE GROUP)

Meeting Frequency - Four to six times per year

Function - oversee the implementation of the Regional Natural Resources Management (NRM) Strategy development by the South West Group.

To provide advice and feedback on the identification and implementation of priority projects and activities progressed through the Regional NRM Strategy.

To actively engage with key stakeholders (government, corporate and community) to progress NRM projects and activities that benefit the region.

To identify opportunities to improve collaboration on NRM activities between South West Group member Councils and stakeholder organisations

Representatives - The 2019-2021 delegates to the South West Group Environmental Forum (formerly South West Reference Group) were Cr Wheatland, with former Cr Robartson as the Deputy.

The Perth Region NRM South West Reference Group representatives consist of -

- One representative from the six member Local Government Agencies of the South West Group.
- South West Group Director

Officer in Attendance -

- Director Technical Services

Committee Representation One (1) Elected Member and One (1) Deputy for combined meetings of the South West Group Environmental Forum (Formerly South West Reference Group) with the South West Corridor Development and Employment Foundation Committee

SOUTH WEST CORRIDOR DEVELOPMENT AND EMPLOYMENT FOUNDATION

Meeting Frequency - Six times per year and Annual General Meeting, all meetings are combined with South West Group Environmental Forum

M21/5872 - ELECTION OF REPRESENTATIVES TO COMMITTEES 2021-2023 (AMREC)

Function –

- Facilitate and promote development of the South West Metropolitan Region.
- Carry out projects to promote regional development and skills development
- Manage the Industry Direct web portal.

Representatives

The 2019-2021 representatives on the South West Corridor Development Foundation (Inc.) were former Cr Kepert with Cr Macphail as Deputy.

The Committee includes -

Representatives from -

- City of Melville
- City of Cockburn
- City of Rockingham
- City of Fremantle
- City of Kwinana
- Town of East Fremantle
- Director South West Group
- Business Foundations
- Melville Cockburn Chamber of Commerce
- Rockingham Kwinana Chamber of Commerce
- Fremantle Chamber of Commerce
- Bridging the Gap Rockingham

Officer in Attendance -

- Director South West Group
- Director Urban Planning (as required)

Committee Representation

One (1) Elected Member and One (1) Deputy for combined meetings of the South West Group Environmental Forum (Formerly South West Reference Group) with the South West Corridor Development and Employment Foundation Committee

NOMINATION 2021-2023	DEPUTY
Cr	Cr

M21/5872 - ELECTION OF REPRESENTATIVES TO COMMITTEES 2021-2023 (AMREC)

1.15 SOUTH WEST GROUP BOARD

Meeting Frequency - Meets four times a year, meeting commencing at 5.30pm.

The South West Group will be managed by a Board consisting of the Mayor and the CEO of each member local government authority. Board members are ex officio and their appointments are for the same term for which they hold office.

Function - The Board is responsible for and has the authority to determine the policy, practices, management and operations of the South West Group and shall work towards a secure and long term future of the organisation.

To further assist board members in their deliberations and to facilitate regional development the Board has established the following committees, which report directly to the Board:

- CEO Forum
- South West Group Environment and Services Committee (now the Perth Region NRM South West Reference Group)
- South West Group Planning and Infrastructure Committee
- Shared Services Committee
- Technical Directors' Committee

The Board consists of -

The Mayor and CEO Representatives from -
- City of Melville
- Town of East Fremantle
- City of Kwinana
- City of Cockburn
- City of Fremantle
- City of Rockingham

Board Representation
Mayor and CEO

REPRESENTATIVES 2021-2023	DEPUTY
Mayor	Deputy Mayor
CEO	

M21/5872 - ELECTION OF REPRESENTATIVES TO COMMITTEES 2021-2023 (AMREC)

1.16 SOUTH WEST REGIONAL ROAD GROUP

Meeting Frequency - Meets as needed but generally twice per annum at the location of the host Council

Next meeting scheduled to be held 14 November 2019

Function - The South West Metropolitan Regional Road Group (SWMRRG) is a sub group of the Metropolitan Regional Road Group (MRRG).

The Metropolitan Regional Road Group manages and administers State allocated funding for Road Projects and Black Spot Programs on the local road network within the policies and guidelines established by the State Road Funds to Local Government Advisory Committee.

The Metropolitan Regional Road Sub Groups such as the SWMRRG were established to assist the MRRG with the management and consideration of local roads issues and funding.

Representatives -
The 2019-2021 delegate to the South West Regional Road Group was former Cr Kepert with Cr Robins as the Deputy.

The Metropolitan Local Governments are divided into six Sub Groups with membership being an Elected Member and Technical Representative from each Local Government. Each Sub Group then appoints one representative Elected Member and Technical representative to the MRRG Technical and Elected Members Meetings.

The City of Melville is part of the South West Group comprising the Cities of Cockburn, Fremantle, Kwinana, Rockingham and the Town of East Fremantle.

Officer in Attendance -

- Manager Engineering

Committee Representation
One (1) Elected Member and One (1) Deputy

NOMINATION 2021-2023	DEPUTY
Cr	Cr

M21/5872 - ELECTION OF REPRESENTATIVES TO COMMITTEES 2021-2023 (AMREC)

1.17 WESTERN AUSTRALIAN LOCAL GOVERNMENT (WALGA) - SOUTH METROPOLITAN ZONE

Meeting Frequency - Meets bi-monthly on the last Monday of the month at 5.30pm at the location of the host Council.

Function - examine issues relative to the industry within the South Metropolitan Zone and provide feedback to Zone Representatives voting at the Local Government Association and Western Australian Municipal Association.

Representatives

The 2019-2021 delegates to the Local Government Association of Western Australia (Inc.) - South Metropolitan Zone, were Cr Macphail, Cr Barton and former Cr Kepert with Cr Pazolli as Deputy.

The Zone Membership will consist of -

Three (3) Elected Members

Representatives from -
- City of Fremantle
- Town of East Fremantle
- City of Cockburn
- City of Rockingham
- City of Kwinana
- Local Government Association

Officer in Attendance -

- Chief Executive Officer

Committee Representation
Three (3) Elected Members and One (1) Deputy

Nominees for 2021-2023	DEPUTIES
Cr	Cr
Cr	
Cr	

M21/5872 - ELECTION OF REPRESENTATIVES TO COMMITTEES 2021-2023 (AMREC)

1.18 YOUTH SPORTS SCHOLARSHIP ASSESSMENT PANEL

Meeting Frequency - Annual for Assessment purposes.

Function - The Youth Sports Scholarship is targeted at young athletes (aged 12 to 19 years) in all sports that have represented the State or at a higher level. The City is supporting suitably identified elite young athletes (Scholarship winners) that live in the City of Melville by providing membership to LeisureFit Booragoon and LeisureFit Melville as part of their training regime as they continue to succeed in their chosen sport.

Representatives
The 2019-2021 representatives on the Youth Sports Scholarship Assessment Panel were Cr Fitzgerald, Cr Barber and Cr Wheatland with Cr Macphail as Deputy.

The Committee consists of

One (1)
- Elected Member
- Representative from Department of Local Government, Sport and Cultural Industries (1);

Officers in Attendance –
- Healthy Melville Coordinator – Recreation Development; or
- Recreation Development Officer

Committee Representation
Three (3) Elected Members and One (1) Deputy

Nominees for 2021-2023	Deputies
Cr	Cr
Cr	
Cr	

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

There is no public consultation required for this report.

II. OTHER AGENCIES / CONSULTANTS

There has been consultation with the committees and organisations named in this report where required.

STATUTORY AND LEGAL IMPLICATIONS

There are no statutory or legal implications in this report other than the Council must adopt the nominations by Absolute Majority.

M21/5872 - ELECTION OF REPRESENTATIVES TO COMMITTEES 2021-2023 (AMREC)

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

The strategic implications are that the City should have representation on key Committees named in this report to ensure the City's position is considered by significant Committees. There are no risk implications.

POLICY IMPLICATIONS

Under the Council Policy Number CP-021 - Advisory and Management Committees, the number of Elected Members on Advisory Committees should be restricted to no more than one-third of the total number of members of the Committee. This does not prevent other Elected Members from attending as observers.

Where one third of the total number of Members is not a whole number the lesser number shall apply, i.e. thirteen members equal four Elected Members.

The Policy requires that a report be presented to the Council every four years. The report will outline the objectives, role, terms of reference, membership and achievements or benefits of each Advisory Committee and recommend that the Committee continue, combine with another Committee or be disbanded. The performance and role will be assessed and a determination made on which Advisory Committees will continue.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

An alternative option is not to have Elected Member representation on some Committees and where permitted, for Officers to represent the City.

CONCLUSION

The Council should review the continuation of each Committee and where retained and continued, a representative or representatives should be appointed to each Committee.

Previous practice has been that that Elected Member representation on advisory and community meetings is distributed equally amongst members so share workload and representation.

M21/5872 - ELECTION OF REPRESENTATIVES TO COMMITTEES 2021-2023 (AMREC)

OFFICER RECOMMENDATION (5872) **ABSOLUTE MAJORITY**

1. That by absolute majority decision, the appointments to the following Management and Advisory, Local Government and Community Committees, be adopted.

1.1. BEELIAR REGIONAL PARK COMMUNITY ADVISORY COMMITTEE

REPRESENTATIVES 2021-2023	DEPUTY

1.2 CITY OF MELVILLE NEIGHBOURHOOD WATCH COMMITTEE

REPRESENTATIVES 2021-2023	DEPUTY
Cr	Cr
Cr	Cr

1.3 CITY OF MELVILLE ROAD SAFETY AND TRAVELSMART WORKING GROUP

REPRESENTATIVE 2021-2023	DEPUTY
Cr	Cr

1.4 DEPARTMENT OF BIODIVERSITY, CONSERVATION AND ATTRACTIONS (FORMALLY SWAN RIVER TRUST)

REPRESENTATIVES 2021-2023	DEPUTY
Cr	Cr

1.5 JANDAKOT AIRPORT COMMUNITY AVIATION CONSULTING GROUP -

REPRESENTATIVE 2021-2023	DEPUTY
Cr	Cr

1.6 MELVILLE CARES INC

REPRESENTATIVES 2021-2023	DEPUTY
Cr	Cr

M21/5872 - ELECTION OF REPRESENTATIVES TO COMMITTEES 2021-2023 (AMREC)

1.7 MELVILLE CITIZENS RELIEF FUND (Inc)

REPRESENTATIVE 2021-2023	DEPUTY
Cr	Cr

1.8 MELVILLE/COCKBURN CHAMBER OF COMMERCE INC

REPRESENTATIVES 2021-2023	DEPUTY
Cr	Cr

1.9 MELVILLE LOCAL EMERGENCY MANAGEMENT COMMITTEE (LEMC)

REPRESENTATIVES 2021-2023	DEPUTIES
Cr	Cr
Cr	Cr

1.10 MURDOCH PRECINCT STRATEGIC GROUP

REPRESENTATIVES 2021-2023	DEPUTIES
	Cr
	Cr

1.11 PERTH AIRPORTS MUNICIPALITIES GROUP

REPRESENTATIVE 2021-2023	DEPUTY
Cr	Cr

1.12 RESOURCE RECOVERY GROUP (FORMERLY SOUTHERN METROPOLITAN REGIONAL COUNCIL)

REPRESENTATIVES 2021-2023	DEPUTY
Cr	
Cr	

M21/5872 - ELECTION OF REPRESENTATIVES TO COMMITTEES 2021-2023 (AMREC)

1.13 SAFER MELVILLE ADVISORY COMMITTEE

REPRESENTATIVES 2019-2021	DEPUTIES
Cr	Cr
Cr	Cr

1.14 SOUTH WEST GROUP ENVIRONMENTAL FORUM (FORMERLY SOUTH WEST REFERENCE GROUP) AND SOUTH WEST CORRIDOR DEVELOPMENT AND EMPLOYMENT FOUNDATION

REPRESENTATIVE 2021-2023	DEPUTY
Cr	Cr

1.15 SOUTH WEST GROUP BOARD

REPRESENTATIVES 2019-2021	DEPUTY
Mayor	Deputy Mayor
CEO	

1.16 SOUTH WEST REGIONAL ROAD GROUP

REPRESENTATIVES 2021-2023	DEPUTY
Cr	Cr

1.17 WESTERN AUSTRALIAN LOCAL GOVERNMENT (WALGA) - SOUTH METROPOLITAN ZONE

REPRESENTATIVES 2021-2023	DEPUTY
Cr	Cr
Cr	
Cr	

1.18 YOUTH SPORTS SCHOLARSHIP ASSESSMENT PANEL

REPRESENTATIVES 2021-2023	DEPUTIES
Cr	Cr

M21/5000 – COMMON SEAL REGISTER (REC)

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

AUTHORITY / DISCRETION

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

KEY ISSUES / SUMMARY

This report details the documents to which the City of Melville Common Seal has been applied for the period from 15 September 2021 up to and including 18 October 2021 for the Council's noting.

M21/5000 – 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
CS2187	City of Melville and J and D Lawerence Pty Ltd	Section 70A of the Transfer of Land Act 1983 for Subdivision at No. 1 Sergeant Road, Melville	DA-2021-965
CS2188	City of Melville and Imby Langenbach	Section 70A of the Transfer of Land Act 1983 for Subdivision at Lot 141 (71) Holman Street, Alfred Cove	DA-2020-1518

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Not applicable.

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.

M21/5000 – COMMON SEAL REGISTER (REC)

FINANCIAL IMPLICATIONS

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

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

There are no policy implications in this report.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable.

CONCLUSION

This is a standard report for the Elected Members' that details the documents to which the City of Melville Common Seal has been applied for the period from 15 September 2021 up to and including 18 October 2021.

OFFICER RECOMMENDATION (5000) **NOTING**

That the Council notes the actions of His Worship the Mayor and the Chief Executive Officer in executing the documents listed under the Common Seal of the City of Melville from 15 September 2021 up to and including 18 October 2021.

C21/6000 - INVESTMENT STATEMENTS FOR SEPTEMBER 2021 (REC)

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

AUTHORITY / DISCRETION

DEFINITION

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

KEY ISSUES / SUMMARY

This report presents the investment statements for the period ending 30 September 2021 for the Council's information and noting.

C21/6000 - INVESTMENT STATEMENTS FOR 30 SEPTEMBER 2021 (REC)

BACKGROUND

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

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

DETAIL

The following statement details the investments held by the City as at 30 September 2021.

CITY OF MELVILLE
STATEMENT OF INVESTMENTS
FOR THE PERIOD ENDING 30 SEPTEMBER 2021

SUMMARY BY FUND		
Municipal		$54,738,211
Reserve		$161,016,181
Trust		$-
Citizen Relief		$224,057
TOTAL		**$215,978,449**
SUMMARY BY INVESTMENT TYPE		
11AM		$6,855,926
31Days at Call		$6,000,000
60Days at Call		$2,000,000
90Days at Call		$16,600,000
Term Deposit		$184,522,523
TOTAL		**$215,978,449**
SUMMARY BY CREDIT RATING		
AAA Category	AAA	
AA Category (AA+ to AA-)	AA-	$140,977,734
A Category (A+ to A-)	A+	$10,000,716
	A	
	A-	
BBB+ Category	BBB+	$65,000,000
TOTAL		**$215,978,449**

C21/6000 - INVESTMENT STATEMENTS FOR 30 SEPTEMBER 2021 (REC)

Exposure to an individual institution is limited according to Council policy and in September 2021 the investments were within the acceptable limits.

Investment with financial institutions

Institution	Credit Rating	Credit Rating Category	Funds held at period end	Actual %	Limit Per Policy	
ANZ	AA-	AA Category	$ 7,000,000	3.24%	30.00%	✓
AMP	BBB+	BBB+ Category	$ -	0.00%	15.00%	✓
Bankwest	AA-	AA Category	$ -	0.00%	30.00%	✓
Bank of Queensland	BBB+	BBB+ Category	$ 33,000,000	15.28%	15.00%	✓
ING Bank	A-	A Category	$ -	0.00%	25.00%	✓
Bendigo & Adelaide	BBB+	BBB+ Category	$ 32,000,000	14.82%	15.00%	✓
CBA	AA-	AA Category	$ 53,500,000	24.77%	30.00%	✓
Macquarie	A+	A Category	$ 7,000,716	3.24%	25.00%	✓
NAB	AA-	AA Category	$ 50,036,174	23.17%	30.00%	✓
St George	AA-	AA Category	$ -	0.00%	30.00%	✓
Suncorp	A+	A Category	$ 3,000,000	1.39%	25.00%	✓
Westpac	AA-	AA Category	$ 30,441,560	14.09%	30.00%	✓
		TOTAL	**$ 215,978,449**	**100%**		

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

The City's investments were invested within the limits allowed in each category rating for September 2021 except BBB+ rating which exceeded the policy limit by 5%. The City has invested $65m under BBB+ category of which $32m is Green investment with Bendigo & Adelaide. This is a result of the timing of investment maturities and will be adjusted to be within policy in October 2021.

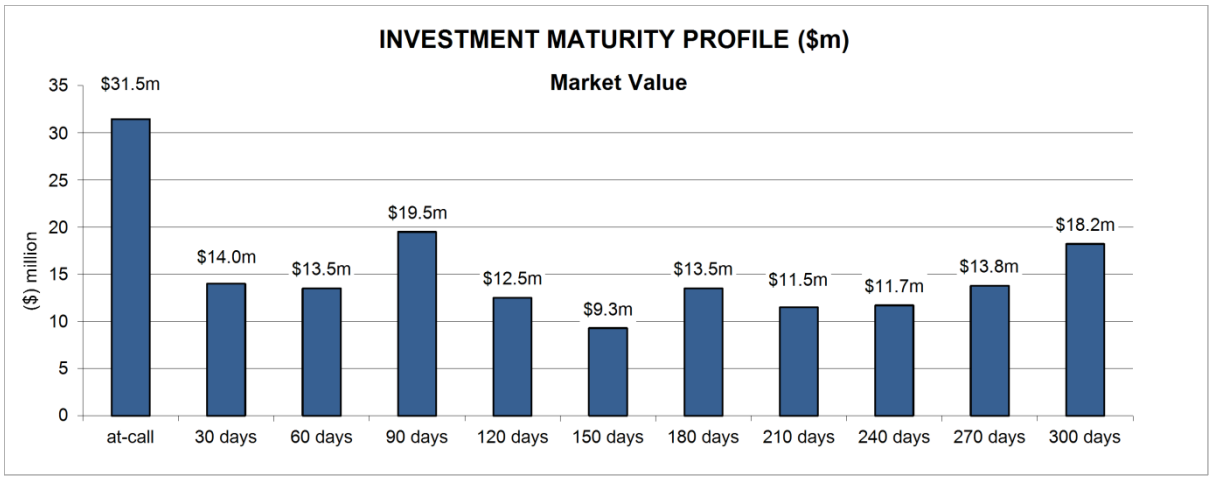
Maximum Percentage of Average Investment Portfolio Balance

Long Term Rating	Funds held at period end $	Actual %	Limit Per Policy	
AAA Category	$ -	0%	100%	✓
AA Category (AA+ to AA-)	$ 140,977,734	65%	80%	✓
A Category (A+ to A-)	$ 10,000,716	5%	50%	✓
BBB+ Category	$ 65,000,000	30%	25%	✗
TOTAL	**$ 215,978,449**	**100%**		

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

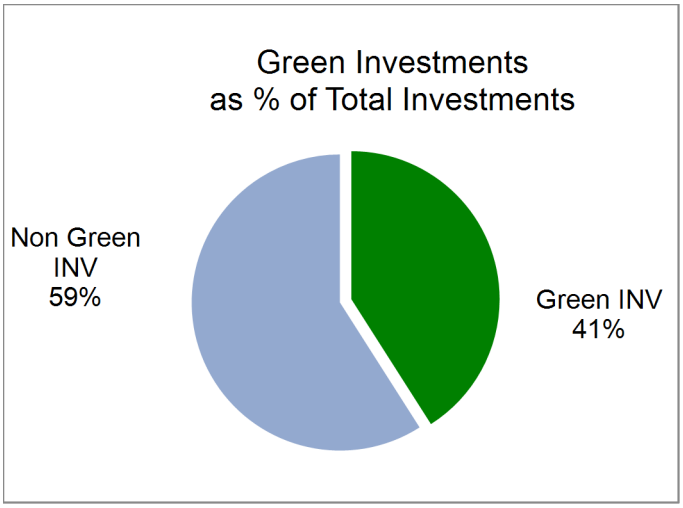
C21/6000 - INVESTMENT STATEMENTS FOR 30 SEPTEMBER 2021 (REC)

The below graph summarises the maturity profile of the City's investments at market value as at 30 September 2021. The immediacy of the demand for funds depends on the particular Fund or Reserve Account(s) of the City. The maturity profile provided in the table above meets the liquidity requirements of the Council policy.



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

The total investment in authorised institutions that do not lend to industries engaged in the exploration for, or production of, fossil fuels, as at 30 September 2021 was $88,500,000 or 41% of total investment holdings being in non-fossil fuels institutions, compared to $88,500,000 (40%) in August 2021. The total investments holding for September and August were $215,978,449 and $222,977,935 respectively.



C21/6000 - INVESTMENT STATEMENTS FOR 30 SEPTEMBER 2021 (REC)

Green Investment with financial institutions

Institution	Credit Rating	Credit Rating Category	Funds held at period end
Bendigo & Adelaide	BBB+	BBB+ Category	$ 32,000,000
CBA	AA-	AA Category	$ 53,500,000
Suncorp	A+	A Category	$ 3,000,000
		TOTAL	**$ 88,500,000**

Green investments are invested in three banks listed above, in accordance with the council credit rating policy. Green Term Deposits with CBA are currently limited or no longer available as the pool of funds with them has reached full capacity. Other banks offer a lower interest rate on Green Investment.

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 oversighted 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.

C21/6000 - INVESTMENT STATEMENTS FOR 30 SEPTEMBER 2021 (REC)

FINANCIAL IMPLICATIONS

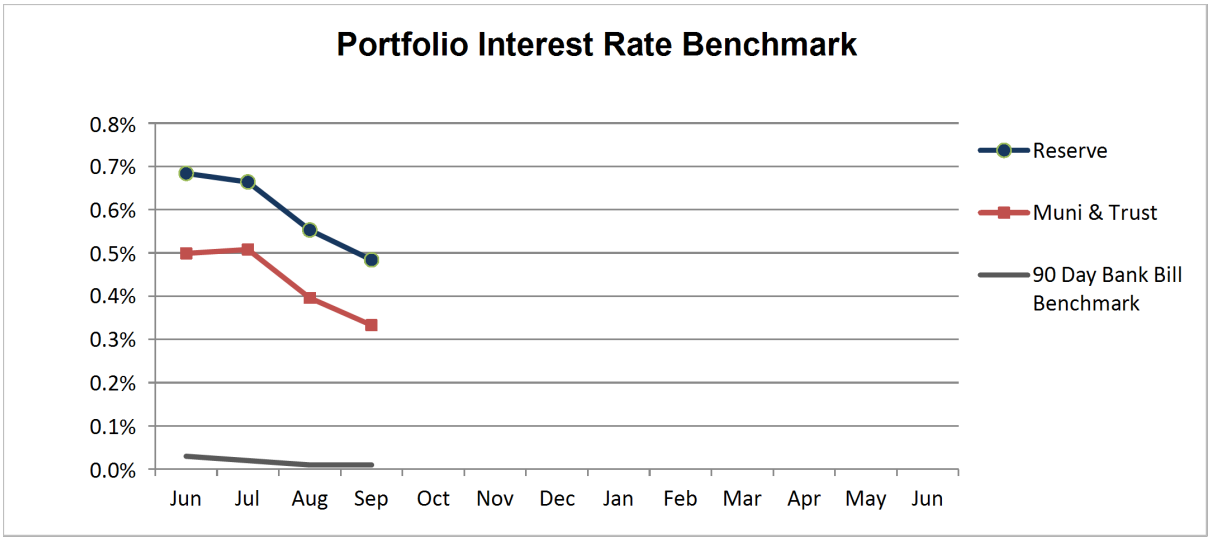
For the period ending 30 September 2021:

- Investment earnings on Municipal and Trust Funds were $26,881 against a year to date budget of $62,500 representing a negative variance of $35,619.

The weighted average interest rate for Municipal and Trust Fund investments as at 30 September 2021 was 0.33% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 0.01%.

- Investment earnings on Reserve accounts were $225,801 against a year to date budget of $300,000 representing a negative variance of $74,199.

The weighted average interest rate for Reserve account investments as at 30 September 2021 was 0.48% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 0.01%.



STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Strategic

The interest earned on invested funds assists in addressing the following key priority area identified in The City of Melville Corporate Business Plan 2020-2024.

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

Risk

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

C21/6000 - INVESTMENT STATEMENTS FOR 30 SEPTEMBER 2021 (REC)

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

POLICY IMPLICATIONS

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

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable as this report only presents information for noting.

CONCLUSION

The City's investment portfolio is invested in highly secure investments with a low level of risk yielding a weighted average rate of return of 0.33% to 0.48% which exceeds the benchmark three month bank bill swap (BBSW) reference rate of 0.01%.

41% 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 40% in August 2021.

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

OFFICER RECOMMENDATION (6000) **NOTING**

That the Council notes the Investment Report for the period ending 30 September 2021.

C21/6001 – SCHEDULE OF ACCOUNTS PAID FOR SEPTEMBER 2021 (REC) (ATTACHMENT)

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

AUTHORITY / DISCRETION

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

KEY ISSUES / SUMMARY

This report presents the details of payments made under delegated authority to suppliers for the period of September 2021 and recommends that the Schedule of Accounts Paid be noted.

C21/6001 – SCHEDULE OF ACCOUNTS PAID FOR SEPTEMBER 2021 (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 September including Payment Register numbers, Cheques: 802-803, Electronic Funds Transfers batches: 725-730, Trust Payments, Card Payments and Payroll was distributed to the Elected Members of the Council on 16 November 2021.

A total of $15,093,398 direct creditor payments were paid during the month, of which, 29% of payments (excluding $8.49m of ESL payment to DFES) were paid to suppliers located within the City of Melville and 35% to suppliers within the South West Group, compared to 24% and 34% of total of $7,229,747 direct creditor payments made over August 2021 respectively. The biggest payment of $8,498,949 made during the month was the ESL payment to the Department of Fire and Emergency Services (DFES). Approximately 96% of supplier invoices are paid within 30 days of receipt of the invoices.
The below table details the Summary of Payments Made for the period:

SCHEDULE OF PAYMENTS MADE SEPTEMBER 2021 *Payments made under Delegated Authority DA-035*		
MUNICIPAL FUNDS - DIRECT CREDITOR PAYMENTS		
Cheques	Chq Payment Register No. 802 and 803	$1,065.00
	Chq Payment on Restricted Funds Register No.	$0.00
	Less Cancelled Chqs	$0.00
Electronic Funds Transfers	EFT Payment Register No. 726,727 and 730	$14,640,310.72
	EFT Payment on Restricted Funds Register No. 111, 725,728 and 729	$245,692.32
	Less Cancelled EFTs	($8,230.72)
		$14,878,837.32
Direct Debits	Bank Fees	$22,736.63
	Ampol Fuel	$90,818.85
Direct Payments		$101,005.35
	Total Direct Creditor Payments	***$15,093,398.15***
Payroll	Total Pay 5, 6 and 7	$5,744,663.26
	Total Payroll	***$5,744,663.26***
Cards	Corporate Cards	$6,237.05
	Purchase Cards	$44,335.00
	American Express	$12,041.86
	Total Card Payments	**$62,613.91**
	Total Direct Creditor Payments from Municipal Account	***$20,900,675.32***

C21/6001 – SCHEDULE OF ACCOUNTS PAID FOR SEPTEMBER 2021 (REC) (ATTACHMENT)

Schedule of Payments Made continued.

INTERFUND & INVESTMENT TRANSACTIONS			
Interfund Transfers			
Loan			$0.00
Citizen Relief Trust			$0.00
Citizen Relief Operating			$0.00
Municipal			($4,466,473.33)
Reserve			$4,466,473.33
Trust			$0.00
		Total Interfund Transfers	**$0.00**
New Municipal Investments			
Bank of Queensland	1/09/2021		$3,000,000.00
Westpac Bank	3/09/2021		$2,000,000.00
Westpac Bank	7/09/2021		$1,000,000.00
National Australia Bank	10/09/2021		$3,000,000.00
ANZ Bank	15/09/2021		$3,000,000.00
National Australia Bank	14/09/2021		$1,000,000.00
National Australia Bank	14/09/2021		$2,000,000.00
Westpac Bank	16/09/2021		$1,000,000.00
Westpac Bank	23/09/2021		$4,000,000.00
		Total New Investments	**$20,000,000.00**
		Grand Total	**$40,900,675.32**

Details of the payments are shown in attachment **6001_Payment_Details_September 2021**.
Any payment over and above $25,000.00 has been highlighted under the Payment Amount column in the attachment to this statement named 'Listing of Payments made under Delegated Authority'.

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Not applicable.

II. OTHER AGENCIES / CONSULTANTS

STATUTORY AND LEGAL IMPLICATIONS

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

C21/6001 – SCHEDULE OF ACCOUNTS PAID FOR SEPTEMBER 2021 (REC) (ATTACHMENT)

FINANCIAL IMPLICATIONS

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

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

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

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable as this report presents information for noting only.

CONCLUSION

The Schedule of Payments for the month totals $40,900,675.32.

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

OFFICER RECOMMENDATION (6001) **NOTING**

That the Council notes the Schedule of Accounts paid for the period September 2021 as approved by the Director Corporate Services in accordance with delegated authority DA-035, and detailed in attachment 6001 Payment Details September 2021.

C21/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR SEPTEMBER 2021 (AMREC) (ATTACHMENTS)

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

AUTHORITY / DISCRETION

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

KEY ISSUES / SUMMARY

This report presents:

- The Statements of Financial Activity by Nature or Type and Rate Setting Statement by Program and Nature or Type, for the period ending 30 September 2021 and recommends that they be noted by the Council.
- The variances for the month of 30 September 2021 and recommends that they be noted by the Council.
- Year-end processes are still underway and therefore the final figures for September 2021 may be different from what is presented in this report.
- The Budget amendments required for the month of 30 September 2021 and recommends that they be adopted by Absolute Majority decision of the Council.

C21/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR SEPTEMBER 2021 (AMREC) (ATTACHMENTS)

BACKGROUND

The Statements of Financial Activity for the period ending 30 September 2021 have been prepared and tabled in accordance with the *Local Government (Financial Management) Regulations 1996*.

OVERALL SUMMARY OF THE CITY's FINANCIAL POSITION

- End of financial year processes for 2020-2021 are complete with the audit conducted by the OAG still underway. Pending the audit the final figures for 2020-2021 may be different to what is presented in this report.

- The Municipal cash balance at the end of the month is $54,738,211. This reflects that the City has a positive financial position to meet its obligations.

- The investment holding in reserve accounts for September is $161,016,181, which is unchanged from August 2021. 74% of the City's investment holdings are held in reserve accounts which are restricted to the defined purpose for which the reserve account was established.

- The Green investment in authorised banking institutions as at 30 September 2021 was $88,500,000 or 41% of total investment holdings, compared to $88,500,000 (40%) in August 2021.

- Rates raised as at September were $91,754,311 with a positive variance of $128,954 compared to the approved budget of $91,625,357. This is mainly due to the impact of interim rate adjustments processed on various residential improved properties following the preparation of the 2021-2022 Annual Budget. These adjustments are subsequently reflected in the value of the rates raised in 2021-2022.

- Total debtor collections for the period ending September equalled $75,778,959 as a result of the 1st rates instalment due 28 August. The Rates collection target is 60.2% and the actual collection is tracking slightly higher at 60.5%. The year to date total outstanding debtors (including all rates and sundry debtors) is $50,938,132.

DETAIL

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

1. Statement of Financial Activity by Nature or Type
   Provides details on the various categories of income and expenditure.

2. Rate Setting Statement by Program
   Provides details on the Program classifications.

3. Rate Setting Statement by Nature or Type
   Provides details on the Nature or Type classifications.

C21/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR SEPTEMBER 2021 (AMREC) (ATTACHMENTS)

Variances

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

6002B Rate Setting Statement Nature or Type September 2021: Rate Setting Statement by Nature or Type
6002H Statement of Variances September 2021: Statement of Variances in Excess of $100,000

Revenue

Rates raised as at September were $91,754,311, compared to a year to date budget of $91,625,357. The positive variance of $128,954 is due to the impact of interim rate adjustments processed on various residential improved properties.

Rates Collection

SUMMARY OF RATE DEBTOR MOVEMEMENT					
Detail	Actuals Current Month YTD	Actuals Previous Month YTD	*% Diff Current Mth to Previous Mth*	Actuals This Month Last Year YTD	*% Diff Current Mth to Current Mth Last Yr*
Opening Balance - 1 July	6,491,862	6,491,862	*0%*	9,142,487	*-29%*
Debtors Raised	117,626,054	117,193,581	*0%*	100,346,228	*17%*
Payments Received	(73,883,527)	(66,944,926)	*10%*	(59,856,384)	*23%*
Closing Balance	50,234,390	56,740,517	*-11%*	49,632,332	*1%*

Total rate debtor collections for the month equalled $6,938,601.

Sundry Debtor Movement

SUMMARY OF SUNDRY DEBTOR MOVEMENT					
Detail	Actuals Current Month YTD	Actuals Previous Month YTD	*% Diff Current Mth to Previous Mth*	Actuals This Month Last Year YTD	*% Diff Current Mth to Current Mth Last Yr*
Opening Balance - 1 July	882,151	882,151	*0%*	1,238,865	*-29%*
Invoices Raised	1,711,840	1,415,333	*21%*	1,341,888	*28%*
Receipts	(1,895,432)	(1,490,171)	*27%*	(924,390)	*105%*
Prepayments	5,184	5,415	*-4%*	17,486	*-70%*
Closing Balance	703,742	812,727	*-13%*	1,673,849	*-58%*

C21/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR SEPTEMBER 2021 (AMREC) (ATTACHMENTS)

Sundry debtor balances decreased by $108,985 over the course of September from $812,727 to $703,742 of which total 90 day sundry debtors over $1,000 for the month is $115,611 representing 16% of total sundry debtors.

Money Expended in an Emergency and Unbudgeted Expenditure

A small fire in the Civic Centre on 9th August 2021 resulted in emergency and unbudgeted expenditure. Urgent expenditure was required to make the building fit for re-occupation by the staff, Elected Members and members of the public as soon as possible. As per the Local Government Act 1995 Section 6.8, this was authorised in advance by the Mayor and was reported to the October meeting of Council.

The total spend to the end of September was $38,263 with further expenditure to occur in the proceeding month. The City will make an insurance claim with Local Government Insurance Services (LGIS) for expenditure in excess of $50,000 which is the City's insurance excess on property claims.

Budget Amendments

Details of Budget Amendments requested for the month of September 2021 are shown in attachment **6002J Budget Amendments September 2021**. Variances greater than $50,000 processed in September 2021 are highlighted in the attachment.

Significant budget amendments include;

- Increased funding required for the Links Road Safe Active Street project amounting to $574,197. Additional costs were the result of poor weather conditions, extensive reinstatement work and insufficient budget allocation for the LED luminaire upgrade to existing streetlights. The increase will be funded by a transfer from Reserves.

- Increased funding required for the Shirley Strickland Redevelopment Project amounting to $402,804. An additional $150,000 for the playground has been reallocated from the Play Space Renewal Program. This is the result of the detailed design being finalised and general increases across the construction market. An additional $252,804 in funding from Reserves is also required to cover building, lighting and path variations in excess of original contingency sum.

Granting of concession or writing off debts owed to the City

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

Sundry Debtor - $1,311.70 for function room hire was written off under delegated authority. The City issued several statements and overdue reminder notices to the debtor. The debt was sent to the City's debt collection agent who issued a first demand letter with no success. In this instance it would not be economically viable for further legal action.

C21/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR SEPTEMBER 2021 (AMREC) (ATTACHMENTS)

Rate Debtors - $18,249.19 across various properties was written off under delegated authority. Rebates had been applied to a number of properties where the owner was not eligible for a rebate. This occurred due to an administrative error during the change of ownership process. Due to the age of the rebates, it was not considered appropriate to seek remediation from the owner prior to 2021-2022. New reporting and checklists have been implemented to prevent this occurring again in the future.

The following attachments form part of the Attachments to the Agenda for the month of September 2021.

DESCRIPTION	LINK
Statement of Financial Activity By Nature or Type	6002A Statement Nature Type September 2021
Rate Setting Statement by Program	6002B Rate Setting Program September 2021
Rate Setting Statement by Nature or Type	6002B Rate Setting Nature Type September 2021
Representation of Net Working Capital	6002E Net Working Capital September 2021
Reconciliation of Net Working Capital	6002F Reconciliation Net Working Capital September 2021
Notes on Rate Setting Statement reporting on variances of 10% or $100,000 whichever is greater	6002H Notes Rate Setting Statement September 2021
Details of Budget Amendments requested	6002J Budget Amendments September 2021
Summary of Rates Debtors	6002L Summary Rate Debtors September 2021
Graph Showing Rates Collections	6002M Rates Collections Graph September 2021
Summary of General Debtors aged 90 Days Old or Greater	6002N General Debtors Aged 90days September 2021

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:

C21/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR SEPTEMBER 2021 (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 sub-regulation (2), are to be —

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

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

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

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

FINANCIAL IMPLICATIONS

Variances

Variances are detailed and explained in attachment 6002H_Notes_Rate_Setting_Statement_September 2021: Notes on Statement of Variances in excess of $100,000 by Nature or Type.

C21/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR SEPTEMBER 2021 (AMREC) (ATTACHMENTS)

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

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

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable

CONCLUSION

The attached financial reports reflect a positive financial position of the City of Melville as at 30 September 2021.

C21/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR SEPTEMBER 2021 (AMREC) (ATTACHMENTS)

OFFICER RECOMMENDATION (6002) **NOTING and ABSOLUTE MAJORITY**

That the Council:

1. **Notes the Rate Setting Statement and Statements of Financial Activity for the month ending 30 September 2021 as detailed in the following attachments:**

DESCRIPTION	LINK
Statement of Financial Activity By Nature or Type	6002A Statement Nature Type September 2021
Rate Setting Statement by Program	6002B Rate Setting Program September 2021
Rate Setting Statement by Nature or Type	6002B Rate Setting Nature Type September 2021
Representation of Net Working Capital	6002E Net Working Capital September 2021
Reconciliation of Net Working Capital	6002F Reconciliation Net Working Capital September 2021
Notes on Rate Setting Statement reporting on variances of 10% or $100,000 whichever is greater	6002H Notes Rate Setting Statement September 2021
Details of Budget Amendments requested	6002J Budget Amendments September 2021
Summary of Rates Debtors	6002L Summary Rate Debtors September 2021
Graph Showing Rates Collections	6002M Rates Collections Graph September 2021
Summary of General Debtors aged 90 Days Old or Greater	6002N General Debtors Aged 90days September 2021

2. **By Absolute Majority Decision adopts the budget amendments, as detailed in the attached Budget Amendment Reports for September 2021 6002J Budget Amendments September 2021**

15. EN BLOC ITEMS

16. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

17. MOTIONS WITHOUT NOTICE BY ABSOLUTE MAJORITY OF THE COUNCIL

18. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

CONFIDENTIAL ITEM – M21/5865 – VARIATION TO AGREEMENT FOR LEASE FOR MELVILLE HEALTH, AGED AND COMMUNITY CARE (WA) PTY LTD (REC)

CONFIDENTIAL ITEM – M21/5877 – GROUND LEASE REDEVELOPMENT AGREEMENT 13 THE ESPLANADE AND 64 KISHORN ROAD, MT PLEASANT (AMREC) (CONFIDENTIAL ATTACHMENT)

19. CLOSURE