



City of  
**Melville**

## **AGENDA**

### **ORDINARY MEETING OF COUNCIL**

#### **NOTICE OF MEETING**

I respectfully bring to the attention of Elected Members that an Ordinary Meeting of the Council will be held in the Council Chambers, Melville Civic Centre, 10 Almondbury Road, Booragoon on Tuesday, 18 June 2024 commencing at 6:30 PM.

**Gail Bowman**  
**Chief Executive Officer**

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

Use this link to [Register to attend the Ordinary Meeting of the Council Tuesday, 18 June 2024 electronically](#)



## Our Vision

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

## Our Mission

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

## Our Values

### Excellence

Striving for the best possible outcomes

### Participation

Involving, collaborating and partnering

### Integrity

Acting with honesty, openness and with good intent

### Caring

Demonstrating empathy, kindness and genuine concern



## Making A Deputation

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

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

## Public Question Time

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

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

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## Audio Recording/ Access to Recording

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The nature of the Council's decision making role in the matter:

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

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**1 OFFICIAL OPENING**

**2 ATTENDANCE AND APOLOGIES**

**In Attendance**

Councillors

Ward

**Officers**

**Apologies**

**On Approved Leave of Absence**

**3 DECLARATIONS BY MEMBERS**

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

**3.2 Declarations by Members who have received and not read the Elected Members Bulletin**

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

**Approved Deputations**

**Approved Written Submission**

**5 DISCLOSURE OF INTEREST**

**5.1 Financial or Proximity Interests**

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

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

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

**6 PUBLIC QUESTION TIME****6.1 Questions Received with Notice****6.2 Questions Received at the Meeting****6.3 Questions Taken on Notice at Previous Meeting****6.3.1 Mr G Wieland, Bicton**

As per the minutes of the Ordinary Meeting of Council (OMC) held on 21 May 2024, the following question was taken on notice with the advice a response would be provided in the agenda for the OMC to be held on 18 June 2024, as below.

**Preamble:**

*This question relates to the Ordinary Meeting of Council Item E24/29 Public Open Space The Esplanade Mt Pleasant.*

**Question 1:**

*If both The Esplanade and Moreau Mews City land investments are converted into Public Open Space, what would the approximate increase be, required on residential rates per year to recoup the combined capital losses on land, yearly lease income losses, rate losses, plus the initial capital to construct parks(s) and yearly park maintenance?*

**Response 1:**

- Based on a late item report presented to the 18 April 2024 on the Canning Bridge Public Open Space Analysis Report (UP/4033), it was estimated that the combined lease revenue potential (excluding rates) based on 100% POS was \$500,000 per year for The Esplanade and \$780,972 for Moreau Mews.
- Rates income per annum based on commercial rates for 100% of the Esplanade and 50% of Moreau Mews would be in the order of \$333,450 per annum.
- The estimated capital cost of The Esplanade Park was \$1.7 million, with an \$80,000 annual maintenance allowance. Based on some preliminary discussions and an extrapolation of The Esplanade Park estimation, it is anticipated the Moreau Mews Town Centre would have a capital cost of approximately \$5 million, depending on the final design, with an annual maintenance allowance in the vicinity of \$300,000.
- The combined capital cost of constructing a park at The Esplanade and Moreau Mews is estimated at \$6.7 million which would represent 6.2% of annual rates for the "City". The annual opportunity cost of potential lease and estimated rates income if these sites were to be developed would equate to approximately \$1.6 million which represents 1.5% of annual rates for the "City".

**6.3.2 Ms P Samson, Applecross**

As per the minutes of the Ordinary Meeting of Council (OMC) held on 21 May 2024, the following question was taken on notice with the advice a response would be provided in the agenda for the OMC to be held on 18 June 2024, as below.

Question 1:

*Considering the Canning Bridge Activity Plan Executive Summary states that there will be 4,000 dwellings in the Canning Bridge Precinct by 2031, what will be the annual rates revenue to the City of Melville by 2031 from the Canning Bridge Precinct?*

Response 1:

Assuming the 4000 dwellings in the Canning Bridge precinct is realised by 2031, the anticipated rates income in 2031 would be in the order of ~11.6 million dollars based on an averaging of current rates with an indexation for future inflation.

**6.3.3 Mr M Danswan, Bull Creek**

As per the minutes of the Ordinary Meeting of Council (OMC) held on 21 May 2024, the following question was taken on notice with the advice a response would be provided in the agenda for the OMC to be held on 18 June 2024, as below.

Question 1:

*What is the number of people that responded to the original traffic request versus the number that signed the petition, and what is the representation of the number of people that signed the initial request, versus the number of households that you sent it to?*

Response 1:

A total of 147 letters were sent to residents along Wheatley Drive and surrounding streets in the first phase of consultation in April 2021, with a total of 9 responses.

On the second phase of the consultation a total of 147 letters were sent to residents along Wheatley Drive and surrounding streets in March 2023, based on four options being considered, and a total of 53 responses were received.

The petition included 213 signatures.

**7 AWARDS AND PRESENTATIONS**

Nil

**8 APPLICATIONS FOR NEW LEAVE OF ABSENCE**

Nil

**9 CONFIRMATION OF MINUTES**

**9.1 Ordinary Meeting Of The Council – 21 May 2024**

**That the minutes of the Ordinary Council Meeting held on 21 May 2024 be confirmed as a true and accurate record.**

**9.2 Agenda Briefing Forum – 11 June 2024**

**That the notes of the Agenda Briefing Forum held on 11 June 2024 be confirmed as a true and accurate record.**

**10 NEW BUSINESS OF AN URGENT NATURE**

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

**12 PETITIONS**

Nil

**13 ADOPTION OF RECOMMENDATIONS EN BLOC**

**14      REPORTS**

**14.1    Reports from Committees**

Nil

**14.2 Reports of the Chief Executive Officer**

**Management Services**

**M24/37 Corporate Business Plan 2020-2024 Report and Annual Review**

<b>File Number:</b>	
<b>Responsible Officer:</b>	Chief Executive Officer
<b>Voting Requirements:</b>	Simple Majority
<b>Officer Disclosure of Interest:</b>	No officer involved in the preparation of this report has a declarable interest in the matter.
<b>Attachments:</b>	1. <a href="#">City of Melville Annual Corporate Business Plan 2020-2024 Report - June 2024</a> ↓

**COUNCIL’S ROLE**

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.

<p><b>SUMMARY</b></p> <ul style="list-style-type: none"> <li>• This report presents an update on activities undertaken in line with the City of Melville Corporate Business Plan 2020-2024, for the 2023-2024 financial year; and</li> <li>• Presents an update on the annual review of the Corporate Business Plan as required by the <i>Local Government (Administration) Regulations 1996</i> Division 3 — Planning for the future; and</li> <li>• Provides a report on capital and operational projects and activities against the key priorities and strategies set out in the Corporate Business Plan 2020-2024 and recommends that it be noted by the Council.</li> </ul>
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**OFFICER RECOMMENDATION**

**That the Council:**

- Note the Annual Corporate Business Plan 2020-2024 Report for the year ending 2023-2024 as detailed in the following attachments:**
  - Annual Corporate Business Plan 2020-2024 Report for 2023-2024 (Attachment 1);** and
  - Annual Corporate Business Plan 2020-2024 Dashboard ([Click here](#) or at <https://bit.ly/Annual-Corporate-Business-Plan-Report-2023-2024>)**
- Note the Corporate Business Plan is currently under major review and will be considered at a future meeting.**

**PURPOSE**

To report against the activities of, and review, the City of Melville’s Corporate Business Plan 2020-2024 for the 2023-2024 financial year period.

**STRATEGIC ALIGNMENT**

<b>Priority</b>		
	<b>1</b>	<b>Ensure the improvement of sustainability of our environment</b>
	P1/1	Protect and improve our natural assets to enhance our environment
	P1/3	Advocate and utilize the Nation and State level policies to protect and enhance the biodiversity of our environment and natural assets.
	P1/2	Utilise technological opportunities to efficiently enhance the sustainability of the environment through monitoring and reporting.
	<b>2</b>	<b>Improve the approach for diverse and sustainable urban development and infrastructure</b>
	P2/4	Enhance regulatory and approval frameworks to ensure sustainable building infrastructure.
	P2/3	Optimise the capability and liveability of activity centres with consideration to the expectations of our community.
	P2/2	Enhance amenity and vibrancy through placemaking and creating well designed and attractive public spaces.
	P2/1	Implement innovate, efficient and appropriate initiatives that support community centred infrastructure within integrated transport solutions.
	<b>3</b>	<b>Empower the voices of our diverse community by strengthening engagement</b>
	P3/5	Strengthen online service delivery and respond to the digital divide by supporting improvements in digital literacy.
	P3/4	Enhance opportunities for civic engagement and building community capacity.
	P3/3	Improve engagement with the business community.
	P3/2	Improve the mechanisms to make information flow easier to access and share, including optimising digital communications.
	P3/1	Increase co-design approaches that engage stakeholders in upfront designs and support issue resolution activities.
	<b>4</b>	<b>Support healthy lifestyles and wellbeing</b>
	P4/1	Invest strategically in local infrastructure and built environments that support physical activity and healthy lifestyles.
	P4/2	Increase advocacy and partnerships for identified needs relating to community health, safety and security.
	P4/3	Empower inclusive participation and support for sports and community groups.
	P4/4	Support National, State and community efforts to assist people in need.
	<b>5</b>	<b>Ensure long term financial sustainability</b>
	P5/3	Identify opportunities for appropriate alternative revenue streams.
	P5/2	Advocate at National and State levels to maximise funding.
	P5/1	Undertake efficiency improvements to maximise cost effectiveness.
	<b>6</b>	<b>Encourage local economic development</b>
	P6/2	Support opportunities for not-for-profit and social enterprise.
	P6/1	Encourage opportunities for increased private sector commercial and

	residential development in strategic locations.
<b>Outcome Indicator</b>	<p>There are no applicable outcome indicators in relation to this report.</p> <p>1 Clean and Green</p> <p>Goal 1 Greening the City</p> <p>Goal 2 Promoting Sustainable Environment</p> <p>Goal 3 Reducing Carbon Emissions</p> <p>Goal 4 Sustainable Energy Management</p> <p>Goal 5 Sustainable Waste Management</p> <p>Goal 6 Sustainable Water Management</p> <p>2 Growth and Prosperity</p> <p>Goal 3 Location of Choice for A Diverse Range of Businesses</p> <p>Goal 2 Local Job Opportunities for Locals</p> <p>Goal 1 Achieve Economic Resilience</p> <p>3 Healthy Lifestyles</p> <p>Goal 5 Reduce Alcohol and Other Drug Use</p> <p>Goal 4 Mentally Healthy Community</p> <p>Goal 3 Increased Physical Activity</p> <p>Goal 2 Healthy Eating</p> <p>Goal 1 A Safe and Healthy Urban Environment</p> <p>4 Safe and Secure</p> <p>Goal 7 Safe and Secure Places and Environment</p> <p>Goal 6 Reduce Transport Crashes</p> <p>Goal 5 Reduce Preventable Injuries</p> <p>Goal 4 Reduce Household Crime</p> <p>Goal 3 Reduce Business Crime</p> <p>Goal 2 People Feel Safe and Secure in All Places at All Times</p> <p>Goal 1 Being Prepared for an Emergency</p> <p>5 Sense of Community</p> <p>Goal 5 Social Connectedness and Belonging</p> <p>Goal 4 Sense of Identity through Collective Memory</p> <p>Goal 3 Place Activation and Liveability</p> <p>Goal 2 Participation and Inclusion</p> <p>Goal 1 Life Long Learning and Creativity</p> <p>6 Sustainable and Connected Transport</p> <p>Goal 5 Prioritizing Urban Development Near Transport Nodes and In Activity Centres</p> <p>Goal 4 Ease of Movement</p> <p>Goal 3 Choice and Use of Transport Options</p>

	Goal 2 Balancing Transport Priorities Goal 1 Appropriate Infrastructure
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**BACKGROUND**

As a local government, the City of Melville’s purpose is set out in the Local Government Act 1995 (Section 1.3 (3) Role of the Local Government):

*“In carrying out its functions, a local government is to use its best endeavours to meet the needs of current and future generations [in its district] through an integration of environmental protection, social advancement and economic prosperity.”*

The Local Government Act 1995 requires all local governments to plan for the future of the district. The Strategic Community Plan 2020-2030 and Corporate Business Plan 2020-2024, form the City’s plan for the future, supported by the Long Term Financial Plan, Asset Management Plan, Informing Strategies and Annual Budget. These documents are prepared to achieve compliance with the Local Government (Administration) Regulations 1996. Development of these plans also aligns with the Department of Local Government, Sport and Cultural Industries’ Integrated Planning and Reporting Framework and Guidelines.

The Integrated Planning and Reporting Framework (IPFR) aims to ensure integration of community priorities with strategic planning for the City of Melville, as well as the implementation of the objects that have been set from these priorities.

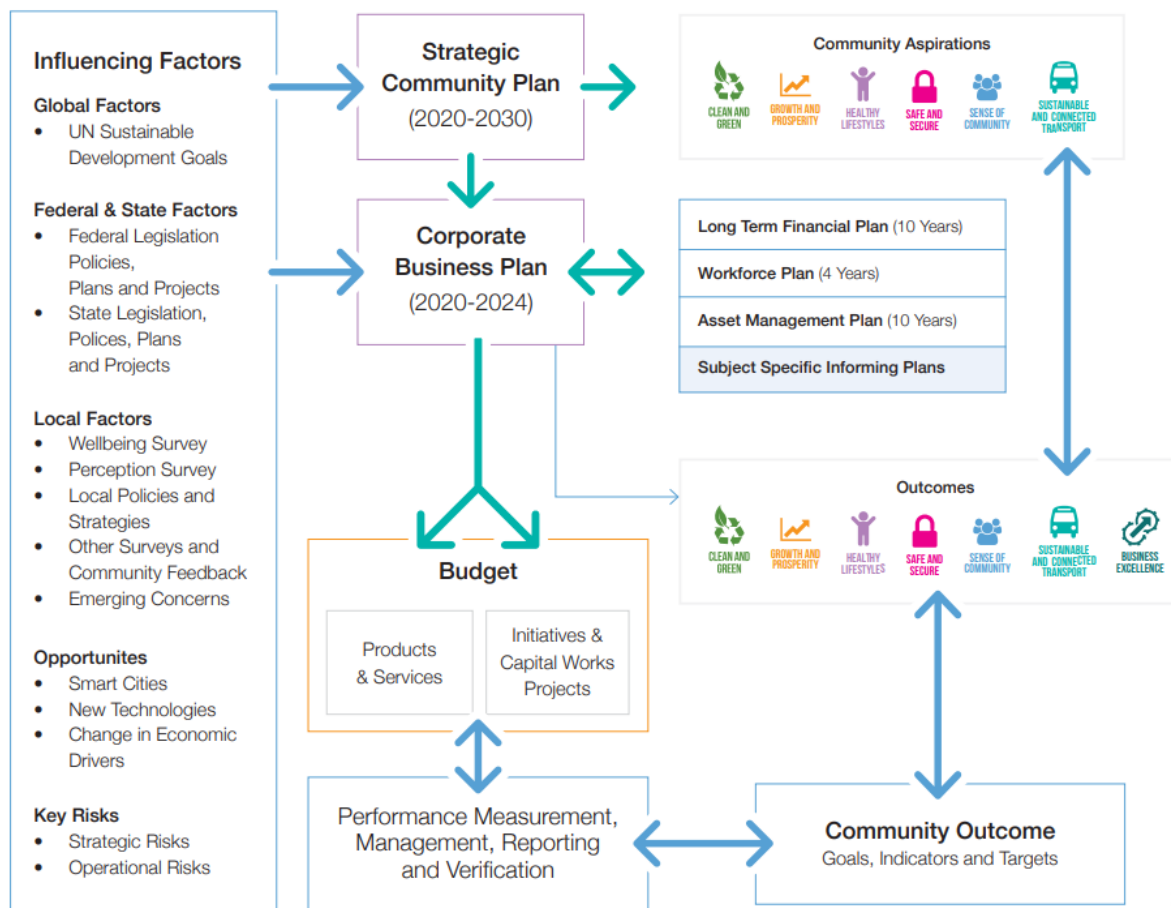
The Council, Community and Administration each has a unique role and responsibilities for the development of effective and sustainable integrated plans for the local area and reporting on the progress of those plans.

A successful integrated planning and reporting process will deliver a:

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

The Integrated Planning and Reporting Framework:

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



**CONSIDERATION**

The Corporate Business Plan 2020-2024 was adopted by absolute majority at the September 2020 Ordinary Meeting of Council.

The Corporate Business Plan 2020-2024 outlines the City’s key priorities and associated strategies over the indicated four year financial period 2020-2024 providing a clear line of sight to the delivery of the Strategic Community Plan's outcome areas.

The Local Government (Administration) Regulations 1996, require that a local government review the current corporate business plan for its district every year, and the City has prepared this Corporate Business Plan 2023-24 annual report which provides a progress update on the projects and activities completed, underway or ongoing.

The City has either completed or progressed nearly 100% of the Corporate Business Plan 106 projects and activities over the reporting period 2020-2024.

The six key priorities and associated strategies are detailed below, with an accompanying progress status report on the total progress, and progress against each priority area.

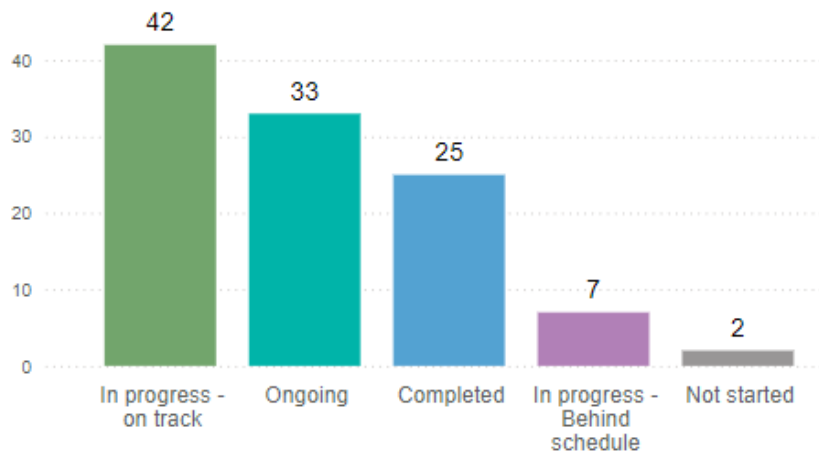
An interactive dashboard is also available for viewing via a browser at <https://bit.ly/Annual-Corporate-Business-Plan-Report-2023-2024>.

**Corporate Business Plan Project Progress Status 2023-2024**

Overall, there was a total number of 106 projects and activities against the six key priority areas.

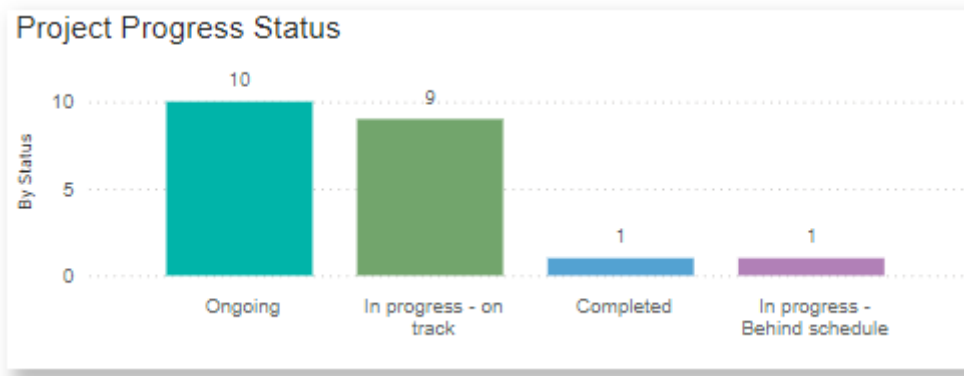
- 42 - In progress on track
- 33 - Ongoing
- 25 - Completed
- 7 - In progress behind schedule
- 2 - Not started

**Project Progress Status**

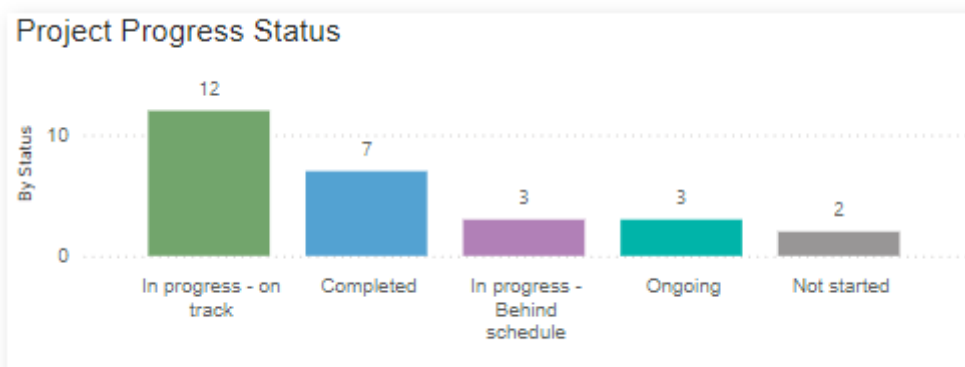


**Project Progress Status by Key Priority**

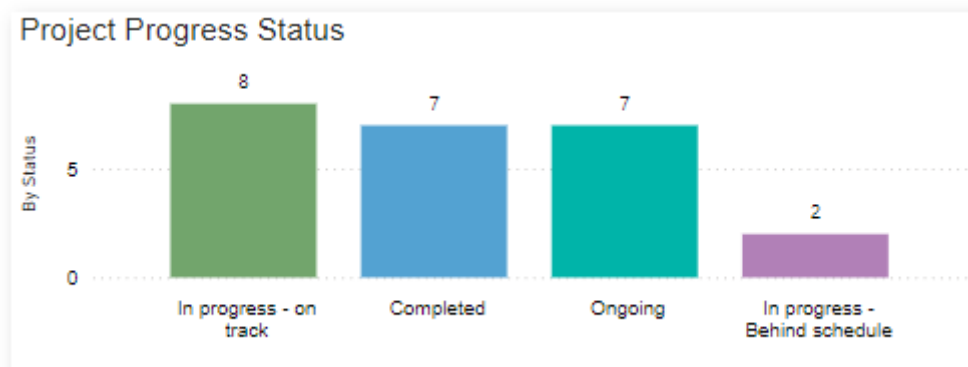
Priority 1: Ensure the improvement and sustainability of our environment	
Strategy 1.1	Protect and improve our natural assets to enhance our environment.
Strategy 1.2	Utilise technological opportunities to efficiently enhance the sustainability of the environment through monitoring and reporting
Strategy 1.3	Advocate and utilise the National and State level policies to protect and enhance the biodiversity of our environment and natural assets.



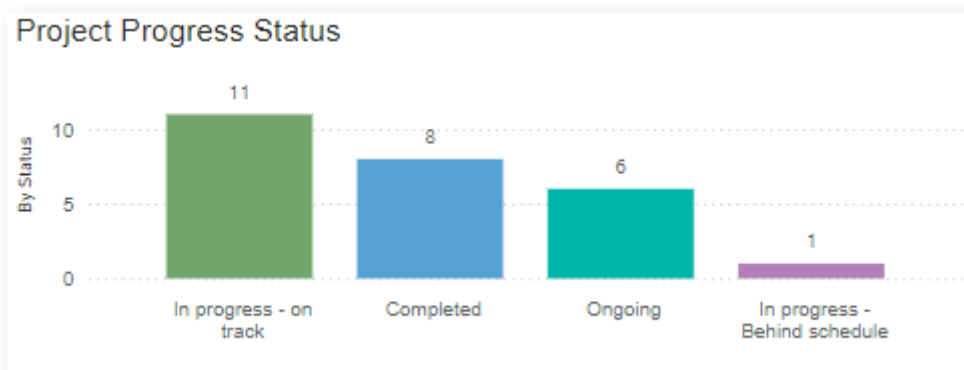
Priority 2: Improve the approach for diverse and sustainable urban development and infrastructure	
Strategy 2.1	Implement innovative, efficient and appropriate initiatives that support community centred infrastructure with integrated transport solutions
Strategy 2.2	Enhance amenity and vibrancy through placemaking and creating well designed and attractive public spaces
Strategy 2.3	Optimise the capability and liveability of activity centres with consideration to the expectations of our community
Strategy 2.4	Enhance regulatory and approval frameworks to ensure sustainable building infrastructure



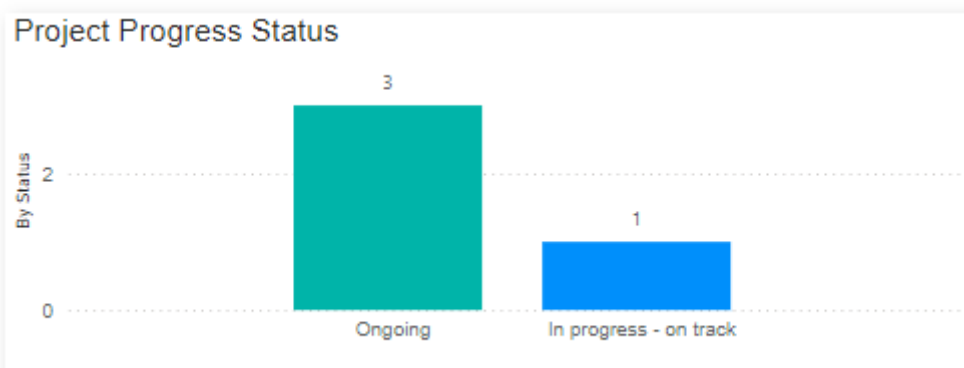
Priority 3: Empower the voices of our diverse community by strengthening engagement	
Strategy 3.1	Increase co-design approaches that engage stakeholders in upfront designs and support issue resolution activities.
Strategy 3.2	Improve the mechanisms to make information flow easier to access and share, including optimising digital communications.
Strategy 3.3	Improve engagement with the business community
Strategy 3.4	Strengthen online service delivery and respond to the digital divide by supporting improvements in digital literacy
Strategy 3.5	Enhance opportunities for civic engagement and building community capacity



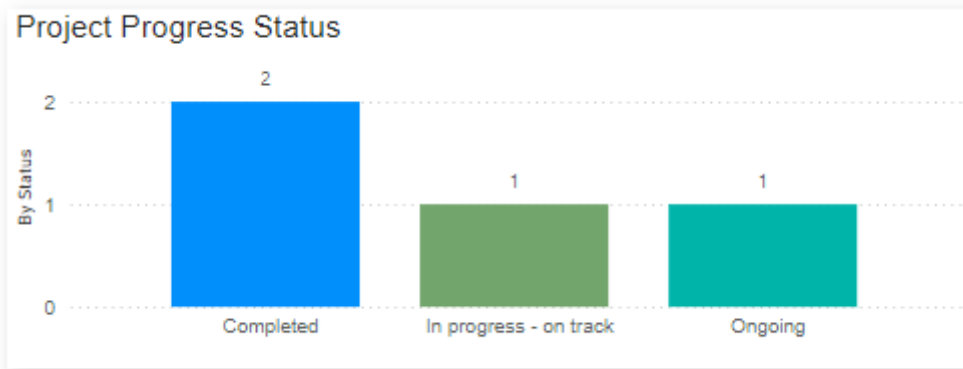
Priority 4: Support healthy lifestyles and wellbeing	
Strategy 4.1	Invest strategically in local infrastructure and built environments that support physical activity and healthy lifestyles
Strategy 4.2	Increase advocacy and partnerships for identified needs relating to community health, safety and security
Strategy 4.3	Empower inclusive participation and participation for sports and community groups
Strategy 4.4	Support National, State and community efforts to assist people in need



Priority 5: Ensure long term financial sustainability	
Strategy 5.1	Undertake efficiency improvements to maximise cost effectiveness
Strategy 5.2	Advocate at National and State levels to maximise funding
Strategy 5.3	Identify opportunities for appropriate alternate revenue streams



Priority 6: Encourage local economic development	
Strategy 6.1	Encourage opportunities for increased private sector commercial and residential development in strategic locations
Strategy 6.2	Support opportunities for not-for-profit and social enterprise



**Review of the Strategic Community Plan 2020-2030 and Corporate Business Plan 2020-2024**

A major review of both the Strategic Community Plan 2020-2030 and the Corporate Business Plan 2020-2024 commenced in December 2023, as part of an integrated planning and budgeting process.

Consultations and workshops with Elected Members have been ongoing since December 2023, with the major review expected to be completed by the end of June 2024.

**ENGAGEMENT IMPLICATIONS**

The Integrated Planning and Reporting Framework requires local governments to engage with their community to establish a vision that will frame the priorities and objectives into the future. This is currently articulated in the City of Melville Strategic Community Plan 2020-2030 (SCP). The Corporate Business Plan 2020-2024 responds to the SCP.

Community consultations held from October to December 2023, resulted in 3,182 responses from community members via the MARKYT® community scorecard, vision survey, in-person listening posts, idea sharing sessions, and workshops.

The feedback identified community needs, aspirations, priorities, and perceptions regarding the services, projects, and facilities offered by the City of Melville.

The feedback and insights gathered, have informed the current review process of the City of Melville Strategic Community Plan 2020-2030 (SCP) and Corporate Business Plan 2020-2024.

**SUSTAINABILITY IMPLICATIONS**

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

**LEGISLATIVE AND POLICY ALIGNMENT**

The following legislation is relevant to this report:

- *Local Government Act 1995* Division 5 – Annual reports and planning
- *Local Government (Administration) Regulations 1996* Division 3 — Planning for the future

**FINANCIAL IMPLICATIONS**

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

**CONSEQUENCE**

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

**Corporate Services**

**C24/157 2024 Annual City of Melville Delegations and Authorisations Review**

<b>File Number:</b>	
<b>Responsible Officer:</b>	Head of Governance
<b>Voting Requirements:</b>	Absolute Majority
<b>Officer Disclosure of Interest:</b>	No officer involved in the preparation of this report has a declarable interest in this matter.
<b>Attachments:</b>	1. <a href="#">City of Melville Statutory Delegations and Authorisation Manual 2024-2025 MARKED UP</a> ↓

**COUNCIL’S ROLE**

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.

<p><b>SUMMARY</b></p> <ul style="list-style-type: none"> <li>Delegations made under the <i>Local Government Act 1995</i> and various other legislation must by law be reviewed by the delegator at least once every financial year and listed in a register kept by the CEO.</li> <li>The statutory review of Council delegations for 2024 has been undertaken and it is recommended that the outcome of this review be adopted by the Council.</li> <li>Following the Council’s resolution on this matter the Register of Delegations will be updated and provided to Elected Members for information.</li> </ul>
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**OFFICER RECOMMENDATION**

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

- Endorse the 2024 review of the Council’s statutory delegations, authorisations and appointments.**
- Confirm the minor changes and edits to the instruments of delegation, authorisation and appointment, as contained in Attachment 1 - City of Melville Statutory Delegation and Authorisation Manual 2024-2025 MARKED UP.**

**PURPOSE**

To present the annual review of the Council’s statutory delegations, authorisations and appointments for Council approval.

**STRATEGIC ALIGNMENT**

<b>Priority</b>	<b>3</b>	<b>Empower the voices of our diverse community by strengthening engagement</b>
	P3/2	Improve the mechanisms to make information flow easier to access and share, including optimising digital communications.

<b>Outcome Indicator</b>	There are no applicable outcome indicators in relation to this report.
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**BACKGROUND**

The functions and powers allocated to local governments by legislation are so many and so diverse that it would be unrealistic to expect the Council to make every discretionary decision itself. The business of local government could not be carried out in a timely manner if that were the case.

Delegation of local government powers, duties and functions to the CEO and appropriate officers is an effective way to reduce red tape and expedite operational decision-making processes. Efficient use of the power of delegation assists local governments to deal effectively with a wide range of procedural matters that require the exercise of some discretion but are inherently administrative rather than strategic in nature.

Delegation is only permitted when an Act or regulations specify that the local government has this power, and the delegated powers may only be exercised in relation to the statutory powers, duties or functions conferred or imposed on the local government by that legislation unless otherwise specified. A delegator may specify limitations or conditions, such as a financial limit, on the exercise of a delegation. Sub-delegation is generally only permitted where specifically provided for in the relevant legislation.

Delegates are not obliged to exercise a delegation granted to them, even if it is primarily procedural. Where a matter is highly contentious, decisions relating to it may be referred, at the discretion of the CEO or the request of the Council, to the Council to make the decision by resolution despite the presence of a relevant delegation.

Delegations made under the *Local Government Act 1995*, *Cat Act 2011*, *Dog Act 1976* and the deemed provisions of Local Planning Schemes identified in the Planning and Development (Local Planning Scheme) Regulations 2015, must be reviewed by the delegator at least once every financial year and the CEO must maintain a register of current delegations made under this legislation.

Other legislation does not require an annual review of delegations or the keeping of a register, but most local governments, including the City of Melville, review all delegations annually and include them all in the register of delegations.

This report deals only with the Council delegations. The CEO is responsible for reviewing delegation or sub-delegation of powers and duties held by the CEO either directly under statute or under delegation from the Council.

**CONSIDERATION**

The statutory review of Council delegations has been completed and a number of minor administrative amendments are required to some instruments of delegation to:

- update names of external bodies/groups;
- reflect changes in titles;

- change sub delegates to reflect internal changes in functional responsibilities; and
- provide additional instruction to delegates on the purpose or constraints of a delegation.

As part of the CEO's review of her own delegations to other employees, some instruments of delegation by the Council have been amended at the sub-delegation level to reflect changes to organisational structure and functional responsibilities, as well as changes to titles. Sub-delegations by the CEO of delegated powers are provided for under section 5.44(3) of the *Local Government Act 1995* and are not the subject of this report.

A significant review of Delegation DA-020 Planning and Related Matters has been undertaken to incorporate the changes as follows:

- Conditions on Delegation/ Sub Delegation. Point 1 has been amended to include:  
*“(excluding Single House development as per Part 4 s.257C of Planning and Development Amendment Act 2023 and Planning and Development (Local Planning Schemes) Amendment (Single House Development) Regulations 2024);”*

This inclusion is due to the *Planning and Development Amendment Act 2023* section 257C, which delegates determination of all single house development to the CEO as of 1 July 2024. This means that the DAU process or Council determination process will no longer be able to be used for Single House development (including additions and incidental works) where an objection has been received. An exemption note is proposed to be included and sub-delegation added to allow the Director Planning and Manager Statutory Planning and Building to determine single house development where an objection has been received.

- Conditions on Delegation/ Sub Delegation. Exclusions has been amended to include a new dot point as follows:  
*“Providing comment on a development application which is to be determined by the Statutory Planning Committee under Part 11B of the Planning and Development Act 2005.”*

The Significant Development pathway for major developments under Part 17 of the *Planning and Development Amendment Act 2020* has ceased and is replaced with a permanent pathway for significant development under Part 11B of the *Planning and Development Amendment Act 2023*. The Part 11B pathway means that the Department of Planning, Lands and Heritage (DPLH) officers write the responsible authority report to the Statutory Planning Committee (which is a sub-set of the Western Australian Planning Commission) on advice from referral agencies – including the relevant local government. These applications have to meet certain criteria such as \$20 million cost of development and generally are of more state and regional significance. Therefore, the delegations now include exemption to ensure that the officer recommendation to the DPLH officers and the Statutory Planning Committee (SPC) is presented to council for adoption or modification prior to being forwarded to the DPLH and SPC.

These new inclusions and other administrative amendments are shown marked-up in Attachment 1 - City of Melville Statutory Delegation and Authorisation Manual 2024-2025 MARKED UP.

## ENGAGEMENT

Directorates have been consulted regarding the delegations relevant to their operations.

Public consultation was not undertaken as delegations are an internal matter related to the operational management and administration of the local government's statutory powers, duties and functions.

## SUSTAINABILITY IMPLICATIONS

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

## LEGISLATIVE AND POLICY ALIGNMENT

The City of Melville must comply with section 5.46 of the *Local Government Act 1995* which requires the Council to review, at least once every financial year, its delegations made under that Act and deemed provisions in the *Planning and Development (Local Planning Schemes) Regulations*. The City must also comply with section 47(2) of the *Cat Act 2011* and section 10AB(2) of the *Dog Act 1976*, which impose similar annual review requirements for delegations made under those Acts.

Of the 51 current delegations made by the Council, 35 have been made under the [Local Government Act 1995](#). The following key provisions in the *Local Government Act 1995* relate to the delegation of local government powers and duties by the Council under that Act.

- Delegations (to Committees and the Chief Executive Officer) must be made by an absolute majority decision [s.5.16(1) and s.5.42(1)].
- Delegations (whether to Committees or the Chief Executive Officer) must be in writing, and may be general or as otherwise provided in the instrument of delegation [s.5.16(2), s.5.42(2)].
- All delegations will have effect for the period of time specified in the delegation, or if not specified, indefinitely [s.5.16(3)(a), s.5.45(1)(a)].
- Any decision to amend or revoke a delegation must be by absolute majority [s.5.16 (3)(b), s.5.45(1)(b)].
- Section 5.17 limits the delegation of powers and duties to certain committees.
- Section 5.45(2)(a) permits a local government to perform any of its functions by acting through a person other than the CEO (but it may not delegate its functions other than to the CEO).
- An employee to whom a power or duty has been delegated under Part 5 Division 4 is a designated employee (s.5.74) who must lodge primary and annual returns (s. 5.75, s.5.76).

Section 5.43 prohibits the local government from delegating to the CEO any of the following powers or duties:

- (a) *any power or duty that requires a decision of an absolute majority of the council;*
- (b) *accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- (c) *appointing an auditor;*
- (d) *acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- (e) *any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;*
- (f) *borrowing money on behalf of the local government;*
- (g) *hearing or determining an objection of a kind referred to in section 9.5;*
- (ha) *the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;*

- (h) any power or duty that requires the approval of the Minister or the Governor; and  
(i) such other powers or duties as may be prescribed.

Regulation 18G of the *Local Government (Administration) Regulations 1996* prescribe that the following powers and duties of a local government cannot be delegated to the CEO:

- (a) Section 7.12A(2), (3)(a) or (4) (duties related to audit reports); and  
(b) Regulations 18C (approve process for selection and appointment of CEO) and 18D (consider a review on the performance of the CEO carried out under s.5.38).

In addition to the above references, the following legislative provisions are also relevant to Council delegations:

- Regulation 18G of the [Local Government \(Administration\) Regulations 1996](#)
- Section 127 of the [Building Act 2011](#)
- Regulation 70 of the [Building Regulations 2012](#)
- Sections 48 and 59 of the [Bush Fires Act 1954](#)
- Sections 44, 45, 46 and 47 of the [Cat Act 2011](#)
- Sections 10AA and 10AB of the [Dog Act 1976](#)
- Section 118 of the [Food Act 2008](#)
- Section 16 and 17 of the [Graffiti Vandalism Act 2016](#)
- Section 26 and 344 of the [Health \(Miscellaneous Provisions\) Act 1911](#)
- Regulation 15D of the [Health \(Asbestos\) Regulations 1992](#)
- Sections 50, 53, 58 and 59 of the [Interpretation Act 1984](#)
- Section 21 of the [Public Health Act 2016](#)
- Schedule 2 clauses 82, 83 and 84 of the [Planning and Development \(Local Planning Schemes\) Regulations 2015](#)

New delegations, amendment and revocation of delegations under the *Local Government Act 1995*, *Cat Act 2011*, *Dog Act 1976*, *Graffiti Vandalism Act 2016* and the *Planning and Development (Local Planning Schemes) Regulations 2015* must be made by absolute majority decision of Council.

Delegations under other legislation, and appointments and authorisations, do not require an absolute majority.

## FINANCIAL IMPLICATIONS

There are no financial implications arising from the recommendations of this report.

Ineffective use of delegation powers may result in additional financial cost to the City as a consequence of the additional administrative resources required to refer minor operational decisions to the Council, and to the City's customers as a consequence of slower decision-making.

**CONSEQUENCE**

Council is required to review its delegations on a yearly basis as per:

- section 5.46 of the Local Government Act 1995;
- section 46(2) of the Cat Act 2011; and
- section 10AB(2) of the Dog Act 1976.

All Council delegations, authorisations and appointments are presented to Council as part of this report, although they may not be subject to annual review requirements, as it is good practice to do so.

**C24/158 CP-099 Risk Management Policy Review**

<b>File Number:</b>	
<b>Responsible Officer:</b>	Head of Governance
<b>Voting Requirements:</b>	Simple Majority
<b>Officer Disclosure of Interest:</b>	No officer involved in the preparation of this report has a declarable interest in the matter.
<b>Attachments:</b>	1. <a href="#">CP-099 Risk Management Policy</a> ↓

**COUNCIL’S ROLE**

Legislative: Includes adopting local laws, town planning schemes & policies.

<p><b>SUMMARY</b></p> <ul style="list-style-type: none"> <li>Policy review with administrative and reference updates and a new template</li> </ul>
--

**OFFICER RECOMMENDATION**

**That the Council approve the reviewed CP-099 Risk Management Policy.**

**PURPOSE**

The presentation of the CP-099 Risk Management Policy to the Council serves to gain approval for minor amendments, ensure compliance, establish accountability, promote transparency and engage stakeholders.

**STRATEGIC ALIGNMENT**

<b>Priority</b>	<b>There are no applicable priorities in relation to this report.</b>
<b>Outcome Indicator</b>	There are no applicable outcome indicators in relation to this report.

**BACKGROUND**

The Risk Management Council Policy was due for a review in April 2024. A review of the Policy has been undertaken with minor amendments proposed. The proposed changes are shown on the attached document.

**CONSIDERATION**

To ensure the Risk Management Policy is effective, legally compliant, adaptable to emerging risks, reflective of the Council's tolerance/risk appetite and allows for ongoing improvement. The policy is due for its three yearly review as per the City’s Document Control Procedure. There has been no changes to the intent of the policy, and it still aligns with the ISO 31000:2018 Risk Management – Guidelines.

Changes include:

- Update of template to include new City of Melville branding; and
- Added (City) after City of Melville (City) to use as a reference; and
- Added an extra C at the end of FMARC; and
- Added reference the new WHS Act and Regulations; and
- Added reference to supporting documents.

## **ENGAGEMENT**

Internal consultation has been undertaken with the People and Culture team to align with Work Health and Safety Act and Regulations.

No external engagement has been undertaken.

## **SUSTAINABILITY IMPLICATIONS**

There are no sustainability implications associated with this report.

## **LEGISLATIVE AND POLICY ALIGNMENT**

This policy is aligned with ISO 31000:2018 Risk management – Guidelines, Work Health and Safety Act 2020 and Work Health and Safety (General) Regulations 2022.

## **FINANCIAL IMPLICATIONS**

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

## **CONSEQUENCE**

The consequences include increased vulnerability to risks, lack of accountability and regulatory non-compliance, diminished stakeholder confidence, and missed opportunities for growth and improvement.

**C24/159 Investment Statements for April 2024**

<b>File Number:</b>	
<b>Responsible Officer:</b>	Manager Financial Services
<b>Voting Requirements:</b>	Simple Majority
<b>Officer Disclosure of Interest:</b>	No officer involved in the preparation of this report has a declarable interest in this matter
<b>Attachments:</b>	Nil

**COUNCIL’S ROLE**

Information: For the Council / Committee to note.

<b>SUMMARY</b>
<ul style="list-style-type: none"> <li>This report presents the investment statements for the period ending 30 April 2024 and recommends that it be noted by the Council.</li> </ul>

**OFFICER RECOMMENDATION**

**That the Council notes the Investment Report for the period ending 30 April 2024.**

**PURPOSE**

To report on the performance of the City’s investment portfolio for the month of April 2024.

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 5.04% to 5.17% which exceeds the benchmark three-month bank bill swap (BBSW) reference rate of 4.37%.

In the City’s investment portfolio, 26% is currently allocated to authorised deposit taking institutions that are committed to sustainability (including environmental, social and governance factors).

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

**STRATEGIC ALIGNMENT**

<b>Priority</b>	<b>5</b>	<b>Ensure long term financial sustainability</b>
	P5/1	Undertake efficiency improvements to maximise cost effectiveness.
	P5/2	Advocate at National and State levels to maximise funding.
	P5/3	Identify opportunities for appropriate alternative revenue streams.
<b>Outcome Indicator</b>	2	Growth and Prosperity
	Goal 1	Achieve Economic Resilience

**BACKGROUND**

The City of Melville (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.

**CONSIDERATION**

The following statement details the investments held by the City of Melville as at 30 April 2024.

<b>CITY OF MELVILLE STATEMENT OF INVESTMENTS FOR THE PERIOD ENDING 30 APRIL 2024</b>		
<b>SUMMARY BY FUND</b>		
Municipal		\$30,265,782
Reserve		\$155,028,668
Trust		\$-
Citizen Relief		\$228,246
<b>TOTAL</b>		<b>\$185,522,697</b>
<b>SUMMARY BY INVESTMENT TYPE</b>		
11AM		\$9,193,503
31Days at Call		\$-
60Days at Call		\$2,000,000
90Days at Call		\$16,600,000
Term Deposit		\$157,729,194
<b>TOTAL</b>		<b>\$185,522,697</b>
<b>SUMMARY BY CREDIT RATING</b>		
AAA Category	AAA	
AA Category (AA+ to AA-)	AA-	\$109,380,107
	A+	\$41,842,590
A Category (A+ to A-)	A	
	A-	
BBB+ Category	BBB+	\$34,300,000
<b>TOTAL</b>		<b>\$185,522,697</b>

Exposure to individual institutions is carefully managed in accordance with Council policy. As of April 2024, investments remained within acceptable limits, with the exception of Westpac Bank, which slightly exceeded the policy threshold at 30.21%, compared to the policy limit of 30.00%.

This deviation occurred due to unforeseen circumstances resulting in lower-than-expected cash outflows required for payments during April 2024.

Investment with financial institutions						
Institution	Credit Rating	Credit Rating Category	Funds held at period end	Actual %	Limit Per Policy	
ANZ	AA-	AA Category	\$ -	0.00%	30.00%	✓
AMP	BBB+	BBB+ Category	\$ -	0.00%	15.00%	✓
Bankwest	AA-	AA Category	\$ -	0.00%	30.00%	✓
Bank of Queensland	BBB+	BBB+ Category	\$ 25,800,000	13.91%	15.00%	✓
ING Bank	A-	A Category	\$ -	0.00%	25.00%	✓
Bendigo & Adelaide	BBB+	BBB+ Category	\$ 8,500,000	4.58%	15.00%	✓
CBA	AA-	AA Category	\$ -	0.00%	30.00%	✓
Macquarie	A+	A Category	\$ 2,142,590	1.15%	25.00%	✓
NAB	AA-	AA Category	\$ 53,338,547	28.75%	30.00%	✓
St George	AA-	AA Category	\$ -	0.00%	30.00%	✓
Suncorp	A+	A Category	\$ 39,700,000	21.40%	25.00%	✓
Westpac	AA-	AA Category	\$ 56,041,560	30.21%	30.00%	✗
<b>TOTAL</b>			<b>\$ 185,522,697</b>	<b>100%</b>		

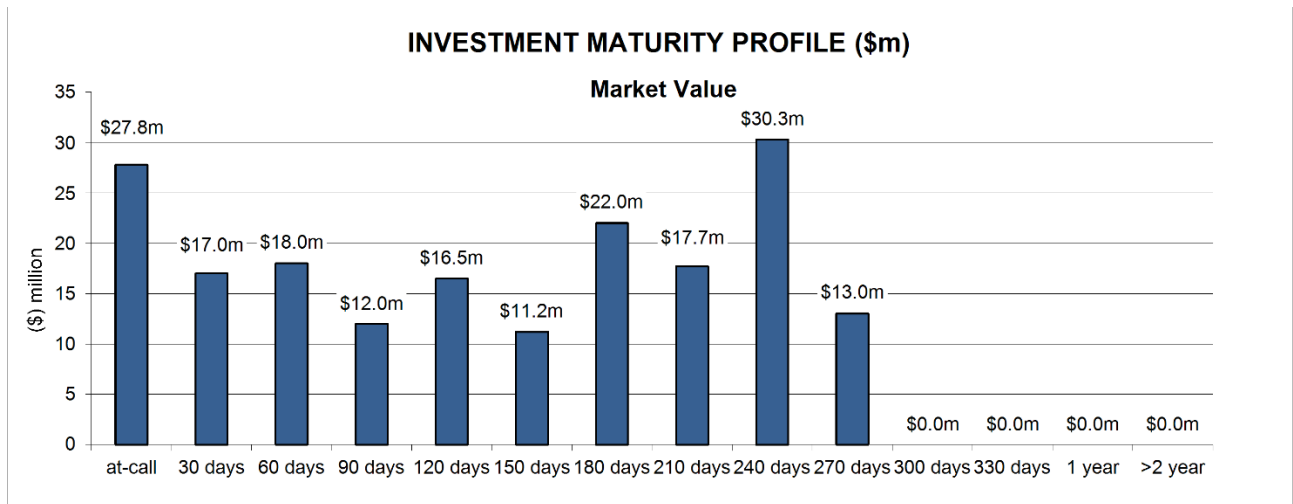
\*Standard & Poor's ratings. Source: Policy No. CP-009: Investment of Funds

The City's investments were invested within the limits allowed within each category rating for April 2024.

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-)	\$ 109,380,107	59%	80%	✓
A Category (A+ to A-)	\$ 41,842,590	23%	50%	✓
BBB+ Category	\$ 34,300,000	18%	25%	✓
<b>TOTAL</b>	<b>\$ 185,522,697</b>	<b>100%</b>		

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

The below graph summarises the maturity profile of the City's investments at market value as at 30 April 2024. 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.

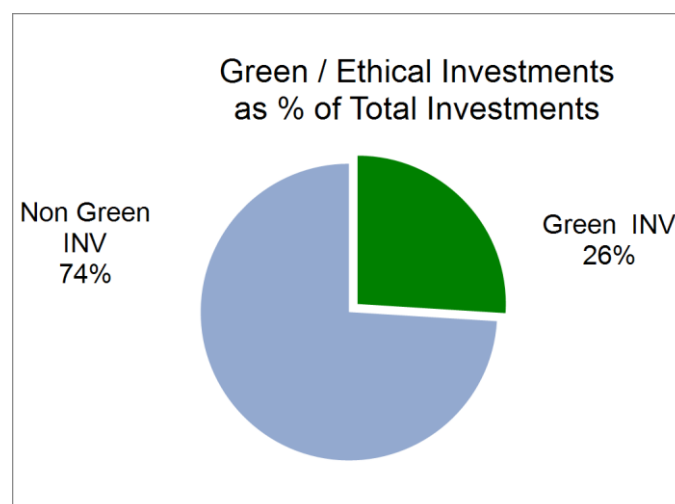


The City exercises a deliberative preference in favour of green/ethical investments. This preference will however only be exercised after the foremost investment considerations of credit rating, comparable rate and risk diversification are fully satisfied.

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

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

The total investment in authorised institutions as at 30 April 2024 was \$48,200,000 or 26% of total investment holdings being in non-fossil fuels institutions, compared to \$51,200,000 (26%) in March 2023. The total investments holding for April and March were \$185,522,697 and \$198,952,925 respectively.



Green / Ethical Investment with financial institutions			
Institution	Credit Rating	Credit Rating Category	Funds held at period end
Bendigo & Adelaide	BBB+	BBB+ Category	\$ 8,500,000
CBA	AA-	AA Category	\$0
Suncorp	A+	A Category	\$ 39,700,000
<b>TOTAL</b>			<b>\$ 48,200,000</b>

Green investments are invested in the two banks listed above, in accordance with the Council credit rating policy. Suncorp have indicated that they are unable to accept new money or process rollovers of Green /Ethical Investments. Their product will be withdrawn in October and December 2024.

The City continues active discussions with financial institutions in relation to the availability of ESGTD products. Westpac is in the process of developing a new “green” investment product however no commitment has been made regarding timing. There are currently no other ESGTD products available in the market that meet the City’s Investment Policy requirements.

**ENGAGEMENT**

This report is available to members of the public on the City’s website. A wide range of suitably credit rated Authorised Deposit-taking Institutions (ADI’s) were engaged with during the month in respect to the placement and renewal of investments.

**SUSTAINABILITY 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 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 because of investments that may be perceived as unsuitable by the Community.

## Environmental

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

## LEGISLATIVE AND POLICY ALIGNMENT

The following legislation is relevant to this report:

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

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

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

## 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*.

## FINANCIAL IMPLICATIONS

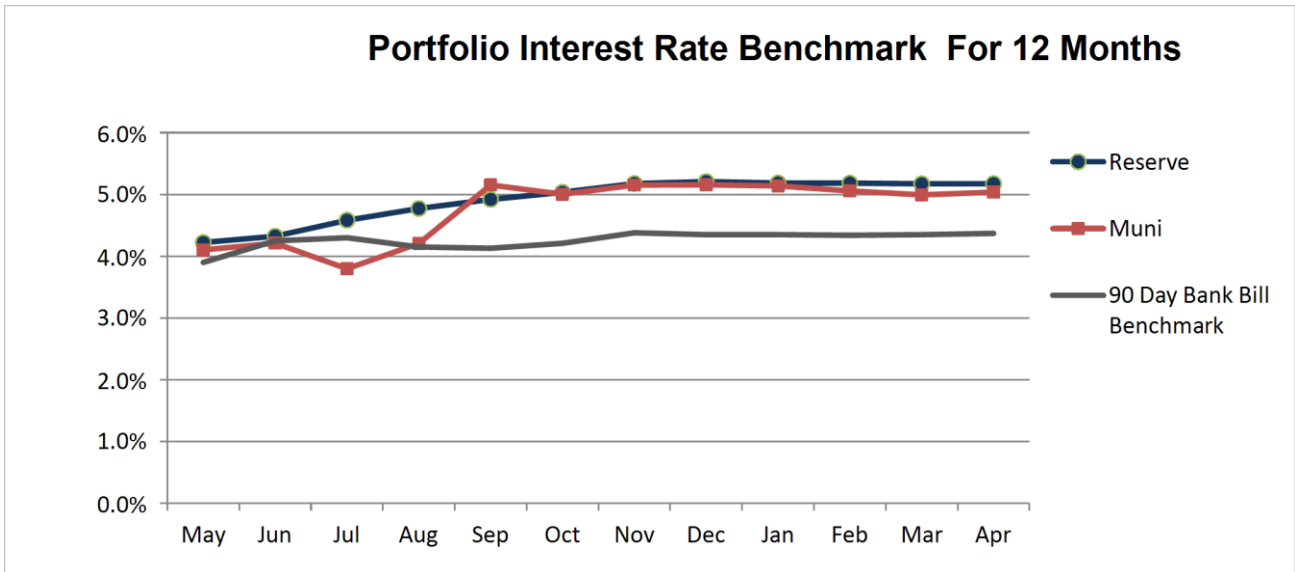
For the period ending 30 April 2024:

- Investment earnings on Municipal and Trust Funds were \$1,657,527 against a year-to-date budget of \$1,800,000 representing a negative variance of \$142,473.

The weighted average interest rate for Municipal and Trust Fund investments as at 30 April 2024 was 5.04% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 4.37%.

- Investment earnings on Reserve accounts were \$6,949,488 against a year-to-date budget of \$6,720,000 representing a positive variance of \$229,488.

The weighted average interest rate for Reserve account investments as at 30 April 2024 was 5.17% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 4.37%.



**CONSEQUENCE**

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

**C24/160 Schedule of Accounts Paid for April 2024**

<b>File Number:</b>	
<b>Responsible Officer:</b>	Manager Financial Services
<b>Voting Requirements:</b>	Simple Majority
<b>Officer Disclosure of Interest:</b>	No officer involved in the preparation of this report has a declarable interest in this matter.
<b>Attachments:</b>	<ol style="list-style-type: none"> <li><a href="#">Payment Details April 2024</a> ↓</li> <li><a href="#">Card Payment Details April 2024</a> ↓</li> </ol>

**COUNCIL’S ROLE**

Information: For the Council / Committee to note.

<p><b>SUMMARY</b></p> <ul style="list-style-type: none"> <li>This report presents the details of payments made under delegated authority (DA-035) to suppliers for the period of April 2024 and recommends that the Schedule of Accounts Paid be noted.</li> </ul>
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**OFFICER RECOMMENDATION**

**That the Council notes the Schedule of Accounts paid for the period April 2024 as approved by the Director Corporate Services in accordance with delegated authority DA-035, and detailed in the attachments to this report; Payment Details April 2024 (Attachment 1) and Card Payment Details April 2024 (Attachment 2).**

**PURPOSE**

The Schedule of Payments for the month totals \$20,129,810. The report and the attached Schedule of Accounts Paid are presented for the Council’s information.

**STRATEGIC ALIGNMENT**

<b>Priority</b>	<b>5</b>	<b>Ensure long term financial sustainability</b>
	P5/1	Undertake efficiency improvements to maximise cost effectiveness.
	P5/2	Advocate at National and State levels to maximise funding.
	P5/3	Identify opportunities for appropriate alternative revenue streams.
<b>Outcome Indicator</b>	2	Growth and Prosperity
	Goal 1	Achieve Economic Resilience

**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.

A total of \$10,378,228 direct creditor payments were paid during the month April, of which, 14% of payments were paid to suppliers located within the City of Melville and 34% to suppliers within the South West Metropolitan Region, compared to 15% and 29% of total of \$8,743,554 direct creditor payments made over March 2023 respectively.

The biggest payment of \$1,419,085 made during the month was the was the ESL payment to the Department of Fire and Emergency Services. Approximately 95% of supplier invoices are paid within 30 days of receipt of the invoices.

The list is to show each payment, payee name, amount and date of payment and sufficient information to identify the transaction.

**CONSIDERATION**

The Schedule of Accounts Paid for April including Payment Register numbers, Cheques: 858-858, Electronic Funds Transfers batches: 888-893, Trust Payments, Card Payments and Payroll will be distributed to the Elected Members of the Council in June 2024.

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

<b>SCHEDULE OF PAYMENTS MADE</b>		
<b>April 2024</b>		
<i>Payments made under Delegated Authority DA-035</i>		
<b>MUNICIPAL FUNDS - DIRECT CREDITOR PAYMENTS</b>		
<b>Cheques</b>	Chq Payment Register No. 858	\$175.27
	Chq Payment on Restricted Funds Register No.	
	Less Cancelled Chqs	-
<b>Electronic Funds Transfers</b>	EFT Payment Register No. 888, 890, 891 and 893	\$10,106,966.07
	EFT Payment on Restricted Funds Register No. 889, 892 and 143	\$151,748.43
	Less Cancelled EFTs	(\$5,518.88)
		<b>\$10,253,370.89</b>
<b>Direct Debits</b>	Bank Fees	\$12,366.65
	Ampol Fuel	\$109,087.34
<b>Direct Payments</b>		\$3,402.77
	<b>Total Direct Creditor Payments</b>	<b>\$10,378,227.65</b>
<b>Payroll</b>	Total Pay 21 and 22	\$4,251,149.23
	<b>Total Payroll</b>	<b>\$4,251,149.23</b>
<b>Cards</b>	Westpac Corporate Cards	\$20,822.63
	Westpac Purchase Cards	\$79,610.16
	<b>Total Card Payments</b>	<b>\$100,432.79</b>
<b>Total Direct Creditor Payments from Municipal Account</b>		<b>\$14,729,809.67</b>

*Schedule of Payments Made continued.*

<b>INTERFUND &amp; INVESTMENT TRANSACTIONS</b>			
<b><i>Interfund Transfers</i></b>			
Loan			\$0.00
Citizen Relief Trust			\$0.00
Citizen Relief Operating			\$0.00
Municipal			(\$5,000,000.00)
Reserve			\$5,000,000.00
Trust			
<b><i>Total Interfund Transfers</i></b>			<b>\$0.00</b>
<b><i>New Municipal Investments</i></b>			
Westpac Bank	15/04/2024		\$2,600,000.00
Westpac Bank	19/04/2024		\$2,800,000.00
<b><i>Total New Investments</i></b>			<b>\$5,400,000.00</b>
<b>Grand Total</b>			<b>\$20,129,809.67</b>

Details of the payments are shown in Attachment 1.

Any payment over and above \$25,000 has been highlighted under the Payment Amount column in Attachment 1.

A new Regulation (13A. of the Local Government (Financial Management) Regulations 1996 - Payments by Employees via Purchasing Cards) effective from 1 September 2023 requires that if a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month and is to be presented to the Council at the next Ordinary Meeting of the Council and is to be recorded in the minutes of that meeting.

The list of payments made using purchase cards during March 2024 and settled in April 2024 is provided as an attachment to this report.

**ENGAGEMENT**

There are no applicable engagement considerations presented as part of this report.

**SUSTAINABILITY IMPLICATIONS**

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

**LEGISLATIVE AND POLICY ALIGNMENT**

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.*

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

Regulation 13A was recently introduced to prescribe reporting for payments made by employees via purchasing cards. As with other payments, the Local Government must report payee name, amount date and sufficient information to identify the payment. The attached payment listings meet this requirement.

### **FINANCIAL IMPLICATIONS**

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

### **CONSEQUENCE**

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

**C24/161      Statements of Financial Activity for April 2024**

<b>File Number:</b>	
<b>Responsible Officer:</b>	Manager Financial Services
<b>Voting Requirements:</b>	Absolute Majority
<b>Officer Disclosure of Interest:</b>	No Officer involved in the preparation of this report has a declarable interest in this matter.
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. <a href="#">Statement Nature Type April 2024</a> ↓</li> <li>2. <a href="#">Rate Setting Program April 2024</a> ↓</li> <li>3. <a href="#">Rate Setting Nature Type April 2024</a> ↓</li> <li>4. <a href="#">Net Working Capital April 2024</a> ↓</li> <li>5. <a href="#">Reconciliation Net Working Capital April 2024</a> ↓</li> <li>6. <a href="#">Notes Rate Setting Statement April 2024</a> ↓</li> <li>7. <a href="#">Summary Rate Debtors April 2024</a> ↓</li> <li>8. <a href="#">Rates Collection Graph April 2024</a> ↓</li> <li>9. <a href="#">General Debtors Aged 90 Days April 2024</a> ↓</li> <li>10. <a href="#">Budget Amendments April 2024</a> ↓</li> </ol>

**COUNCIL’S ROLE**

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.

<p><b>SUMMARY</b></p> <ul style="list-style-type: none"> <li>• 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 31 March 2024 and recommends that they be noted by the Council; and</li> <li>• Presents the variances for the month of March 2024 and recommends that they be noted by the Council; and</li> <li>• Presents the Budget amendments required for the month of March 2024 and recommends that they be adopted by Absolute Majority decision of the Council.</li> </ul>
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**OFFICER RECOMMENDATION**

**That the Council:**

1. **Notes the Rate Setting Statement and Statements of Financial Activity for the month ending 30 April 2024 as detailed in the following attachments:**
  - **Statement Nature Type April 2024 (Attachment 1); and**
  - **Rate Setting Program April 2024 (Attachment 2); and**
  - **Rates Setting Nature Type April 2024 (Attachment 3); and**
  - **Net Working Capital April 2024 (Attachment 4); and**
  - **Reconciliation Net Working Capital April 2024 (Attachment 5); and**
  - **Notes Rate Setting Statement April 2024 (Attachment 6); and**
  - **Summary Rate Debtors April 2024 (Attachment 7); and**
  - **Rates Collections Graph April 2024 (Attachment 8); and**
  - **General Debtors Aged 90 Days April 2024 (Attachment 9); and**
2. **By Absolute Majority Decision adopts the budget amendments, as detailed in the attached Budget Amendment Reports for April 2024 (Attachment 10).**

**PURPOSE**

The attached financial reports reflect a positive financial position of the City of Melville as at 30 April 2024.

**STRATEGIC ALIGNMENT**

<b>Priority</b>	<b>5</b>	<b>Ensure long term financial sustainability</b>
	P5/1	Undertake efficiency improvements to maximise cost effectiveness.
	P5/2	Advocate at National and State levels to maximise funding.
	P5/3	Identify opportunities for appropriate alternative revenue streams.
<b>Outcome Indicator</b>	2	Growth and Prosperity
	Goal 1	Achieve Economic Resilience

**BACKGROUND**

The Statements of Financial Activity for the period ending 30 April 2024 have been prepared and tabled in accordance with the *Local Government (Financial Management) Regulations 1996*.

**Overall Summary of the City’s Financial Position**

- The City’s total investments holding for April 2024 were \$ 185.5m of which the Municipal cash balance at the end of the month was \$30.3m and \$155m was held in reserve accounts, which are restricted to the defined purpose for which the reserve account was established.

- The investment in green/ethical term deposits as at 30 April 2024 was \$48.2m or 26% of total investment holdings, compared to \$51.2m (26%) in March 2024. Green/Ethical investments are invested in the three banks, in accordance with the council credit rating policy. Suncorp is unable to accept new term deposit or process rollovers of existing Green /Ethical Investments which will be withdrawn in October and December 2024.
- Rates raised as at April were \$102,530,897, compared to a year to date budget of \$102,782,725. The negative variance of (\$251,828) is due to interim adjustments in respect to both Commercial and Residential improved properties.
- Total debtor collections for April 2024 equalled \$0.86m. The Rates collection target was 93.6% and the actual collection is tracking slightly higher at 94.5%, compared to 94.6% for the same period in 2022-2023. The total outstanding debtors (including all rates and sundry debtors) is \$8.35m as of 30 April 2024.

## CONSIDERATION

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

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

## Variances

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

- (Attachment 1): Rate Setting Statement by Nature or Type
- (Attachment 6): Statement of Variances in Excess of \$100,000

## Revenue

Rates raised as at April were \$102,530,897, compared to a year to date budget of \$102,782,725. The negative variance of (\$251,828) is due to slightly lower than budgeted interim adjustments in respect to both Commercial and Residential improved properties.

**Rates Collection**

<b>SUMMARY OF RATE DEBTOR MOVEMENT</b>					
Detail	Actuals Current Month YTD	Actuals Previous Month YTD	% Diff Current Mth to Previous Mth	Actuals This Month Last Year YTD	% Diff Current Mth to Current Mth Last Yr
Opening Balance - 1 July	4,487,816	4,487,816	0%	5,453,565	-18%
Debtors Raised	126,334,303	126,272,363	0%	120,249,749	5%
Payments Received	(123,388,732)	(122,520,182)	1%	(118,615,521)	4%
Closing Balance	7,433,388	8,239,997	-10%	7,087,793	5%

Total rate debtor collections for the month equalled \$868,550.

**Sundry Debtor Movement**

<b>SUMMARY OF SUNDRY DEBTOR MOVEMENT</b>					
Detail	Actuals Current Month YTD	Actuals Previous Month YTD	% Diff Current Mth to Previous Mth	Actuals This Month Last Year YTD	% Diff Current Mth to Current Mth Last Yr
Opening Balance - 1 July	901,439	901,439	0%	642,878	40%
Invoices Raised	5,128,231	4,397,706	17%	6,247,464	-18%
Receipts	(5,095,370)	(4,734,634)	8%	(5,856,538)	-13%
Prepayments	(9,868)	(2,588)	281%	(10,147)	-3%
Closing Balance	924,433	561,924	65%	1,023,658	-10%

Sundry debtor balances increased by \$362,509 over the course of April from \$561,924 to \$924,433 of which total 90-day sundry debtors for the month, including loans, is \$278,298, representing 30% of total sundry debtors.

**Corporate Climate Action Plan**

A summary of the expenditure associated with the City’s climate action plan initiatives, compared to a year-to-date budget, is provided below. These costs encompass various activities aimed at reducing our carbon footprint and promoting sustainable practices across the City

Description	YTD Actuals	YTD Budget
Sustainability & Climate Action Salaries	389,389	418,726
Electric Vehicles	36,192	40,001
Micro Grid Project	26,795	30,000
Sustainability Initiatives	88,505	88,350
<b>Total</b>	<b>\$540,880</b>	<b>\$577,077</b>

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

There was no money expended for the month of April 2024.

**Budget Amendments**

Details of Budget Amendments requested for the month of April 2024 that reflect effective changes to budgets are shown in Attachment 10 - Budget Amendments April 2024. Budget amendments that are purely administrative and detail movements between budget responsible officers are not included in the attachment. This reporting is aligned with legislative requirements.

Variances greater than \$100,000 processed in April 2024 are highlighted in the attachment.

**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 Directors to write off debts or grant concessions to a value of \$5,000 and the Manager Financial Services to a value of \$1,000.

**Sundry Debtors**

There were no Sundry Debts written off for the month of April 2024.

**Rate Debtors**

There were no rate debts written off for the month of April 2024.

**ENGAGEMENT**

There are no applicable engagement considerations presented as part of this report.

**SUSTAINABILITY IMPLICATIONS**

The City of Melville (the City) has well developed business continuity plans in place and an Incident Response Team (IRT) to coordinate and plan the City's response to the significant situations as was the case with the COVID-19 crisis.

**LEGISLATIVE AND POLICY ALIGNMENT**

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

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

**34. Financial activity statement report — s. 6.4**

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

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

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

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

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

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

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

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

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

The variance adopted by the Council is 10% or \$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.

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.

## **FINANCIAL IMPLICATIONS**

### **Variances**

Variances are detailed and explained in the attachment Notes Rate Setting Statement April 2024 (Attachment 6): Notes on Statement of Variances in excess of \$100,000 by Nature or Type.

## **CONSEQUENCE**

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

**C24/162 Common Seal June 2024**

<b>File Number:</b>	
<b>Responsible Officer:</b>	Head of Governance
<b>Voting Requirements:</b>	Simple Majority
<b>Officer Disclosure of Interest:</b>	No officer involved in the preparation of this report has a declarable interest in the matter.
<b>Attachments:</b>	Nil

**COUNCIL’S ROLE**

Information: For the Council / Committee to note.

<p><b>SUMMARY</b></p> <p>This report details the documents to which the City of Melville Common Seal has been applied for the period from Tuesday, 16 April 2024 up to and including Monday, 20 May 2024 for the Council’s noting. This is a standing report to the Council.</p>
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**OFFICER RECOMMENDATION**

**That the Council notes the actions of the Mayor and the Chief Executive Officer in executing the documents listed under the Common Seal of the City of Melville from Tuesday, 16 April 2024 up to and including Monday, 20 May 2024..**

**PURPOSE**

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.

The following documents were affixed with common seal during the period Tuesday, 16 April 2024 up to and including Monday, 20 May 2024.

Register Reference	Parties	Description	ECM Reference
CS2227	City of Melville and H2 Conveyancing	CEO Sign Off for Notification Section 70A, DA-2023-1033 Two Storey Grouped Dwelling - 34 Conan Road Applecross - Lot situated in vicinity of transport corridor	DA-2023-1033
CS2228	City of Melville and 37 Ardross Street Pty Ltd	No. 37 (Lot 662) Ardross Street, Applecross - Replacement Agreement between the buyer & City of Melville – Grant of Easement	7952267
CS2229	City of Melville and Department of Primary Industries & Regional Development	Agreement between the City of Melville and Department of Primary Industries and Regional Development for Bicton Swimming Closure funding	8013708

**CONSEQUENCE**

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 Tuesday, 16 April 2024 up to and including Monday, 20 May 2024 for the Council’s noting.

**STRATEGIC ALIGNMENT**

<b>Priority</b>	<b>There are no applicable priorities in relation to this report.</b>
<b>Outcome Indicator</b>	There are no applicable outcome indicators in relation to this report.

**LEGISLATIVE AND POLICY ALIGNMENT**

The use of the Common Seal is provided for the information of the Council.

**C24/163 RFT232420 - Construction of Goolugatup Stage 1 Yarning Circle and Surrounds**

<b>File Number:</b>	
<b>Responsible Officer:</b>	Director Environment & Infrastructure
<b>Voting Requirements:</b>	Absolute Majority
<b>Officer Disclosure of Interest:</b>	No officer involved in the preparation of this report has a declarable interest.
<b>Attachments:</b>	1. CTAU Minutes - 21 May 2024 (confidential) (under separate cover)

**COUNCIL’S ROLE**

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.

<p><b>SUMMARY</b></p> <ul style="list-style-type: none"> <li>This report is presented to Council to recommend the acceptance of a request submitted for RFT232420 Construction of Goolugatup Stage 1 Yarning Circle and Surrounds.</li> </ul>
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**CTAU RECOMMENDATION**

- That the Council endorse the recommendations as contained in the confidential attachment to this report, RFT232420 Contract and Tender Advisory Unit Minutes; and
- Upon resolution of the recommendation, directs that the successful respondents’ names be inserted below this point 2, awarded;

**PURPOSE**

The Contract and Tender Advisory Unit (CTAU) is satisfied that the recommended supplier meets the City’s qualitative requirements and represents value for money. The City of Melville (“City”) is seeking a suitably qualified and experienced Contractor to carry out the Construction of Goolugatup Stage 1 Yarning Circle and Surrounds.

The CTAU’s recommendation is now being presented to Council for their approval.

**STRATEGIC ALIGNMENT**

<b>Priority</b>	<b>1</b>	<b>Ensure the improvement of sustainability of our environment</b>
	P1/1	Protect and improve our natural assets to enhance our environment
	P1/3	Advocate and utilize the Nation and State level policies to protect and enhance the biodiversity of our environment and natural assets.
	<b>2</b>	<b>Improve the approach for diverse and sustainable urban development and infrastructure</b>
	P2/1	Implement innovate, efficient and appropriate initiatives that support community centred infrastructure within integrated transport solutions.

	<p>P2/2 Enhance amenity and vibrancy through placemaking and creating well designed and attractive public spaces.</p> <p>P2/3 Optimise the capability and liveability of activity centres with consideration to the expectations of our community.</p> <p>P2/4 Enhance regulatory and approval frameworks to ensure sustainable building infrastructure.</p> <p><b>3 Empower the voices of our diverse community by strengthening engagement</b></p> <p>P3/1 Increase co-design approaches that engage stakeholders in upfront designs and support issue resolution activities.</p> <p><b>4 Support healthy lifestyles and wellbeing</b></p> <p>P4/1 Invest strategically in local infrastructure and built environments that support physical activity and healthy lifestyles.</p> <p>P4/2 Increase advocacy and partnerships for identified needs relating to community health, safety and security.</p> <p>P4/3 Empower inclusive participation and support for sports and community groups.</p> <p>P4/4 Support National, State and community efforts to assist people in need.</p> <p><b>5 Ensure long term financial sustainability</b></p> <p>P5/2 Advocate at National and State levels to maximise funding.</p> <p>P5/1 Undertake efficiency improvements to maximise cost effectiveness.</p> <p><b>6 Encourage local economic development</b></p> <p>P6/2 Support opportunities for not-for-profit and social enterprise.</p>
<b>Outcome Indicator</b>	There are no applicable outcome indicators in relation to this report.

**BACKGROUND**

The City is seeking a suitability qualified and experienced contractor for undertaking extensive landscape and interpretation design project to revitalise a rare site on the foreshore with the aim of creating a beautiful space and improved ecology that supports diverse recreation, cultural engagement, and community enjoyment. This is a culturally significant site for the Whadjuk and Noonger people.

The Goolugatup Lower Lands project will be developed in stages, with the Yarning Circle and surrounds associated with the first stage and made possible with grant funding provided through the Commonwealth Government’s Local Roads and Community Infrastructure (LRCI) program.

Further information on the project, vision, concept plan and supporting information is available on the City’s website via the link <https://www.melvillecity.com.au/our-city/connect-with-us/melville-talks/community-engagements/heathcote-goolugatup-lowerlands>

The CTAU Meeting Minutes included as a confidential attachment to this report is additionally available to Elected Members on the Elected Members Portal.

**CONSIDERATION**

Responses were received from the following organisations:

- Phase 3 Landscape Construction Pty Ltd
- Schlager Group Pty Ltd

All Respondents properly addressed the Compliance and Disclosure Requirements and were processed through to Qualitative Assessment.

The City set the following qualitative criteria and weightings:

<b>Demonstrated Experience</b>	30%
<b>Capacity to Deliver</b>	20%
<b>Environmental Sustainability</b>	20%
<b>Methodology</b>	30%
<b>Total</b>	100%
<b>Percentage to be shortlisted</b>	60%
<b>Price</b>	Non-weighted

The recommended Respondent achieved a qualitative score of 84.44% against the following criteria:

I. Demonstrated Experience

The Respondent provided the required information against this criterion. Examples provided were relevant to the services that will be delivered under this Contract, and they have experience with Local Government.

II. Capacity to Deliver

The Respondent provided the required information against this criterion.

The key personnel have relevant qualifications and a good level of experience in similar projects.

III. Environmental Sustainability

The Respondent provided the required information against this criterion.

They provided their certifications, environmental policy, minor environmental initiatives and minor actions to mitigate negative environmental impact.

IV. Methodology

The Respondent provided the required information against this criterion.

They satisfactorily addressed the entire methodology question.

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

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

The Evaluation Report and associated confidential attachments were distributed to Elected Members under confidential cover.

## **ENGAGEMENT**

No community or external engagement has been required or undertaken as part of this request.

## **SUSTAINABILITY IMPLICATIONS**

The tender specification included a 20% qualitative weighting for Social and Environmental Procurement, with the preferred tenderer achieving a higher ranking due to a range of social and environmental initiatives being undertaken. The City will also be working with the successful tenderer to incorporate the use of sustainable materials where feasible.

## **LEGISLATIVE AND POLICY ALIGNMENT**

This request has been considered with regards to the following policies and legislative requirements:

- CP-023 Procurement of Products and Services
- *Local Government (Functions and General) Regulations 1996 Section 3.57 11 (1)*  
*“A Local Government is quired to invite tenders before it enters into a contract for another person to supply goods or services”.*

## **FINANCIAL IMPLICATIONS**

Any relevant financial implications are detailed in the confidential attachment to this report.

## **CONSEQUENCE**

No alternative options or consequences are presented as part of this report.

**C24/164 Consideration and Adoption of the 2024-2025 Budget**

<b>File Number:</b>	
<b>Responsible Officer:</b>	Chief Executive Officer
<b>Voting Requirements:</b>	Absolute Majority
<b>Officer Disclosure of Interest:</b>	Elected Members and officers are property owners / ratepayers in the City of Melville; however, this is an exempt interest in accordance with Section 5.63 (1) (a) & (b) of the Local Government Act 1995.
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. <a href="#">Rate Payer Profile 2024-2025</a> ↓</li> <li>2. <a href="#">Submissions Report - Differential Rates 2024-2025</a> ↓</li> <li>3. <a href="#">Municipal Fund Budget 2024-2025</a> ↓</li> <li>4. <a href="#">Capital Works Program 2024-2025</a> ↓</li> </ol>

**COUNCIL’S ROLE**

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.

<p><b>SUMMARY</b></p> <ul style="list-style-type: none"> <li>• The 2024-2025 Budget document (including the Schedule of Fees and Charges) is presented for consideration and adoption by the Council.</li> <li>• There is an increase of 4.5% to the Rate in the Dollar and Minimum rate for all rating categories when compared to 2023-2024.</li> <li>• The Budget contains increases in operating costs for employment of \$4.6 million (7.5%), for materials and contracts of \$2.8 million (7.6%), increases in operating revenues from general rates of \$5.3 million (5.2%), fees and charges of \$1.6 million (11%) when compared to the previous year’s budget.</li> <li>• The Budget provides for a \$69.9 million investment in the City’s assets, including an estimated carry forward of \$16.4 million from 2023-2024. The majority of this investment is funded from the City’s reserves and capital grants, subsidies and contributions.</li> <li>• The City’s financial principles have been reviewed during a series of Corporate Planning/Budget workshops held in 2024 with Elected Members. These workshops have informed the 2024-2025 Annual Budget as well as the update of the Corporate Business Plan and Long-Term Financial Model.</li> </ul>
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**OFFICER RECOMMENDATION**

**That the Council notes:**

1. **The 2024-2025 Ratepayer Profile as detailed in Ratepayer Profile 2024-2025 (Attachment 1).**
2. **The submissions received in respect of the differential rates in relation to the proposed rate and minimum payment as detailed in the Submissions Report – Differential Rates 2024-2025 (Attachment 2).**

**That the Council adopts by Absolute Majority Decision:**

- 3.1 The 2024-2025 Municipal Fund Budget as detailed in the Municipal Fund Budget 2024-2025 (Attachment 3).**
  
- 3.2 The 2024-2025 Capital Works Program which includes only the cash requirement of the program for the 2024-2025 year. The estimated future cash requirement to which the Council is committed as a result of adopting the capital works program is detailed in the Capital Works Program 2024-2025 (Attachment 4).**
  
- 3.3 The following Rates applicable to the 2024-2025 financial year i.e. for the period 1 July 2024 to 30 June 2025:**
  - a. All Improved and Unimproved Residential Land**  
7.325134 cents in the dollar of gross rental value applicable to each property, residence, unit, strata, location or other residential property subject to a minimum rate of \$1,434.42 per assessment; noting that Residential Land includes general residential, duplex, multi-unit, residential strata properties and Department of Housing properties.
  
  - b. All Commercial Land including Strata Storage Units**  
9.024597 cents in the dollar of gross rental value applicable to each assessment, lot, location, strata, or other piece of land subject to a minimum rate of \$1,162.98 per assessment; noting that Commercial/Industrial land includes general industrial, commercial including retail, professional and office uses, service station, hotel / tavern, strata storage units and hospitals.
  
- 3.4 The following Rates Concessions for the 2024-20245 financial year:**
  - a. Strata storage units - Appropriately zoned and used strata titled storage units of 18m2 or smaller, granted a concession of \$581.50 each, it being noted that the total value of this concession is approximately \$33,145.**
  
  - b. Melville Glades Golf Club - 100% concession from general rates, it being noted that the value of this concession amounts to approximately \$14,688.**
  
- 3.5 The following Refuse Waste Charges, for the 2024-2025 financial year where these services are charged via the City of Melville rates system/notice:**
  - a. Additional Residential Waste, FOGO and Recycling Service.**
    - i. Domestic waste 140L bin** **\$207.00 per annum**
    - ii. Domestic waste 240L bin** **\$352.90 per annum**
    - iii. Domestic recycling bin** **\$136.30 per annum**
    - iv. FOGO 240L bin** **\$207.00 per annum**
  
  - b. Residential Non-Rateable Properties Waste, FOGO and Recycling service**  
**One standard domestic refuse service.** **\$470.70 per annum**
  
  - c. Commercial and Non-Rateable (Non Residential) Waste Service.**
    - i. 240L capacity bin** **\$639.50 per annum**
    - ii. 660L capacity bin (inc.GST)** **\$29.60 per service**

- iii. 1,100L capacity bin (inc. GST) \$41.80 per service
- d. Commercial and Non-Rateable (Non-Residential) Recycling Services
  - i. 240L capacity bin \$627.00 per annum
  - ii. 660L capacity bin (inc. GST) \$26.90 per service
  - iii. 1,100L capacity bin (inc. GST) \$35.40 per service
- e. Commercial Bin Services
  - i. One mobile FOGO bin of 240L capacity (Inc. of GST) \$11.65 per service
  - ii. One mobile garbage bin of 240L capacity (inc. GST) \$12.30 per service
  - iii. One recycling bin of 240L capacity (inc. GST) \$12.10 per service

Note: - Additional residential services are collected during the standard collection round. A service is rendered each time a bin is emptied. Only bins provided, or approved by, the City of Melville will be collected.

**3.6 The Swimming Pool Inspection Fee of \$51.00 for the 2024-2025 year.**

Note: - The Swimming Pool Inspection Fee is charged in each year of the four yearly inspection cycle. Should the total revenue raised exceed the actual total costs of conducting all pool inspections in any one year the surplus is transferred to a restricted reserve account and used to offset the costs of inspections in the following year's budget.

**3.7 The Property Surveillance and Security Charge of \$62.00 for the 2024-2025 year.**

**4. The following rates incentives to be offered to those ratepayers who pay their rates according to the terms outlined below.**

Three prizes of \$1,000 in cash donated from Westpac and a 12-month LeisureFit membership for anyone who pays in full or the 1st instalment by the due date using any payment method.

**5. The 2024-2025 Loan Fund Budget which includes self-supporting loans raised on behalf of other organisations that are responsible for meeting the loan repayment costs, and for which the Council is effectively the guarantor, as detailed in the Municipal Fund Budget 2024-2025 (Attachment 3).**

**6. The 2024-2025 Reserve Accounts (Fund) Budget as detailed below for the following reserve accounts and purposes:**

- a. Melville South Underground Power & Streetscape Enhancement Reserve  
To be used for underground power projects and streetscape enhancements in the Melville South Underground Power project area.
- b. Civic Centre Precinct Improvements Reserve

To be used for improvements to the buildings and associated landscaping and car parking located within the Civic Centre Precinct (Melville City Centre).

**c. Commercial Refuse Reserve**

To be used for the acquisition, replacement or upgrade of commercial refuse bins, vehicles, plant and equipment used for commercial waste operations and the development of commercial waste collection opportunities and to meet any shortfalls in the Refuse Facilities Reserve.

**d. Community Facilities Reserve**

To be used for the provision of new, renewed or upgraded community facilities/buildings.

**e. Community Centre Fit Out, Furniture and Equipment Reserve**

To be used to fund the acquisition and replacement of the fitouts, furniture and specialised equipment requirements for the community centres and multipurpose rooms at venues owned by the City of Melville.

**f. Community Surveillance and Security Service Reserve**

To temporarily retain any surpluses that may arise from the Property Surveillance and Security Service Charge to be used to offset future years Property Surveillance and Security Service Charges or for the purchase of plant and equipment or upgrade of vehicles used for community surveillance and security services.

**g. Fleet Services Vehicles, Plant and Equipment Replacement Reserve**

To be used to fund the purchase of replacement vehicles, plant and equipment.

**h. Funds in lieu of Development on Public Open Space Reserve**

Maintained for the purpose of retaining and using funds in accordance with section 154 (2) of the Planning and Development Act 2005.

**i. Information Technology Reserve**

To be used to fund the acquisition and replacement of computer software, information technology hardware and costs of utilisation of service based and emerging technologies.

**j. Infrastructure Asset Management Reserve**

To be used to fund infrastructure asset management projects including the construction, maintenance and renewal of the City of Melville's road, path, kerbing, street furniture, park structures, playground, irrigation/reticulation and drainage infrastructure assets.

**k. Land and Property Reserve To be used to:**

i. fund the acquisition or construction of commercial revenue earning land and/or buildings, or

ii. fund the acquisition of land and buildings in structure plan areas to help encourage the redevelopment of those structure plan areas by assembling developable land parcels and fund with Council approval infrastructure and other developments in line with structure plan principles; or

iii. internally fund the purchase or construction of City of Melville community facilities or infrastructure assets, on the basis that those funds will be returned to the Land and Property Reserve over a predetermined period of time with interest, with the interest rate being set at what would have been charged by the Western Australian Treasury Corporation for the term of the borrowing using the Semi-Annual Annuity interest rate.

**I. Leave Entitlements Reserve**

To be used to fund the non-current liability amount of annual, sick and long service leave entitlements accrued in previous financial years beyond the amount provided for in the Provision for Leave current liability account.

**m. Libraries, Art Centres and Museums Equipment, Furniture and Specialised Fit Out Reserve**

To be used to fund the acquisition and replacement of the fit outs, furniture and specialised equipment for art centres, museums and libraries.

**n. New/Upgrade Works Reserve (previously Future Works Reserve)**

To be used to fund the "New" and "Upgrade" components of the costs of Infrastructure Capital Works and Buildings as opposed to renewal of existing assets as per Asset Management Plans.

**o. Organisational Environmental Sustainability Initiatives Reserve**

To be used to fund environmental initiatives which are intended to reduce the energy usage and/or carbon footprint of the corporation of the City of Melville or for debt servicing costs associated with any loan borrowings taken out for such purposes.

**p. Parking Facilities Reserve**

To be used to fund the provision, refurbishment or improvement of parking facilities and equipment.

**q. Parking Management Reserve – Canning Bridge Activity Centre**

To fund public place improvement, business improvement, place activation and encourage a safer, more active and vibrant community and business precinct, through a place-based grant program at the discretion of an internal assessment committee.

**r. Parking Management Reserve - Riseley Activity Centre**

To fund public transport, car parking, streetscape upgrades that improve opportunities for walking and cycling, footpaths and other pedestrian-related infrastructure, cycle paths and other cycling-related infrastructure, street trees, plants and landscaping that improves pedestrian amenity and/or Travelsmart programs and initiatives at the Riseley Activity Centre, or as per the discretion of the Council under the advice of a Parking Fund Advisory Committee.

**s. Private Swimming Pool Inspection Fee Reserve**

To temporarily retain any surpluses that may arise from the Swimming Pool Inspection fees to be used to offset any deficits that may occur in future year's operations of the Private Swimming Pools Inspection Program.

**t. Public Open Space and Urban Forest Reserve**

To be used to fund the purchase, development and re-development of public open spaces, including streetscapes, bushlands, parks and reserves and to fund initiatives to enhance and improve the urban forest or for debt servicing costs associated with any loan borrowings taken out for such purposes.

**u. Rates Equalisation and Contingency Reserve**

To temporarily retain any surplus carried forward funds as shown in the audited Annual Financial Report Rate Setting Statement in excess of the estimated surplus funds brought forward amount identified in the following years Annual Budget Rate Setting Statement to subsequently be used to reduce the need to raise rates in future years or to meet any budget shortfalls identified during budget reviews including expenditure on unbudgeted contingencies.

- v. **Recreation Centres Specialised Plant, Equipment and Structures Reserve**  
To be used to fund the acquisition, repair, upgrade and replacement of Recreation Centres specialised plant, equipment and structures.
- w. **Refuse Bins Reserve**  
To be used for the purchase and replacement of any non-commercial refuse, recycling or Food Organics Garden Organics bins or receptacles.
- x. **Refuse Facilities Reserve**  
To be used for payments relating to the establishment, operation and decommissioning of waste management facilities, funding associated costs and liabilities, and the cost of landscaping, environmental and rehabilitation works of former refuse tip sites operated or funded by the City of Melville. The reserve is also used for any additional waste collection, management and disposal costs of waste associated with storm, disaster or major pollution events.
- y. **Risk Management and Insurance Equalisation Reserve**  
To be used to fund prior years insurance premium contingencies, the self-insured element of insurance claims, risk reduction initiatives or projects, losses arising from investment activities and discretionary expenditure required as a consequence of unforeseen events beyond the control of the City.
- z. **Special Projects Reserve**  
To be used to fund costs associated with City of Melville Council Elections, infrastructure asset condition surveys, asset valuations and gross rental value revaluations and strategic planning projects.
- aa. **Unexpended Works and Specific Purpose Grants Reserve**  
To be used to carry forward available funding for uncompleted projects and specific purpose grants that will be completed and expended in ensuing financial years.

7. The 2024-2025 Schedule of Fees and Charges, included in the Municipal Fund Budget 2024-2025 (Attachment 3) and approves the fees to be applicable from 1 July 2024 (in accordance with Section 6.16 of the Local Government Act 1995).

8. The following due dates for payment of rates and the instalment due dates (in accordance with Section 6.45 of the Local Government Act 1995 and applicable Regulations).

Full payment and 1st instalment due date	29 August 2024
2nd Instalment due date	28 October 2024
3rd Instalment due date	3 January 2025
4th and final instalment due date	6 March 2025

9. That the Council Approves by Absolute Majority Decision the one-off transfer of:
- a. \$10,000,000 from the Land and Property Reserve to the Community Facilities reserve as detailed in Municipal Fund Budget 2024-2025 (Attachment 3).
  - b. \$3,000,000 from the Land and Property Reserve to the New/Upgrade Works reserve as detailed in Municipal Fund Budget 2024-2025 (Attachment 3).

10. The transfer of any net closing surplus for the completed 2023-2024 financial year to the Rates Equalisation Reserve, noting that the final actual net closing surplus/deficit will be determined following receipt of the 2023-2024 audited financial statements.
11. The following Administration and Interest Charge for Rates and Services Charges
  - a. where a property owner has elected to, and is adhering to, paying rates and service charges through an instalment program, no instalment administration charges and an instalment interest charge of 2% per annum, as provided for in Section 6.45 of the Local Government Act 1995.
  - b. an interest charge of 3.5% on all rates and service charges including the refuse charge, swimming pool inspection fee, property surveillance and security service charge, underground power and streetscape service charges or specified area rates that are not paid by the due date, as provided for in Section 6.51 of the Local Government Act 1995.
12. The following Interest Charge on Money Owing to Local Government
  - a. in accordance with Section 6.13 of the Local Government Act 1995, the maximum interest charge permitted under the Local Government (Financial Management) Regulations 1996 on all outstanding accounts in respect to commercial activities with such interest commencing thirty-five days after the date which is stated on the account for payment.
  - b. in accordance with Section 6.13 of the Local Government Act 1995, 50% of the maximum interest charge permitted under the Local Government (Financial Management) Regulations 1996 on all outstanding accounts in respect to community clubs and organisations sixty days after the date which is stated on the account for payment.
  - c. the interest charges outlined in recommendations 1 and 2 will not apply where the account outstanding is \$50.00 or less.
  - d. the Chief Executive Officer be granted delegated authority to determine which category a particular debt falls within.
13. That all Elected Members allowances and sitting fees be paid at the maximum rate as determined by the Salaries and Allowances Tribunal.

That the Council resolves:

14. That all Elected Members and staff of the City of Melville be ineligible to be chosen as a winner of the rate payment incentive prizes either as a sole or part owner of any property.
15. The level to be used in statements of financial activity in the year 2024-2025 for reporting material variances, be 10% or \$100,000, whichever is the greater, in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996.

**PURPOSE**

In accordance with the principles expressed in Council Policy CP-008 Financial Sustainability Forward Financial Planning and Funding Allocation and other relevant Council Policies, the Budget has been drafted with the long-term view of the needs of the City and its residents in mind.

In accordance with Section 6.2 of the *Local Government Act 1995*, the Budget is recommended to the Council for adoption by Absolute Majority Decision.

The following matters require a decision by Absolute Majority as per the requirements of the *Local Government Act 1995* regarding the Budget process:

- Adoption of the Annual Budget.
- Granting of discount or other incentives for early payment.
- Granting of any concessions on rates.
- Setting the penalty interest rates on outstanding debts.
- Imposing any fees or charges for goods or services other than a service for which a service charge is imposed.
- Imposing the General Rate and Differential Rates on rateable land in the district.
- Imposing a service charge e.g. Property Surveillance and Security Services and Underground Power network and connection charges.

**STRATEGIC ALIGNMENT**

<b>Priority</b>	<b>5</b>	<b>Ensure long term financial sustainability</b>
	P5/1	Undertake efficiency improvements to maximise cost effectiveness.
	P5/2	Advocate at National and State levels to maximise funding.
	P5/3	Identify opportunities for appropriate alternative revenue streams.
<b>Outcome Indicator</b>	2	Growth and Prosperity
	Goal 1	Achieve Economic Resilience

**BACKGROUND**

The City of Melville is required to prepare an Annual Budget in accordance with the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*. The purpose of an Annual Budget, in simplistic terms, is to outline the various revenue and expenditure streams and the required rating levels to achieve a balanced and sustainable financial position.

The 2024-2025 Annual Budget (Budget) has been prepared based on relevant council policies and with a long-term view of the ongoing and potential needs of the City and its residents in mind.

A revision of the Long-Term Financial Model and Plan is currently being undertaken and will be presented to Council for adoption during the 2024-2025 financial year to guide future budgets.

## CONSIDERATION

The *Local Government Act 1995* (the Act) enables service charges to be imposed equally across assessments including non-rateable properties for the purpose of property surveillance, security service and underground electricity.

The Act also outlines procedures by which a local government can impose differential rates.

Section 6.36 of the Act requires that all local governments, which impose differential rates or a differential minimum, must give prior notice of its intention and invite submissions from electors and ratepayers. The Council is required to consider the submissions received before imposing the proposed rate or minimum payment. The Act requires that information regarding differential rates be included with the Rate Notice detailing all rates imposed, together with a summary of the Objects and Reasons for those rates.

The following Attachments are included with this report:

- Ratepayer Profile 2024-2025 (Attachment 1)
- Submissions Report – Differential Rates 2024-2025 (Attachment 2)
- Municipal Fund Budget 2024-2025 (Attachment 3) which outlines key information including:
  - The Budget Certification
  - A Budget Overview
  - The Budget set out in the “Statutory” format as per legislation and regulations including:
    - Statement of Comprehensive Income
    - Statement of Cash Flows
    - Statement of Financial Activity
    - Extensive notes to and forming part of the Budget including details of cash backed specific purpose reserve accounts, detailed rating information and information on other charges such as the Property Surveillance and Security Service levy.
    - The Schedule of Fees and Charges for 2024-2025.
- Capital works Program 2024-2025 (Attachment 4) which details the capital works program and lists the overall net project cost, the net budget required in 2024-2025 and the estimated future cash to which the council is required to make a commitment.

### 1. Ratepayer Profile.

The Ratepayer Profile shows rating outcomes for different property types and details are included in the Ratepayer Profile 2024-2025 (Attachment 1).

### 2. Submissions received in respect of differential rates.

All submissions received by the closing date for public comment, in response to the notice of intention to impose differential rates advertised in May 2024, are listed in the Submissions Report – Differential Rates 2024-2025 (Attachment 2)

3. Adoption of 2024-2025 Budget and Setting of 2024-2025 Rates and Charges.

The 2024-2025 Municipal Fund Budget and the 2024-2025 Rates and Charges are included in the Municipal Fund Budget 2024-2025 (Attachment 3).

4. Rates Incentives

The details of the rates incentives for 2024-2025 are included in the Municipal Fund Budget 2024- 2025 (Attachment 3).

5. Loan Fund Budget

This budget includes self-supporting loans raised by the City on behalf of other organisations that are responsible for meeting the loan repayment costs. The Council is effectively the guarantor of these loans. Details are included in the Municipal Fund Budget 2024-2025 (Attachment 3).

6. Reserve Account Budgets

Reserve accounts form part of the Municipal Fund and equity of the City. Specific purpose cash backed reserve accounts have been created for various reasons such as meeting legislative requirements, replacement of assets and ensuring availability of funds for known and unknown events in order to help reduce the variability of General Rates.

7. Imposition of Fees and Charges

Section 6.16 of the *Local Government Act 1995* allows a Local Government to impose, by absolute majority decision, a fee or charge for any goods or services it provides or proposes to provide other than a service for which a service charge has been imposed.

The fees are to be imposed when adopting the annual budget but may, subject to giving local public notice, be imposed, or amended from time to time during the financial year. Details are included in the Municipal Fund Budget 2024-2025 (Attachment 3).

8. Payment and Instalment Due Dates

Details of the payment and instalment due dates are included in the Municipal Fund Budget 2024- 2025 (Attachment 3).

9. One off funds transfers from the Land and Property Reserve.

In 2024-2025 the City will use money in the Land and Property reserve for purposes different to that which it has been established, being for one off transfers of \$10 million and \$3 million to the Community Facilities reserve and New/Upgrade reserve respectively. These transfers are to address funding shortfalls in the Community Facilities reserve and New/Upgrade reserve which fund the capital works program of the city.

#### 10. 2023-2024 Surplus Funds

The 2024-2025 Budget has been formulated on the basis that there will be no surplus funds to be carried forward from the 2023-2024 financial year to the 2024-2025 financial year.

The actual surplus/deficit will be determined following receipt of the 2023-2024 audited financial statements. Should, following receipt of the 2023-2024 audited financial statements, any budget surplus be identified, this will be reported to the Council with a recommendation that the funds be transferred into the Rates Equalisation Reserve. Should the 2023-2024 audited financial statements reveal a budget deficit amount, direction will be sought from the Council as to which projects or programs it wishes to be curtailed or to transfer funds from the Rates Equalisation Reserve.

#### 11. Administration and Interest Charge for Rates and Services Charges

In 2024-2025 no instalment administration fee will be charged where a person pays their rates by the four-instalment option.

The instalment interest charge is recommended to be 2% to ensure an undue burden is not placed on ratepayers choosing to pay by instalments.

An interest rate of 3.5% will be imposed on all rates and service charges, including the refuse charge, swimming pool inspection fee, property surveillance and security service charge, underground power and streetscape service charges or specified area rate debts that are not paid by the due date.

No credit card surcharge fees will be charged in 2024-2025.

Details of the administration and interest charge for Rates and Service Charges are included in the Municipal Fund Budget 2024-2025 (Attachment 3).

#### 12. Interest Charge on Money Owing to Local Government

An interest charge provides an added incentive for people to meet their obligations to the City of Melville.

Details of the interest charge to be imposed and the delegated authority are included in the Municipal Fund Budget 2024-2025 (Attachment 3).

## 13. Elected Members Allowances and Sitting Fees

Section 5.98 of the Act states as follows: Fees etc. for council members

*(1A). In this section — determined means determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B.*

*Subsection (5) states: The mayor or president of a local government is entitled, in addition to any entitlement that he or she has under subsection (1) or (2), to be paid —*

- (a) the annual local government allowance determined for mayors or presidents; or*
- (b) where the local government has set an annual local government allowance within the range determined for annual local government allowances for mayors or presidents, that allowance.*

Section 5.99 of the Act states as follows:

*5.99. Annual fee for council members in lieu of fees for attending meetings A local government may decide\* that instead of paying council members a fee referred to in section 5.98(1), it will instead pay all council members who attend council or committee meetings —*

- (a) the annual fee determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B; or*
- (b) where the local government has set a fee within the range for annual fees determined by that Tribunal under that section, that fee.*

\* Absolute majority required.

Due to the scale, volume and complexity of the matters dealt with by the Elected Members of the City the fees and allowances are to be set at the top of the range determined by the Salaries and Allowances Tribunal. Sufficient funds have been provided in the Budget for this to occur.

## 14. Eligibility for Rates Prize

In previous years, the Council has determined that Elected Members and Staff are ineligible to be chosen as a winner of any of the rates payment incentive prizes. This practice is to be continued in 2024-2025.

## 15. Adoption of Percentage for Reporting of Material Variances

Each financial year, a local government is to adopt a percentage or value, calculated in accordance with Australian Accounting Standards (AASB), to be used in statements of financial activity for reporting material variances. The AASB 1031 Materiality refers to the publication Framework for the Preparation and Presentation of Financial Statements in which it is stated that information is material if its omission or misstatement could influence the economic decisions of users of the financial statements.

It is proposed that a level of 10.0% or \$100,000 whichever is the greater be adopted for the reporting of material variances for 2024-2025.

The City of Melville commenced its formal Budget preparation in February 2024. Inputs into the budget formulation process included:

- Budget responsible officers and the Management and Executive Leadership Teams;

- Feedback and direction received from the Council arising out of Corporate Business Planning/ Budget Workshops held in 2024 up to June 2024; and
- Specific requests arising from resolutions of the Council during the 2023-2024 financial year or prior.

Key aspects of the Budget are as follows: -

- The 2024-2025 Annual Budget has been prepared with consideration given to both the short and long-term financial requirements and aspirations of the City. Key features of the 2024-2025 Budget include:
  - Strong alignment with Community and Council priorities;
  - Management of inflationary impacts;
  - No significant changes to staffing levels;
  - No significant changes to fees and charges;
  - Ongoing provision of services and facilities;
  - Fully funded asset renewal for all asset classes;
  - Constriction of funding for new/upgraded capital works;
  - Removal of reliance on an opening surplus to ensure that current year expenditure is only reliant on current year funding; and
  - Funding for the City’s transformational programs including ‘Customer First’ and the Digital Strategy.
- To maintain the City’s financial sustainability, the 2024-2025 Budget requires a rate increase of 4.5% (on the 2023-2024 Rate in the Dollar and Minimums). This is 1.1% higher than the Perth Consumer Price Index for the year ended March 2024. This increase follows either no increase in recent years or an increase that didn’t allow the City to adequately allocate funding according to its financial principles and policies.

The following table outlines recent historic rate increases:

<b>Year</b>	<b>Rate increase</b>	<b>CPI</b>
2020-2021	0% (plus \$200 concession for Covid response)	2.1%
2021-2022	0%	1%
2022-2023	3.5%	7.6%
2023-2024	Average: 4.87% residential and 7.86% commercial	5.8%

The City is mindful of balancing the community’s capacity to pay and cost of living pressures with ensuring the City’s long term financial sustainability. The proposed Rate in the Dollar and Minimum Rates are outlined below:

<b>Rating Category</b>	<b>Proposed Rate In the Dollar 2024-2025</b>	<b>Rate In the Dollar 2023-2024</b>	<b>Proposed Minimum Rate 2024-2025</b>	<b>Minimum Rate 2023-2024</b>
Residential Improved/Unimproved	7.325134	7.009698	\$1,434.42	\$1,372.65
Commercial Improved/Unimproved	9.024597	8.635978	\$1,162.98	\$1,112.90

The Residential Minimum rate increases by \$61.77 per annum or \$1.18 per week.

An average residential property in 2023-2024 paid \$1,890, and this will increase to \$1,980 in 2024-2025. An additional \$90 per year or \$1.73 per week.

The Commercial Minimum rate increases by \$50.08 per annum or \$0.96 per week.

An average commercial property in 2023-2024 paid \$11,731, and this will increase to \$12,308 in 2024-2025. An additional \$577 per year or \$11.10 per week.

Gross Rental Valuations are reviewed every three years, 2024-2025 is not a revaluation year. Therefore, properties will receive an increase of 4.5% unless an interim valuation has been received during the year to reflect a change to the property's rateable valuation.

The total rates income budget is \$107.6 million, an increase of \$5.3 million when compared to the previous year's budget due to the application of a 4.5% increase to the rate in the dollar and minimum rates for all rating categories. The composition of the rate yield remains consistent to previous years, with approximately 79% relating to Residential properties and 21% relating to Commercial and Industrial properties.

- The budget for operating revenue, excluding rates income, is \$35.3 million, an increase of \$2.9 million when compared to the previous year. This increase is the combined result of higher income from Leisurefit Booragoon due to the expected completion of major renovations, higher parking fees, fines and infringements and an anticipated increase in federal assistance operating grant allocations.
- The budget for operating expenditure excluding non-cash amounts is \$113.2 million, an increase of \$7.3 million compared to the previous year.
- A \$4.6 million increase in the employment cost budget is required for a general increase in salaries and wage rates in response to cost-of-living increases, to support retention of skilled staff and achieve service level combined with a government mandated increase for occupational superannuation. In context staff salaries increases at the City have tracked below CPI over the past 4 years and that shortfall is considered in the proposed rate increase.
- The increase in materials and contracts costs is \$2.8 million and is driven by the general impact of inflation across the organisation with significant increases in fleet, natural areas and parks maintenance and Healthy Melville operations, combined with higher software licensing costs of over \$ 1million supporting the City's digital strategy.

- The City undertook an extensive cost management process across all its operations as part of the budget process and rolled out significant cost challenges, to ensure that all opportunities to manage costs were considered.
- The budget for net capital expenditure from investing activities is \$63.9 million. This includes the cashflow requirement of the 2024-2025 net capital works program of \$42.1 million, with significant spend on buildings (\$20.0 million), roads (\$7.5 million), streetscapes and precincts (\$3.3 million), parks/foreshores (\$3.0 million), drainage (\$2.3 million), paths (1.9 million), irrigation (\$1.2 million), jetties, boardwalks and riverwalls (\$0.9 million), playgrounds (\$0.8 million), environmental (\$0.9 million) and lighting (\$0.4 million). It also includes an estimated \$16.4 million in the form of carry forwards of the previous years unexpended capital works program as well as purchases of furniture, plant and equipment estimated at \$5.3 million.
- The capital works program budget contains projects that span multiple financial years including future years, with several projects with significant values. Only the estimated cash requirement for 2024-2025 of the Capital Works Program has been included to the 2024-2025 budget. This means that by adopting the proposed budget for the 2024-2025 capital works program, a commitment is being made by the Council to fund the future cash requirements of those projects that span into the future years.
- The capital works program is contained in the Capital works Program 2024-2025 (Attachment 4) and lists the overall net project cost, the net budget required in 2024-2025 and the estimated future cash requirement to which the Council's commitment is required.

## ENGAGEMENT

As per the Council's resolution at its Ordinary Meeting of Council on 21 May 2024, a notice of intention to impose Differential Rates was featured on the City of Melville's website on Wednesday 22 May 2024 and in newspapers as follows;

- Perth Now Melville on Thursday 23 May and 6 June 2024
- Melville Herald on Saturday 25 May and Saturday 1 June 2024
- Fremantle Herald on Saturday 1 June 2024

The notice was also advertised on e-news on Friday, 24 May 2024 and hardcopies were available for inspection at the City's Libraries and Civic Centre from Wednesday 22 May 2024.

The public comment period (minimum of 21 days) ended on Thursday 13 June 2024 and at the time of writing this report 35 submissions were received as detailed in the Submissions Report – Differential Rates 2024-2025 (Attachment 2). The submissions were predominantly from ratepayers in the Melville, Palmyra and Ardross suburbs with the overall responses aligning with an objection towards an increase in proposed rates.

The Council is required to consider any submissions received before imposing the proposed rate or minimum payment.

The City understands resident sentiment, which favours keeping rate increases to a minimum, particularly due to the cost of living pressures that residents are facing, and has sought to address this sentiment through the cost management programs incorporated in the budget. The City has however, not passed on inflationary cost increases to residents over the past 4 years whilst itself encountering inflationary pressures on in its own programs creating a long- term funding shortfall which needs to be addressed to ensure financial sustainability in the future.

The Budget contains some additional measures to support ratepayers and the community such as the continued removal of both the surcharge for payment by credit card and the instalment administration fee, reduced interest rates for instalments and late payments and the continuation of one-hour free parking across the City. The City also offers a financial hardship policy designed to assist individuals experiencing hardship, with regard to rate payments on their primary residence.

Whilst no other specific public consultation has taken place regarding the Budget, community consultation has occurred for a number of the major projects identified within the budget document.

External / community consultation was carried out as below:

- Department of Fire and Emergency Services with respect to the Emergency Services Levy;
- Landgate (The Valuer General) in relation to the Gross Rental Valuations used as a basis for calculation of Municipal General Rates;
- Resource Recovery Group (RRG) in relation to the recycling, composting, green waste and residual waste disposal operations run by them on behalf of the City and two other local authorities.

## **SUSTAINABILITY IMPLICATIONS**

- Insufficient budget funding achieved to carry out works and services and maintain the City's assets – This poses a high-level risk with major consequences which are almost certain.
- The proposed risk mitigation strategy is to ensure sound financial policy positions are adopted by the Council and that the consequences of insufficiently funding the City's operations, as well as the sustainability of its Long Term asset positions are well understood.
- Funding is directed towards areas of expenditure that are not a priority of the Community and the Council or required to address a Technical or Statutory requirement – This poses a medium level risk with minor consequences which might occur at some stage.
- The proposed risk mitigation strategy is to ensure the budget development process is sound and subject to independent review by all Managers, Finance and the Council to ensure funding requests are directed at meeting the Community Plan and Corporate Plan objectives.
- Significant variations to budget due to the subjectivity of the underlying budget assumptions as a result of the highly dynamic domestic and global economic environment – This poses a high-level risk with major consequences which are almost certain.
- The proposed risk mitigation strategy is to ensure sound financial policy positions are adopted by the Council and that the consequences of insufficiently funding the City's operations are well understood.

## **LEGISLATIVE AND POLICY ALIGNMENT**

*Local Government Act 1995*

### 1.3. Content and intent

*Section 1.3 (3) In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.*

## 2.7. Role of council

- (1) *The council —*
  - (a) *governs the local government's affairs; and*
  - (b) *is responsible for the performance of the local government's functions.*
- (2) *Without limiting subsection (1), the council is to —*
  - (a) *oversee the allocation of the local government's finances and resources; and*
  - (b) *determine the local government's policies.*

## 3.1. General function

- (1) *The general function of a local government is to provide for the good government of persons in its district.*

## 6.36 Local Government to give notice of certain rates.

- (1) *Before imposing any differential general rates or a minimum payment applying to a differential rate category under section 6.35(6)(c) a local government is to give local public notice of its intention to do so.*
- (4) *The local government is required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification.*

Divisions 5 and 6 of the Local Government Act 1995 refer to the setting of budgets and the raising of rates and charges and fees and charges.

The Budget as presented meets these statutory obligations.

The Budget has been developed on the principles outlined in the Council's Policies:

- CP-008 Financial Sustainability – Forward Financial Planning and Funding Allocation Policy;
- CP-024 Borrowings and Asset Financing Policy;
- CP-031 Asset Management Policy;
- CP-091 Elected Members Allowances and Expenses;
- CP-092 Elected Members Professional Development;
- CP-025 Accounting Policy.

## **FINANCIAL IMPLICATIONS**

Specific financial implications are as detailed in the Municipal Fund Budget 2024-2025 (Attachment 3). The Budget has been achieved without resorting to external loan borrowings to fund any operating or capital programs.

Implications for City of Melville ratepayers will include the following: -

- Introduction of several new fees and increases to several existing fees and charges as detailed in the 2024-2025 Fees and Charges Schedule
- Increase of 4.5% to the rate in the dollar and minimum rates for all rating categories when compared to the previous year
- The Property Surveillance and Security Service Charge increased by \$3.25 to \$62.00
- The Swimming Pool Inspection Fee increased by \$0.50 to \$51.00
- No administration charge for payment by instalments
- Instalment interest charge remains at 2%
- Late payment penalty interest remains at 3.5%
- No Credit/Debit Card Surcharge Fee, similar to previous years

## CONSEQUENCE

The Council may choose to adopt a rate increase of greater or less than the recommended amounts. However, in doing so it would need to identify which Operating Programs it wishes to see amended or what Capital Works it wishes to be added or does not wish to proceed with. With regard to the renewal component of the Capital Works Program, reductions in the quantum of the program are likely to result in a deferment of expenditure to future years at an increased cost and an exacerbation of the City's asset management deferred liability. In order to be sustainable in the longer term the City should maintain and improve the level of asset refurbishment and renewal funding that will enable it to refurbish and renew its assets when the need arises.

The projects presented to the Council for funding are considered to be priority projects.

Prudent financial management practices take into account the needs of current and future generations and support the need to build reasonable levels of cash backed specific purpose reserves to enable it to do so. The City is faced with many cost increases that exceed the increase in its revenue. These cost increases are absorbed by implementing cost saving measures in a manner that does not reduce service levels.

Reductions in the level of rate increase, whilst possible using short term measures such as deferment of asset maintenance or renewal, are not recommended as this simply creates a greater financial burden for future generations. Such action would also be a departure from Council Policy CP-008 and the good governance provisions of the *Local Government Act 1995* referred to earlier in this report.

In order to ensure that the best possible options that support the long term and ongoing needs of the City are included in the Budget, numerous rate increase options ranging from 3.5% to 4.5% and their implications to Council Policies and sustainability in the future, have been examined and discussed in detail with Elected Members resulting in a rate increase of 4.5% being advertised and recommended.

**Community Development**

**CD24/21      Response - Petition Leeming Community Men's Shed**

<b>File Number:</b>	
<b>Responsible Officer:</b>	Director Community Development
<b>Voting Requirements:</b>	Simple Majority
<b>Officer Disclosure of Interest:</b>	No officer involved in the preparation of this report has a declarable interest in the matter.
<b>Attachments:</b>	Nil

**COUNCIL’S ROLE**

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.

**SUMMARY**

- A petition signed by 15 residents of the City of Melville and 2 non-residents was submitted on 30 October 2023 requesting that the Council consider a location for a Leeming Community Men’s Shed in the redevelopment of John Connell Reserve.
- The petition reads as follows:  
*“We, the undersigned, all being electors of the City of Melville, respectfully request that the Council, please consider a location for a Leeming Community Men’s Shed in the Redevelopment of John Connell Reserve.*

**OFFICER RECOMMENDATION**

1. **That the Council note stakeholder engagement is presently underway to inform a City-wide Community Infrastructure Strategy for Council consideration in late 2024. This Strategy will make recommendations to the Council in relation to current and future requirements for all community buildings; and**
2. **Notes that all requests for new community infrastructure/buildings should be informed by the Community Infrastructure Strategy; and**
3. **Requests the CEO advise the lead petitioner that the proposal for a Leeming Community Men’s Shed, at John Connell Reserve, is being considered as part of the Community Infrastructure Strategy.**

**PURPOSE**

The purpose of this report is to respond to the petition submitted to Council on 30 October 2023 requesting council consider a location for a Leeming Community Men’s Shed in the redevelopment of John Connell Reserve. The petition was signed by 15 residents of the City of Melville and 2 non-residents.

**STRATEGIC ALIGNMENT**

<p><b>Priority</b></p>	<p><b>3</b>  P3/1</p>	<p><b>Empower the voices of our diverse community by strengthening engagement</b>  Increase co-design approaches that engage stakeholders in upfront designs and support issue resolution activities.</p>
<p><b>Outcome Indicator</b></p>	<p><b>5</b>  Goal 2</p>	<p>Sense of Community Participation and Inclusion</p>

**BACKGROUND**

On 15 August 2023 at the Ordinary Council Meeting, the Council resolved:

***The Council requests that:***

***The CEO prepare a report on the feasibility of a Community Men’s Shed at the John Connell Reserve Leeming or another suitable area to be presented at an Elected Member Engagement Session (EMES) before year end.***

Subsequently, at the 27 November 2023 Elected Member Engagement Session City Officers confirmed the following key points:

- The City currently has two Community Men’s Sheds operating within its boundaries.
  - The Melville Community Men’s Shed, which commenced activities in July 2022. The group has exclusive access to a facility provided by the City of Melville in Myaree.
  - The Men’s Shed situated adjacent to the Bicton Uniting Church which has been a tenant of the Church since June 2010 and will continue occupying its current location as a long-term arrangement.
- City Officers are currently developing the City of Melville Community Infrastructure Strategy which is an analysis of existing community, sporting, and cultural buildings to better understand present and future community needs for these facilities. Through extensive community and stakeholder engagement, these investigations will provide valuable insights to the Council regarding overall community requirements and the necessary infrastructure enhancements. Community Men’s Sheds are a key inclusion within the Strategy.

**COMMENT**

The consideration of a Community Men’s Shed in Leeming will form part of the City of Melville Social Infrastructure Strategy engagement process which commenced in April 2024. An independent consultant had been appointed to lead the documentation of this Strategy.

The Social Infrastructure Strategy along with the Active Reserve Infrastructure and Cultural Infrastructure Strategies will inform an overarching Community Infrastructure Strategy to be presented to Council for consideration later this year.

**CONSIDERATION**

There are two Men’s Sheds currently located in the City of Melville – at Bicton and Melville. In addition, adjacent local governments have Men’s Sheds in near proximity.

**Men’s Sheds within a 10km radius of Melville Civic Centre**



It is recommended that the request to locate a Leeming Community Men’s Shed in the redevelopment of John Connell Reserve be considered as part of the broader development of the Social Infrastructure Strategy. However, should the need for a Community Men’s Shed in Leeming be identified as an outcome of the broader City of Melville Community Infrastructure Strategy, a potential location within John Connell Reserve has been identified and is indicated in the image highlighted in yellow below.



**ENGAGEMENT**

As part of the development of the Social Infrastructure Strategy extensive engagement will be undertaken with key internal and external stakeholders.

**SUSTAINABILITY IMPLICATIONS**

To be determined on outcome of engagement process and Council decision to progress the proposed Community Infrastructure Strategy

**LEGISLATIVE AND POLICY ALIGNMENT**

Overarching Community Infrastructure Strategy in development.

**FINANCIAL IMPLICATIONS**

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

**CONSEQUENCE**

This report recommends that the request for a Leeming Men's Shed, located at John Connell Reserve be considered as part of the Community Infrastructure Strategy, that is currently being undertaken. The outcome of this Strategy will provide the necessary considerations for the Council to fully consider the request the subject of the petition against overall community requirements and community infrastructure enhancements.

**CD24/22 Christmas Lights Review**

<b>File Number:</b>	
<b>Responsible Officer:</b>	Director Community Development
<b>Voting Requirements:</b>	Absolute Majority
<b>Officer Disclosure of Interest:</b>	No officer involved in the preparation of this report has a declarable interest in the matter.
<b>Attachments:</b>	Nil

**COUNCIL’S ROLE**

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.

<p><b>SUMMARY</b></p> <ul style="list-style-type: none"> <li>This item presents a review of the 2023 Christmas Lights displays and consideration for future Christmas Lights.</li> <li>This was a result of the 19 September 2023 Ordinary Meeting of Council – Council Resolution (CD23/8) for Christmas lights displays in the City of Melville.</li> <li>The two locations trialled in 2023 had mixed success and so officers are recommending continuing with the same scale of Christmas Lights at the successful location and scaling back the display for the other.</li> <li>Funding for Christmas lights was investigated; however, no opportunities were identified for 2024, however officers will continue to investigate different funding options.</li> </ul>
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**Officer Recommendation**

**That the council:**

- Endorse the allocation a budget of \$30,000 for Christmas light displays, starting from 2024-25 at the below locations:**
  - Entry statement at Canning Bridge – Apex Reserve**
  - Welcome statement at the City of Melville, Civic Centre; and**
- Note that the future budget for Christmas Light displays be considered as part of the Annual Budget process from 2025-26 onwards.**

**PURPOSE**

Following the inaugural Christmas light displays trial in December and January 2023, this item provides information on the community response to the displays and a recommendation for future displays.

**STRATEGIC ALIGNMENT**

<b>Priority</b>	<b>4</b>	<b>Support healthy lifestyles and wellbeing</b>
	P4/1	Invest strategically in local infrastructure and built environments that support physical activity and healthy lifestyles.

<b>Outcome Indicator</b>	5	Sense of Community
	Goal 3	Place Activation and Liveability

**BACKGROUND**

At the March 2023 Ordinary Meeting of Council, it was resolved that a report be prepared into the feasibility a Christmas Display of lights (or other) at a key or key areas within the City. Subsequently three options were presented for consideration by Council at the 19 September 2023 Ordinary Meeting of Council:

The options included:

1. Capital infrastructure project: The hire, installation and maintenance of lights and decorations to be placed in one of the City’s business centre locations for the month of December.
2. Community engagement, artist led project: Six local schools work with an artist to each create a single temporary public artwork which is displayed and lit as a walking trail in one of the City’s parks for the first two weeks of December.
3. Business engagement, artist led project: Pairing ten artists with ten selected businesses located in one of the City’s business centre locations to design and install a window display for the month of December.

An alternative Motion was endorsed supporting Option One and trial a Christmas Light display adopting a budget of up to \$48,000 to be funded from the Rates Equalisation Reserve for implementation during that Christmas period. (1 December 2023 – 1 January 2024) and for the CEO to investigate grant funding to supplement Christmas Lights in 2024 and beyond.

**CONSIDERATION**

The Christmas light displays were arranged in two locations; Canning Bridge Apex Reserve as a key entry statement and at the front of the City of Melville Civic Centre. The lights were on display between December 2023 and January 2024. Locations were selected in terms of accessibility and logistics.

Officers hired the lights within the allocated budget of \$48,000.

Overall, the lights display worked towards creating a festive and vibrant atmosphere during the Christmas period, particularly through social media posts generated by the City and community members sharing photos taken with the displays.

The Canning Bridge display was very successful in terms of community interaction with the lights. Whilst it was not possible to conduct a head count, it was observed the light display that attracted more people to the precinct and many people were interacting with the display by taking photos and looking at the displays from various angles.

Unfortunately, the City of Melville Civic Centre had less community participation with the display. This is most likely because the location does not already feature night-time activity like the Canning Bridge precinct does.

However, the connection of the City of Melville with the festive season through a small display of lights within the Civic Centre area has strong merit and so officers suggest continuing with a light display at this venue, albeit on a smaller scale than in 2023. Furthermore, in the future, the new Civic Centre will be a perfect location for a Christmas lights display with a central high street and night activation. This could also be an excellent opportunity to partner with Westfield Booragoon in the future.

In terms of funding for Christmas Lights, City Officers undertook an analysis of funding options for Christmas Lights displays across other local governments. It was discovered that most local governments that have Christmas light displays were fully funded by the local authority. The major exception being the City of Perth and City of Mandurah that receive Lotterywest funding as part of their events and tourism funding.

The City of Melville receives Lotterywest funding for its community events and initial enquires indicate that this will not increase with the additional of the Christmas Lights displays.

One local government had sought commercial sponsorship with naming rights to the Christmas lights display. Other local governments didn't host lights display but instead encouraged their community to participate by lighting up their homes and businesses.

Officers will continue to look for funding opportunities, either through grants or partnerships/sponsorship, for future Christmas Light displays.

## **ENGAGEMENT**

There were five responses to the Light Up Melville Engagement, three responses in support, one unsure and the fifth not in support of the displays. This is a very limited sample of our population although the engagement was widely promoted.

## **SUSTAINABILITY IMPLICATIONS**

The Christmas Lights are predominantly plastic and currently no solar options on this commercial scale the use of electricity is also considered a negative environmental impact.

Socially and economically the Christmas Lights have a favourable impact as the displays bring people together, contributing to a strong sense of community, Businesses also benefit from the displays from increase foot traffic and dwell time.

## **LEGISLATIVE AND POLICY ALIGNMENT**

There are no legislative and policy alignment implications presented as part of this report.

## **FINANCIAL IMPLICATIONS**

Following the trial, it is recommended that the lights display at Canning Bridge remain similar to the scale of the display in the 2023 trial and the Civic Centre display be reduced in scale. Therefore, a reduced budget is recommended for 2024.

Officers would contract the hire and installation of lights and decorations with a Christmas motif in Canning Bridge, Apex Reserve and a small welcome installation at the City of Melville Civic Centre with a budget of \$30,000.

It is also recommended that the future budget for Christmas Light displays be considered by Council as part of the Annual Budget process from 2025-26 onwards.

### **CONSEQUENCE**

Community consultation received was very limited and the concerns raised were financial, whether this was an appropriate role of local government and religious. These are the potential risks in terms of public criticism of the Council if Christmas light displays are to become an annual occurrence or increase significantly in scale.

There are also the environmental impacts that are outlined in the sustainability section.

**CD24/23      Deferred Consideration of Netball and Multi Use Indoor and Outdoor Courts Needs Assessment**

<b>File Number:</b>	
<b>Responsible Officer:</b>	Director Community Development
<b>Voting Requirements:</b>	Simple Majority
<b>Officer Disclosure of Interest:</b>	No officer involved in the preparation of this item has a declarable interest in the matter.
<b>Attachments:</b>	Nil

**COUNCIL’S ROLE**

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.

<p><b>SUMMARY</b></p> <ul style="list-style-type: none"> <li>At the Ordinary Meeting of Council (OMC) held on 15 August 2023, the Council resolved: <i>“That the Council directs the CEO to prioritise the Netball and Courts Needs Assessment Plan / Report that was approved in the 2023/2024 budget and bring the final report back to Council no later than the June 2024 Ordinary Meeting of Council.”</i></li> <li>This report seeks to defer this matter for consideration no later than the October 2024 Ordinary Meeting of Council.</li> </ul>
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**OFFICER RECOMMENDATION**

**That the Council notes that the Netball and Multi Use Indoor and Outdoor Courts Needs Assessment will be presented to an Ordinary Meeting of Council no later than October 2024.**

**PURPOSE**

The purpose of this report is to advise the Council of a delay in presenting the Netball and Multi Use Indoor and Outdoor Courts Needs Assessment. A Council resolution intended this matter to be considered at the June 2024 Ordinary Meeting of Council. This report advises the Council that this matter will be presented to the Ordinary Meeting of Council no later than October 2024.

**STRATEGIC ALIGNMENT**

<b>Priority</b>	<b>There are no applicable priorities in relation to this report.</b>
<b>Outcome Indicator</b>	There are no applicable outcome indicators in relation to this report.

## BACKGROUND

At the 15 August 2023 Ordinary Meeting of Council, the Council resolved that:

***That the Council directs the CEO to prioritise the Netball and Courts Needs Assessment Plan / Report that was approved in the 2023/2024 budget and bring the final report back to Council no later than the June 2024 Ordinary Meeting of Council.***

***The plan is to include:***

- 1. An indoor and outdoor multi use hard court plan that will accommodate the current and future needs of netball and other complimentary sporting activities in Melville.***

In accordance with the resolution of Council, the Netball and Multi Use Indoor and Outdoor Courts Needs Assessment was intended to be presented to Council by June 2024. However, the administration is seeking to delay consideration of this matter to no later than October 2024 Ordinary Meeting of Council.

The reason for the delay is that the procurement of consultancy services to conduct the Needs Assessment attracted a significant number of submissions, extending the time to award the contract.

This additional time will allow thorough engagement with local stakeholders whose views are critical to inform the Needs Assessment.

## CONSIDERATION

Officers had planned to present the Needs Assessment report at the June 2024 Ordinary Meeting of Council. However, further work is required to be undertaken prior to presenting this item to the Council.

## ENGAGEMENT

No engagement with the community is required in regard to this matter.

## SUSTAINABILITY IMPLICATIONS

There are no sustainability implications associated with the deferral of this item.

## LEGISLATIVE AND POLICY ALIGNMENT

There are no legislative or policy implications associated with the deferral of this item.

## FINANCIAL IMPLICATIONS

There are no financial implications associated with the deferral of this item.

**CONSEQUENCE**

There are no consequences or alternative options associated with this item.

**Environment and Infrastructure**

**E24/38 RFT232414 Supply of In-Situ Concrete**

<b>File Number:</b>	
<b>Responsible Officer:</b>	Director Environment & Infrastructure
<b>Voting Requirements:</b>	Absolute Majority
<b>Officer Disclosure of Interest:</b>	No Officer involved in the preparation of this report has a declarable interest in this matter.
<b>Attachments:</b>	1. CTAU Minutes 14 May 2024 (confidential) (under separate cover)

**COUNCIL’S ROLE**

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.

<p><b>SUMMARY</b></p> <ul style="list-style-type: none"> <li>This report is presented to the Council to recommend the acceptance of a request submitted for RFT232414 Supply of In-Situ Concrete.</li> </ul>
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**CTAU RECOMMENDATION**

- That the Council accepts the recommendations as contained in the confidential attachment to this report, RFT232414 Contract and Tender Advisory Unit Minutes (Attachment 1); and
- Upon resolution of the recommendation, directs that the successful respondents’ names be inserted below this point 2, awarded;

**PURPOSE**

The Contract and Tender Advisory Unit (CTAU) is satisfied that the recommended supplier meets the City’s qualitative requirements and represents value for money. The City of Melville (“City”) is seeking a suitably qualified and experienced Contractor to carry out the Supply and Lay of In-situ Concrete Pavements

The CTAU’s recommendation is now being presented to Council for their approval.

**STRATEGIC ALIGNMENT**

<b>Priority</b>	<b>There are no applicable priorities in relation to this report.</b>
<b>Outcome Indicator</b>	There are no applicable outcome indicators in relation to this report.

**BACKGROUND**

The City is seeking a suitability qualified and experienced contractor for Supply of In-Situ Concrete. The CTAU Meeting Minutes included as a confidential attachment to this report is additionally available to Elected Members on the Elected Members Portal.

**CONSIDERATION**

Responses were received from the following organisations:

- Dowsing Group Pty Ltd
- Pennant Construction Pty Ltd T/AS The Trustee for the Pennant Unit Trust

All Respondents properly addressed the Compliance and Disclosure Requirements and were processed through to Qualitative Assessment.

The City set the following qualitative criteria and weightings:

<b>Demonstrated Experience</b>	25%
<b>Capacity to Deliver</b>	30%
<b>Sustainable / Social Procurement</b>	20%
<b>Methodology</b>	25%
<b>Total</b>	100%
<b>Percentage to be shortlisted</b>	60%
<b>Price</b>	Non-weighted

The recommended Respondent achieved a qualitative score of 95.56% against the following criteria:

I. Demonstrated Experience

The Respondent provided the required information against this criterion. Examples provided were relevant to the services that will be delivered under this Contract, and they have experience with Local Government.

II. Capacity to Deliver

The Respondent provided the required information against this criterion.

The key personnel have relevant qualifications and a good level of experience in similar projects.

III. Sustainable / Social Procurement

The Respondent provided the required information against this criterion.

They provided their certifications, environmental policy, minor environmental initiatives and minor actions to mitigate negative environmental impact.

#### IV. Methodology

The Respondent provided the required information against this criterion.

They satisfactorily addressed the entire methodology question.

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

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

The Evaluation Report and associated confidential attachments were distributed to Elected Members under confidential cover.

### **ENGAGEMENT**

No community or external engagement has been required or undertaken as part of this request.

### **SUSTAINABILITY IMPLICATIONS**

The tender specification included a 20% qualitative weighting for Social and Environmental Procurement, with the preferred tenderer achieving a higher ranking due to a range of social and environmental initiatives being undertaken by the organisation. The City will also be working with the successful tenderer to investigate and incorporate materials re-use and materials recycling opportunities where feasible.

### **LEGISLATIVE AND POLICY ALIGNMENT**

This request has been considered with regards to the following policies and legislative requirements:

- CP-023 Procurement of Products and Services
- *Local Government (Functions and General) Regulations 1996 Section 3.57 11 (1)*  
*“A Local Government is quired to invite tenders before it enters into a contract for another person to supply goods or services”.*

### **FINANCIAL IMPLICATIONS**

Any relevant financial implications are detailed in the confidential attachment to this report.

### **CONSEQUENCE**

No alternative options or consequences are presented as part of this report.

**Urban Planning**

**UP24/37 Neighbour Dispute Mediation Policy**

<b>File Number:</b>	
<b>Responsible Officer:</b>	Manager Strategic Urban Planning
<b>Voting Requirements:</b>	Simple Majority
<b>Officer Disclosure of Interest:</b>	No officer involved in the preparation of this report has a declarable interest in the matter.
<b>Application Number:</b>	Not Applicable
<b>Applicant:</b>	Not Applicable
<b>Owner:</b>	Not Applicable
<b>Proposal:</b>	Neighbour Dispute Mediation Policy
<b>Attachments:</b>	<ol style="list-style-type: none"> <li><a href="#">Draft Neighbour Dispute Mediation Policy</a> ↓</li> <li><a href="#">Engagement Report</a> ↓</li> <li><a href="#">Advertised Neighbour Dispute Mediation Policy</a> ↓</li> </ol>

**COUNCIL’S ROLE**

Legislative: Includes adopting local laws, town planning schemes & policies.

<p><b>SUMMARY</b></p> <ul style="list-style-type: none"> <li>On 15 August 2023, the Council passed a Notice of Motion requesting a report be prepared and presented back to the December 2023 OMC, on the benefits and implications of establishing a Neighbour Dispute Mediation Policy.</li> <li>The investigation was undertaken and a report addressing the above was presented to Council on the 12 December 2023 (UP23/28). The Council subsequently passed a resolution to prepare the Neighbour Mediation Council Policy in accordance with the recommendations outlined in the report.</li> <li>A draft mediation policy was prepared and presented to Council at the 19 March 2024 OMC (UP24/34). The Council initiated public consultation of the policy and determined for the outcome of the consultation process and the recommendations to be presented back to the Council (current step).</li> <li>The proposed policy was advertised for 30 days, and 40 submissions were received. Based on the terminology in the engagement approach, a total of 5 people (12.5%) love the policy, 16 people (40%) like the policy, 11 people (27.5% can live with the policy and 8 people (20%) don't like the policy.</li> <li>Where considered appropriate to do so, the draft policy has been updated in response to the community’s feedback and is attached for the Council’s consideration (Attachment 1).</li> <li>It is recommended that the Council adopt the updated policy with a commencement date of September 2024 to allow staff time to prepare necessary workflows, liaise with a preferred service provider, and to train key staff on the process.</li> </ul>
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**OFFICER RECOMMENDATION**

**That the Council adopt the Neighbour Dispute Mediation Council Policy as updated (Attachment 1), to come into effect on the 18 September 2024, in accordance with the details outlined in this report.**

**PURPOSE**

The purpose of this report is to provide the Council with a summary of the community feedback received on the draft Neighbour Dispute Mediation Policy, and for the Council to consider suggested updates to the policy. The Council may choose to adopt, amend or refuse to adopt the updated Neighbour Dispute Mediation Policy.

**STRATEGIC ALIGNMENT**

<b>Priority</b>	<b>3</b>	<b>Empower the voices of our diverse community by strengthening engagement</b>
	P3/1	Increase co-design approaches that engage stakeholders in upfront designs and support issue resolution activities.
	<b>5</b>	<b>Ensure long term financial sustainability</b>
	P5/1	Undertake efficiency improvements to maximise cost effectiveness.
<b>Outcome Indicator</b>	5	Sense of Community
	Goal 2	Participation and Inclusion

**BACKGROUND**

In August 2023, the Council determined that a report on the benefits and implications of establishing a Neighbour Dispute Mediation Policy should be prepared. The purpose of the mediation policy would be to establish that the Council is supportive of resolving a range of neighbourhood disputes and to put in place a framework to define the City’s role in facilitating dispute resolution through independent mediation.

The investigations were to include defining the purpose of the policy, details of matters suitable for mediation, governance considerations and research on other established policies within a local government context. The investigation was undertaken and a report addressing these items was presented to the Council on the 12 December 2023 (UP/23/28).

At the 12 December 2023 meeting, the Council passed a resolution to formally prepare the Neighbour Mediation Council Policy in accordance with the recommendations outlined in the report for consideration. The recommendations in the report suggested that the policy scope is to include both regulatory and civil matters and that the City can fund up to 3 sessions on a ‘pay as you go’ rate.

The mediation policy was prepared and presented to the Council in March 2024 OMC (UP24/34). At this same time, the City improved and expanded the information available on the City’s webpage ([here](#)) to include:

- Guidance on how to approach your neighbour if you have a dispute,
- Information on the issues that can’t be resolved by the City, including who the responsible agency is and how to contact them, and
- Mediation services that are available to the public if issues are not resolved.

At the March 2024 meeting, the Council considered the policy and resolved to advertise the draft policy with an understanding that the outcome of the consultation process and the recommendations would be presented back to Council (current step).

**CONSIDERATION**

The draft neighbour mediation policy was advertised for a period of 30 days from 21 March to 21 April 2024. During this period 40 submissions were received, when asked what they thought of the policy, 5 submitters (12.5%) picked that they ‘loved’ the policy, 16 people (40%) ‘liked’ the policy, 11 people (27.5%) ‘can live’ with the policy and 8 people (20%) ‘didn’t like’ the policy. Most people who indicated they can live with the policy supported the policy in principle but had some suggested changes. Based on this feedback, the submissions are 80% in support of a policy (subject to changes) and 20% against having a policy or who don’t like it.

As a result of the feedback received, and on advice from the City’s governance team, the policy has been restructured to be more succinct and focus specifically on the City’s role in advancing issues to mediation. The previous content in relation to the friendly neighbour initiatives, and a guide on ‘how mediation works’ will be combined in a standalone Mediation Guide.

A more detailed summary of submissions is provided below. Where multiple submissions included the same general comment, those have been consolidated. For ease of reference, the comments have been grouped into three tables.

**Table 1 - Comments supporting the draft Policy**

<b>Comment</b>
<i>This is a great idea!</i>
<i>It seems a sensible policy.</i>
<i>Your draft mediation policy seems well-focused on addressing common issues that can arise between neighbours.</i>
<i>This would appear to be a significant shift in the council's attitude to disputes between neighbours in regard to fences. It is most welcome.</i>
<i>I think it's a good way to resolve conflict with neighbours as long as they are all willing participants.</i>
<i>I think this is a very useful tool to avoid conflict with neighbours who often do not understand the tree policy and other guidelines.</i>
<i>Overall, your draft policy shows a thoughtful approach to addressing neighbour disputes, and with some additional considerations, it can become a valuable tool for promoting harmony and resolving conflicts effectively.</i>

**Response-** These comments are noted with no further changes to the draft policy.

**Table 2- Concerns/Questions/Suggestions to improve the draft policy**

<b>Comment</b>	<b>City of Melville Response</b>
<i>Policy should consider additional situations such as neighbours parking on verge and verge maintenance.</i>	<p>Following internal stakeholder engagement, the City has determined not to specifically reference parking as an issue suitable for mediation. This decision was made acknowledging that parking issues are more appropriately resolved via enforcement than mediation (i.e. generally speaking someone is either parked illegally or they're not).</p> <p>In some circumstances however it may be appropriate to consider mediation, and these can be considered on a case by case basis.</p>
<i>Consider emphasizing the goal of the policy to facilitate amicable resolutions that benefit both parties. This can encourage a mindset of cooperation and compromise.</i>	<p>Noted.</p> <p>Based on community feedback, the City has acknowledged the benefit in providing a more comprehensive mediation guide. This feedback will be addressed in the guide.</p>
<i>Include guidelines or principles for mediation, such as confidentiality, impartiality of the mediator, and the voluntary nature of participation.</i>	<p>Noted.</p> <p>Based on community feedback, the City has acknowledged the benefit in providing a more comprehensive mediation guide. This feedback will be addressed in the guide.</p>
<i>Consider adding a section on education and awareness to help prevent disputes by informing residents about potential issues and proactive measures they can take.</i>	<p>Information on education and awareness to help prevent the most common disputes is provided on the City's website:</p> <p><a href="https://www.melvillecity.com.au/campaigns/tips-on-being-a-friendly-neighbour">https://www.melvillecity.com.au/campaigns/tips-on-being-a-friendly-neighbour</a></p> <p><a href="#">It will also be addressed in the proposed Mediation Guide</a></p>
<i>Include a mechanism for collecting feedback from participants to continuously improve the mediation process and the policy itself.</i>	<p>The City intends to carefully monitor usage of the policy, and will endeavour to collect feedback from those who have used it and are willing to discuss its efficacy.</p> <p>The City will periodically provide this feedback to Council</p>
<i>Accessibility: Ensure that the mediation process is accessible to all residents, including provisions for language assistance or accommodations if needed.</i>	<p>All City residents are entitled to a free interpreting service provided by the Department of Immigration and Citizenship.</p>
<i>Will this policy replace the awful "Nuisance</i>	<p>The policy is not intended to replace any other</p>

<p><i>Barking" policy when you have a complaint about a barking dog ?</i></p>	<p>policy. Noise from dogs is controlled by the Dog Act 1976 and residents dealing with nuisance parking are encouraged to contact the City's Ranger Services.  There may however be instances where a dog barking isn't technically in breach, but through mediation a resolution can nonetheless be reached.</p>
<p><i>Not sure how a professional mediator will be able to mediate between 2 neighbours whereby an issue has got to the point where they require intervention because the mediator cannot provide technical resolution.</i></p>	<p>The role of the mediator is to help the parties to focus on the issues in dispute, gain an understanding of the other party's point of view, and put forward options in an effort to reach an amicable outcome.</p>
<p><i>The policy includes "non-compliant developments", I am confused as to why there is mediation regarding this when surely a non-compliant development should be a direct council intervention?</i></p>	<p>Procedures to respond to a non-compliant development often include an ability for the offender to seek an exercise of discretion within the relevant legislative framework. An example of where a non-compliant development may benefit from mediation would be a proposed over-height shed, whereby mediation might help the parties to negotiate a suitable modification to the design/aesthetic/setback to address the neighbour's concerns but still afford the applicant the outcome they're seeking.  Nonetheless if the applicant were to request the City determine the shed in accordance with the framework, or the neighbour was uninterested in mediating, the City still has a responsibility to determine the application in accordance with the relevant legislation. Where an exercise of discretion is not available, not approved or not appropriate, compliance procedures would seek removal of the non-compliance.</p>
<p><i>Prior to any mediation session, should both neighbours be provided with relevant information/links to websites pertaining to the issue to be read by both parties prior to the meeting.</i></p>	<p>The relevant City staff can and will discuss and provide information to the parties prior to mediation.</p>
<p><i>The policy does not cover the roaming and interference of cats on neighbours properties</i></p>	<p>The examples listed in the policy are not exhaustive. Its possible that issues with a neighbour's cat could be grounds for mediation.</p>
<p><i>Are the records or outcomes of the mediation kept by the City? Should this be referenced in the policy?</i></p>	<p>The outcome of the mediation would be shared with the City if the parties agree to and if a Council decision is on hold depending on mediation. If the mediation does not result in an agreement between the parties, the City will proceed with making a decision regardless. If the parties do reach an agreement, the City will consider the outcome in the pending application / decision.</p>
<p><i>Does the City offer rooms/space for mediation or is the location determined by</i></p>	<p>Mediation would occur at a venue organised by the mediation service, generally at their offices.</p>

<p><i>the Mediator organisation?</i></p>	
<p><i>The first step should be to gain an understanding of your (and your neighbour's) rights and responsibilities in relation to the matter under dispute. The policy could provide references/links to these. Advertising more widely about the common issues might be better cost and time that will necessarily divert funding from more essential services.</i></p>	<p>For an issue to be suitable to escalate to formal mediation it will have first been the subject of one or more discussions with officers at the City. The rights and responsibilities regarding the matter will be discussed at this stage.</p>
<p><i>I would add that private mediation services are available and inexpensive.</i></p>	<p>An estimated cost of mediation will be provided to the parties by the City prior to formal mediation taking place.</p>
<p><i>Do you expect all the disputes of every single home to go to the CEO? There must be a mediation officer/suitable role personnel before it is escalated.</i></p>	<p>The CEO's role in the process is limited to determining whether or not the City will contribute financially towards the mediation process. This step is predicated on the matter having firstly been discussed with the relevant subject matter expert at the City, secondly for mediation to be determined as the most appropriate course of action, and thirdly for both parties to have agreed to engage in mediation.</p>
<p><i>Section 3 - Para 7 'diving fences' should this be dividing fences?</i></p>	<p>Noted.</p>
<p><i>Section 4 - Add between dot points 2 &amp; 3 that a time frame be agreed to review the issue. Then between dot points 3 and 4 add meet to review how things are progressing and if need be reassess time frame.</i></p>	<p>Noted. Based on community feedback, the City has acknowledged the benefit in providing a more comprehensive mediation guide. This feedback will be addressed in the guide.</p>
<p><i>Section 4 implies that the person raising the issue is always "in the right". It states that the person raising the complaint should allow the neighbour "time to make changes to the way in which they do things". One example where this may not be correct is where the person making the complaint does not understand the current rules/guidelines regarding overhanging branches/tree roots.</i></p>	<p>Noted. Based on community feedback, the City has acknowledged the benefit in providing a more comprehensive mediation guide. This feedback will be addressed in the guide.</p>
<p><i>Section 5 indicates the cost of mediation would (generally) need to be borne by the parties concerned. This seems unfair if one of the parties is continually raising frivolous issues (similar to a vexatious litigant).</i></p>	<p>There is no obligation for an individual to engage in mediation, so the associated cost is only relevant should both parties be willing. Nevertheless as the following section of this report outlines, the City has updated the policy draft recommending that Council agree to fund all mediation services, subject to certain considerations.</p>
<p><i>Rate payers should expect council to try and resolve a dispute first and if they can't pay for mediation. Step 1. Council. Step 2. Mediation. You set the rules you</i></p>	<p>The City will continue its regulatory decision-making and statutory compliance functions. The option to mediate only expands the opportunities to achieve the best outcome for all parties. If any</p>

<i>enforce them.</i>	party, be it the City, a complainant, or a respondent don't believe it to be in their best interest to mediate, the City will progress with its standard decision-making/enforcement processes.
<i>To improve readability of the policy for users, a flowchart detailing the steps of the mediation process and the pathways available would be of benefit.</i>	Noted. Based on community feedback, the City has acknowledged the benefit in providing a more comprehensive mediation guide. A flowchart can be incorporated into the guide.
<i>The Policy as written does not address conformity or consistency with its guiding legislation.</i>	Noted. The policy is intended to support the application of existing legislation and policy. The policy content has been reviewed and is not considered to represent a non-conformity or inconsistency with other legislation.

**Table 3- Comments Opposing the draft Neighbour Mediation Council Policy**

<b>Comments</b>	<b>City of Melville Response</b>
<p><i>Council is shirking it's responsibility and obligations. What are we paying rates for if Council officers are not there to explain the rules regards fencing, noise, parking etcetera. This policy will result in greater angst between neighbours.</i></p> <p><i>Putting neighbours against neighbours I don't wish to do that as I get along with all my neighbours</i></p> <p><i>An absolute waste of time and money all of it.</i></p> <p><i>This is seen as a cop out by the City to avoid it properly enforcing the laws that it is responsible for. We see this policy could be used as an excused by the City for not taking action.</i></p>	<p>Mediation will always be predicated on individuals engaging with the relevant City staff to understand their responsibilities and risks before mediation is considered. Mediation will not be considered if there is no foreseeable benefit in progressing down that path.</p> <p>The City will continue its regulatory decision-making and statutory compliance functions. The option to mediate only expands the opportunities to achieve the best outcome for all parties. If any party, be it the City, a complainant, or a respondent don't believe it to be in their best interest to mediate, the City will progress with its standard decision-making/enforcement processes.</p>

**Other Concerns**

In the advertised version of the draft Neighbour Dispute Mediation Policy, under Section 5 'Funding', it read:

*..... in most cases, the cost involved in using a mediation service would need to be borne by the relevant parties involved. The City acknowledges however that in some cases resolving an issue through mediation may avoid the need for the City to otherwise intervene, either via enforcement or in the assessment of an application. If this is likely to be the case, the City may consider sponsoring the cost of mediation for up to three sessions.....*

In response to concerns raised by the community, and in the interest of fairness and transparency, the City is recommending that Council do away with the abovementioned caveat on providing sponsorship. There is concern that deciding whether an issue is suitable for financial support (to mediate) will be inherently complex and may risk the perception that the City prioritises certain issues over others. Nonetheless the City is still of the view that for the mediation policy to be utilised as intended, the City should still financially support suitable matters to progress through the mediation process. Therefore, the policy wording has been updated to allow any council-related issue to be eligible for sponsorship. Financial prudence comes in the form of certain procedural constraints, namely:

1. The proposed mediation budget of \$10,000 per annum be upheld, and subject to review each year.
2. Having discussed the issue with the aggrieved party, the City must agree that mediation not only has the potential to benefit one or more of the parties but could result in an outcome that is preferential to the City simply executing its decision-making or enforcement responsibilities.
3. The City must accept that there is a willingness from both parties to engage in good faith and consider the perspective of the other party, and
4. Any financial support will be at the CEO's discretion.

The City will provide Council with an update on the efficacy of the policy via the Elected Members Bulletin (EMB) every 6 months for a 24-month period, including information on whether people are using the mediation service, which would allow Council to decide whether to continue funding the service, and/or adjust the budget.

### **Draft Policy Changes**

As discussed in this report, the version of the draft policy that was advertised has been updated significantly in response not only to the submissions received from the community but on advice from the City's governance team. The previous content in relation to the friendly neighbour initiatives, and a guide on 'how mediation works' will be combined in a standalone Mediation Guide. Prior to the policy coming into effect, the City will circulate the draft Mediation Guide to Council via the EMB.

### **Deferred Adoption**

Should the Council decide to adopt the updated policy, it is recommended that there be a 3-month transition period before it comes into effect. This will allow the City some time to train the relevant staff across each department on the process, prepare the Mediation Guide and workflow instruction, update the website and prepare a social media campaign for community awareness.

### **ENGAGEMENT**

The policy was advertised from 21 March 2024 to 21 April 2024. A snapshot of the engagement is included as Attachment 2. A summary of the submissions received are documented in this report.

### **SUSTAINABILITY IMPLICATIONS**

Updating the website and implementing a policy aimed at resolving disputes in the community should have a positive impact in relation to social sustainability. Positive mediation outcomes could lead to reconciliation of relationships between neighbours and the building of social capital more broadly within the community.

Encouraging mediation may, over time, also help to build more trust with the City, by allowing dispute resolution to occur in ways that are beneficial to both parties, instead of the City being forced to respond using the limited tools at its disposal, which can sometimes be ill-suited or heavy-handed relative to the context of the situation.

Providing information on best practice dispute resolution also avoids potentially expensive legal costs and saves the City money by avoiding staff involvement on civil matters.

## **LEGISLATIVE AND POLICY ALIGNMENT**

Policies form part of the Governance and Policy Framework. Section 2.7 (2)(b) of the *Local Government Act 1995* states that the Council is to determine the local government's policies. Policies provide the Council and staff with the ability and direction to make decisions that are considered to be consistent and unbiased. A policy can also provide detail on the manner in which the City undertakes, or requires others to undertake, certain works or activities.

## **FINANCIAL IMPLICATIONS**

The preparation and administration of the policy can be accommodated within existing resources.

It's difficult to estimate the level of community interest in a paid mediation service, but with the pay-as-you-go service, there would be no cost to the City if the service wasn't utilised.

As a guide, the City has considered the resource cost if 5 disputes were to go through mediation in a 12-month period.

- Assuming each dispute receives up to 3 mediation sessions (paid for by the City), the financial outlay over 5 separate disputes would be approximately \$7,500.
- In addition, the staff time commitment in supporting that number of disputes to go through mediation would be estimated to be between 20-25hrs per annum.
- Therefore, it would be appropriate for Council to consider setting a mediation budget of approx. \$10,000p/a.

The governance budget would initially fund the annual mediation budget as the policy is an organisational wide policy. The City will provide Council with an update on the efficacy of the policy via the EMB every 6 months for a 24-month period, including information on whether people are using the mediation service, which would allow Council to decide whether to continue funding the service, and/or adjust the budget. An amendment to the 2024/2025 budget, later in 2024 may be required dependent upon take up of the service.

**CONSEQUENCE**

If the Council decide to not adopt the Neighbour Dispute Mediation Policy, the Council could alternatively request that the City simply focus on improving community awareness about mediation via the usual engagement channels.

If the Council were inclined to support the policy but were not wanting to commit the City to financially supporting the process, an alternative recommendation could allow the policy to still be adopted subject to suitable modifications to exclude references to financial sponsorship.

**UP24/38 Public Open Space Strategy Scoping Report**

<b>File Number:</b>	
<b>Responsible Officer:</b>	Manager Strategic Urban Planning
<b>Voting Requirements:</b>	Absolute Majority
<b>Officer Disclosure of Interest:</b>	No officer involved in the preparation of this report has a declarable interest in the matter
<b>Application Number:</b>	Not applicable
<b>Applicant:</b>	Not applicable
<b>Owner:</b>	Not applicable
<b>Proposal:</b>	Not Applicable
<b>Attachments:</b>	1. <a href="#">Public Open Space Strategy Review Preliminary Scope of Works</a> ↓

**COUNCIL’S ROLE**

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.

<p><b>SUMMARY</b></p> <ul style="list-style-type: none"> <li>At the Ordinary Meeting of Council (OMC) in May 2023, Council resolved to pass a Notice of Motion (UP23/4030) to “investigate further provision of public open space where there is an identified deficiency”.</li> <li>At the subsequent June 2023 OMC, Council expanded on this with a second Notice of Motion requesting the CEO prepare a report for Council’s consideration by November 2023, regarding the scope and resourcing requirements for investigations to ensure the City’s localities are provided with Public Open Space (POS) in accordance with community expectations and contemporary State Government planning policy and guidelines.</li> <li>In order to prioritise other strategic matters, Council on two occasions (November 2023 OMC and Feb 2024 OMC) chose to defer the POS Strategy Scoping Report. The matter was deferred to the June OMC.</li> <li>Further to the substantive motion from Council, careful consideration has been given to achieving the maximum benefit from a POS review, while acknowledging current and future demands on budgets and resourcing, and this is reflected in the recommended scope of work.</li> </ul>
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**OFFICER RECOMMENDATION**

**That the Council requests the Chief Executive Officer to proceed with the Public Open Space review in accordance with the proposed scope of work included in Attachment 1 of this report and authorises an amendment to the 2024/2025 budget to allocate the required estimated expenditure of \$175,00.**

**PURPOSE**

The purpose of this report is to outline a proposed scope of work for a POS Strategy Review, and the rationale behind the proposed scope.

**STRATEGIC ALIGNMENT**

<b>Priority</b>	4 P4/1	<b>Support healthy lifestyles and wellbeing</b> Invest strategically in local infrastructure and built environments that support physical activity and healthy lifestyles.
<b>Outcome Indicator</b>	3 Goal 1	Healthy Lifestyles A Safe and Healthy Urban Environment

**BACKGROUND**

At the May 2023 Ordinary Meeting of Council (OMC) resolved to pass a Notice of Motion (UP23/4030) to “investigate further provision of public open space where there is an identified deficiency”. This was expanded upon with a second Notice of Motion at the June 2023 OMC requesting the preparation of a report for Council’s consideration regarding the scope and resourcing requirements for investigations to ensure the City is provided with POS in accordance with community expectations and State Government requirements. The Notice of Motion went on to require that the scope of the review to include but not be limited to:

- a. *Stakeholder and community engagement.*
- b. *Policy context:*
  - i. *State Government*
  - ii. *Local Government*
- c. *Demographic and future trends analysis.*
- d. *Public Open Space Evaluation:*
  - i. *Identification, audit, and assessment*
  - ii. *Proximity of Public Open Space within 400m catchments of dwellings.*
  - iii. *Percentage allocation analysis on a locality-by-locality basis.*
- e. *Community sports space current needs and future requirements.*
- f. *Community open space needs and future requirements (particular focus on areas with proposed density increases).*
- g. *Strategies, opportunities, recommendations, and actions (with a focus on short-medium term deliverables).*
- h. *Investigate the potential for converting existing inaccessible drainage basins into useable areas of accessible public open space.*

In responding to the substantive motion from Council, careful consideration has been given to achieving the maximum benefit from a POS review, while remaining mindful of current and future demands on budgets and resourcing.

**CONSIDERATION**

The City of Melville currently has a Public Spaces Strategy (PSS), which was approved on the 24 February 2017. The PSS examines the community’s access to different types of open space and considers how well existing POS is meeting community needs. In addition to taking a wholistic approach to ‘public spaces’ (open space included), it focusses primarily on improving the quality of Melville’s public open space rather than the quantity. Whilst Council’s focus has shifted to consider

a more quantitative review, much of the PSS's content remains relevant and can be integrated into a POS review.

The proposed scope of works for the POS review will seek to confirm the provision of POS in the City and any gaps either in responding to the needs of the current community or to its future population and will investigate various mechanisms available to support provision of additional areas of POS to address any such gaps where/if identified.

An indicative scope detailing a range of specific tasks to deliver the POS review on this basis has been prepared and is included as Attachment 1 to this report.

## **ENGAGEMENT**

The proposed work is principally technical in nature and therefore early engagement is not proposed. Once outcomes have been assembled from the technical assessment process, they will be released for community comment as part of an engagement process to enable community input prior to final consideration of any recommendations by Council.

## **SUSTAINABILITY IMPLICATIONS**

Public Open Space is an important contributor to both environmental and social sustainability, sufficient and accessible open space supports both a healthy community and healthier environment and regular review of POS provision supports ongoing action to deliver these benefits.

## **LEGISLATIVE AND POLICY ALIGNMENT**

While the provision of POS is subject to some elements of the State Planning Framework, there is nothing applicable that will restrict or prevent the proposed scope of work being undertaken.

## **FINANCIAL IMPLICATIONS**

This project is not included in any current budget allocation and therefore additional funds will be necessary. Due to commitments to existing projects and limited resources available in Strategic Urban Planning, appointment of a consultant to undertake the project is necessary.

Based on the recommended approach an anticipated timeframe of twelve months and a budget of \$175,000.00 is identified. This budget does not allow for any additional tasks beyond those identified in Attachment 1 and should further items be identified then additional budgeting and resourcing may be necessary.

## **CONSEQUENCE**

Not adopting the recommendation will remove the need to resource and fund this work but risk facilitating possible deficiencies in provision of POS to meet current and future community requirements. Increasing the scope beyond the recommendation will necessitate increased resourcing and budget.

**UP24/39 Local Planning Policy 1.6 - Parking and Access**

<b>File Number:</b>	
<b>Responsible Officer:</b>	Manager Strategic Urban Planning
<b>Voting Requirements:</b>	Simple Majority
<b>Officer Disclosure of Interest:</b>	Nil.
<b>Application Number:</b>	N/A
<b>Applicant:</b>	N/A
<b>Owner:</b>	N/A
<b>Proposal:</b>	N/A
<b>Attachments:</b>	1. <a href="#">Local Planning Policy 1.6 - Parking and Access (with track changes)</a> ↓

**COUNCIL’S ROLE**

Legislative: Includes adopting local laws, town planning schemes & policies.

<p><b>SUMMARY</b></p> <ul style="list-style-type: none"> <li>• The City continuously reviews and updates the local planning policy framework to ensure that best practice is enacted in relation to planning decision making.</li> <li>• Local Planning Policy 1.6 Car Parking and Access (LPS 1.6) currently provides the key parking and design standards for non-residential development in the City.</li> <li>• It has been identified that the review of LPP 1.6 represents an opportunity to:             <ul style="list-style-type: none"> <li>○ clearly articulate the City’s expectations to applicants, the community and decision makers in relation to pedestrian sight lines and vehicle ramp gradients;</li> <li>○ respond to changes to the state and local planning framework; and</li> <li>○ improve the readability of the document and ensure it is consistent with the City’s corporate strategic planning framework and its transformational goals.</li> </ul> </li> <li>• Under the provisions of the R-Codes, the proposed changes to LPP 1.6 in relation to vehicle ramp gradients require the approval of the Western Australian Planning Commission.</li> <li>• It is recommended that the draft amended LPP 1.6 is advertised for a period not less than 21 days, and a further report be presented to Council to consider the outcomes of advertising.</li> </ul>
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**OFFICER RECOMMENDATION**

**That the Council:**

- 1. Endorse Local Planning Policy 1.6 Parking and Access as modified;**
- 2. Pursuant to Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015* to adopt the amended Local Planning Policy 1.6 Parking and Access for the purposes of public consultation for a period of not less than 21 calendar days; and**
- 3. Where no submissions in objection are received in response to the consultation undertaken, that the final adoption of amended Local Planning Policy 1.6 Parking and Access shall be authorised by the Chief Executive Officer.**
- 4. Permit the CEO to update Local Planning Policy 1.6 Parking and Access upon the release of the new version of AS2890.1 Parking Facilities to reflect the correct paragraph numbers without the need to come back to Council for reindorsement.**

**PURPOSE**

The purpose of this report is for the Council to consider modifications to the existing LPP 1.6 to respond to change to the planning framework, to articulate the City’s position in terms of sightlines and vehicle access ramps and to make it easier to read.

**STRATEGIC ALIGNMENT**

<b>Priority</b>	<b>3</b>	<b>Empower the voices of our diverse community by strengthening engagement</b>
	P3/1	Increase co-design approaches that engage stakeholders in upfront designs and support issue resolution activities.
	P3/2	Improve the mechanisms to make information flow easier to access and share, including optimising digital communications.
	P3/4	Enhance opportunities for civic engagement and building community capacity.
<b>Outcome Indicator</b>	5	Sense of Community
	Goal 2	Participation and Inclusion
	Goal 4	Sense of Identity through Collective Memory
	Goal 5	Social Connectedness and Belonging

**BACKGROUND**

In September 2021, Weir Legal and Consulting, prepared a report called City of Melville Review of Complaints Building and Planning (the report). The report made several recommendations to assist the City to improve its processes and decision making. Most of these recommendations have been completed by the City and/or are in progress. Part of the City’s program of process improvements has been a review of LPP1.6.

- LPP1.6 was first adopted by the City of Melville (the City) in October 1999 and has been reviewed regularly since that time.
- LPS 1.6 currently provides the key parking and design standards for non-residential development in the City. LPS 1.6 does not apply to residential development except for clause 7 which allows for multiple dwellings to provide cash in lieu of parking in certain circumstances.
- Australian/New Zealand Standard AS/NZS 2890.1:2004 Parking Facilities (AS2890.1) provides detailed guidance in relation to Off Street Parking and includes provisions regarding the sight distance requirements and gradients of access driveways. AS2890.1 is currently under review and anticipated to be finalised in the coming 6-12 months.
- Since the last review of LPP 1.6, there have been several changes to the planning framework at the state government level relating to parking. These include modifications to the *Planning and Development (Local Planning Schemes) Regulations 2015* (the regulations), publication of [Payment in Lieu of Parking Guidelines](#) and change to State Planning Policy 7.3 Residential Design Codes (Volumes 1 and 2) (the R-Codes). Changes to the R-Codes to accommodate Part C 'Medium Density Codes' have also been published.
- The State Government has published [Interim guidance for non-residential car parking requirements](#). The parking standards in this document are generally consistent with those in LPP1.6 and therefore no changes to parking ratios are proposed at this stage.
- At the local level, there are several structure plans which provide specific guidance for parking. These need to be acknowledged in LPP1.6. The City has also embarked on projects, such as Customer First and Business Friendly which need to be considered in any policy review.
- The findings of the policy review and recommended changes to LPP 1.6 were presented to an Elected Members Engagement Session on 28 May 2024.

## CONSIDERATION

### 1. *Customer first and business friendly.*

An introductory paragraph has been included at the beginning of the policy. This informs customers of the purpose of the policy and directs customers to the website or to contact City staff if they want more general information. This saves customers from reading through the whole policy only to find it does not contain the information they were looking for. This responds to customer feedback and is consistent with the City's customer first and business friendly approach.

The policy objectives and the overall wording of the policy have been reviewed with a customer in mind. The aim is to make the policy as simple as possible, while noting the document is technical in nature and therefore may require some prior knowledge of the planning framework and planning process to fully understand the content.

Additionally, the policy has been updated to allow for reductions in parking provision in all centres across the City, rather than limiting this to Secondary and District centres, subject to a satisfactory parking management plan being prepared for the development. This provides additional flexibility for decision makers and incentivises development in centres as promoted by the Local Planning Strategy and state government planning reforms.

### 2. *Addition of a policy citation.*

An additional clause has been included to confirm that this policy is made under the relevant provisions of the Regulations and City of Melville Local Planning Scheme No. 6 (LPS No. 6).

3. *Updated policy scope.*

The policy scope has been updated to note the relationship between LPS No.6 and the various structure plans across the City. This confirms that where a structure plan contains a specific parking requirement, that requirement prevails over LPP1.6.

The updated scope also confirms that the policy modifies several provisions of the R-Codes. The updated scope is based on advice from both the Department of Planning, Lands and Heritage (DLPH) and the legal advice from Thompson Greer. It includes a table which identifies the provisions of the R-Codes which are being modified and how.

4. *New clauses relating to ramp gradients and vehicle sight lines.*

The policy has been updated to provide guidance for ramp gradients and vehicle sightlines for residential and non-residential development. These clauses reference AS2890.1. Under the provisions of the R-Codes the proposed changes to LPP 1.6 in relation to ramp gradients require the approval of the Western Australian Planning Commission. Further detail is provided below.

Under the provisions of the R-Codes, a 1.5x1.5 metre truncation, or sightline, is required to be provided for all development, where a driveway meets the street boundary, to provide for pedestrian visibility. This contrasts with the provisions of AS2890.1 which indicate a truncation of 2x2.5 metres should be provided where a driveway serves 4 or more dwellings. The review of LPP1.6 has been identified as an opportunity to align with AS2890.1 and provisions have been added accordingly. Where a proposal does not meet the sightline provisions of AS2890.1 the applicant may seek a performance-based assessment and the proposed clauses outline the matters to be considered as a part of the assessment process.

The deemed to comply and acceptable development standards, contained in the R-Codes Volumes 1 and 2, do not provide assessment criteria in relation to driveway ramp gradients. As with pedestrian sightlines, this review represents a chance to align with AS2890.1 and to provide stakeholders with an understanding of the City's expectations. New provisions have been added to LPP1.6 accordingly. Where a proposal does not meet the vehicle ramp gradient provisions of AS2890.1 the applicant may seek a performance-based assessment and the proposed clauses outline the matters to be considered as a part of the assessment process.

To ensure consistency between residential and non-residential development, sightline and vehicle ramp provisions have also been added to the non-residential section of LPP1.6.

The City is aware that modifications to AS2890.1 have been advertised for public comment. It is understood that the changes to AS2890.1 are not related to pedestrian sightlines and ramp gradients. A modified version of AS2890.1 is likely to be released this year however the exact date is not yet known. It is recommended that LPP1.6 is updated when AS2890.1 is modified to ensure that the relevant clause numbers remain relevant. It is recommended that that Council delegate the power to modify the LPP1.6 to the CEO to remove the need for this minor change to come back to Council.

## **ENGAGEMENT**

If Council resolve to endorse the amended LPP 1.6 for public consultation, it will be advertised for a minimum of 21 days in accordance with the Regulations. A notice will be placed in a local newspaper and information provided on the City's website. It is anticipated that as a part of the public consultation period, notice of proposed policy changes will be given to peak professional bodies. In addition, it is anticipated the policy changes will be publicised on the City's social media channels and electronic newsletters. In this way, the City can maximise awareness of the proposed changes and encourage submissions.

Following the conclusion of the public consultation period, a report will be presented to Council at the next available Council meeting to consider the outcomes of consultation and finalising draft amended LPP 1.6. In the event no submissions are received in response to consultation, it is recommended that the amendments to LPP 1.6 be adopted without further referral to Council.

As part of the preparation of LPP1.6, the City has liaised with officers of the Department of Planning, Lands and Heritage (DPLH). The purpose of this communication was to determine if the proposed changes will require the approval of the Western Australian Planning Commission (WAPC). Notwithstanding the officer advice that WAPC approval is not required, a copy of the draft policy will be sent to the DPLH during the consultation period to enable it to provide further comment if required.

It is noted that the City engaged Thomson Geer lawyers to undertake a peer review of LPP1.6, the recommendations of this peer review have been incorporated into the proposed policy changes.

## **SUSTAINABILITY IMPLICATIONS**

The objectives of LPP1.6 include promoting environmentally sustainable development, facilitating an appropriate amount of vehicle parking and promoting active modes of transport. The policy changes do not diminish from these objectives. It is noted that increases to minimum car parking requirements have potential to erode promotion of more sustainable forms of transport. Changes to minimum parking requirements are not proposed.

The proposed changes to LPP1.6 will articulate the City's expectations in relation to ramp gradients and sightlines while also providing the potential for the requirements to be modified where this will have positive environmental results.

## **LEGISLATIVE AND POLICY ALIGNMENT**

Under the provisions of the Regulations, a local government may prepare local planning policies on a range of matters. A local planning policy must be based on sound town planning principles and may address operational matters such as parking and access. Where a local planning policy is based on sound town planning principles and is properly adopted under the provisions of the Regulations, it is to be given regard in the decision making process.

The R-Codes Volumes 1 and 2, detail which clauses can be modified by a local government without the approval of the WAPC. The R-Codes also provide detail of the clauses which can only be modified by a local government with the approval of the WAPC. In this respect the R-codes indicate that any local planning policy which modifies Clause 7.3.1(b) of Volume 1 of the R-Codes and 1.2.4 of Volume 2 of the R-Codes requires the approval of the WAPC.

As part of the preparation of this policy, the City has communicated with officers of the DPLH to determine if approval of the WAPC is required. The DPLH has advised that the proposed gradient provisions in LPP1.6 can be included without the need for formal WAPC approval rather an approval can be granted under delegation available to officers. The reason given is that the proposed gradient provisions are augmenting Volume 1 and 2 of the R-Codes by introducing an additional deemed-to-comply (DTC) or acceptable outcome (AO) provisions rather than amending or replacing existing DTC or AO provision. As noted above a copy of LPP will be provided to the DPLH as a part of the consultation process.

### **FINANCIAL IMPLICATIONS**

For the City the statutory consultation process requires a notice will be placed in a local newspaper which can be accommodated within the exiting budget.

As noted previously in this report, Thomson Geer has undertaken a peer review of LPP1.6 on behalf of the City. The cost of the peer review was \$3000.00.

For applicants once the policy has been adopted, there may be a cost to engage a suitably qualified traffic consultants to provide guidance in relation to the requirements of the AS/NZ standards for ramp gradients and sightlines at the design stage of development. Most substantial development applications are prepared with input from a traffic consultant and therefore the additional cost to applicants is likely to be minimal.

Where a proposal does not meet the ramp gradients and sight lines requirements and a traffic consultant is required to provide a risk assessment and mitigation measures, the cost to applicants may be more substantial, however for the benefit of the greater safety of the community.

### **CONSEQUENCE**

The following options are available to Council:

1. Resolve to prepare draft amended LPP 1.1 as recommended.
2. Resolve to prepare draft amended LPP 1.1 as modified by Council.
3. Resolve not to prepare draft amended LPP 1.1. This would mean that the provisions of the current LPP 1.1 will continue to have effect and apply.

**15 MOTIONS WITH PREVIOUS NOTICE**

**15.1 Notice of Motion - CCTV Rebate Program**

<b>File Number:</b>	
<b>Related to Item:</b>	Nil.
<b>Elected Member:</b>	Cr Nicole Robins
<b>Attachments</b>	Nil

**MOTION**

**That the Council directs the CEO to prepare a report for the November Ordinary Meeting of Council outlining the feasibility of rolling out a CCTV rebate program for residents, similar to that being delivered by other local governments. This program would allow residents to obtain a rebate, or partial rebate, for the cost of installing CCTV equipment on their property. The report should include options for how such a program could be delivered, including the costings and administrative burden of each option. One option considered should be a rebate program only made available to holders of a WA Seniors Card, and perhaps made available only to those who have obtained the WA Government's Safety and Security Rebate.**

**REASONS FOR THE MOTION**

1. Crime is a real concern for some City of Melville residents, and there may be an opportunity for the City to provide support to residents who wish to increase the security of their property
2. Through this initiative, the City can play a role of increasing the safety of our suburbs by supporting residents with the costs of installing CCTV on their properties, but not taking on the burden on installing additional CCTV of its own
3. The City may benefit from safer streets as CCTV footage can be provided to police and may assist to reduce the likelihood of crime taking place

**15.2 Notice of Motion - Hall of Fame Policy**

<b>File Number:</b>	
<b>Related to Item:</b>	Nil
<b>Elected Member:</b>	Cr Terry Lee
<b>Attachments</b>	Nil

**MOTION**

**That the Council requests the CEO to prepare a report on developing a policy for a hall of fame recognition of Melville residents who have achieved great feats in a wide range of fields.**

**OBJECTIVE, BENEFIT AND POTENTIAL RISKS TO BE CONSIDERED**

Objectives: Set in place a policy for recognition for selecting high achievers in all fields like art, music, science, philanthropic, sports, environmental, economic, academic and social achievements in our Melville City which is open and inclusive of all people.

Benefits: Not only a tourist attraction with a potential walk of fame but it also creates pride in our City recognising special achievements by residents.

Potential Risks: Beed to ensure judging is independent and includes community members following criteria set in the Council policy.

**REASONS FOR THE MOTION**

Opportunity for the first time to have an official recognition process for awarding our residents who have achieved great feats in a broad range of areas.

**16 MOTIONS WITHOUT PREVIOUS NOTICE (APPROVAL BY ABSOLUTE MAJORITY)**

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

Nil

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

**19 CLOSURE**

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Corporate Business Plan Report 2023-2024		Key Projects and Initiatives	Status	Responsible Area	Time Frame	Comment	Informing Strategy	Strategic Community Plan Outcomes
<b>Priority 1: Ensure the improvement and sustainability of our environment</b>								
Strategy 1.1	Protect and improve our natural assets to enhance our environment.	Attadale Alfred Cove Foreshore Master Plan Implementation	In progress - on track	Environment & Infrastructure	20 year project	<p>The Attadale Alfred Cove Foreshore Master Plan is a 20 year program aimed at improving the environment and community amenity of this important foreshore area.</p> <p>The layout plan for the Atwell Precinct was prepared and circulated to key stakeholders for review and comment in late 2023. Funding to progress layout plan to be considered as part of the 2024-2025 capital works program budget and Long Term Financial Plan. The Attadale foreshore path to the west of the dog off lead area has been removed and is in the process of being revegetated through a grant funded Riverbank program.</p> <p>The construction of the netball courts to replace those at Troy Park has been completed with an expected opening in June 2024.</p> <p>The bird viewing platform at Point Waylen has been completed.</p> <p>The design concepts for a proposed boardwalk through the Attadale bushland area are being progressed and implementation will be based on funding availability and grant opportunities.</p> <p>The City is working with the Melville Bird Sanctuary to progress their action plan. A five-year implementation plan has been prepared for key actions and recommendations with funding to be considered as part of the annual budget process and Long Term Financial Plan.</p>	Attadale/Alfred Cove Foreshore Master Plan	Clean and Green
		Development of a Climate Action Plan	Completed	Sustainability	Q1 2023-2024	The Corporate Climate Action Plan adopted by Council in July 2023 and is being implemented. An Elected Member Engagement Session presentation was undertaken in May 2024 which updated Elected Members on progress. The Community Climate action Plan has been prepared in draft form and is planned to be presented to the July Ordinary Council Meeting for advertising.	Climate Emergency Declaration Carbon Neutral by 2023 as an organisation Net Zero by 2050 for the geographic location	Clean and Green
		Deliver the City's Natural Areas Asset Management Plan	In progress - On track	Natural Areas and Parks	Q1-Q4 2023-2024	Continue to implement to ensure best practice management of the City's natural areas continues.	Natural Areas Asset Management Plan	Clean and Green
		Continue to implement actions within the Urban Forest Strategy Part A	In progress - on track	Natural Areas and Parks	Q1-Q4 2023-2024	Focus on planting 2000 trees per year through the expansion and succession programs. Continue to engage with the community on the benefits of trees.	Urban Forest Strategy Part A	Clean and Green
		Asbestos Removal Programme	Ongoing	City Buildings	Q1-Q4 2023-2024	A total of 26 sites have been cleared of asbestos as part of this program with Stage 4 to commence in 2024-2025.	Asset Management Plan	Clean and Green
		Foreshore Revetment Programme	Ongoing	Environment & Infrastructure	Q1-Q4 2023-2024	Works recently completed at Blackwell Reach and Waylen Bay	Asset Management Plan	Clean and Green
		Deliver the City's Foreshore Restoration Strategy	In progress - On track	Natural Areas and Parks	Q1-Q4 2023-2024	Continue to implement to ensure foreshore areas are protected and enhanced	Foreshore Restoration Strategy	Clean and Green

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Strategy 1.2	Utilise technological opportunities to efficiently enhance the sustainability of the environment through monitoring and reporting	Smart Grid Partnership with Murdoch University	Ongoing	Sustainability	Q1-Q4 2023-2024	Ongoing partnership with Murdoch University across a number of initiatives. Structure and reporting arrangements being reviewed in order to gain a clearer understanding of deliverables and reporting	Carbon Neutral by 2023 as an organisation Net Zero by 2050 for the geographic location	Clean and Green
		LED Street Light Replacement Project	In progress - Behind schedule	Environment & Infrastructure	Q1-Q4 2023-2024	The consortium is awaiting the outcomes of Western Power's Public Lighting Strategy (PLS), which is proposed to be released in June 2024. The City has been involved in consultation related to the PLS and will continue to advocate for the Smart LED Streetlight Replacement Program with consortia members.	Carbon Neutral by 2023 as an organisation Net Zero by 2050 for the geographic location	Clean and Green
		Water quality monitoring across water bodies within the City	Ongoing	Natural Areas and Parks	Q1-Q4 2023-2024	Partnership with Murdoch University to monitor water quality and ecosystem health at Frederick Baldwin Lake and other wetlands across the City. The monitoring program has been successful in reducing the incidence of botulism and associated bird/fish deaths as occurred in past years.	Corporate Environmental Management Plan Natural Areas Asset Management Plan	Clean and Green
		Irrigation of City Parks in compliance with Department of Water allocations	Ongoing	Natural Areas and Parks	Q4 2023-2024	The City is operating in accordance with water allocations and continues to investigate and implement water efficiency measures for parks and reserves	Parks Asset Management Plan	Clean and Green
		Civic Centre Heating, Ventilation, Air Conditioning (HVAC) Upgrade	In progress - on track	City Buildings	Q4 2023-2024	Contract awarded in 2023, with external works commenced in late 2023 and internal works commenced in March 2024. The project is on schedule and expected to be completed by December 2024.	Building Asset Management Plan Westfield Booragoon Redevelopment Land Swap Agreement	Clean and Green
		EV Charging Infrastructure	In progress - on track	Sustainability	Q3 2023-2024	Electric Vehicle (EV) charging infrastructure was installed and commissioned at the Civic Centre and Operations Centre in February of 2024. WALGA have advised that EV Charging Systems have been awarded the grant and charging infrastructure has been ordered. The City has procured 4 BYD EV's and the charging stations are required to be completed by June 2024. Through ARENA Grant funding additional EV charging infrastructure will be installed in Q2 in 2024-2025 at the Civic Centre, Operations Centre, Leisure Fit Melville and Leisure Fit Booragoon.	Carbon Neutral by 2023 as an organisation Net Zero by 2050 for the geographic location	Clean and Green
		Green Building Council Certification (Green Star)	In progress - on track	Sustainability	Q3-4 2023-2024	Organising Green Star certification foundation training for relevant staff (Planning Services, City Buildings, Procurement, Project Management) completed or planned. Commencing preparations for our submissions against the v2 performance rating tool. This will be completed for a cross section of Facilities in Q2 and Q3 in 2024-2025.	Carbon Neutral by 2023 as an organisation Net Zero by 2050 for the geographic location	Clean and Green
		Conservation Action Plan for Black Cockatoos	In progress - On track	Natural Areas and Parks	Q1-Q4 2023-2024	Ongoing partnership with Murdoch University with monitoring and data collection to identify suitable locations for plant flora for future roosting and food sources for these birds	Corporate Environmental Management Plan Natural Areas Asset Management Plan	Clean and Green

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Strategy 1.3	Advocate and utilise the National and State level policies to protect and enhance the biodiversity of our environment and natural assets.	Tree Protection on Private Property	In progress - On track	Strategic Urban Planning	Q3	Significant trees on private land policy preparation and community engagement parameters confirmed – (2 April 2024 EMES)	Identified as a part of LPS6 Review	Clean and Green
		Participating in the WALGA Urban Forest Working Group	Ongoing	Natural Areas and Parks	Q1-Q4 2023-2024	Ongoing partnership, with the City taking an active and leadership role	Urban Forest Strategy	Clean and Green
		Foreshore protection - Funding received from State Government to assist with foreshore works.	Ongoing	Natural Areas and Parks	Q3-Q4 2023-2024	Ongoing partnership with \$485,000 funding received in 2023-2024 for restoration works through the Riverbank program	Foreshore Restoration Strategy	Clean and Green
		Meet requirements of Aboriginal Cultural Heritage Act 2021 for foreshore erosion projects.	Ongoing	Natural Areas and Parks	Q1-Q4 2023-2024	City undertakes consultation with Tradition Elders and Informants as required.	Reconciliation Action Plan	Clean and Green
		Utilising State Planning Policy 7.0	Ongoing	Statutory Planning	Ongoing	Clauses in State Planning Policy serve to protect and require further planting of trees on private and public land. Objective pursued through local planning framework.	State Planning Framework	Clean and Green
		Implement and maintain best practice waste management for kerb and vergeside collections and processing.	Ongoing	Resource Recovery & Waste	Q3-Q4 2023-2024	3-Bin FOGO rollout complete to all single dwellings. Multi-unit dwellings are almost complete. The City has introduced an on-demand bulk verge and green waste collection service at the start of 2024 which has resulted in financial savings and increased resource recovery rates.	Waste Avoidance and Resource Recovery Strategy 2030	Clean and Green
<b>Priority 2: Improve the approach for diverse and sustainable urban development and infrastructure</b>								
Strategy 2.1	Strengthen online service delivery and respond to the digital divide by supporting improvements in digital literacy.	Local Planning Scheme 6 review and Activity Centre Plans	In progress - On track	Strategic Urban Planning	Feb-27	Local Planning Scheme No.6 (LPS6) Review: a) Updates on LPS6 review provided to Council through Elected Member Bulletin (EMB) and Executive Leadership Team (ELT) through a briefing Aug/Sep 2023. b) Project Plan finalised presented to ELT - March 2024. c) Elected Member Engagement Session (EMES) update provided June 2024. d) Dedicated Ward engagement sessions scheduled June/July 2024. e) Further community engagement scheduled Q3/4 2024. f) Projects extracted as related Strategic Planning projects: i. Significant trees progressed through Local Planning Policy (LPP) development ii. POS Strategy - scope of works scheduled for June 2024 Ordinary Meeting of Council (OMC) iii. Sustainable Development Incentives LPP	Local Planning Strategy, State Planning Strategy	Growth and Prosperity
		Review and update LPP1.3 Waste and Recyclables Collection for Multiple Dwellings, Mixed Use Developments and Non-Residential Developments	In progress - On track	Resource Recovery & Waste	Q3-Q4 2023-2024	Review and update underway, with updated policy approved by Council in April 2024	Resource Recovery and Waste Minimisation Policy CP-036	Clean and Green
		Underground Power Project – Melville/Willagee and Bicton/Palmyra/Melville	Not started	Engineering	Not started	Design is progressing for Melville/Willagee Project. A community survey of residents in the project area in November 2023 resulted in around 70% support for the project based on just under 50% response rate. Western Power are progressing with detailed design and firming up costs, with project expected to be initiated in late 2024 or early 2025 based on the current schedule.	Supported by State Govt program	Clean and Green
		Walk and Ride Plan	Completed	Engineering	Q3-Q4 2023-2024	Plan endorsed at the May 2024 Ordinary Meeting of Council	Long Term Cycle Network Plan City of Melville Bike Plan 2012	Sustainable and Connected Transport

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Strategy 2.2	Enhance amenity and vibrancy through placemaking and creating well designed and attractive public spaces.	Blue Gum Community Centre Refurbishment	In progress - On track	City Buildings	Q2-Q4 2023-2024	Design Complete with works to commence Q3/4 2024	Building Asset Management Plan	Sense of Community
		Library and Cultural Centre - Cultural Heart Project	In progress - On track	Cultural Services	Five Year Project 2024-2029	Concept designs have been completed and costed. Financial modelling is complete this will inform funding feasibility for the current concept. Value engineering has been undertaken to reduce scope and costs to be aligned with Council approved business case. Detailed design work underway and expected to continue through most of 2024-2025.	Cultural Infrastructure Strategy	Sense of Community
		Goolugatup Lowerlands- Stage 1	In progress - Behind schedule	Cultural Services	Q4	Federal <i>Local Roads and Community Infrastructure</i> Phase 4 grant funding of \$744,218 allocated to Stage 1 of the project involving the development of the Yarning Circle and path connections to the foreshore. Design and tender process complete.	Cultural Infrastructure Strategy	Sense of Community
		Ceramics Studio - Karlup	Completed	Cultural Services	Q2	Construction began on September 22nd, 2021 with completion of the building and handover in September 2022.	Cultural Infrastructure Strategy	Sense of Community
		Melville Theatre Company - Main Hall refurbishment	Completed	Cultural Services	Q3	Works commenced in early 2023 and are now completed with opening held to the public in March 2024.	Cultural Infrastructure Strategy	Sense of Community
		Canning Bridge Library & Creative Studios- Detailed Design	In progress - On track	Cultural Services	Q4	Detailed Design complete, awaiting practical completion and handover by developer, 18mth delay. Fit out to commence in 24-25 financial year	Cultural Infrastructure Strategy	Sense of Community
		Willagee Library Upgrade	In progress - On track	Cultural Services	Q4	Works underway with completion expected by the end of June 2024.	Cultural Infrastructure Strategy	Sense of Community
		Men's Shed	In progress - On track	Cultural Services	Q4	Men's Shed now lease the whole facility, Community Music moving to Willagee	Cultural Infrastructure Strategy	Sense of Community
		Melville Community Arts - Gallery Project	In progress - On track	Cultural Services	Q4	Working in accordance with wider Precinct Planning process, currently managing facility whilst report is developed on future management model	Cultural Infrastructure Strategy	Sense of Community
		Melville Woodturners Facility	Completed	Cultural Services	Q4	Building completed in May 2023	Cultural Infrastructure Strategy	Sense of Community
		Cultural Infrastructure Strategy	Completed	Cultural Services	Q2	Complete - 20 Year Plan endorsed by Council now in implementation phase and included in the long term financial plan	Cultural Plan	Sense of Community
		Various open space projects including streetscapes, playspaces and significant community projects such as Davis Lawlor open space in Attadale	Ongoing	Natural Areas and Parks	Q1-Q4 2023-2024	Ongoing projects and commitment from the Open Space Design team to implement projects in consultation with the community.	Parks Asset Management Plan	Sense of Community
		Murdoch Drive Shared Path	Completed	Engineering	Q2 2023-2024	Project completed November 2023	City of Melville Bike Plan 2012	Sustainable and Connected Transport
		Various road improvement projects such as The Strand.	Ongoing	Engineering	Q3-Q4 - 2023-2024	The Strand road improvement includes Gross Pollutant Trap upgrades to drainage, path connections, road and carpark renewal, improved parking, Water Sensitive Urban Design and permeable paving. It is now complete May 2024.	Various Asset Management Plans	Sustainable and Connected Transport
		Canning Bridge Public Open Space	In progress - behind schedule	Natural Areas and Parks	Q2-Q4 2023-2024	Community engagement for The Esplanade site was completed in 2023, with engagement of First Nations Elders on the preferred concept plan undertaken in January 2024. Council resolved at the May 2024 Ordinary Meeting of Council not to commit funding to the conversion of The Esplanade site to a park and the City awaiting further advice direction from Council regarding next steps. The timeline for the Moreau Mews open space project schedule will require review following delays in the decision-making process.	Public Open Space Strategy Canning Bridge Structure Plan	Sense of Community
		South East Playspace - Bob Gordon Reserve	Completed	Natural Areas and Parks	Q1-Q2 2023-2024	High quality and well utilised premier play space completed	Park Asset Management Plan Public Open Space Strategy	Sense of Community
Mt Henry Jetty Replacement	In progress - on track	City Buildings	Q3-Q4 2023-2024	Works underway with completion expected by June 2024	Jetty Asset Management Plan	Sustainable and Connected Transport		
Public Art Strategy Implementation	In progress - On track	Cultural Services	Q4	Ongoing annual public art installations inline with strategy.	Cultural Plan	Sense of Community		

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Strategy 2.3	Optimise the capability and liveability of activity centres with consideration to the expectations of our community.	Canning Bridge Activity Centre Plan review	In progress - Behind schedule	Strategic Urban Planning	Q4	City review complete. <i>Dept. Planning, Lands and Heritage</i> recommendation due to the WA Planning Commission scheduled for the end of Q2, with a decision of the WA Planning Commission expected in Q4 2024.	Local Planning Strategy	Sense of Community
		Riseley Centre - Kearns Crescent Streetscape enhancement investigations	In progress - On track	Natural Areas and Parks	Q4	Streetscape upgrade options for Kearns Crescent presented to EMES during 2023. Concerns raised by businesses regarding disruption and parking issues. Preferred concept plan selected and detailed design underway with project to be considered as part of the 2025-2026 capital works program budget and LTFP. Further consultation planned for 2024-2025 with the local businesses and wider community.	Riseley Activity Centre Plan Riseley Centre Master Plan	Sense of Community
		Review of existing Activity Centre Plans	In progress - on track	Strategic Urban Planning	Ongoing	Statutory review requirement. Individual ACP reviews scheduled in accordance with statutory requirement and budget scheduled 2024/2025 to progress.	Local Planning Strategy	Sense of Community
		Preparation of new Activity Centre Plans- Petra St and Bull Creek	Not started	Strategic Urban Planning	Q4 2025-2026	Statutory review requirement. Individual ACP reviews scheduled in accordance with statutory requirement.	Local Planning Strategy	Sense of Community
		Ongoing assessment of Development Applications in Activity Centres	Ongoing	Statutory Planning	Ongoing	Development applications assessed and determined in accordance with the operative planning framework.	Local Planning Strategy	Sense of Community
Strategy 2.4	Enhance regulatory and approval frameworks to ensure sustainable building infrastructure.	Activity Centre Plans include provisions for enhancing sustainable development	Ongoing	Strategic Urban Planning	Ongoing	Investigation of Sustainable Development Incentives to require sustainability initiatives on proposed developments is scheduled for Q1/Q2 2025 and communicated with Council as part of LPS6 update in June 2024.	Local Planning Strategy/Climate Action Plan	Growth and Prosperity
		R-Codes ensure improvements to the sustainability of residential development	Ongoing	Strategic Urban Planning	Ongoing	Anticipated future policy improvements in line with State Planning Reforms	Local Planning Strategy/Climate Action Plan	Growth and Prosperity
		General Local Planning Policy Review	Ongoing	Statutory Planning	Ongoing	<p>Policies most recently reviewed or presented for strategic direction to inform policy reviews include but are not limited to:</p> <ol style="list-style-type: none"> <li>1. Update and direction on Significant Trees on private land to inform the City's policy approach presented to Council – (May 2023 OMC)</li> <li>2. Design Review Panel Policy reviewed, and new panel appointed – (June 2023 OMC)</li> <li>3. Comments on WAPC Public Open Space Policy workshopped and provided to the State Government – (September 2023)</li> <li>4. Neighbour Dispute Mediation, direction on Council Policy and in response to a Notice of Motion – (Dec 2023 OMC)</li> <li>5. Discounted Development Application fees for adoption for community engagement in response to a Notice of Motion – (Dec 2023 OMC)</li> <li>6. Compliance and Enforcement Policy review and Council direction to provide for matrices - (Feb 2024 OMC).</li> <li>7. Significant trees on private land policy preparation and community engagement parameters – (2 April 2024 EMES)</li> <li>8. Delegation DA103 – Inspection and Copies of Building Information – (March 2024 OMC)</li> <li>9. Neighbour Dispute Mediation Council Policy – (March 2024 OMC)</li> <li>10. Local Planning Policy 1.6 – Residential Development (sightline, accesses and gradient policy review) – (June 2024 OMC)</li> </ol> <p>Upcoming and scheduled for formal presentation:</p> <ol style="list-style-type: none"> <li>1. Investigation of Food Truck Policy / Guideline - Q2/Q3 2024</li> <li>2. Investigation of Bonds and bank guarantees for the performance of planning conditions – Q2/Q3 2024</li> <li>3. Investigation of Community Benefits Framework for variations to development standards – Q3/Q4 2024</li> <li>4. Investigation of Sustainable Development Incentives to require sustainability initiatives on proposed development - Q1/Q2 2025</li> </ol>	Local Planning Strategy	Sense of Community

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Corporate Business Plan Report 2023-2024		Key Projects and Initiatives	Status	Responsible Area	Time Frame	Comment	Informing Strategy	Strategic Community Plan Outcomes
<b>Priority 3: Empower the voices of our diverse community by strengthening engagement</b>								
Strategy 3.1	Increase co-design approaches that engage stakeholders in upfront designs and support issue resolution activities.	Reconciliation Action Plan -	In progress - behind schedule	Cultural Services	Q4	Meetings commenced with Reconciliation Australia -Stretch RAP Draft complete and presented to May OMC, Council deferred the item to be considered at July OMC.	Reconciliation Action Plan	Sense of Community
		Cultural Growth Strategy	In progress - On track	Cultural Services	Q4	Developing implementation approach for wider organisation	Reconciliation Action Plan	Sense of Community
		Place Naming Project	In progress - on track	Cultural Services	Q4	Place decoding complete, Cultural Mapping complete, Artist in Residence commenced, Exhibition in Oct 2024	Reconciliation Action Plan	Sense of Community
		Support to Town Teams (projects/operations)	Ongoing	Customer and Community Participation	Ongoing	Ongoing support/collaborative events/activities for Town Teams coordinated by Place Team	Strategic Community Plan	Sense of Community
		Wireless Hill Vision	Completed	Cultural Services	Q1-Q4 2023-2024	Vision complete Implementation commenced	Cultural Plan	Sense of Community
		Arts & Events Program	Ongoing	Cultural Services	Ongoing	Updating events program to reflect community feedback.	Cultural Plan and Cultural Infrastructure Strategy	Sense of Community
		Library Generification Project	In progress - On track	Cultural Services	July 2024	Rolling out across one Library at a time to improve customer service and literacy levels.	Cultural Plan	Sense of Community
		Cultural Plan	In progress - behind schedule	Cultural Services	December 2024	Currently developing RFQ for Consultants on the development of a new Cultural Plan	Community Plan, Corporate Plan, Cultural Infrastructure Strategy, RAP	Sense of Community
		Engagement for Access and Inclusion planning	In progress - On track	Customer and Community Participation	Ongoing	Disability Access Inclusion Plan endorsed by Council 21 May 2024	Disability Access Inclusion Plan 2024 - 2029	Sense of Community
		Natural Areas & Parks Capital Works Program	Ongoing	Natural Areas and Parks	Q1-Q4 2023-2024	Continue to engage with the community on significant projects to ensure the outcome meets community needs.	Parks Asset Management Plan	Clean and Green
		Waste Education Program	Ongoing	Resource Recovery & Waste	Q1-Q4 2023-2024	Introduction of 'beyond the bin' initiatives, education programs and alternatives to landfill: Repair Lab, Bin Tagging, E-waste drop off days and school incursions/excursions.	Resource Recovery and Waste Minimisation Policy	Clean and Green
		Directions from Young People/Youth Steering Group	In progress - On track	Customer and Community Participation	Ongoing	Directions from Young People Strategy – documented actions in progress and young people's group meeting regularly	Directions from Young People	Sense of Community
Strategy 3.2	Improve the mechanisms to make information flow easier to access and share, including optimising digital communications.	Customer Relationship Management System	In progress - On track	Customer and Community Participation	Ongoing	Collaborative project with ICT. Market research and Request for Information process complete. About to go out to market for an EOI process to be followed by a Restricted Tender.	Customer First Strategy Digital Strategy	Sense of Community
		Various E-Newsletters publications	Ongoing	Corporate Strategy and Communications	Ongoing	13 E-news publications relating to a variety of subject carriers	Customer First Strategy Digital Strategy	Sense of Community

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Corporate Business Plan Report 2023-2024		Key Projects and Initiatives	Status	Responsible Area	Time Frame	Comment	Informing Strategy	Strategic Community Plan Outcomes
Strategy 3.3	Improve engagement with the business community.	Small Business Awards	In progress - on track	Corporate Strategy and Communications	Q1 2024-2025	Partnership developed with Melville Cockburn Chamber of Commerce to pilot Melville Business Awards in 2024	Environmental Friends Group Manual	Growth and Prosperity
		Annual Business After Hours Event	Completed	Corporate Strategy and Communications	Q1	Established annual partnership event with Melville Cockburn Chamber of Commerce. Next event planned for June 2024.	Corporate Business Plan 2020-2024	Growth and Prosperity
		Review, refresh and promote Business Matters e-News	Completed	Corporate Strategy and Communications	Q3	Analytics reviewed to understand customer engagement of content, and distribution extended to reach all local businesses through Australian Business Register.	Corporate Business Plan 2020-2024	Growth and Prosperity
Strategy 3.4	Strengthen online service delivery and respond to the digital divide by supporting improvements in digital literacy.	Review and refresh of all eNews platforms	Completed	Corporate Strategy and Communications	Q3	Refreshed eNews template completed and rolled out Q3 2023	Customer First Strategy Digital Strategy	Sense of Community
		Website refresh	Completed	Corporate Strategy and Communications	Q1	Refresh of brand and improved home page functionality to improve customer experience	Corporate Business Plan 2020-2024	Sense of Community
		Digital Literacy (Libraries)	Ongoing	Cultural Services	Ongoing	Been accepted as a member of the digital accord.	Cultural Plan	Sense of Community
		Review of all Urban Planning Online Information	In progress - On track	Planning	Ongoing	Urban development related webpages reviewed regularly to make sure the information is friendly and up to date. This reflects work by both Statutory and Building Services	Customer First Strategy	Growth and Prosperity
Strategy 3.5	Enhance opportunities for civic engagement and building community capacity.	Consultation through Climate Action Reference Group (CARG)	Ongoing	Sustainability	Q1-Q4 2023-2024	Community Action Response Group engaged actively across 2023, and 2024 as part of the Community Climate Action Plan development. Draft Climate actions and vision statement were provided to the CARG in May of 2024. The future of CARG will be firmed up post Council approval of the Community Climate Action Plan.	Carbon Neutral by 2023 as an organisation Net Zero by 2050 for the geographic location	Clean and Green
		Melville Talks on-line portal	Completed	Customer and Community Participation	Q2	New initiative – Melville Sounding Board – opportunity for community to register for projects with engagement component	Strategic Community Plan	Sense of Community
		Urban Planning Counter Trial	Completed	Building & Environmental Health Services	Q1 - Q3 2023-24	In response to the GFG report Building Compliance funnels enquiries The Urban Planning Counter trial took place between August to December 2023, the trial concluded in January 2024 primarily due to a Directorate restructure which saw a shift in seating arrangements. The isolation of certain staff away from the broader teams raised concern with regards to team morale. In light of the above, further reviews are taking place within the Planning, Building and Compliance team to identify how the planning front counter can be best utilised to service the requirements of the broader team and customers.	Customer Experience Reimagined	Sense of Community

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Corporate Business Plan Report 2023-2024	Key Projects and Initiatives	Status	Responsible Area	Time Frame	Comment	Informing Strategy	Strategic Community Plan Outcomes
<b>Priority 4: Support healthy lifestyles and wellbeing</b>							
Strategy 4.1 Invest strategically in local infrastructure and built environments that support physical activity and healthy lifestyles.	Shirley Strickland Redevelopment	Completed	City Buildings	Q1-Q4 2022-2023	Completed in June 2022	Active Reserves Infrastructure Strategy	Healthy Lifestyles
	Tompkins Park Upgrade	In progress - On track	City Buildings	Ongoing	Stage 3B concept completed and detailed design underway for priority works addressing accessibility, safety and structural integrity issues. Report to Council on outcomes of tender process projected to be July 2024.  Expect to complete detailed design in 2024-2025 and go out for tender for construction, with works expected to be initiated in 2025-2026	Attadale/Alfred Cove Foreshore Master Plan Active Reserves Infrastructure Strategy	Healthy Lifestyles
	Point Walter Multi-Sport Courts	In progress - On track	Healthy Melville	Q3	The construction of the netball courts to replace those at Troy Park has been completed with an expected opening in June 2024.	Attadale/Alfred Cove Foreshore Master Plan	Healthy Lifestyles
	Disability Access and Inclusion Upgrade Programme	Ongoing	City Buildings	Q1-Q4 2023-2024	Tier 1 buildings complete. Prioritisation of other Council and community buildings under assessment for implementation in 2024-2025.	Disability Access and Inclusion Plan and Policy	Sense of Community
	LeisureFit Booragoon Pool Redevelopment	In progress - On track	City Buildings	Q2-Q4 2023-2024	Tender accepted and works commenced in November 2023, with expected completion date of December 2024 for 50 metre pool and February 2024 for Leisure Pool. Gym, creche, spa and other facilities will remain operational during the construction period. Current status is as follows: 1. The demolition of the Leisure Pool is complete. 2. Earth works for the construction of the new Leisure Pool have commenced. 3. The project is proceeding with only minor delays, to specification, within budget and without incident.	Asset Management Plan	Healthy Lifestyles
	John Connell Reserve Master Plan	In progress - On track	Healthy Melville	Q3	Consultants element presented to the Elected Member Engagement Session on 23 April 2024 on the findings and key recommendations of the master plan report, including projected financial implications. A more detailed staging and implementation schedule for the recommendations will be prepared by the City for consideration of the 2024-2025 budget and long term financial plan. The City is awaiting a decision from DWER on the vegetation clearing application, submitted by the Leeming Spartans Cricket Club, associated with the proposed oval extension which has received Federal Government funding. The City has provided additional information requested by DWER in April 2024 and decision by DWER is expected in June 2024.	Active Reserves Infrastructure Strategy	Healthy Lifestyles
	Webber Reserve Masterplan Implementation	In progress - on track	Natural Areas and Parks	Q4 2023-2024	Exercise equipment will be installed in June 2024. Detailed design for civil plans for paths, parking, kerbing, retaining walls and surfaces is complete, with works out for tender and construction planned for 2024-2025. Contractor appointed to construct the pump track, with construction expected to be completed before the end of 2024.	Active Reserves Infrastructure Strategy Webber Reserve Master Plan	Healthy Lifestyles
	Southside BMX Facilities Building	In progress - on track	City Buildings	Q4	Design complete. The City was successful in receiving a \$300K Community Sport and Recreation Facility Fund Grant for this project from the State Government. A request for tender was advertised in April 2024, with commencement of site works planned for August 2024 and a project completion by April 2025.	Active Reserves Infrastructure Strategy	Healthy Lifestyles
	Mt Pleasant Bowling Club Refurbishment and POS Concept Design	Completed	City Buildings, Natural Areas and Parks	Building refurbishment completed, with POS design ongoing	Refurbishment of MPBC building completed in November 2023. Concept designs for the Barrisdale Public Open Space area have been completed, with design options presented to Elected Members through a EMES in May 2024.	Asset Management Council Decision	Healthy Lifestyles
	Floodlighting Upgrades	In progress - On track	City Buildings	Q2 2023-2024	Floodlighting complete at Bill Elson and Winnacott Reserves. Works commenced at Beasley Reserve and Peter Ellis Tennis Court.	Active Reserves Infrastructure Strategy	Healthy Lifestyles
Pt Walter Bike Track	Ongoing	City Buildings	Q2-Q4 2023-2024	Works commenced in late 2023 on the mountain bike track and are expected to be completed in June 2024, with a public opening planned for 22 June 2024. Project funded by Local Roads and Community Infrastructure (LRCI) grant provided by the Federal Government.	Natural Asset Management Plan	Healthy Lifestyles	

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Corporate Business Plan Report 2023-2024		Key Projects and Initiatives	Status	Responsible Area	Time Frame	Comment	Informing Strategy	Strategic Community Plan Outcomes
		Bicton Baths - Swim Lanes and Shark Barrier	Completed	City Buildings	Q2-Q3 2023-2024	Beach enclosure installed in December 2023, with official launch in January 2024. Swim lanes under review.	Bicton Foreshore Master Plan	Healthy Lifestyles
		Leeming Recreation Roof Replacement	In progress - on track	City Buildings	Not commenced	Scope for roof replacement, including ventilation system and changeroom upgrade is being finalised. Tender to be issued November 2024. Construction to commence Quarter 3, 2025.	Asset Management Plan	Healthy Lifestyles
		Bicton Baths Master Plan Works	In progress - on track	City Buildings	Not commenced	Redesign of changerooms required due to cost and expect to construct in 2024-2025	Bicton Foreshore Master Plan	Healthy Lifestyles
		Parks Capital Works project delivery and ongoing maintenance	Ongoing	Natural Areas and Parks	Q1-Q4 2023-2024	Irrigation system upgrades and ongoing sports field maintenance	Parks Asset Management Plan	Healthy Lifestyles
		Changeroom Upgrades	Ongoing	City Buildings	Q1-Q4 2023-2024	<p>Progress on facilities outlined below.</p> <p>Melville Reserve - Refurbishment progressing well, although delays caused by latent conditions in building requiring additional work. Expected completion date in July 2024</p> <p>Len Shearer - tender to be presented to July 2024 Ordinary Meeting of Council, noting the City received \$1.2M in CSRFF funding</p> <ul style="list-style-type: none"> <li>•Morris Buzzacott – design underway with planned construction over 2024-2025 and 2025-2026.</li> <li>•Troy Park – Concept design options completed with detail design planned for 2024-2025 and construction in 2025-2026. First Nations/User group meetings held with site investigations ongoing.</li> <li>•Trevor Gribble – Concept design planned for 2025-2026, with construction in 2026-2027. Investigations underway to determine role of facility in the context of a master planning exercise for Peter Ellis/Leeming Recreation Centre site.</li> <li>•Peter Ellis is currently planned for the construction of temporary modular toilet and change facilities in 2024-2025, however the need for this is currently on the basis that these facilities could be provided as part of the major upgrade to the Leeming Recreation Centre building as a longer-term solution.</li> <li>•Beasley, Winnacott, Karoonda – Concept designs are underway for all three changeroom upgrade projects and expected to be completed in the first part of 2024-2025. Construction for Beasley and Winnacott planned for 2025-2026, with Karoonda planned for 2024-2025 given it has received grant funding and is a minor internal refurbishment project.</li> <li>Alan Edwards – planning to commence design in 2025-2026, with construction in 2026-2027</li> <li>Gairloch Reserve - planning to commence design in 2026-2027, with construction in 2027-2028.</li> </ul>	Active Reserves Infrastructure Strategy	Healthy Lifestyles
Strategy 4.2	Increase advocacy and partnerships for identified needs relating to community health, safety and security.	Safer Melville Plan Review	Completed	Community Safety	Q1-Q4 2023-2024	Evaluation and review complete and presented to the Safer Melville Advisory Committee	2017-2021 Safer Melville Plan	Safe and Secure
		Creation of New Safer Melville Plan	Completed	Community Safety	Q1-Q4 2023-2024	Public comment finalised 1 March 2023, new Plan endorsed by Safer Melville Advisory Committee 15 March 2023.	2023-2027 Safer Melville Plan	Safe and Secure
		Cat Management Plan	Completed	Community Safety	Q1-Q4 2022-2023	Endorsed at March 2022 OMC.	2022-2026 Cat Management Plan for the City of Melville	Safe and Secure
		Creation of Road Safety Management Plan	In progress - Behind schedule	Engineering	Partially commenced	Draft is being reviewed. Will be completed in late 2024.	Driving Change Road Safety Strategy 2020-2030 (State Strategy)	Safe and Secure

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Corporate Business Plan Report 2023-2024		Key Projects and Initiatives	Status	Responsible Area	Time Frame	Comment	Informing Strategy	Strategic Community Plan Outcomes
Strategy 4.3	Empower inclusive participation and participation for sports and community groups	Review of Disability Access and Inclusion Plan	Completed	Customer and Community Participation	Q3	DAIP endorsed by Council 21 May 2024	Disability Access and Inclusion Plan 2024 - 2029	Sense of Community
		Community and Social Infrastructure review	In progress - on track	Customer and Community Participation	Q4	Consultant appointed, Internal working group commenced meeting – report to Council Q4	New strategic document	Sense of Community
		City of Melville Tennis Strategy	Completed	Healthy Melville	Q1-Q4 2023-2024	Adopted at Council in July 2023	Active Reserves Infrastructure Strategy	Healthy Lifestyles
		Wheeled Sport Plan	In progress - On track	Healthy Melville	Q2	Plan is out for public comment, closing June 2024 with expected outcome at August Council meeting	Community Plan, Directions from Young People	Healthy Lifestyles
		Natural Areas Friends of Groups	Ongoing	Natural Areas and Parks	Q1-Q4 2023-2024	Continue to work with the Friends of Groups in our Natural Areas	Environmental Friends Group Manual	Healthy Lifestyles
Strategy 4.4	Support National, State and community efforts to assist people in need.	Child Safe Melville	Ongoing	Customer and Community Participation	Q4	Consultants completed internal consultation – presentation to senior management group of proposed documentation 20 June 2024	New strategic documents	Sense of Community
<b>Priority 5: Ensure long term financial sustainability</b>								
Strategy 5.1	Undertake efficiency improvements to maximise cost effectiveness.	Development of service, project and program plans	Ongoing	Corporate Strategy and Communications	Annual	Service, project and program plans were developed and presented to Elected Members as part of the 2024-2025 annual integrated planning and budgeting process.	Local Government Integrated Planning and Reporting Framework	Business Excellence
		Review of Long Term Financial Model	Ongoing	Finance	Q4	Long Term Financial Plan Model complete and presented to Elected Members in February 2024	Local Government Integrated Planning and Reporting Framework	Business Excellence
Strategy 5.2	Advocate at National and State levels to maximise funding.	Development of an Advocacy and Grants Strategy	In progress - On track	Corporate Strategy and Communications	Ongoing	A dedicated Advocacy and Grants Specialist role is now in place. Council has endorsed seeking Federal funding opportunities for key identified projects.	Corporate Business Plan 2020-2024	Growth and Prosperity
Strategy 5.3	Identify opportunities for appropriate alternate revenue streams	Use of City landholdings for revenue generation	Ongoing	Strategic Property and Leasing	Ongoing	Development or lease opportunities being considered on a number of City landholdings, including 410 Canning Highway, the old Bridge Club site, and the future land-swap land adjacent to the Civic Centre. Reporting to Council on 410 Canning Highway and former Bridge Club scheduled for mid 2024.	City Land Strategy	Growth and Prosperity
<b>Priority 6: Encourage local economic development</b>								
Strategy 6.1	Encourage opportunities for increased private sector commercial and residential development in strategic locations.	Small Business Friendly Approval Program Implementation	Completed	Corporate Strategy and Communications	Q1	The Small Business Friendly Approvals Program was a 2-year project (June 2021 to June 2023). In July 2023 the final format report was submitted to the Small Business Development Corporation (SBDC).	Small Business Friendly Approvals Program Action Plan (SBDC) Customer First Approach	Growth and Prosperity
		Business Friendly Approach - Communication	Completed	Corporate Strategy and Communications	Q3	Distribution of Monthly eNews expanded to reach all local businesses, increasing subscribers from 2,521 to 20,555	Customer First Approach	Growth and Prosperity
		Myaree Masterplan and review of Activity Centre Plans	In progress - On track	Strategic Urban Planning	Q4	Draft Masterplan expected Q3/Q4 2024, Activity Centre Plan reviews either scheduled or currently underway	Local Planning Strategy	Growth and Prosperity
Strategy 6.2	Support opportunities for not-for-profit and social enterprise.	Placement And Maintenance Of Charity Clothing Collection Bins On Public Land	Ongoing	Resource Recovery & Waste	Q1-Q4 2023-2024	Allow access to public land to support non-for-profit and charitable organisations and minimise waste to landfill	Placement And Maintenance Of Charity Clothing Collection Bins On Public Land Policy OP 019	Clean and Green



# City of Melville Statutory Delegation and Authorisation Manual

## Including Registers of Delegations

2024-2025 ~~2023-2024~~

**To search for a particular delegation, use  
CTRL+F on your keyboard to open the  
Find function.**

Updated ~~20 June 2023~~ 9 May 2024

# Statutory Delegation and Authorisation Manual Including Registers of Delegations

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Part 1 - Introduction

## **Part 1 - Introduction**

## Part 1 - Introduction

### 1.1 - Structure of this Document

Part 1 provides general background to delegations and authorisations in the City of Melville, including the statutory context.

Parts 2 and 3 comprise the City's Register of Delegations as required by section 5.46 of the *Local Government Act 1995*, section 47 of the *Cat Act 2011*, section 10AB of the *Dog Act 1976*, and Clause 84 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Part 2 contains instruments of delegation from the Council to the CEO. These instruments include sub-delegations from the CEO to other employees where relevant. Each Division under this Part deals with a specific primary statute, and the specific enabling provisions and any limitations or conditions on the power of delegation are described at the beginning of the division.

Part 3 contains delegations from the CEO to employees of powers and duties assigned to the CEO by legislation. All current CEO delegations are made under the *Local Government Act 1995* section 5.44. This part excludes sub-delegations from the CEO to other officers of delegated powers, which are included in the instrument of delegation from Council listed in Part 2.

Part 4 contains statutory authorisations and appointments by the Council relating to the CEO or any other officer. Currently Council has made an authorisation under the *Local Government Act 1995* and an appointment under the *Health (Miscellaneous Provisions) Act 1911*. Each Division under this Part deals with a specific primary statute. The specific enabling provisions and any limitations or conditions on the authorisation power are described at the beginning of each division.

Part 5 lists delegations and authorisations granted to the local government, the CEO or to specified local government employees by State agencies that are primarily responsible for assisting in the administration of the relevant legislation. These delegations may contain conditions regarding the officers who may exercise the delegation. The officers or classes of officers who have been allocated responsibility for the exercise of the delegated or authorised functions are listed below the copy of the instrument of delegation or authorisation.

Part 6 provides guidance notes for the use of delegations and authorisations.

### 1.2 - Background

Council is responsible for the overall government of the City's affairs and the performance of the City's functions. The CEO is responsible, among other functions, for the management of the day-to-day administration of the operations of the City, including the management of other employees, for advising Council and for implementing the decisions of Council.

Legislation applicable to local government may reserve specific powers and duties to the Council, the CEO or a defined authorised person or class of persons. Where legislation grants a power or imposes a duty on 'local government', this is conventionally interpreted to mean the Council unless otherwise specified even if the power or duty is operational in nature.

The functions and powers allocated to local governments by legislation are so many and so diverse that it would be unrealistic to expect any Council to make every discretionary decision itself. The business of local government could not be carried out under such conditions.

## Part 1 - Introduction

Where permitted by legislation, delegation of authority is a practical and prudent mechanism to facilitate timely decisions within legislative constraints and to ensure decisions are made lawfully by a delegate with appropriate technical expertise or experience. Delegations are made by the Council where permitted under relevant legislation in order to enable the efficient and orderly governance of the City. Under some legislation, the CEO may also delegate statutory or delegated powers to another person.

Safeguards may be incorporated into delegations such as limiting the circumstances in which a delegation can be exercised or imposing financial or other limits to the delegated power.

The delegation of a power or duty does not preclude a delegator from exercising or performing that power or duty itself or by acting through any employee authorised, by job description or otherwise, to carry out a function as the agent of, and on behalf of, the local government in accordance with approved policies.

A person granted a delegation is not obliged to exercise the delegated power and may, if circumstances indicate, refer the decision back to the delegator.

Legislation varies in how delegation of authority is provided for, including limitations, conditions and reporting or review requirements. Reviews of delegations, where required by law, are the responsibility of the delegator.

Under the *Local Government Act 1995* and some other legislation, persons affected by specified decisions made under delegated authority have a right under Part 9 Division 1 of the *Local Government Act 1995* to lodge an objection to the decision, which must be considered by Council, and/or to seek a review of the decision by the State Administrative Tribunal.

### 1.3 - Legislated Register of Delegations

Section 5.46 of the *Local Government Act 1995* requires:

- (1) The CEO to keep a register of the delegations made to the CEO and to employees under Part 5 Division 4 of that Act;
- (2) Delegations made under Part 5 Division 4 of that Act to be reviewed by the delegator at least once every financial year; and
- (3) Every person to whom a power or duty is delegated under that Act to keep prescribed records in relation to the exercise of the delegated authority.

Similar requirements apply to delegations under the *Cat Act 2011*, *Dog Act 1976* and *Planning and Development Act 2005*.

Other Acts conferring powers and duties on local governments do not specify such requirements for recording and review, but for the purposes of consistency and convenience, all delegations are listed in this register.

### 1.4 - Statutory Delegation by Local Governments

Delegation provisions in legislation are generally stated in the form 'a local government may delegate to [specified delegate(s)] its powers and duties under this Act'. Sometimes the delegation power may relate only to a part of the Act and sometimes it may refer to 'functions'. Under the *Interpretation Act 1984*, a 'function' includes powers, duties, responsibilities, authorities and jurisdictions.

A Council delegation is unnecessary where the legislation has conferred a specified function or power directly on the CEO or on another defined class of authorised persons. Section 50(1)

## Part 1 - Introduction

of the *Interpretation Act 1984* specifies that *'Where a written law confers upon a person power to do or enforce the doing of any act or thing, all such powers shall also be deemed to be conferred on the person as are reasonably necessary to enable him to do or to enforce the doing of the act or thing.'*

Delegations are therefore restricted to the statutory powers, duties and functions explicitly conferred or imposed on the delegator by legislation, and are often referred to as statutory delegations. Broadly, sections 58 and 59 of the *Interpretation Act 1984* provide for how delegations are to be made and exercised.

Delegation is appropriate for functions requiring the broad exercise of independent discretion in decision-making. A delegate is not expected to seek approval for their decisions under delegation. Section 58 of the *Interpretation Act 1984* clarifies this independence:

*'Where under a written law the performance of a function by a person is dependent upon the opinion, belief, or state of mind of that person in relation to a matter and that function has been delegated under a written law, the function may be performed by the delegate upon the opinion, belief, or state of mind of the delegate in relation to that matter.'*

This does not preclude the use of policies that guide decision-making to ensure consistency and alignment with certain principles and outcomes.

Section 59 of the *Interpretation Act 1984* states that *'where a written law confers power upon a person to delegate the exercise of any power or the performance of any duty conferred or imposed upon him under a written law... such a delegation may be made to a specified person or to persons of a specified class, or may be made to the holder or holders for the time being of a specified office or class of office.'*

It is more efficient and effective to delegate to positions rather than individuals so that anyone appointed to or acting in that position may undertake the functions/duties or exercise the powers without a new delegation being required.

Some legislation may restrict the local government to delegating a power or function only to the local government CEO, although some Acts provide for the local government to delegate to persons other than the CEO, such as other local government employees or committees. The CEO may further delegate those powers to other officers only if sub-delegation is permitted by the legislation.

Delegations are required to be made in writing, and for Council delegations, this normally takes the form of a resolution that is recorded in the Council Minutes. The City has adopted a standard form for instruments of delegation that also provides for recording sub-delegations, specifying recordkeeping obligations, and listing relevant policies and legislation to guide the delegates in exercising the delegated authority.

Under the *Local Government Act 1995*, *Cat Act 2011*, *Dog Act 1976*, *Graffiti Vandalism Act 2016* and *Planning and Development (Local Planning Schemes) Regulations 2015*, delegations by Council must be made by absolute majority resolution. Other legislation does not require an absolute majority to grant, amend or revoke a delegation by Council.

Under section 5.71 of the *Local Government Act 1995*, an employee may not exercise a delegated power or discharge a delegated duty if they have a financial interest in the matter. Non-financial interests must be declared and managed.

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A person who holds delegated powers or duties under Part 5 Division 4 of the Local Government Act is classified as a designated employee and a relevant person for the purposes of lodging primary and annual returns under sections 5.75 and 5.76. The [Local Government Operational Guideline on Primary and Annual Returns](#) specifies that if a designated employee ceases to hold that position within three months of the start date, no primary return is required. Short-term acting arrangements in a position holding relevant delegations therefore may not trigger a requirement for a primary return, but acting arrangements exceeding three months will do so.

Further information on delegations in local government can be found in the [Local Government Operational Guideline on Delegations](#).

### 1.5 - Alternatives to Delegation: Appointments, Authorisation and Acting Through

#### 1.5.1 Appointments

Some legislation, particularly that with a strong enforcement element, provides for the local government (or its delegate) to appoint authorised persons to undertake certain functions and duties, and to exercise powers, that are imposed or conferred on authorised persons by that legislation. They may also be called authorised officers, or approved officers, or designated officers, or a legislation-specific term. Once appointed under a specific Act, an authorised person does not need any further delegation to exercise the powers conferred on authorised persons by that legislation.

Section 26 of the *Health (Miscellaneous Provisions) Act 1911* is a special case in that it provides for the local government to appoint and authorise a person to be its deputy to exercise the powers and perform the functions of the local government under that Act and the regulations and local laws made under it. The Act does not grant local governments a delegation power but in practice the role of a deputy is equivalent to that of a delegate.

#### 1.5.2 Authorisation

Some legislative provisions may specify that a power may be exercised or a function performed only by a person specifically authorised to do so by the local government. While the power to authorise a person may be delegated, this authorisation is not itself a delegation. The person authorised acts as an agent of the local government within operational parameters such as a policy, procedure or work instruction and may be required to seek approval for their decisions.

Where a power is required under the Act to be exercised by a person authorised to do so, an authorisation rather than a delegation is required. The Council may authorise specified persons directly or delegate the power to the CEO to authorise persons to perform functions. Authorisation is usually granted to position titles and anyone employed or acting in that position may exercise the authorisation.

One example of authorisation is section 9.49A of the *Local Government Act 1995*, which provides for a local government, by resolution, to authorise the CEO, another employee or an agent of the local government to sign documents on behalf of the local government.

#### 1.5.3 Acting Through

Section 5.45(2) of the *Local Government Act 1995* clarifies that regardless of delegations in place, a local government may perform any of its functions by acting through a person other

## Part 1 - Introduction

than the CEO, and the CEO may perform any of their functions by acting through another person.

[Operational Guideline 17 – Delegations](#), published by the Department of Local Government, Sport and Cultural Industries, provides guidance as to when delegation is appropriate and when a function may be effectively undertaken by acting through authorised employees.

The *Local Government Act 1995* does not define 'acting through', but generally where the legislation provides little or no discretion in carrying out a function or duty, then the function or duty may be undertaken by the local government acting through an employee operating in the normal course of their duties. For example, the legislation may state that a local government 'must' or 'shall' do or not do something under specified circumstances, or set out clear rules about how or when something must be done.

Conversely, where the legislation states the local government 'may' do something and allows for substantial discretion on the part of the decision maker, particularly if the decision will have a significant impact on the City or on the person affected, the function must be:

- delegated;
- where specified in the legislation, undertaken by a person authorised to exercise the power or undertake the function within specified parameters; or
- be subject to a formal policy and/or procedure that provides sufficient control and accountability about how the decisions are made by officers required to administer the function as part of their normal duties.

Where considered appropriate and effective in operation, Council may approve policies about particular functions of the local government. This may remove the need for a delegation as it is the role of the organisation to implement the Council's policies. The CEO has explicit authority to implement the City's decisions through the relevant employees.

'Acting through' may better suit certain operational processes, reduce additional recording and reduce reporting requirements compared with the exercise of delegated authority.

### 1.6 - Statutory Delegations and Authorisations by External Agencies

Some powers and duties exercised or discharged by the City may be a result of delegation by a State authority or public officer, generally the CEO of the department or statutory officer responsible for assisting the responsible minister in the administration of a specific Act.

Such delegations may be to the local government, or to the local government CEO or to specified officers or classes of officers in local governments. None of the State delegations currently held by the City provide for sub-delegation.

A State agency exercising a power or discharging a duty under a statute may also authorise a local government to undertake specified functions under legislation for which it has responsibility.

Currently, the City or its officers hold delegated authority or authorisations from the CEO of the Department of Water and Environmental Regulation, the Western Australian Planning Commission and the Commissioner of Main Roads.

## Part 2 - Register of Statutory Delegations by Council

## Part 2 - Register of Statutory Delegations by Council

Previously reviewed in accordance with *Local Government Act 1995* section 5.46(2), *Cat Act 2011* section 47(2), *Dog Act 1976* section 10AB(2) and *Planning and Development (Local Planning Scheme) Regulations 2015* clause 84:

Ordinary Meeting of Council	21 June 2011	C/11/5187
Ordinary Meeting of Council	17 April 2012	C/12/5217
Ordinary Meeting of Council	21 May 2013	C/13/5291
Ordinary Meeting of Council	17 June 2014	M14/5369
Ordinary Meeting of Council	12 May 2015	M15/5418
Ordinary Meeting of Council	17 May 2016	M16/5477
Ordinary Meeting of Council	16 May 2017	M17/5549
Ordinary Meeting of Council	19 June 2018	M18/5618
Ordinary Meeting of Council	18 June 2019	M19/5691
Ordinary Meeting of Council	16 June 2020	M20/5749
Ordinary Meeting of Council	15 June 2021	M21/5842
Ordinary Meeting of Council	19 July 2022	M22/5920
Ordinary Meeting of Council	20 June 2023	C23/25

## Part 2 - Register of Statutory Delegations by Council

**Division 1 - Local Government Act 1995 and Regulations and Local Laws****2.1.1 Enabling legislative provisions**

Council may delegate to:

- a) A committee (section 5.16(1))
  - i) Comprising council members and employees – only powers and duties that may be delegated to the CEO (section 5.17(b)); or
  - ii) Including people who are neither council members nor employees, as described in section 5.9(c), (d) and (e) – only powers and duties related to management of the property or events in which the committee is involved (section 5.17(c)).
- b) The CEO (section 5.42 (1)(a) – all powers and duties of the local government under the Act except those listed in section 5.43 or prescribed by regulations.

**2.1.2 Matters that may not be delegated**

1) To committees:

- a) Comprising council members only – no power or duty that requires an absolute majority decision or that is prescribed (section 5.17(a)); and
- b) If the committee contains no members who are council members or employees, then no delegation is permitted (section 5.17(d)).

2) To the CEO:

Section 5.43 of the Act states that a local government cannot delegate to a CEO any of the following powers and duties

- (a) Any power or duty that requires a decision of an absolute majority of the council;
- (b) Accepting a tender which exceeds an amount determined by the local government;
- (c) Appointing an auditor;
- (d) Acquiring or disposing of any property valued at an amount exceeding that determined by the local government;
- (e) Any of the local government's powers under sections 5.98, 5.98A, 5.99A, 5.99 and 5.100 of the Act (fees, allowances and payments to Council members);
- (f) Borrowing money on behalf of the local government;
- (g) Hearing or determining an objection of a kind referred to in section 9.5 (objection to certain local government decisions);
- (ha) The power under section 9.49A(4) to authorise the CEO, another employee or an agent to sign documents on behalf of the local government;
- (h) Any power or duty that requires the approval of the Minister or Governor; or
- (i) Such other duties or powers that may be prescribed by regulation.

With respect to the last point (i) above:

1. Regulation 18G of the *Local Government (Administration) Regulations 1996* prohibits the delegation to a CEO of the powers and duties under:
  - (a) Sections 7.12(a), 7.12A(3)(a) and 7.12A(4) of the *Local Government Act 1995* (relating to meetings with auditors); and
  - (b) Regulations 18C and 18D (relating to the selection and appointment of CEO's and reviews of their performance).
2. Regulation 6 of the *Local Government (Financial Management) Regulations 1996* prohibits the delegation of the duty to conduct an internal audit to an employee (including a CEO) who has been delegated the duty of maintaining the local government's day to day accounts or financial management operations.

## Part 2 - Register of Statutory Delegations by Council

**2.1.3 Sub-delegation**

1. The CEO may delegate to any employee a power or duty that has been delegated to the CEO under section 5.42 (section 5.44(1) and (3)).
2. A delegation must be made in writing (section 5.44(2)) and is subject to any conditions imposed by the local government on its delegation to the CEO (section 5.44(3)).
3. The CEO may impose further conditions on a delegation that is sub-delegated (section 5.44(4)).

**2.1.4 Making delegations**

1. An absolute majority decision of Council is required to delegate powers and duties to the CEO (section 5.42(1)).
2. A delegation made under section 5.42 must be in writing and can be general or as otherwise provided (s.5.42(2)).
3. A delegation has effect indefinitely unless otherwise specified in the delegation (section 5.45(1)(a)).
4. Any decision to amend or revoke a delegation made by a local government is to be by an absolute majority decision (section 5.45(1)(b)).

**2.1.5 Recording and Review Obligations**

1. The CEO to keep a register of the delegations made under Part 5 Division 4 to the CEO and to employees (section 5.46(1)).
2. At least once every financial year delegations made under Part 5 Division 4 are to be reviewed by the delegator (section 5.46(2)).
3. Every person to whom a power or duty is delegated under the *Local Government Act 1995* is to keep records in accordance with the *Local Government (Administration) Regulations 1996* in relation to the exercise of the power or discharge of the duty (section 5.46(3)).

Regulation 19 of the *Local Government (Administration) Regulations 1996* specifies that where a power or duty has been delegated under the *Local Government Act 1995* to the CEO or any other employee, the person to whom the power or duty has been delegated must keep a written record of:

- How the person exercised the power or discharged the duty;
- When the person exercised the power or discharged the duty; and
- The persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.

**2.1.6 Other obligations on delegates**

Under section 5.71, an employee who has been delegated a power or duty under Part 5 Division 4 relating to a matter, must not exercise that power or discharge that duty if they have an interest in the matter as defined in sections 5.60A or 5.60B, and must disclose the nature of the interest to the Mayor (if the CEO) or to the CEO (any other employee).

Employees holding delegated authority (including sub-delegations) under Part 5 Division 4 of the *Local Government Act 1995* must lodge a primary financial return under section 5.75 of the Act within three months of receiving the delegation and must thereafter, while holding the delegated authority, lodge an annual return under section 5.76 of the Act.











































































































































































































































































































































































































































































































































































































































































































