



**MINUTES**

**OF THE**

**ORDINARY MEETING OF THE COUNCIL**

**HELD ON**

**TUESDAY, 18 SEPTEMBER 2018**

**AT 6.30PM IN THE COUNCIL CHAMBERS**

**MELVILLE CIVIC CENTRE**

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**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL HELD IN THE COUNCIL CHAMBERS, MELVILLE CIVIC CENTRE, 10 ALMONDBURY ROAD, BOORAGOON, COMMENCING AT 6.30PM ON TUESDAY 18 SEPTEMBER 2018.**

**1. OFFICIAL OPENING**

The Presiding Member welcomed those in attendance to the meeting and officially declared the meeting open at 6:33pm. Mr J Clark, Governance and Compliance Advisor, read aloud the Disclaimer that is on the front page of these Minutes and then the His Worship the Mayor, R Aubrey, read aloud the following Affirmation of Civic Duty and Responsibility.

**Affirmation of Civic Duty and Responsibility**

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

**2. PRESENT**

His Worship the Mayor R Aubrey

**COUNCILLORS**

Cr M Woodall (Deputy Mayor)  
(until 9:50pm)  
Cr C Robartson  
Cr N Pazolli, Cr S Kepert  
Cr T Barling, Cr N Robins  
Cr G Wieland, Cr J Barton  
Cr K Mair, Cr D Macphail  
Cr P Phelan, Cr K Wheatland

**WARD**

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

**3. IN ATTENDANCE**

Mr M Tieleman	A/Chief Executive Officer
Ms C Young	Director Community Development
Mr S Cope	Director Urban Planning
Mr M McCarthy	Director Technical Services
Ms K Johnson	A/Director Corporate Services
Mr J Rae ( <i>until 11:40pm</i> )	Land and Property Executive
Mr T Cahoon ( <i>until 8:12pm</i> )	Manager Healthy Melville
Mr J Clark	Governance and Compliance Advisor
Ms C Newman	A/Executive Manager Governance and Legal Services
Ms J Head	Governance Officer

At the commencement of the meeting there were 27 members of the public and one representative from the Press in the Public Gallery.

Mr N Douglas and Ms F Grgich from McLeods Barristers and Solicitors.

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

Mr L Hitchcock, Executive Manager Governance and Legal Services

**4.2 APPROVED LEAVE OF ABSENCE**

Nil.

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

Nil.

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

Nil.

**6. QUESTION TIME****6.1 Mr K Kelers, Alfred Cove**Question

*Is the Council prepared to face a civil action law suit from electors, claiming undue stress and duress caused for some ten years now. Unquestionably affecting electors health and their life style. The Wave Park will also devalue many electors properties becaus (sic) of increased traffic conjection (sic), noise from this commercial enterprise, increased parking on side streets, loss of public open space, decrease of age friendly amenities, etc?*

Response

The role of the Council would need to be clearly demonstrated in being responsible for any of those impacts by the litigant. Following the Council resolution, the City has approved a conditional lease for the Wave Park. The City is confident that the State Government approval process will result in a compliant development that does not negatively impact the residents or the environment.

**6.2 Mr C Ross, Applecross**Question 1

*Have you on behalf of the City sought legal advice on the City's inability to meet the pre-conditions in the Wave Park lease by the due date of 1 October 2018 and in any event by the Sunset Date of 28 February 2019 and whether the City will have any liability to any party should the Council decide not to seek or agree to an extension of the Sunset Date for the Lease?*

Response

Yes.

Question 2

*If you have sought legal advice what is the advice on any liability?*

Response

Legal advice obtained by the City is protected by legal professional privilege. That privilege would be lost if the City disclosed the advice, or the substance of it, to you or any third party. In any event, it would clearly not be in the City's legal or commercial interests to disclose to any third party advice that it has received in relation to its potential commercial liability.

**6 Public Question Time continued - Mr C Ross, Booragoon**Question 3

*If you have not sought legal advice why not and how are you able to advise Council on how they should proceed?*

Response

Not applicable

Question 4

*In the Business Case the City acknowledged that it had received advice that the Crown land would have to be purchased. Have you determined what the purchase price will be or obtained any estimate of the price?*

Response

A proposal by the City to acquire a small portion of Crown Lot 9789 from the Department of Lands has been submitted and is currently under consideration by the Department. The City can not divulge the contents of the submission as The Department of Lands requires that all proposals are to remain confidential and the City will uphold this.

Question 5

*The City will not receive any rental income from the Wave Park for a minimum time of 34 months from when ALL pre-conditions are satisfied. As the Purchase price outlay will need to be incurred before the pre-conditions are satisfied have you calculated how much interest the City would have lost or had to pay on any borrowing to fund the purchase of the Crown land? If that amount is capitalised as part of the purchase cost, what is the total amount of the purchase price plus the interest or opportunity cost?*

Response

See response in 4 above.

Question 6

*Taking into account the total amount of the purchase price and opportunity costs how long, in years will it take before the City recoups the full amount from the rent that will be collected from the Wave Park?*

Response

See response in 4 above.

**6 Public Question Time continued - Mr C Ross, Booragoon**Question 7

*Has Council been advised of the estimated amount and the time it will take to recoup the expenditure and that effectively during that period there is no rental income just repayments of funds expended?*

Response

Council has been advised of the full financial implications to the City from the ground lease with URBNSURF over its term.

*At 6:43pm Ms K Johnson left the meeting and returned at 6:45pm.*

**6.3 Mr E Nielsen, Booragoon**Question 1

*With reference to the unsatisfactory response to my Question 2 at last month's OMC (21/8/18) which stated that 'These processes have been reviewed at **Annual Audit by the external auditors** and at the **Financial Management Review Audit** that was last undertaken in April 2016.' I ask...*

- a. **Why did the external auditor (or Council for that matter) not pick up (Section 7.9(2) of the Act) that Regulation 13 had not been complied with for as far back as 2009 and...***
- b. **Looking at the Charter for the Financial Management, Audit, Risk and Compliance Committee why has this committee not only failed to pick this up but also why has it not carried out an audit since April 2016, some 28 months ago?***

Response

- a. The City conducts Annual Audits by external auditors on a four yearly basis (now three yearly), and a three yearly Financial Management Audit that was last undertaken in April 2016 by an alternative auditor to the Auditor that undertakes the Annual Audits. The scope of the Annual Audit is independently set by the auditor and is a risk based, sample testing audit based on the materiality of transactions.

Although the concerns noted by Mr Nielsen were not identified as a non-compliance, steps have already been taken to improve the level of detail contained in the reporting of transactions since Mr Nielsen raised this matter last month.

As a minimum the City has provided the payment date, payment (cheque/EFT) number, the creditor or payee details and the amount of each transaction as a means to identify each payment. This matter will be discussed with the auditors in the forthcoming annual audit.

- b. The City's internal auditor in conjunction with the Financial Management, Audit, Risk and Compliance Committee set an annual internal audit plan. Random invoices and payments are reviewed each month. Regulation 5 of the Local Government (Financial Management) Regulations 1996 requires that a review of the appropriateness and effectiveness of the financial management systems and procedures is undertaken not less once in every three financial years. The next audit/review scheduled to be undertaken in 2019.

**6 Public Question Time continued - Mr E Nielsen, Booragoon**Question 2

*With reference to the 'Listing of Payments Made' for November 2016 a payment for the sum of **\$230,339.31** was made on the 25/11/2016 to Kent Street Pty Ltd and recorded under Sundry Cheque Payments with no details of what this payment was for (see attached). Also, considering that the sum paid is in excess of \$25,000 and was not listed in the Table (Minutes - OMC 21 February 2017, page 175) would Council please provide full details of the service(s) provided by this company, or reasons for payment, and why it was required?*

Response

The payment of 25 November 2016 Payment Number 066052 for \$230,339.31 was as a result of a revaluation by Landgate as a consequence of an objection to a valuation that appeared in the Ratebook, that required a refund on rates. The change to valuation was applied by Landgate to the 2014-2015, 2015-2016 and 2016-2017 years of the triennial GRV valuations.

**6.4 Mr R Willis, Bull Creek**

P14/3519 - Master Planning Outcomes - Consideration of Community Engagement Process - Melville Glades Golf Course And John Connell Reserve (Rec) (Attachment)

Council on the 15 July 2014

1. Resolves to use the revised master plan, attached to this report, as the basis for further research and analysis. Attachment 5 - Revised/Preferred Concept
2. Requests the Chief Executive Officer to commission suitable research and analysis with respect to the elements contained within this master plan so as to;
  - iii. Identify the issues, impacts and opportunities associated with each of these elements, having regard to the matters raised during public consultation and in the petition received by Council in September 2013.
  - iv. Having regard to 2(i) above, provide for the refinement of the master plan to a level of detail suited to feasibility testing, independent financial verification and progression to the State Government approval phase.
3. Resolves that the refined master plan arising from the research and analysis outlined above, inclusive of independent financial verification, be presented to Council for consideration for advertising for public comment prior to final adoption of a master plan by Council for progression through the State Government approval phase.
4. Advise all the petitioners of the petition bearing 208 signatures and raising concerns with respect to the Melville Glades Golf Course and John Connell Reserve master planning project as received by Council on 17 September 2013, in writing of items 1, 2 and 3 above.

On the 6 December 2017 at the Annual Meeting of Electors the question was asked  
Could electors be given an update on any progress with this matter?

Response - The Chief Executive Officer advised that discussions regarding site developments have taken place with LandCorp and State Government. LandCorp have been undertaking due diligence on the matter and are looking to proceed. A presentation will be made to the Council on 19 December 2017 and the Council will make a further decision in relation to the matter.

My understanding there was no meeting of Council on the 19 December 2017 however a Council meeting on the 12 Dec which considered the Annual Meeting of Electors made no reference to John Connell Reserve.

**6 Public Question Time continued - Mr R Willis, Bull Creek**Question 1

*Has a presentation been made to Council?*

Response

A presentation to the Elected Members was made at the Elected Members Information Session (EMIS) held on 19 December 2017.

Question 2

*Could you please advise on what was discussions with Landcorp and whether the council, still after 4 years, wishes to proceed with the Master Plan for John Connell Reserve and the Melville Glades Golf Club?*

Response

No Master Plan has been finalised or adopted by the Council for John Connell Reserve or the Melville Glades Golf Club. Various concept plans have been developed which formed the basis of previous consultation with the residents in the area.

Question 3

*Who is the Director responsible for the Master Plan item?*

Response

Director of Urban Planning.

Question 4

*What costs to date have been spent on consultants and as specified by council on 14 July 2014?*

Response

This question will be taken on notice as will require review of past years financial records.

Question 5

*What funds are in the current Budget for this Master Plan?*

Response

A budget amount of \$50,000 has been provided in the current budget for this project.

**6 Public Question Time continued - Mr R Willis, Bull Creek**Question 6

*Why has it taken so long to action council's resolutions?*

Response

The project is a complex one as it needs to address a broad range of issues with the site and take into account the views of all the stakeholders in order to arrive at an appropriate solution.

Question 7

*Could all 208 petitions, who are against this project, be advised on the current status by 18 October 2018?*

Response

The lead petitioner is the City's main point of contact. The City will update the web-site content as the Project progresses.

**6.5 City of Melville Residents and Ratepayers Association****Question 1:**

17 July 2018 Ordinary Meeting of Council (OMC)- M18/5627 Unreasonable customer conduct policy

At the 17 July 2018 Ordinary Meeting of Council Deputy Mayor Matthew Woodall put forward a motion seeking an amendment to the Unreasonable Customer Conduct Policy that was passed 11/2. Mayor Aubrey and Cr Wieland being the only two that voted against it. The amendment stated 'Customers may appeal a decision to change or restrict their access, and the subsequent review must be undertaken by a senior manager not involved in the original decision. A customer dissatisfied with the outcome of the internal review may seek an external review from the WA Ombudsman or other applicable oversight agency.'

Please confirm:

- 1.1. *If Council sought and received legal advice on the proposed amendment before voting for it, if so who provided that advice? Or did*

Response

No.

- 1.2. *Council rely on Deputy Mayor Woodall's advice recognising he is a practicing lawyer.*

Response

No.

**6 Public Question Time cont'd – City of Melville Residents & Ratepayers Assoc Inc**Question 2

M18/5640 – 20 August 2018 SME motions carried – Motion 2 – Unreasonable customer conduct policy

At the 20 August 2018 Council was told why the community understands the Unreasonable customer conduct policy was defective, primarily being that the customers right of review in the approved policy bypasses the role of Council, does not reflect the legislative role of the Ombudsman, is not transparent nor effective and contrary to the review provisions already embedded in the Local Government Act. The City's Officers are recommending that the defective policy stay in place until the policy is reviewed in July 2019.

Please confirm, why;

*2.1 Council believes it satisfactory to maintain known defects in the policies, particularly defects that may be detrimental to residents and ratepayers.*

Response

This matter will be dealt by the Council at this meeting.

Question 3

M18/5640 – 20 August 2018 SME motions carried – Motion 3 – Local Law amendments wart (sic) deputations

The City's a/CEO has unreasonably refused our 9 September request for a deputation on the 20 August Special Meeting of Electors Motion 3, a motion that was put forward in response to Mayor Russell Aubrey's false and/or misleading statement to the public, that is a "**direct interest**" is described in the Local Government Act 1995 and relevant in the assessment of request for Deputations." and that motion was overwhelmingly passed at the 20 August SME (Deputation).

Please confirm;

*3.1 The basis of the a/CEO's reasons for refusal of our Associations request for deputation?*

At 6:53pm Cr Kepert moved, seconded Cr Robartson–

**That Public Question Time be extended for a further 15 minutes.**

At 6:53pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (13/0)**

Response

Mr McLerie was given the opportunity to make a presentation on this matter at the Special Meeting of Electors held 20 August 2018, the slides Mr McLerie provided on this matter were available on the evening for him to speak to, however he did not speak to them during his allotted presentation time. Mr McLerie's presentation lasted in excess of 15 minutes, with two extensions of speaking time granted.

**6 Public Question Time cont'd – City of Melville Residents & Ratepayers Assoc Inc**

*3.2 If the Council fully supports a/CEO Tieleman's decision with respect to the deputation.*

Response

That would require a decision of the Elected Members.

Question 4

CD18/8107 Development of Amenities Building at Bert Jeffrey Park

Please detail;

*4.1 All business and/or personal associations between any members of the Applecross Cricket Club (ACC) and City Councillors and employees, in particular Mr Todd Cahoon and Cr Robins.*

*4.2 Any other business relationships between any member of the ACC and the City.*

Response

These questions will be taken on notice.

Question 5

The a/CEO's CD18/8107 report is asking Council to approve a location for the Bert Jeffrey Park (BJP) amenity building, yet the a/CEO has not provided any final plans or cost estimates for the development (Motion). The Motion appears premature; so why:

*5.1. Would Council approve a location now prior to seeing the final layout, planned configuration and definitive final cost estimates for the development? and why*

*5.2. Is Council not deferring this Motion until final plans and cost estimates are available to it and the public for scrutiny; ie what is the purpose of this motion?*

Response

An approximate location for the building is required to finalise layout and configuration of the building. Finalised plans will be used to determine final costs.

Question 6

*What is the "Recreation Development and Natural Areas and Parks" body; who is on this body, and who attended the joint meeting referred to in the a/CEO's report?*

Response

The Recreational Development and Natural Areas and Parks refers to a meeting by two internal sections of the City to plan and assess usage of sites within the City.

**6 Public Question Time cont'd – City of Melville Residents & Ratepayers Assoc Inc**Question 7

In relation to the \$40,000 grant for the BJP development received from the CSRFF/Department of Local Government, Sport and Cultural Industries (DLGSC) around March 2017 (Grant), as referenced in the a/CEO's report;

- 7.1 *What was the BJP development concept presented in the proposal for the Grant*
- 7.2 *Will the City make a copy of the Grant application and Grant letter public, outside of the FOI Act.*
- 7.3 *What are the terms of the grant?*
- 7.4 *Why did the City apply for the Grant well ahead of Council approval for the BJP development. Did the City's officers make any representations to the DLGSC that funding was, or likely to be approved, in any set timeframe?*
- 7.5 *How much of the Grant funds have already been expended?*
- 7.6 *How is the Grant different from the \$40,000 grant we understand that ACC independently obtained for the turf wicket?*
- 7.7 *What are the terms of the ACC grant?*
- 7.8 *If in fact the \$80,000 in total grant funding was obtained, was the DLGSC made aware of the additional \$40,000 grant and/or was there any linkages between the two grants. We note \$80,000 funding in total to a single sporting club for such facilities appears very generous?*

Response

These questions will be taken on notice.

Question 8

The a/CEO's report does not provide a clear and unambiguous breakdown of funds already expended on BJP development activities; so please

- 8.1. Provide a schedule of all costs (capital and operational) expended on facilities at Bert Jeffrey Park to date, inclusive of water costs, reticulation, planning and design fees, portable toilets, site works and head works (water and gas) and exclusive of any grants, and
- 8.2. How much of this expenditure has already been recovered from ACC.

Response

These questions will be taken on notice.

**6 Public Question Time cont'd – City of Melville Residents & Ratepayers Assoc Inc**Question 9

*Mr Todd Cahoon has stated that the total final cost estimates for the envisaged development (including of headworks, feasibility, design, survey and planning costs) have blown out materially from the initial \$135,000 cost estimate. We understand Mr Cahoon stated figures in excess of \$250,000 at the ABF, but this information does not appear in detail in the a/CEO's report?*

Response

Final cost estimates are not known until a final design has been completed and this is reliant on a resolution of the Council.

Question 10

Please provide a full breakdown (planning, design, headworks, earthworks, building etc) if the initially quoted \$135,000 estimate (exclusive of the Grant, but inclusive of funds already spent).

- 10.1. Please confirm what recurring costs have been factored into the City's budget for the facility, ie water, power, cleaning, maintenance, security and the like?*
- 10.2. Please provide a detailed waterfall of the changes to the project scope and cost estimates from the initial \$135,000 through to the in excess of \$250,000 number Mr Cahoon quoted?*
- 10.3. How does the money already spent add to these costs estimates, if not already included in the estimates above?*

Response

No funds have been set aside at this time and there are no final cost estimates.

Question 11

Given the City has had significant blow outs in a number costs estimates over the past few years, for example the Tompkins Park redevelopment and the BJP development, what is Council doing to improve the City's competencies and capabilities to ensure it can properly manage cost estimating prior to presenting material to Council and the public

Response

The City now has skilled Project Managers on staff and engages external architect and cost estimate services.

**6.6 Ms J Edinger, Melville**Question 1

*Can the Council please advise the following:*

- (a) *What the purpose of Mayor Aubrey's recent meeting with the Minister for Planning, Rita Saffioti was?*

Response

I have not attended a recent meeting with the Minister for Planning. Officers of the City being the Acting Chief Executive Officer, Director Community Development, Executive Manager Governance and Legal Services and the Strategic Land and Property Executive were invited by the Honourable Minister Rita Saffioti to provide the Minister with a briefing on the Wave Park project.

- (b) *Whether the Mayor advised the Minister that, following the Special Meeting of Electors held on 23 January 2017, there was a postal vote where 385 votes were received asking Council to vote against the wave park versus 130 for the wave park?*

Response

The Officer Briefing did not include a motion from this Special Meeting of Electors as the motion did not relate to the purpose of the Briefing.

- (c) *Whether the Mayor advised the Minister that there have been a number of additional Special Meetings of Electors (SME) where at least one motion requesting the wave park be stopped was the (sic) included in motions put at those meetings and that the overwhelming majority at each of the meetings have voted for the Council to support the SME motion;*

Response

The motions from three Special Meetings of Electors were not included in the Officer Briefing as the motions did not relate to the purpose of the Briefing.

- (d) *Whether the Mayor advised the Minister that Council has repeatedly "Noted" the outcome of the Special Meetings of Electors, rather than voting on the motions that were put at the meetings;*

Response

This matter did not relate to the purpose of the Officer Briefing.

- (e) *Whether the Mayor advised the Minister that, in July 2017, a petition was submitted to parliament with 3,452 signatures, requesting "the responsible Ministers and Government Departments to exercise authority or discretion to not approve or consent to" the wave park;*

Response

This matter did not relate to the purpose of the Officer Briefing. It is expected that Minister Saffioti was informed via Parliament that a petition had been lodged.

**6 Public Question Time cont'd – Ms J Edinger, Melville**

- (f) *Has the cost of purchasing the Crown Land been included in the financial calculations for the City of Melville's costs in relation to the wave park?; and*

Response

Elected Members were previously advised of the proposed cost to the City to purchase the portion of Crown Lot 9789 and the financial implications have been considered in relation to the Ground Lease with Urbnsurf.

- (g) *The projected cost of purchasing the Crown Land, the purpose of which will be for private, not Council, use.*

Response

The proposal by the City to purchase the portion of Crown Lot 9789 from the State Govt. was submitted to Department of Planning, Lands & Heritage in July 2017 and the City has been advised by the Department that the proposal will be assessed after the Department of Planning and WAPC have assessed and made a determination on Urbnsurf's development application and as such the City has not been advised by the DPLH of the cost of the land.

**6.7 Dr G Mahony, Attadale**

*It is understood that in respect of the proposed wave park at Tompkins Park that North Lake Road is to be extended across Canning Highway into the Atwell House property, and that Atwell House as an Arts Centre is to be reclaimed and reallocated to the proponent of the wave park for use as the Administrative Office for the wave park.*

The Mayor advised that this is incorrect. The Wave Park ground lease area sits within Lot 39 which lies to the east of the Lot 14584 which is occupied by the Atwell House and Arts Centre. The Wave Park facility development will not encroach on the lot occupied by the Atwell House and they will remain in situ and unaffected by the project. Melville Community Arts Association will continue to operate from their current facility as they have previously done.

Question 1

*Have any discussions, at any time, been undertaken with the 'Wave Park Group P/L/URBNSURF (Perth) P/L' (the proponent) concerning the eventual occupancy by the proponent of Atwell House as part of the operation of the wave park at Tompkins Park? If so what was the subject of these discussions? On what date did discussions take place?*

Response

The City has never discussed nor has Urbnsurf ever proposed to occupy Atwell House. As mentioned above, the ground lease area for the proposed Wave Park does not impact or encroach on Lot 14584 being the site occupied by Atwell House (Melville Community Arts Association).

**6 Public Question Time cont'd – Dr G Mahony, Attadale**Question 2

*Have any such discussions been undertaken with the Arts Centre Representatives currently occupying Atwell House, or in respect of limiting the time-frame for occupancy for Art Centre use? If so what was the nature of these discussions? On what date did discussions take place?*

Response

Discussions have occurred, and are ongoing, in relation to the sheds that are located adjacent to the current drain on the western side and are part of the Melville Community Arts Association leased area. If the drain area is converted to a living stream then these sheds would need to be relocated. The Wave Park leased area does not extend onto the Atwell House site.

Question 3

*Have any Representatives of the City of Melville held any discussions with the Department of Main Roads WA concerning traffic management issues in relation to the proposed wave park at Alfred Cove? If so, what was the subject of these discussions? On what date did discussions take place?*

Response

There was a meeting initially between City of Melville representatives, Main Roads Western Australia Representatives and Wave Park representatives regarding access to the proposed wave park site and traffic impacts. The subjects of these discussions were access options for the site, traffic impacts and what future upgrades were planned for Canning Highway in the vicinity of the proposed wave park site. The meeting was held in November 2016.

At 7:08pm Cr Wieland moved, seconded Cr Barton –

**That Public Question Time be extended for a further 15 minutes.**

At 7:08pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (13/0)**

Question 4

*Have any Representatives of the City of Melville discussed with the Department of Main Roads WA any proposal to extend North Lake Road across Canning Highway into what is currently the Atwell House parking areas? If so what was the subject of these discussions? On what date did discussions take place?*

Response

At the meeting a number of access options were discussed including the possibility of linking the carpark of Atwell House and the Wave Park and creating an access to Canning Hwy at the signals at the intersection of Canning Highway/North Lake Road. This could create a better access for Atwell House as well as the proposed Wave Park. No formal proposal has been made to the City since that discussion.

**6.8 Mr C Ross, Applecross**Question 1

*At the Agenda Briefing Forum on 4 September 2018, Councillors stated that the residents/City must choose between tall and skinny or short and fat buildings in the Canning Bridge Activity Centre Precinct.*

- A) How did tall and skinny versus short and fat become the only choice?*
- B) Will the City's Officers and Councillors acknowledge that if they had included maximum height limits and maximum plot ratios, the choice between tall & skinny versus short and fat would not be necessary and all developments could only be approved within established limits?*
- C) Why did the City's Officers and Councillors fail to understand that approving the Canning Bridge Activity Centre Plan without maximum height limits and maximum plot ratios would result in the runaway height allowances that have been approved?*
- D) If the City and Councillors truly do not want these excessive height allowances, then why are they not making urgent changes to the Canning Bridge Activity Centre Plan?*
- E) The City's Officers and Councillors created the problem, they must now act swiftly to rectify the problem. Will the City adopt the Elector's Motion 1 passed at the SME on 20 August and which is supported by a further petition signed by over One Thousand residents and do that without further delay and if not why not?*

Response

These questions will be taken on notice.

Question 2

The City's Officers advised Councillors at the Agenda Briefing Forum on 4 September 2018 that NO street trees would be removed within the Canning Bridge Activity Centre Precinct as a result of the proposed re-development in the area.

- A) Can the City's Officers advise why the Canning Bridge Master Plan at page 58 (copy attached) contains a table showing the streets within the Canning Bridge Precinct where there will be tree removal or phased tree removal?*
- B) Is the Officer's advice to Councillors incorrect or is the Master Plan incorrect? If the latter is incorrect, when will the City amend the Master Plan? If the former is incorrect when will the City's Officers be held accountable for providing false and misleading information to Councillors and the Community?*

Response

These questions will be taken on notice.

**6 Public Question Time cont'd – Mr C Ross, Applecross**Question 3

In relation to the removal of street trees the Officer Recommendation advises that the Canning Bridge Master Plan incorporates indicative designs which propose retention of the existing street trees subject to further investigations.

- A) What does "subject to further investigations" mean? If further investigations show that the retention of a particular street tree or trees will not fit within the design, then will that street tree or trees be removed or will the design be changed?
- B) Will the City make a clear and unambiguous statement supported by documentation in the CBACP and the Masterplan that no street trees will be removed in the CBACP and any design that requires removal of a street tree will not be allowed?

Response

These questions will be taken on notice.

Question 4

*The Officer Recommendation also advises that focusing development in activity centres whilst allowing lower density suburbs to remain largely unchanged, provides opportunity for protection of mature trees throughout the City's lower density areas.*

- A) *As the Activity Centre strategy only provides "opportunities" for protection of mature trees in 'lower density areas' is this an admission by the City's Officers that the CBACP may also result in a loss of street trees in lower density areas?*

Response

This question will be taken on notice.

Question 5

*In relation to Motion 1 from the SME on 20 August 2018, the Officer Recommendation advises that a full review of the CBACP would involve the City of South Perth and relevant State Government Agencies. The costs of a full review would be substantial and require allocation of appropriate funding and any changes would require WAPC approval.*

- A) *Why would a review involve the City of South Perth? The Council has already according to the Officer requested an investigation into height limits with a view to notifying the WAPC of proposed changes and that process has allegedly already commenced without involving the City of South Perth, so on what basis does the Officer make that claim and on what authority would the City of South Perth dictate that changes could not be made by the City of Melville without consultation?*

**6 Public Question Time cont'd – Mr C Ross, Applecross**

- B) *Has the City of Melville estimated or accounted for the additional infrastructure costs arising from the unlimited height allowances and the costs of lost amenity, traffic congestion, additional travelling time and cost of rectifying the additional pollution and how much of those costs may be avoided by having a review at this time?*
- C) *Has the City considered how much of these costs could have been avoided if the City's Officer and Councillors had made responsible decisions and followed well established planning processes and included maximum height limits, maximum plot ratios and maximum building densities in the CBACP?*
- D) *As the City's Officer advises that an investigation into height limits has been requested by Council and may result in requests for changes to the WAPC and as both the investigation and a review may result in changes to be notified to the WAPC, why is the Motion different in that regard?*
- E) *How is WAPC approval for any changes a basis for not having a full review?*

Response

These questions will be taken on notice.

*At 7:12pm Cr Robins left the meeting and returned at 7:14pm.*

**6.9 Mr M Kalkoven, Applecross**Question 1

*Will the CEO confirm that the City made an offer to the State Government to purchase the Crown Land at Tompkins Park referred to in the Wave Park lease and that offer to purchase was rejected?*

Response

The proposal by the City to purchase the portion of Crown Lot 9789 from the State Govt. was submitted to Department of Planning, Lands & Heritage in July 2017 and the City has been advised by the Department that the proposal will be assessed after the Department of Planning and WAPC have assessed and made a determination on Urbnsurf's development application.

Question 2

*Will the CEO confirm that the State Government has advised the City that it will not grant permission to the City to lease the Crown land to the Wave Park?*

Response

The City has not received advice from the State Govt. (DPLH) advising that it will not grant permission to the City to lease the portion of Crown Lot 9789 to Urbnsurf. The City would be pleased if the questioner has in his possession such advice in writing from State Government and that he provide the City with a copy of the relevant advice.

**6 Public Question Time cont'd – Mr M Kalkoven, Applecross**Question 3

*Has the CEO sought or obtained any valuation of the possible purchase price of the Crown land for the purposes of determining to what extent, the costs of acquisition make the transaction with the Wave Park financially attractive or financially irresponsible?*

Response

The State Government and DPLH requires that any party including, Local Governments, which submit proposals to acquire land owned by the Western Australian State Government maintain strict confidentiality on such proposals. As such, the City is unable to disclose particulars relating to the proposed acquisition of the portion of Lot 9789.

Question 4

*If the CEO has not obtained any estimate of the possible costs of acquisition of the Crown Land on what basis is the CEO able to advise Councillors on whether the proposed transaction is financially and commercially viable and beneficial and is not a financial burden on rate payers?*

Response

Refer to response to question 3 above.

Question 5

The Agreement to enter into a lease with the Wave Park provides that as soon as either party becomes aware that a pre-condition will not be satisfied by the due date, the other party will be notified.

- A) *The City became aware on 15 June 2018 that the pre-condition to have the Melville Bowling Club site vacated by 1 October 2018 would not and could not be satisfied fulfilled by the due date. When did the City notify the other party that this pre-condition would not be satisfied by the due date and has the City entered into negotiations to extend that due date?*
- B) *What is the extended date if any, for satisfaction of the pre-condition to have the Melville Bowling Club site vacated?*

Response

The Lessor and Lessee are both aware of their obligations under the ground lease agreement and the City has and will continue to take legal advice from its solicitors for the purpose of advising the Council should they determine that amendments to the agreement are necessary.

**6 Public Question Time cont'd – Mr M Kalkoven, Applecross**Question 6

*Is it true that under the terms of the provisional lease agreement between the City of Melville and Urbnsurf (Perth) Pty Ltd, that there are no financial implications for the City of Melville to Urbnsurf (Perth) Pty Ltd if it does not agree to extend the provisional lease on the basis that the City of Melville has not been able to satisfy its precondition requirements despite its best efforts?*

Response:

Clause 2.5 of the lease has particular requirements with respect to these matters and the Council will receive legal advice this evening from its solicitors, behind closed doors.

**6.10 Mr M McLerie, Bicton**Question 1

I refer to the questions I put forward to the 26 April 2018 SME and the 21 August 2018 OMC that asked, amongst other things, somethings along the lines of:

*“since 1 July 2017 which Government Bodies have made enquiries with the City in relation to any complaints, issues or any other matters involving, and/or in any way associated with, me dating back to 2012; be it issues in relation to the City or any of its employees”.*

The City has not answered the 26 April 2018 questions, yet the City's answered the 21 August questions with the statement that:

*“Government bodies which have made enquiries with the City of Melville since July 2017 regarding the questioner include the Building Commission, the Freedom of Information Commissioner's Officer (sic) and the Ombudsman, but there may be others”.*

Please Confirm:

*1.1 Why the City has stated the 26 April SME questions relates to the Authorised Inquiry and/or the Judicial review?*

*1.2 How many of the enquiries by the Government bodies since July 2017 relate to formal investigation by those bodies?*

*1.3 The City says there 'may be others' in its 21 August response; who are those 'others'?*

*1.4 At the 20 August 2018 SME I asked a question along the same lines, to which the a/Mayor and a/CEO, in the presence of the director – Urban Planning and Executive Manager legal Services, stated that 'the city did not know the answer'*

*Why did the a/Mayor and a/CEO say they did not know the answer to the 20 August question, particularly given the 21 August OMC answer?*

Response

These questions will be taken on notice.

**6.11 Mr G Crawford, Attadale****Question 1:**

Mr Darren Monument, directly or indirectly via a related business entity (such as Balanced View Leisure Consultancy Services) has completed significant work for the City of the past years on a contract and/or consulting basis. Please Confirm:

- A) *When Mr Monument, or related entities, first started undertaking work for the City?*
- B) *What was/is the basis of Mr Monuments engagement, eg term contract, defined deliverable contracts directly or via various other entities?*
- C) *If other entities what is the name of those entities used since first engagement?*
- D) *How much has the City paid Mr Monument each year for the last three years, either directly or through an entity?*
- E) *On how many occasions and when has the City competitively tested the services provided by Mr Monument via competitive quotes or tenders?*
- F) *Has Mr Monument ever made use of the City's facilities in the performance of the work, e.g. rented the office space free of charge; if so what was the arrangement?*

**Response**

These questions will be taken on notice.

**7. AWARDS AND PRESENTATIONS**

Nil.

**8. CONFIRMATION OF MINUTES****8.1 ORDINARY MEETING OF THE COUNCIL – 21 AUGUST 2018  
Minutes 21 August 2018****COUNCIL RESOLUTION**

At 7:25pm Cr Wieland moved, seconded Cr Barling –

**That the Minutes of the Ordinary Meeting of Council held on Tuesday, 21 August 2018, be confirmed as a true and accurate record.**

At 7:25pm the Mayor submitted the motion, which was declared  
**CARRIED UNANIMOUSLY (13/0)**

**8.2 NOTES OF AGENDA BRIEFING FORUM – 4 SEPTEMBER 2018  
Notes 4 September 2018****COUNCIL RESOLUTION**

At 7:25pm Cr Phelan moved, seconded Cr Woodall –

**That the Notes of Agenda Briefing Forum held on Tuesday, 4 September 2018, be received.**

At 7:25pm the Mayor submitted the motion, which was declared  
**CARRIED UNANIMOUSLY (13/0)**

**8.3 ORDINARY MEETING OF THE COUNCIL – 17 JULY 2018  
Minutes 17 July 2018****COUNCIL RESOLUTION**

At 7:25pm Cr Barling moved, seconded Cr Robartson –

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

At 7.25pm the Mayor submitted the motion, which was declared  
**CARRIED UNANIMOUSLY (13/0)**

**8. Confirmation of Minutes continued****8.4 SPECIAL MEETING OF ELECTORS – 20 AUGUST 2018**  
**Minutes SME 20 August 2018****COUNCIL RESOLUTION**

At 7:26pm Cr Kepert moved, seconded Cr Barling –

**That the Minutes of the Special Meeting of Electors held on Monday, 20 August 2018, be confirmed as a true and accurate record.**

At 7:26pm the Mayor submitted the motion, which was declared  
**CARRIED UNANIMOUSLY (13/0)**

**9. DECLARATIONS OF INTEREST**

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

**9.1 FINANCIAL INTERESTS**

- Mayor R Aubrey – Item M18/5640 (Motion 1), Financial Interest.

**9.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT**

- Cr Robins – Item M18/8107, Interest Under the Code.
- Mayor R Aubrey – Item M18/5640, Interest Under the Code
- Cr Barton – Item M18/5640, Interest Under the Code.
- Cr Kepert – Item M18/5640, Interest Under the Code.

**10. DEPUTATIONS**

Nil.

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

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

**That the application for new leave of absence submitted by Cr Macphail on 18 September 2018 be granted.**

At 7:30pm the Mayor submitted the motion, which was declared  
**CARRIED UNANIMOUSLY (13/0)**

**12. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED****P18/5640 – Special Meeting of Electors 20 August 2018, Motions Carried**

The matter is confidential in accordance with section 5.23 (2) (d) of the *Local Government Act 1995*, legal advice obtained, or which may be obtained, by the local government which relates to a matter to be discussed at the meeting.

**P18/3790 – Confidential Item - Disposition of 7 Temby Court Kardinya**

The matter is confidential in accordance with section 5.23 (2) (c) of the *Local Government Act 1995*, a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting

The Confidential Item was distributed to Elected Members on Friday, 31 August 2018 under confidential cover.

**13. PETITIONS**Petition – Various Matters

A petition signed by 12 residents was received by the City of Melville on Wednesday 22 August 2018. The petition reads as follows –

*“We the undersigned, all being electors of the City of Melville, respectfully request that the Council:*

1. *Reverse the decision to relocate the Melville and Mt Pleasant Bowling club;*
2. *Review the Canning Bridge Activity Centre Plan to include maximum height limits, guarantee retention of all existing trees and include community consultation panels on all multi storey development applications and planning approvals;*
3. *Reverse the decision to build facilities at Bert Jeffery Park;*
4. *Notify Urbnsurf (Perth) Pty Ltd that the City as Lessor is unable to meet the Lessor’s pre-conditions to (a) vacate the Melville Bowling Club site by 1 October 2018 or (b) obtain permission to leave or acquire Crown land before the Sunset Date of 28 February 2019 and has no reasonable basis to request an extension of time to meet these pre-conditions.*

*All of the above decisions were made without appropriate Community consultation. The Community is notifying the Mayor, Elected Members and CEO of the Community’s position on these matters and requests the City to act in accordance with the Community’s wishes.”*

Mr Clive Ross of Applecross advised that an additional petition had been submitted to the City of Melville on Tuesday 18 September afternoon prior to the meeting containing 1468 signatures. The number of signatures was not confirmed by the City prior to the commencement of the meeting.

<b>OMC 16/10/18</b> 1,271 signatures were confirmed to be valid.
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**COUNCIL RESOLUTION**

At 7:36pm Cr Mair moved, seconded Cr Barton –

1. **That the petition bearing 12 signatures, and the petition containing an unconfirmed 1468 signatures be received and acknowledged in writing to the lead petitioners.**
2. **That the petitions be dealt with by the Council in conjunction with Item M18/5640 on this Agenda.**

At 7:36pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (13/0)**

*At 7:35pm Cr Kepert left the meeting and returned at 7:37pm*

**14. REPORTS OF THE CHIEF EXECUTIVE OFFICER**

Disclosure of Interest

Item No.	M18/8107
Member	Cr N Robins
Type of Interest	Interest under the Code
Nature of Interest	Previously expressed a view on this item
Request	Stay, discuss and vote
Decision	Stay, discuss and vote

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

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

**AUTHORITY / DISCRETION**

**DEFINITION**

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

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

- This report follows Recommendations endorsed by the Council following a Special Meeting of Electors in February 2018 that requested a report be prepared for consideration by the Council on the development of any infrastructure at Bert Jeffery Park, by no later than May 2018.
- The report was presented to the May 2018 Ordinary Meeting of Council. At the meeting a decision was deferred and the report was to be represented to a future meeting with additional consultation.
- The report provides background regarding the installation of a turf cricket wicket at Bert Jeffery Park and the proposal for the installation of a small amenities facility at the Park.
- Results of the community engagement in regard to the preferred location of the small amenities facility show that of the 208 letters sent out to residents for comment only 19 responses were received, (9% of letters sent). Of those responses 15 were against a facility and four were in favour.
- Officers are recommending the location of the amenities facility in line with Cricket Australia Guidelines and the particular features of the site.
- Officers seek support, in principle, for the proposed location and project that will then be considered for funding in the 2019-2020 Budget.

**BACKGROUND**

The Strategic Community Plan 2016-2026 identified a key community aspiration as Healthy Lifestyles with the objective to ensure opportunities for a healthy lifestyle both indoors and out and about in local parks and suburbs walking, running, cycling and exercising individually or in groups. The Plan notes the community would love a greater focus on using the outdoors – our parks, reserves and natural areas- as places for a range of healthy activities.

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

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

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

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

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

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

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

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

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

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

**Investigations for a suitable site for a turf wicket**

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

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

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

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

**Tompkins Park**

The Strategic Review completed in 2011 identified the need for a Master Plan of Tompkins Park, including Melville Bowling Club.

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

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

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

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

**Shirley Strickland Reserve**

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

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

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

**Bert Jeffery Park**

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

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

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

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

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

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

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(REC) (ATTACHMENT)**

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

**[8107 Q&A Bert@Jeffery Park Irrigation Upgrade and Installation of a Turf Cricket Wicket](#)**

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

**Greenkeeper's Storage Shed**

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

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

The Applecross Cricket Club has also agreed to:

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

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(REC) (ATTACHMENT)**



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

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

### **Amenities Building**

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

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

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

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

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

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

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

*That the Council;*

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

Item CD18/8107 – Development of Amenities Building at Bert Jeffery Park was presented at the May 2018 Ordinary Meeting of Council, where the following procedural motion was carried;

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

Following this resolution, a further motion was tabled under Item M18/5624 at the May Council meeting;

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

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

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

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

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

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

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

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

**Location for Amenities Building**

In determining the most suitable location for the amenities building, a number of key considerations were considered:

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

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

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

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

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

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

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

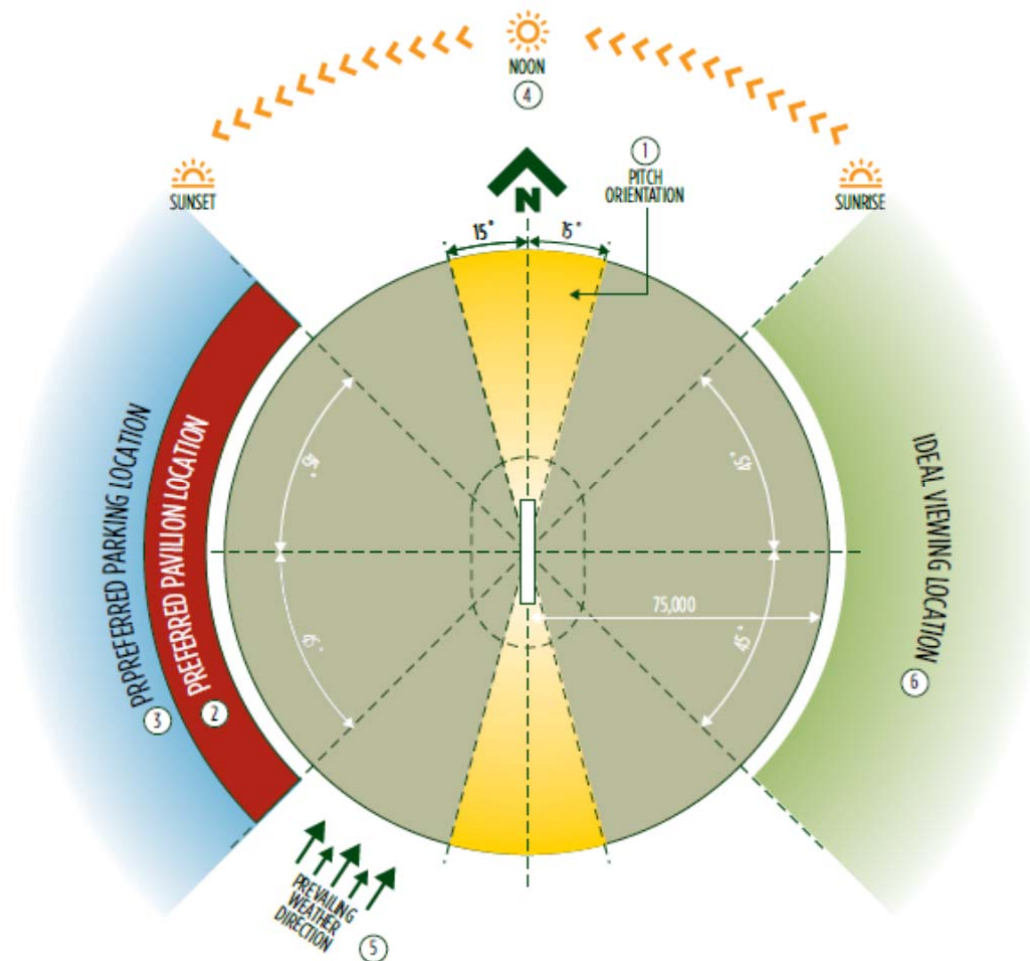


Diagram reproduced from the Community Cricket Facility Guidelines 2015 Guidance Note 03 – Clubrooms and Change Facilities page 51.

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

**Bert Jeffery Park**



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

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

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

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

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

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

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

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



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

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

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

Local considerations for all locations:

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

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

The proposed site for installation of the amenity facility will be approximately three metres lower than the drive ways of most local residents. Distance from the proposed amenities building to houses is considered adequate and in line with many other facilities in the City (refer attached). The amenity facility will be situated close to the existing trees and playground meaning the visual impact will be partially lessened. By installing the Greenkeeper's Storage Shed and amenities building the City is unable to totally prevent a visual impact but the proposed locations lessens the extent of this visual impact.

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

**[8107 Comparison of distance to homes from buildings](#)**

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

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

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

**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

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

Resident Comment	Officer Response
Criticism of the process to date and the lack of consultation regarding the turf cricket pitch installation	Noted
Criticism of the manner in which the City approached the installation of a Turf Cricket wicket	Noted
The size of the Park being too small to play cricket games	Cricket field size is supported by WACA and the Club. Suitable for a 5 wicket turf block.
Concerns the amenity would attract antisocial behaviour	The amenities is not intended to be open as a public toilet and will only be opened during activities.

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

Resident Comment	Officer Response
Somerville Park is a better location	The natural contours of Sommerville Park limits the size of any playing field and would require significant earthworks to create a level cricket field with a boundary of 68m.
Inadequate facilities at the Park already	Amenities are required to support the use of sporting fields. This is what is proposed for Bert Jeffery Park.
Safety of Children playing on the playground whilst cricket is being played	There are many examples in the City of playgrounds located next to cricket fields.
Loss of use of the Park in the summer and loss of access to the Park	The usage of Cricket at Bert Jeffery is minimal compared to the times when no sport will be played on the park. As with other sporting fields in the City local community utilize the park outside the playing field area during sports.
Do not remove any trees	No trees need to be removed for the proposed location of the amenities building
Remove current eyesore (new Greenkeeper's Storage Shed)	The placement and colour of the storage shed was done to minimise visual impact.
Increased noise, traffic movement and spectators in the local area	Bert Jeffery Park is considered suitable for the lower intensity sports use of cricket.
Loss of property valuations	Officers are unaware of any similar sporting use examples where there has been a loss of property values. Generally the higher level of upkeep for a sporting field can bring an increase in property values.

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

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

On 7 May 2018, a total of 208 letters were sent to local residents seeking feedback on whether the cricket games played between January and March this year have caused any inconvenience or if residents have had a positive experience they would like to share. Eighteen responses were received; four positive in regards to sport being played at the park and 14 negative towards sports being played at the Park. Of these, the majority were against any sport being played with only a few comments regarding any actual impact of the games played during January and March.

During the period of January and March 2018, the City's Rangers carried out site visits on a number of days when games were played. Officers did not report any major issues and in general parking and use of the park was in keeping with other lower use sporting fields.

**CD18/8107 – DEVELOPMENT OF AMENITIES BUILDING AT BERT JEFFERY PARK  
(REC) (ATTACHMENT)****II. OTHER AGENCIES / CONSULTANTS**

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

**City of Melville - Recreation Development and Natural Areas and Parks**

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

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

**STATUTORY AND LEGAL IMPLICATIONS**

The standard Planning and Building approvals are required to be obtained.

**FINANCIAL IMPLICATIONS**

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

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

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

The City allocated \$80,000 in the 2017-2018 from the CSRFF Project Fund account. \$36,245 was expended on water service installation and the hire of Portable Toilets, with the remaining budget been carried forward to the 2018/2019 budget.

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

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

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

**Risks Identified**

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

**POLICY IMPLICATIONS**

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

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

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

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

Another option is to choose an alternate location for the future development of amenities at Bert Jeffery Park. This is not recommended as the preferred location provides for the best balance of accessibility for users and impact on amenity for local residents.

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

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

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

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

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (8107)                      APPROVAL**

At 7:36pm Cr Macphail moved, seconded Cr Wieland –

**That the Council;**

- 1. Notes there is a basic level of supporting infrastructure required on active reserves to facilitate use.**
- 2. Approves the Bert Jeffery Park location plan (attached) as the future location of the amenities building at the Park.**

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

At 7:43pm Cr Mair Foreshadowed the following Reject and Replace Motion.

**That the Council notes there is a basic level of supporting infrastructure required on active reserves to facilitate use.**

*At 7:44pm Cr M Woodall left the meeting and returned at 7:48pm.*

*At 7:53pm Ms J Head left the meeting and returned at 7:55pm.*

**Procedural Motion**

At 7:59pm Cr Barton moved, seconded Cr Kepert –

**That the matter be deferred to the November 2018 Agenda Briefing Session.**

At 8:05pm the Mayor submitted the motion, which was declared

**LOST (5/8)**

<b>Vote Result Summary</b>	
Yes	5
No	8

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

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (8107) APPROVAL**

At 7:36pm Cr Macphail moved, seconded Cr Wieland –

**That the Council;**

- 1. Notes there is a basic level of supporting infrastructure required on active reserves to facilitate use.**
- 2. Approves the Bert Jeffery Park location plan (attached) as the future location of the amenities building at the Park.**

**8107 Proposed Amenities Building Bert Jeffery Park Location Plan**

At 8:11pm the Mayor submitted the motion, which was declared

**CARRIED (8/5)**

<b>Vote Result Summary</b>	
Yes	8
No	5

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

*At 8:08pm Mr J Rae left the meeting and returned at 8:10pm  
At 8:12pm Mr T Cahoon left the meeting and did not return.*

Disclosure of Interest

Item No.	M18/5640
Member	Mayor R Aubrey
Type of Interest	Financial Interest
Nature of Interest	Owner of a property in the designated Canning Bridge Activity Centre Plan area (motion 1 only)
Request	Leave
Decision	Leave

*At 8:11pm having declared an Interest in this matter, the Mayor left the meeting.*

Disclosure of Interest

Item No.	M18/5640
Member	Cr S Kepert
Type of Interest	Interest under the Code
Nature of Interest	Member of the Palmyra Rugby Club currently resides at his home.
Request	Stay discuss and vote
Decision	Stay discuss and vote

Disclosure of Interest

Item No.	M18/5640
Member	Cr J Barton
Type of Interest	Interest under the Code
Nature of Interest	Daughter owns a property in Forbes Road.
Request	Stay discuss and vote
Decision	Stay discuss and vote

Disclosure of Interest

Item No.	M18/5640
Member	Mayor R Aubrey
Type of Interest	Interest under the Code
Nature of Interest	Patron of the Melville Cricket Club and Palmyra Rugby Club.
Request	Stay discuss and vote
Decision	Stay discuss and vote

At 8:11pm Cr M Woodall, Deputy Mayor assumed the Chair.

**M18/5640 – SPECIAL MEETING OF ELECTORS 20 AUGUST 2018, MOTIONS CARRIED  
(REC)**

Ward : All  
 Category : Operational  
 Subject Index : Council Administration  
 Customer Index : Elected Members  
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
 Previous Items : Not Applicable  
 Works Programme : Not Applicable  
 Funding : Not Applicable  
 Responsible Officer : Corrine Newman  
 Governance Coordinator

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**M18/5640 – SPECIAL MEETING OF ELECTORS 20 AUGUST 2018, MOTIONS CARRIED  
(REC)****KEY ISSUES / SUMMARY**

- At the City of Melville Special Meeting of Electors held Monday 20 August 2018, five motions were carried and the Council needs to consider its response.
- Officers have provided comment on the motions.
- Recommendations for the motions are referred for the consideration of the Council.

**BACKGROUND**

A request for a Special Meeting of Electors was received from Mr Clive Ross on 17 July 2018 for the purpose of discussing:

- A) The Canning Bridge Activity Centre Plan, lack of maximum height limits and potential loss of street trees;
- B) The adoption of a Policy to brand residents and ratepayers and other parties as unreasonable and the City's refusal to allow deputations from residents and ratepayers; and
- C) Whether the City proposes to fulfil the precondition in the lease agreement for the Melville Bowling Club to vacate the current site by October 2018 and if so whether the decision to seek the extension of time will be brought before Council and if so when.

A Special Meeting of Electors was advertised to be held on Monday 20 August 2018, commencing at 6:30pm at the Centre for Performing Arts, All Saints College, Ewing Street, Bull Creek.

**DETAIL**

The Special Meeting of Electors was attended by 221 electors and 17 non-electors.

The meeting received presentations from:

1. Mr Dayle Kenny
2. Mr Mark McLerie
3. Mr Don Galbraith
4. Hon George Gear
5. Mr C Ross

**M18/5640 – SPECIAL MEETING OF ELECTORS 20 AUGUST 2018, MOTIONS CARRIED  
(REC)**

The following five motions were carried at the meeting and are now for the Council to consider:

**MOTION 1**

**That the Council of the City of Melville immediately initiate a full review of the Canning Bridge Activity Centre Plan for the purpose of including:**

- (a) maximum height limits;**
- (b) guaranteed retention of all existing trees; and**
- (c) community consultation panels on all multi storey development applications and planning approvals.**

Officer Comment

- a) The Canning Bridge Activity Centre Plan (CBACP) was prepared by the City in conjunction with the City of South Perth and the Western Australian Government. The Plan was approved by Council in March 2015 and endorsed by the Western Australian Planning Commission (WAPC) in April 2016. The content of the CBACP guides the assessment of development applications in the precinct.

A full review of the CBACP would involve the City of South Perth and relevant state government agencies. The costs of a full review of the CBACP would be substantial and would require allocation of appropriate funding. Any proposed changes to the Plan would require WAPC approval.

At its meeting held on 17 April 2018 (Item P18/3779 – Review of Canning Bridge Activity Centre Plan) Council resolved in part:

*“4. Directs the Chief Executive Officer to investigate, and report back to an Elected Member Information Session to be held no later than 30 June 2018, the feasibility of:*

*a) limiting the maximum number of storeys in all circumstances (including) any additional ‘bonus’ storeys) in the M15 and M10 ‘core’ areas of the Canning Bridge Activity Centre Plan to either 20 or 25 storeys in the M15 area and 15 storeys in the M10 area; and*

*b) setting more prescriptive criteria for determining ‘community benefit’*

In response to the Council resolution an Elected Member Information Session presentation was delivered on 12 June 2018.

Council is considering the information provided and is working through a potential review process.

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**M18/5640 – SPECIAL MEETING OF ELECTORS 20 AUGUST 2018, MOTIONS CARRIED  
(REC)**

- b) Mature trees are recognised as a unique environmental asset throughout the City and make a particularly important contribution to the character of the Canning Bridge Precinct.

The Canning Bridge Activity Centre is a strategically located centre and is designated a District Centre Activity Centre in the State Government State Planning Policy 4.2 – Activity Centres for Perth and Peel.. The CBACP provides for more intensive development within the Plan area. More substantial development is focused in the core of the Plan area, transitioning to less intensive development towards the edge of the precinct. The development envisaged by the CBACP could result in some loss of trees on development sites.

Street trees are protected through the development application process. The content of the CBACP provides opportunity for enhancement of public streetscapes. This includes the planting of additional trees. Community benefit proposals submitted in recent applications have included additional street tree plantings and general upgrade of public streetscapes.

The CBACP development controls are focused on enhancing the amount of landscaping and trees in the precinct. Within the M10 and M15 zones for example, development is required to provide 75% of site area as landscaping, including roof gardens, landscaped podiums and green walls.

The Canning Bridge Masterplan (Streetscapes) which can be found on the City's webpage incorporates indicative designs which propose retention of the existing street trees subject to further investigations, and encourage planting of more street trees.

On a wider scale, the City of Melville Local Planning Strategy approach of focusing development in strategic activity centres and corridors, whilst allowing low density suburbs to remain largely unchanged, provides opportunity for protection of mature trees throughout the City's lower density areas.

- c) Western Australian planning legislation outlines requirements for community involvement in the preparation of strategic urban planning instruments and during processes for assessment of development proposals.

The preparation of the CBACP and the earlier Canning Bridge Precinct Vision involved community engagement processes at key stages.

At the development application stage, applications are assessed against the various planning requirements, outcomes or objectives specified in the planning framework. The planning controls provide further opportunity for community comment where a proposal seeks to vary certain standards or desired outcomes.

**M18/5640 – SPECIAL MEETING OF ELECTORS 20 AUGUST 2018, MOTIONS CARRIED  
(REC)**

Under City of Melville Local Planning Policy 1.1 - Planning Process and Decision Making (LPP 1.1) where an application seeks an exercise of judgment in relation Council Policy or adopted Structure Plan provisions, the application is to be advertised to all of the potentially affected adjoining or surrounding property owners (in the opinion of the decision maker). LPP 1.1 also provides that where in the opinion of the decision maker, the potential impact of a proposal may be beyond that of the immediately adjoining property owners or occupiers, consultation may also be undertaken via a sign on site and/or a notice in a local newspaper circulating within the District.

The planning system does not provide opportunity for general community input or community panel assessment of proposals. Any change to the CBACP to vary the approval process for development applications would require approval by the WAPC.

**MOTION 2**

**That the Council of the City of Melville immediately initiate a review of Policy CP-107 Managing Unreasonable conduct for the purpose of revoking the Policy and replacing it with a Policy drafted after community consultation and which is properly intended to protect City employees and residents and ratepayers.**

Officer Comment

The policy itself is a precursor to the drafting of operational documents such as work instructions to enable staff to respond in a consistent manner to unacceptable behaviour, which the policy targets, not persons. The finalisation of these documents is imminent. Many of the incidents which are evidence of unacceptable behaviour occur in the City's decentralised stations, such as libraries and community centres.

The policy itself requires that it be reviewed 12 months after implementation.

**MOTION 3**

**That the Council of the City of Melville immediately initiate a review of the City's Meeting Procedures Local Law 2017 to:**

- (a) delete the requirement in the definition of "deputation" in Section 1.6 requiring a person to have a direct interest; and**
- (b) Delete sub-section 7.10(2)(b) which allows the CEO to reject a request for a deputation**

Officer Comment

The City has requested that the Western Australian Local Government Association undertake a review of the Council meeting structure and processes, including deputations. WALGA have carried out consultation with Elected Members and officers and have attended a full range of meetings. It is anticipated that a report associated with these matters will be presented to the Council before the end of the year.

**M18/5640 – SPECIAL MEETING OF ELECTORS 20 AUGUST 2018, MOTIONS CARRIED  
(REC)****MOTION 4**

**That the Council of the City of Melville immediately notify Urbnsurf (Perth) Pty Ltd that the City as Lessor is unable to meet the Lessor's pre-conditions in the agreement to Lease to:**

- (a) Vacate the Melville Bowling Club site by 1 October 2018 or by the Sunset Date of 28 February 2019; or**
- (b) Obtain permission to lease or acquire Crown land before the Sunset Date of 28 February 2019; and**
- (c) Has no reasonable basis to request an extension of time to meet these pre-conditions and therefore the agreement to lease is terminated**

Officer Comment

Whilst City has made reasonable endeavors to seek statutory approvals for the construction of the new Bowls Facility at Tompkins Park, the City and the Lessee are mindful that the Vacancy Date is nearing and that the parties would need to agree for the date to be extended as a consequence of delays caused by various unforeseen events.

Any extension relating to the Vacancy Date will be dealt with within the prescripts of the lease agreement, including Council approval where required.

The City's lease agreement with the Melville Bowling Club is carried over on a periodic monthly basis which automatically provides for vacation of the premises upon Notice being issued by the City to the Club. It is the City's intention to give the Melville Bowls Club prior advice that it intends to issue formal Notice to vacate the premises and this will be referenced to the extended Vacancy Date in the ground lease Agreement.

**MOTION 5**

**That the Council of the City of Melville immediately review the Tompkins Park re-development plans as it is now apparent that the Melville Bowling Club have decided not to move from their current site and the proposed changes will result in the Rugby and Cricket Clubs becoming financially unstable.**

Officer Comment

Council adopted the Bowls Strategy, adopted the Tompkins Park Concept Plan and funding, approved a grant funding application for the Tompkins Park redevelopment project (which was successful) and entered into a conditional ground lease for the current Melville Bowling Club site. When the appropriate time comes, the Melville Bowling Club lease (which is currently month to month) will be terminated as has been previously advised to the Club.

The Melville Bowling Club advised the City on the 2 May 2018 that the Club withdrew their agreement to relocate to Tompkins Park sporting hub until the Local Government Inquiry and Supreme Court action had been concluded. The Club also advised that they reserved their right to reassess their position once all the findings of both had been made public. The City has not received any further formal correspondence from the Club since this time.

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**M18/5640 – SPECIAL MEETING OF ELECTORS 20 AUGUST 2018, MOTIONS CARRIED  
(REC)**

Officers are continuing to work closely with all groups that form part of the Tompkins redevelopment project through this transition period and in the new facility design and operation. The redeveloped facility will provide a modern, more community focussed shared facility with a sustainable operating model for Bowls and all other sporting Clubs that form part of the project.

The redeveloped facility will also provide an ideal environment for social activity and this aspect of facility utilisation is a main consideration in the creation of the new operating model.

**STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

The date, time, location and purpose of the Special Meeting of Electors was advertised in the local and state newspapers, on the City of Melville website and on City of Melville noticeboards at the Civic Centre Libraries and Recreation Centres in accordance with the requirements of the Local Government Act.

The holding advertising and holding of the Special Meeting of Electors gave interested members of the community the opportunity to participate in the discussion, question time and voting on the motions.

**II. OTHER AGENCIES / CONSULTANTS**

There is no requirement to consult with other agencies

**STATUTORY AND LEGAL IMPLICATIONS**

The *Local Government Act 1995* requires that any decisions from an electors meeting are considered at the next Council or subsequent Council meeting as detailed below:

*“5.33 Decisions made at elector’s meetings*

*(1) All decisions made at an electors’ meeting are to be considered at the next ordinary council meeting or, if that is not practicable –*

*(a) at the first ordinary council meeting after that meeting, or*

*(b) at a special meeting called for that purpose, whichever happens first.*

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

**FINANCIAL IMPLICATIONS**

There may be significant financial implications relating to these motions.

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**M18/5640 – SPECIAL MEETING OF ELECTORS 20 AUGUST 2018, MOTIONS CARRIED  
(REC)****STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

There are no strategic management implications contained in this report.

**POLICY IMPLICATIONS**

There may be policy implications associated with the matters addressed in these motions. These matters would be further addressed in any specific follow up reports.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

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

**CONCLUSION**

This report recommends that the motions carried at the Special Meeting of Electors held 20 August 2018 and the associated officer comments be considered and noted.

**M18/5640 – SPECIAL MEETING OF ELECTORS 20 AUGUST 2018, MOTIONS CARRIED  
(REC)**

*At 8:13pm Cr Phelan left the meeting and returned at 8:15pm*

*At 8:13pm Cr Wheatland left the meeting and returned at 8:14pm*

*At 9:00pm Mr M Tieleman left the meeting and returned at 9:02pm.*

**OFFICER RECOMMENDATION (5640)****APPROVAL**

At 8:14pm Cr Robins moved, seconded Cr Wieland –

**That the Council:****1. In relation to Motion 1**

*“That the Council of the City of Melville immediately initiate a full review of the Canning Bridge Activity Centre Plan for the purpose of including:*

- a) maximum height limits;*
- b) guaranteed retention of all existing trees; and*
- c) community consultation panels on all multi storey development applications and planning approvals.”*

notes the intent of the motion and advises the mover of the motion that:

- a) the Council has requested further investigation into the determination of height levels in the Canning Bridge Activity Centre Plan, with the intention of making a recommendation to the State in due course.
- b) no street trees are to be removed in the canning bridge activity centre precinct as a consequence of the plan. Street trees are recognised as a unique environmental asset throughout the city and make an important contribution to the character of the Canning Bridge Precinct. Street trees are protected through the development process.
- c) the planning system does not provide opportunity for general community input or community panel assessment of proposals. Any change to the CBACP to vary the approval process for development applications would require approval by the WAPC

**M18/5640 – SPECIAL MEETING OF ELECTORS 20 AUGUST 2018, MOTIONS CARRIED  
(REC)**

At 8:14pm at the request of the Elected Members, the Presiding Member agreed that each point of the amendment would be voted on separately.

**Amendment**

At 8:14pm Cr Pazolli moved, seconded Cr Kepert –

**That the Council:**

**Amends Motion 1 by amending “notes the intent of the motion....” to “A. Notes the intent of the motion.....” and inserting after “c) the planning system.....approval by the WAPC”;**

**“B. Requests that the Chief Executive Officer:**

- a) Prepares a project plan to develop Planning Policy for the November 2018 Ordinary Meeting of Council that specifies the prescriptive criteria applied and processes undertaken by the Community Benefit Panel in determining the extent of bonus storeys that will be allowed in response to community benefits provided in property developers’ proposals.**

At 9:09pm the Deputy Mayor submitted the motion, which was declared

**CARRIED (7/6)**

**NOTE: Due to an equality of votes associated with this resolution, the Deputy Mayor as the Presiding Member exercised his right to cast a second voted to reach a decision on this matter (Section 5.21(3) of the *Local Government Act 1995*).**

Vote Result Summary	
Yes	6
No	6

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

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

**That Council grants Cr Pazolli an extension of five minutes to speak on the matter.**

At 8:25pm the Deputy Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (12/0)**

**M18/5640 – SPECIAL MEETING OF ELECTORS 20 AUGUST 2018, MOTIONS CARRIED  
(REC)**

Amendment (part 2)

At 8:14pm Cr Pazolli moved, seconded Cr Kepert –

- b) Incorporates in the planning policy a requirement that restricts Council support for community benefit additional storeys in the M10 and M15 areas to no more than 20% above the 10 and 15 storeys “as of right” maximums in the M10 and M15 zonings of the Canning Bridge Activity Centre Plan Q1 and Q2 areas.**

At 9.09pm the Deputy Mayor submitted the motion, which was declared

**CARRIED (7/6)**

**NOTE: Due to an equality of votes associated with this resolution, the Deputy Mayor as the Presiding Member exercised his right to cast a second voted to reach a decision on this matter (Section 5.21(3) of the *Local Government Act 1995*).**

Vote Result Summary	
Yes	6
No	6

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

**M18/5640 – SPECIAL MEETING OF ELECTORS 20 AUGUST 2018, MOTIONS CARRIED  
(REC)**

Amendment (part 3)

At 8:14pm Cr Pazolli moved, seconded Cr Kepert –

- c) Incorporates in the planning policy a requirement for the inclusion of two Councillors to participate in the Community Benefit Panel deliberations.”**

At 9:11pm the Deputy Mayor submitted the motion, which was declared

**LOST (5/7)**

<b>Vote Result Summary</b>	
Yes	5
No	7

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

**M18/5640 – SPECIAL MEETING OF ELECTORS 20 AUGUST 2018, MOTIONS CARRIED  
(REC)**

Amendment (part 4)

At 8:14pm Cr Pazolli moved, seconded Cr Kepert –

- d) As part of the current review into community benefit criteria and buildings heights in the M10 and M15 areas of the CBACP, to investigate the possibility of including maximum site coverage, plot ratio and dwelling density requirements in the M10 and M15 areas of the Canning Bridge Activity Centre Plan, reporting to the Council by July 2019.**

At 9:12pm the Deputy Mayor submitted the motion, which was declared

**CARRIED (9/3)**

Vote Result Summary	
Yes	9
No	3

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

Reasons

1. It is clear from the recent comments of the Presiding Member of the Metro Central JDAP in rejecting the DA for a 16 storey development in the M10 area at 20-22 Kintail Rd, Applecross, that there is insufficient detail and transparency as to how the City of Melville Planning Officers arrived at the assessment of the level of community benefits offered by developers for developments in the Canning Bridge Activity Centre Structure Plan area. The CBACSP does not specify in any detail how community benefits should be assessed and what process is to be used to translate that community development into additional storeys for the development.
2. To ensure transparency and to detail the prescriptive criteria that planning officers, Councillors and JDAP members should use in assessing the community benefits of a development it is proposed that the CEO should immediately prepare for Council approval a Planning Policy that details the process / methodology for the assessment of community benefits in development proposals in the M10 and M15 areas of the CBACSP.

**M18/5640 – SPECIAL MEETING OF ELECTORS 20 AUGUST 2018, MOTIONS CARRIED  
(REC)**

3. This Planning Policy would not change any of the details in the CBACSP and thus would not require any amendment of the Structure Plan that would involve considerable delays to undertake as a Structure Plan Amendment (up to 2 years to complete), but could be developed and approved in a very short timeframe and would provide clarity to Planning Officers, Council & JDAP in assessing appropriate developments in the Structure Plan area. Without this policy in place it is unlikely that a SAT appeal by a developer could be effectively defended by the Council or JDAP.
4. Part b) of the amendment requests that the CEO incorporates in the Planning Policy a maximum 20% in additional storeys for M10 & M15 developments that provide assessed community benefits (ie 12 storeys for M10 & 18 storeys for M15). This would not restrict developers from applying for more than 20% of additional storeys, but that their DA application for the additional height would not be supported by Council.
5. Part c) of the amendment refers to part c) of the original SME motion that requested “community consultation panels”. Rather than members of the public, this amendment requests that the Officers’ Community Benefit Panel should have representation of two Councillors to provide representative community input on the assessment of community benefits of a development.
6. The current review into building heights and community benefit criteria in the M10 and M15 areas is addressing two significant areas of resident concern in relation to the CBACP.
7. However, it has been noted that limiting building height alone may result in negative outcomes whereby developers exploit the ‘as of right’ height limits by proposing 15 storey ‘block-style’ towers which cover large portions of a site and result in even higher density in terms of persons per square km. This may lead to poor built-form outcomes without any corresponding benefit to the community.
8. Residents have also expressed concerns about increased levels of traffic congestion at Canning Bridge as a result of proposed new developments. Simply limiting building heights will not address this issue. Instead it requires a more comprehensive approach which considers density, site coverage and plot ratios in addition to building height.
9. Including these issues in the M10 and M15 CBACP review will provide additional information to Council in considering whether additional changes to the CBACP are warranted.

**M18/5640 – SPECIAL MEETING OF ELECTORS 20 AUGUST 2018, MOTIONS CARRIED  
(REC)****Substantive Motion As Amended****COUNCIL RESOLUTION (5640)****APPROVAL**

At 9.13pm moved Cr Robins, seconded Cr Wieland–

**That the Council:****1. In relation to Motion 1**

*“ That the Council of the City of Melville immediately initiate a full review of the Canning Bridge Activity Centre Plan for the purpose of including:  
a) maximum height limits;  
b) guaranteed retention of all existing trees; and  
c) community consultation panels on all multi storey development applications and planning approvals.”*

- A.** notes the intent of the motion and advises the mover of the motion that:
- a)** the Council has requested further investigation into the determination of height levels in the Canning Bridge Activity Centre Plan, with the intention of making a recommendation to the State in due course.
  - b)** no street trees are to be removed in the canning bridge activity centre precinct as a consequence of the plan. Street trees are recognised as a unique environmental asset throughout the city and make an important contribution to the character of the Canning Bridge Precinct. Street trees are protected through the development process.
  - c)** the planning system does not provide opportunity for general community input or community panel assessment of proposals. Any change to the CBACP to vary the approval process for development applications would require approval by the WAPC.
- B.** requests that the Chief Executive Officer:
- a)** Prepares a project plan to develop Planning Policy for the November 2018 Ordinary Meeting of Council that specifies the prescriptive criteria applied and processes undertaken by the Community Benefit Panel in determining the extent of bonus storeys that will be allowed in response to community benefits provided in property developers’ proposals.
  - b)** Incorporates in the planning policy a requirement that restricts Council support for community benefit additional storeys in the M10 and M15 areas to no more than 20% above the 10 and 15 storeys “as of right” maximums in the M10 and M15 zonings of the Canning Bridge Activity Centre Plan Q1 and Q2 areas.
  - c)** As part of the current review into community benefit criteria and buildings heights in the M10 and M15 areas of the CBACP, to investigate the possibility of including maximum site coverage, plot ratio and dwelling density requirements in the M10 and M15 areas of the CBACP.

At 9:14pm the Mayor submitted the motion, which was declared

**CARRIED (7/6)**

**M18/5640 – SPECIAL MEETING OF ELECTORS 20 AUGUST 2018, MOTIONS CARRIED  
(REC)**

**NOTE:** Due to an equality of votes associated with this resolution, the Deputy Mayor as the Presiding Member exercised his right to cast a second voted to reach a decision on this matter (Section 5.21(3) of the *Local Government Act 1995*).

Vote Result Summary	
Yes	6
No	6

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

**M18/5640 – SPECIAL MEETING OF ELECTORS 20 AUGUST 2018, MOTIONS CARRIED  
(REC)**

*At 9:15pm Cr Woodall, Deputy Mayor relinquished the Chair.  
At 9:15pm Mayor returned to the meeting and assumed the Chair.  
At 9:15pm Cr Woodall left the meeting and returned at 9:27pm.*

Officer Recommendation

2. In relation to Motion 2

*“That the Council of the City of Melville immediately initiate a review of Policy CP-107 Managing Unreasonable conduct for the purpose of revoking the Policy and replacing it with a Policy drafted after community consultation and which is properly intended to protect City employees and residents and ratepayers.”*

notes the intent of the motion and advises the mover of the motion that the policy is due for review in July 2019, and the comments raised will be considered in that review process.

Reject and Replace

At 9:15pm Cr Mair moved, seconded Cr Pazolli –

**That the Council of the City of Melville immediately initiate a review of Policy CP-107 Managing Unreasonable conduct for the purpose of revoking the Policy and replacing it with a Policy drafted after community consultation and which is properly intended to protect City employees and residents and ratepayers.**

At 9.35pm the Mayor submitted the motion, which was declared

**LOST (6/7)**

Vote Result Summary	
Yes	6
No	7

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

*At 9:28pm Cr Pazolli left the meeting and returned at 9:29pm.*

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**M18/5640 – SPECIAL MEETING OF ELECTORS 20 AUGUST 2018, MOTIONS CARRIED  
(REC)****OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5640)**

At 9:36pm Cr Phelan moved, seconded Cr Robins –

**2. In relation to Motion 2**

*“That the Council of the City of Melville immediately initiate a review of Policy CP-107 Managing Unreasonable conduct for the purpose of revoking the Policy and replacing it with a Policy drafted after community consultation and which is properly intended to protect City employees and residents and ratepayers.”*

notes the intent of the motion and advises the mover of the motion that the policy is due for review in July 2019, and the comments raised will be considered in that review process.

At 9:36pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (13/0)**

**M18/5640 – SPECIAL MEETING OF ELECTORS 20 AUGUST 2018, MOTIONS CARRIED  
(REC)**

Officer Recommendation

3. In relation to Motion 3

*“That the Council of the City of Melville immediately initiate a review of the City’s Meeting Procedures Local Law 2017 to:*

- (a) delete the requirement in the definition of “deputation” in Section 1.6 requiring a person to have a direct interest; and*
- (b) Delete sub-section 7.10(2)(b) which allows the CEO to reject a request for a deputation*

notes the intent of the motion and advises the mover of the motion that the Council is awaiting the outcome of a review undertaken by WALGA, which includes these matters and a report will be presented to the Council in due course.

**Reject and Replace**

At 9:37pm moved Cr Mair, seconded Cr Pazolli –

**That the Council of the City of Melville initiate a review of the City’s Meeting Procedures Local Law 2017 to: (a) delete the requirement in the definition of “deputation” in Section 1.6 requiring a person to have a direct interest; and (b) (b) Delete sub-section 7.10(2)(b) which allows the CEO to reject a request for a deputation**

At 9:44pm the Mayor submitted the motion, which was declared

**LOST (5/8)**

(During debate the mover and the seconder consented to the removal of the word “immediately” in the first sentence).

<b>Vote Result Summary</b>	
Yes	5
No	8

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

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**M18/5640 – SPECIAL MEETING OF ELECTORS 20 AUGUST 2018, MOTIONS CARRIED  
(REC)****OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5640)**

At 9:44pm Cr Phelan moved, seconded Cr Wieland –

**3. In relation to Motion 3**

*“That the Council of the City of Melville immediately initiate a review of the City’s Meeting Procedures Local Law 2017 to:*

- (c) delete the requirement in the definition of “deputation” in Section 1.6 requiring a person to have a direct interest; and*
- (d) Delete sub-section 7.10(2)(b) which allows the CEO to reject a request for a deputation*

*notes the intent of the motion and advises the mover of the motion that the Council is awaiting the outcome of a review undertaken by WALGA, which includes these matters and a report will be presented to the Council in due course.*

At 9:44pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (13/0)**

**M18/5640 – SPECIAL MEETING OF ELECTORS 20 AUGUST 2018, MOTIONS CARRIED  
(REC)**

At 9:45pm, for the convenience of the public gallery, the Mayor brought forward point 5 of officer recommendations for Item M18/5640 – Special Meeting of Electors 20 August 2018, Motions Carried to allow for legal advice to be provided on point 4 behind closed doors, later in the meeting.

Officer Recommendation

5. in relation to Motion 5

*“That the Council of the City of Melville immediately review the Tompkins Park re-development plans as it is now apparent that the Melville Bowling Club have decided not to move from their current site and the proposed changes will result in the Rugby and Cricket Clubs becoming financially unstable.*

notes the intent of the motion and advises the mover of the motion that the Council has adopted the Bowls Strategy and the Tompkins Park Concept Plan and approved a grant funding application for the Tompkins Park redevelopment project and entered into a conditional ground lease for the current Melville Bowling Club site.

**Reject and Replace**

At 9:45pm Cr Mair moved, seconded Cr Barton –

**That the Council of the City of Melville immediately review the Tompkins Park redevelopment plans as it is now apparent that the Melville Bowling Club have decided not to move from their current site and the proposed changes will result in the Rugby and Cricket Clubs becoming financially unstable.**

At 10:18pm the Mayor submitted the motion, which was declared

**LOST (6/7)**

**NOTE: Due to an equality of votes associated with this resolution, the Mayor as the Presiding Member exercised his right to cast a second voted to reach a decision on this matter (Section 5.21(3) of the Local Government Act 1995).**

Vote Result Summary	
Yes	6
No	6

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

**M18/5640 – SPECIAL MEETING OF ELECTORS 20 AUGUST 2018, MOTIONS CARRIED  
(REC)**

*At 9.50pm Cr Woodall left the meeting and did not return  
At 9.59pm Cr Wheatland left the meeting and returned at 10.00pm*

At 10:08pm Cr Kepert moved, seconded Cr Barton -

**That Council grants Cr Pazolli an extension of five minutes to speak on the matter.**

At 10:09pm the Mayor submitted the motion, which was declared  
**CARRIED UNANIMOUSLY (12/0)**

*At 10:10pm Mr J Clark left the meeting and returned at 10:12pm.  
At 10:14pm Mr J Rae left the meeting and returned at 10:20pm.*

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5640)**

At 10:20pm Cr Phelan moved, seconded Cr Wieland –

**5. in relation to Motion 5**

***“That the Council of the City of Melville immediately review the Tompkins Park re-development plans as it is now apparent that the Melville Bowling Club have decided not to move from their current site and the proposed changes will result in the Rugby and Cricket Clubs becoming financially unstable.***

**notes the intent of the motion and advises the mover of the motion that the Council has adopted the Bowls Strategy and the Tompkins Park Concept Plan and approved a grant funding application for the Tompkins Park redevelopment project and entered into a conditional ground lease for the current Melville Bowling Club site.**

At 10:34pm the Mayor submitted the motion, which was declared  
**CARRIED (7/6)**

**NOTE: Due to an equality of votes associated with this resolution, the Mayor as the Presiding Member exercised his right to cast a second voted to reach a decision on this matter (Section 5.21(3) of the Local Government Act 1995).**

Vote Result Summary	
Yes	6
No	6

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

**M18/5640 – SPECIAL MEETING OF ELECTORS 20 AUGUST 2018, MOTIONS CARRIED  
(REC)**

**Procedural Motion**

At 10:35pm Cr Robins moved, seconded Cr Wheatland -

**That the meeting be adjourned to Tuesday 25 September 2018.**

At 10:34pm the Mayor submitted the motion, which was declared

**LOST (3/9)**

<b>Vote Result Summary</b>	
Yes	3
No	9

<b>Vote Result Detailed</b>	
Cr Barling	Yes
Cr Robins	Yes
Cr Wheatland	Yes
Cr Barton	No
Cr Kepert	No
Cr Macphail	No
Cr Mair	No
Cr Pazolli	No
Cr Phelan	No
Cr Robartson	No
Cr Wieland	No
Mayor	No

**M18/5640 – SPECIAL MEETING OF ELECTORS 20 AUGUST 2018, MOTIONS CARRIED  
(REC)**

At 10:37pm Cr Mair moved, seconded Cr Macphail –

**That the meeting be closed to the members of the public to allow for matters deemed confidential in accordance with section 5.23 (2) (d) of the *Local Government Act 1995*, legal advice obtained, or which may be obtained, by the local government which relates to a matter to be discussed at the meeting.**

At 10:37pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (12/0)**

*At 10:38pm Cr N Robins left the meeting and returned when the meeting resumed.*

At 10:38pm the Mayor adjourned the meeting.

At 10:44pm the Mayor resumed the meeting.

*At 10:45pm Ms K Johnson entered the meeting.*

Mr N Douglas and Ms F Grgich from McLeods Barristers and Solicitors entered the meeting for the purpose of providing legal advice to the Council on the implications of Motion 4 the Special Meeting of Electors held 20 August 2018, from 10:45pm until 11:35pm.

*At 11:00pm Cr Barling left the meeting and returned at 11:00pm.*

*At 11:35 Mr Douglas and Ms Grgich left the meeting and did not return.*

*At 11:35pm Ms K Johnson left the meeting and returned at 11:36pm*

**Procedural Motion**

At 11:35pm Cr Pazolli moved, seconded Cr Kepert -

**That the meeting be adjourned to Tuesday 25 September 2018.**

At 11:37pm the Mayor submitted the motion, which was declared

**LOST (5/7)**

<b>Vote Result Summary</b>	
Yes	5
No	7

<b>Vote Result Detailed</b>	
Cr Barton	Yes
Cr Kepert	Yes
Cr Mair	Yes
Cr Pazolli	Yes
Cr Wheatland	Yes
Cr Barling	No
Cr Macphail	No
Cr Phelan	No
Cr Robartson	No
Cr Robins	No
Cr Wieland	No
Mayor	No

**M18/5640 – SPECIAL MEETING OF ELECTORS 20 AUGUST 2018, MOTIONS CARRIED  
(REC)**

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5640)**

At 11:38pm Cr Phelan moved, seconded Cr Wieland –

**4. In relation to Motion 4**

*“That the Council of the City of Melville immediately notify Urbnsurf (Perth) Pty Ltd that the City as Lessor is unable to meet the Lessor’s pre-conditions in the agreement to Lease to:*

- (a) Vacate the Melville Bowling Club site by 1 October 2018 or by the Sunset Date of 28 February 2019; or*
- (b) Obtain permission to lease or acquire Crown land before the Sunset Date of 28 February 2019; and*
- (c) Has no reasonable basis to request an extension of time to meet these pre-conditions and therefore the agreement to lease is terminated.”*

**notes the intent of the motion and advises the mover of the motion that the administration is dealing with its legal obligations in accordance with the requirements of the ground lease.**

At 11:39pm the Mayor submitted the motion, which was declared

**CARRIED (8/4)**

Vote Result Summary	
Yes	8
No	4

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

At 11:40pm Cr Kepert moved, seconded Cr Barling –

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

At 11:40pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (12/0)**

*At 11:40pm Mr J Rae left the meeting and did not return.*

**M18/5000 – COMMON SEAL REGISTER (REC)**

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

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

This report details the documents to which the City of Melville Common Seal has been applied for the period from 23 July 2018 up to and including 23 August 2018, for the Council's noting.

**M18/5000 – COMMON SEAL REGISTER (REC)**

**BACKGROUND**

Section 2.5 of the *Local Government Act 1995* states that a Local Government is a Body Corporate with perpetual succession and a common seal. A document is validly executed by a Body Corporate when the common seal of the Local Government is affixed to it and the Mayor and the Chief Executive Officer (CEO) attest the affixing of the seal.

**DETAIL**

Register Reference	Parties	Description	ECM Reference
CS2046	City of Melville and Spacemarket	Spacemarket – Murray House Heathcote hire commencing 21 May 2018 and expiring 20 May 2018.	4641533
CS2053	City Of Melville and Tamil Association of Western Australia	Tamil Association of WA – Variation to the licensed area.	4684625
CS2057	City of Melville and Connect Groups	Dead of extension to lease – The Scene commencing 1 December 2018 and expiring 30 November 2019.	4730274
CS2062	City of Melville, Chandraratna Gearing Pty Ltd and Garden City Specialist Centre Pty Ltd	Car Parking Lease 537 and 539 Marmion Street, Booragoon, WA. Commencing 1 May 2018.	DA-2017-998

**M18/5000 – COMMON SEAL REGISTER (REC)****STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

Not applicable.

**II. OTHER AGENCIES / CONSULTANTS**

Not applicable.

**STATUTORY AND LEGAL IMPLICATIONS**

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

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

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

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

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

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**M18/5000 – COMMON SEAL REGISTER (REC)****POLICY IMPLICATIONS**

There are no policy implications in this report.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Not applicable.

**CONCLUSION**

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

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5000)****NOTING**

**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 23 July 2018 up to and including 23 August 2018.**

At 11:41pm the Presiding Member submitted the motion, which was declared

**CARRIED EN BLOC (12/0)**

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

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

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

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

Final investment figures for 2017-2018 are yet to be finalised as inter-fund transfers between Municipal and Reserve accounts still need to be undertaken.

**C18/6000 - INVESTMENT STATEMENTS FOR JULY 2018 (REC)**

**BACKGROUND**

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

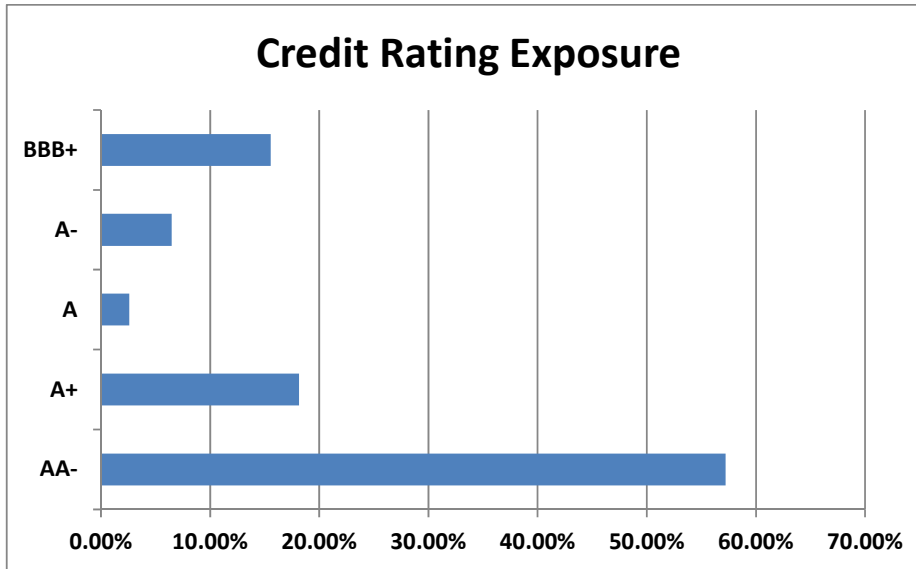
The investment of cash holdings is undertaken in accordance with Council Policy CP-009 - Investment of Funds, with the objective of maximising returns whilst maintaining low levels of credit risk exposure.

**DETAIL**

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

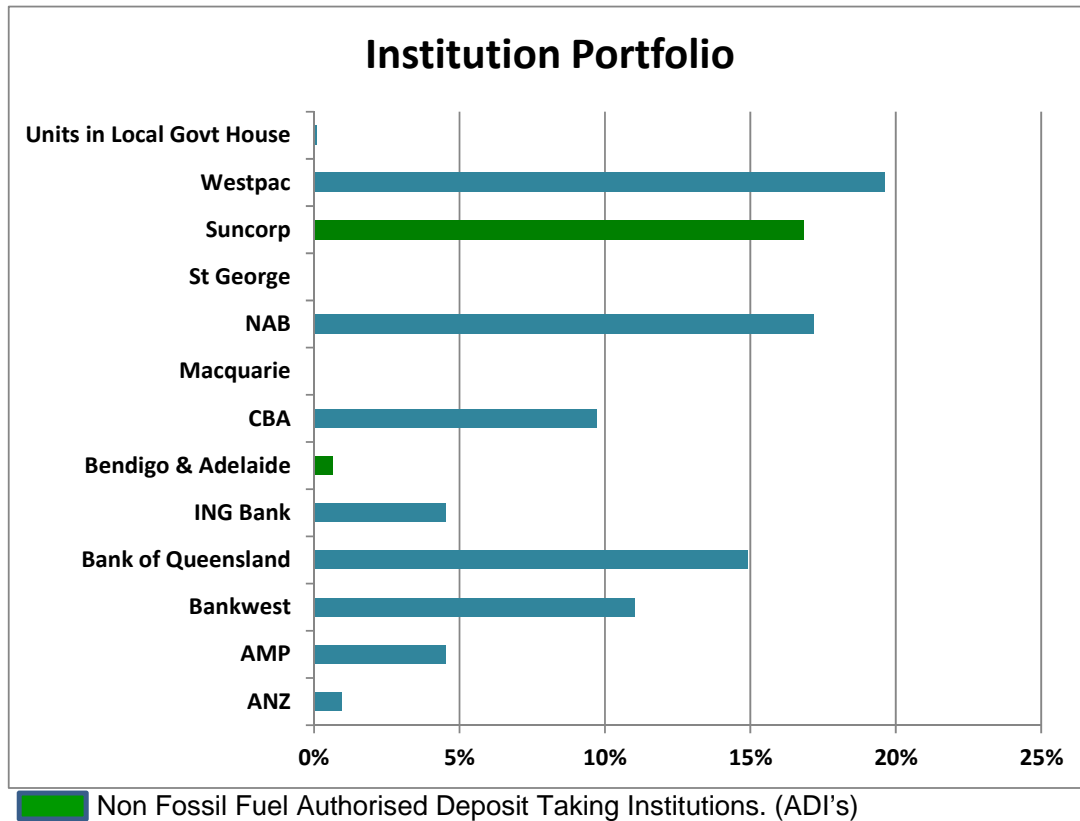
<b>CITY OF MELVILLE</b>	
<b>STATEMENT OF INVESTMENTS</b>	
<b>FOR THE PERIOD ENDING 31 JULY 2018</b>	
<b>SUMMARY BY FUND</b>	
	<b>AMOUNT</b>
	<b>\$</b>
MUNICIPAL	\$ 15,414,368
RESERVE	\$ 137,752,356
TRUST	\$ 1,077,207
CITIZEN RELIEF	\$ 215,497
	<b>\$ 154,459,428</b>
<b>SUMMARY BY INVESTMENT TYPE</b>	
	<b>AMOUNT</b>
	<b>\$</b>
11AM	\$ 1,690,111
31DAYS AT CALL	\$ 5,000,000
60DAYS AT CALL	\$ 2,000,000
90DAYS AT CALL	\$ 8,600,000
TERM DEPOSIT	\$ 137,014,649
UNITS (Local Govt Hse)	\$ 154,668
	<b>\$ 154,459,428</b>
<b>SUMMARY BY CREDIT RATING</b>	
	<b>AMOUNT</b>
	<b>\$</b>
AA-	\$ 88,304,760
A+	\$ 28,000,000
A	\$ 4,000,000
A-	\$ 10,000,000
BBB+	\$ 24,000,000
UNITS (Local Govt Hse)	\$ 154,668
	<b>\$ 154,459,428</b>

**C18/6000 - INVESTMENT STATEMENTS FOR JULY 2018 (REC)**



DIVERSIFICATION RISK & GREEN INVESTMENTS									
INSTITUTION	INVESTMENT TYPE	S & P RATING	AMOUNT \$	ACTUAL PROPORTION	INSTITUTION PROPORTION	MAX. % WITH ANY ONE INSTITUTION	NON FOSSIL FUEL	INVESTMENT WITH ADI WITH NON FOSSIL FUEL	
ANZ BANK (TERM)	TERM	AA-	1,500,000	0.97%	0.97%	30%	No		
AMP BANK (TERM)	TERM	A	7,000,000	4.53%	4.53%	25%	No		
BANKWEST (TERM)	TERM	AA-	17,000,000	11.01%	11.01%	30%	No		
BANK OF QUEENSLAND (TERM)	TERM	BBB+	23,000,000	14.89%	14.89%	15%	No		
BENDIGO AND ADELAIDE BANK (TERM)	TERM	BBB+	1,000,000	0.65%	0.65%	15%	Yes	1,000,000	
COMMONWEALTH BANK (TERM)	TERM	AA-	15,000,000	9.71%	9.71%	30%	No		
ING BANK (TERM)	TERM	A-	7,000,000	4.53%					
ING BANK (FRTD)	FRTD	A-	-	0.00%	4.53%	25%	No		
MACQUARIE BANK (TERM)	TERM	A	-	0.00%	0.00%	25%	No		
NAB (TERM)	TERM	AA-	26,514,649	17.17%	17.17%	30%	No		
ST GEORGE BANK (TERM)	TERM	AA-	-	0.00%	0.00%	30%	No		
SUNCORP METWAY LTD (TERM)	TERM	A+	26,000,000	16.83%	16.83%	25%	Yes	26,000,000	
WESTPAC (MAXI BONUS 1)	11AM	AA-	571,658	0.37%					
WESTPAC (MAXI BONUS 2)	11AM	AA-	1,051,193	0.68%					
WESTPAC (MAXI DIRECT)	11AM	AA-	67,260	0.04%					
WESTPAC (31DAYS AT CALL)	31DAYS AT CALL	AA-	5,000,000	3.24%					
WESTPAC (60DAYS AT CALL)	60DAYS AT CALL	AA-	2,000,000	1.29%					
WESTPAC (90DAYS AT CALL)	90DAYS AT CALL	AA-	8,600,000	5.57%					
WESTPAC (TERM)	TERM	AA-	13,000,000	8.42%	19.61%	30%	No		
UNITS IN LOCAL GOVT HOUSE	NA	NA	154,668	0.10%	0.10%		N/A		
			<b>154,459,428</b>	<b>100%</b>	<b>100%</b>			<b>27,000,000</b>	
<b>Total Non Fossil Fuel Lending ADI</b>								<b>17%</b>	

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



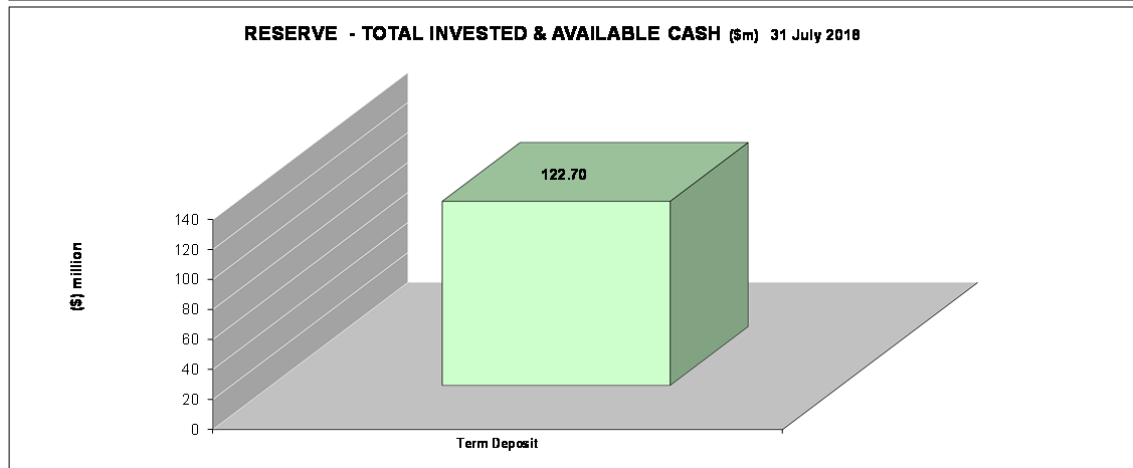
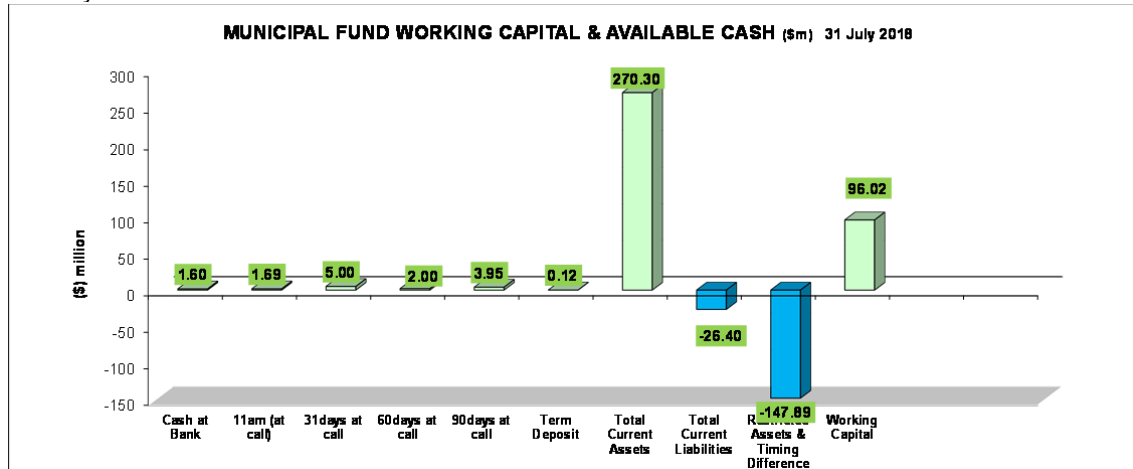
“Green investments” are authorised investment products made in authorised institutions that respect the environment by not investing in fossil fuel industries.

The total investment in authorised institutions that do not lend to industries engaged in the exploration for, or production of, fossil fuels, as at 31 July 2018 was \$27,000,000 or 17% of total investment holdings being in non-fossil fuels institutions. This compared to \$28,000,000 (18%) in June 2018. The amount of investment holdings in non-fossil fuels institutions decreased from June as well as the percentage of the holding. The total investment holding for June was \$157,955,307 and July was \$154,459,428.

**C18/6000 - INVESTMENT STATEMENTS FOR JULY 2018 (REC)**

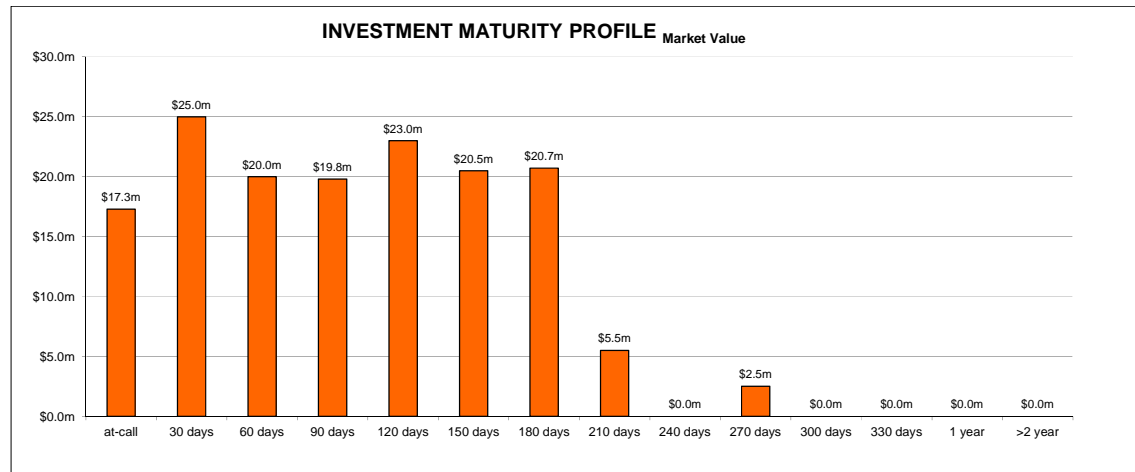
**Net Funds Held**

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



**C18/6000 - INVESTMENT STATEMENTS FOR JULY 2018 (REC)**

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



**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

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

**II. OTHER AGENCIES / CONSULTANTS**

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

**STATUTORY AND LEGAL IMPLICATIONS**

The following legislation is relevant to this report:

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

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

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

**C18/6000 - INVESTMENT STATEMENTS FOR JULY 2018 (REC)**

**FINANCIAL IMPLICATIONS**

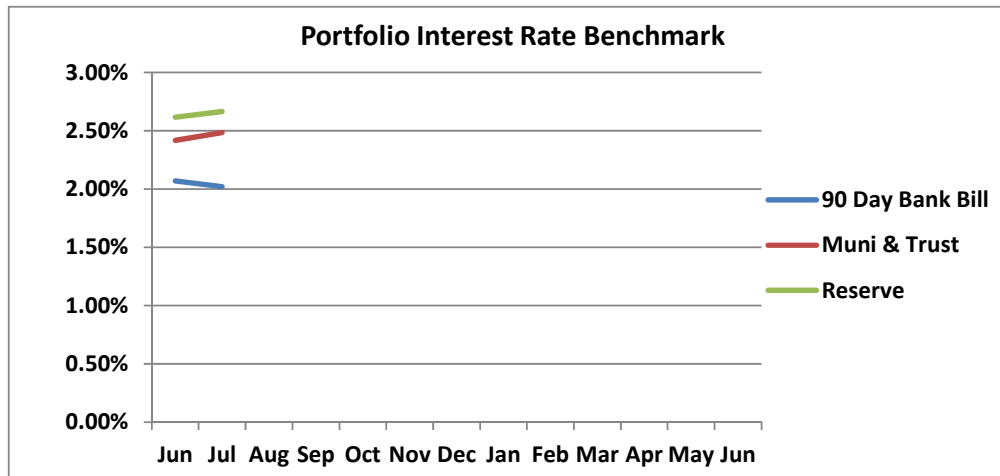
For the period ending 31 July 2018:

- Investment earnings on Municipal and Trust Funds were \$44,440 against a year to date budget of \$73,868 representing a \$29,428 negative variance.

The weighted average interest rate for Municipal and Trust Fund investments as at 31 July 2018 was 2.49% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 2.02%.

- Investment earnings on Reserve accounts were \$303,750 against a year to date budget of \$213,333 representing a \$90,417 positive variance.

The weighted average interest rate for Reserve account investments as at 31 July 2018 was 2.67% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 2.02%.



**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

**Strategic**

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

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

**Risk**

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

**C18/6000 - INVESTMENT STATEMENTS FOR JULY 2018 (REC)****Environmental**

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

**POLICY IMPLICATIONS**

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

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

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Not applicable as this report only presents information for noting.

**CONCLUSION**

The City's investment portfolio is invested in highly secure investments with a low level of risk yielding a weighted average rate of return of 2.49% to 2.67% which well exceeds the benchmark three month bank bill swap (BBSW) reference rate of 2.02%.

17% of the City's investment portfolio is invested in authorised deposit taking institutions that do not lend to industries engaged in the exploration for, or production of, fossil fuels. This compared to 18% in June 2018.

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

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (6000)****NOTING**

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

At 11:41pm the Mayor submitted the motion, which was declared

**CARRIED EN BLOC (12/0)**

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

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

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

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

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

**BACKGROUND**

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

**DETAIL**

The Schedule of Accounts Paid for the period ending 31 July 2018 including Payment Registers numbers, Cheques 670-674 and Electronic Funds Transfers batches 511-516 Trust Payments, Card Payments and Payroll was distributed to the Elected Members of the Council on 31 August 2018. Payments for the period totalled \$9,342,219.20 for the Municipal Fund and \$100,008.29 for the Trust Fund whilst new investment transactions totalled \$6,000,000.00. Details of the payments are shown in attachment [6001 July 2018](#).

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

Supplier Name	Remittance Number	Remittance Details	Amount
Advantearing Civil Engineers	E065412 & E065781	Progress payment for foreshore revetment works at Deep Water Point and Mount Henry Jetty	\$84,751.81
Aquatic Services WA Pty Ltd	E065421 & E065793	Labour and equipment costs for works to pools at LeisureFit Booragoon	\$39,150.10
Asphaltech Pty Ltd	E065358	Road resurfacing at various sites	\$140,083.37
AWB Building Company Pty Ltd	E065377 & E065751	Building maintenance	\$39,685.91
Axiis Contracting Pty Ltd	E065368 & E065736	Concrete works at various sites	\$26,221.28
Benara Nurseries	E065260 & E065619	Trees	\$29,762.90
Bibliotheca Australia Pty Ltd	E065362 & E065730	RFID purchase and license fee subscriptions	\$130,955.72
Briteshine Cleaning Services	E065236 & E065594	Cleaning services at various sites	\$26,405.95
Building & Construction Industrial Training Fund	Chq 007169	Remittance of the building construction training levy collected by the City with building licence applications	\$49,620.74
Caltex	Direct Bank Transfer	Fuel	\$85,123.76
City of Cockburn	E065210	Commercial waste tip fees for June	\$30,325.43
Data #3 Ltd	E065288	Software purchases and various software license subscriptions	\$39,227.19
Department of Commerce	E064917	Remittance of Building Service Levy collected on building licence applications	\$50,387.55
Department of Transport Western Australia	Chq 069436 & E065652	Annual motor vehicle licence fees	\$57,874.60
EMSO Maintenance	E065274 & E065637	Building maintenance	\$59,917.34
Exteria Landmark Engineering & Design	E065223	Bin surrounds to various sites	\$26,662.90
FESA	E065348	ESL remittance for June	\$141,046.23
Flexi Staff	E065235 & E065593	Temporary employment	\$25,165.44

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

<b>Supplier Name</b>	<b>Remittance Number</b>	<b>Remittance Details</b>	<b>Amount</b>
Hays Specialist Recruitment (Australia) Pty Ltd	E065357 & E065724	Temporary employment	\$38,000.79
Holton Connor Architects & Planners	E065804	Architectural services for Tompkins Park redevelopment	\$36,960.00
Hyland Management & Construction Pty Ltd	E065432 & E065811	Refurbishment of Swan House at Heathcote	\$48,353.80
LGIS WA	E065600	Insurance premiums for 2018-2019	\$622,528.98
Living Turf	E065459 & E065823	Fertilisers	\$37,085.40
Maintenance & Construction Services (Australia) Pty Ltd	E065456	Progress claim for refurbishment works at LeisureFit Melville	\$333,097.15
Miracle Recreation Equipment	E065251	Playground replacement at Alan Edward Reserve	\$36,542.00
MMM WA Pty Ltd	E065308	Refurbishment works at various sites	\$49,527.02
Natural Area Management & Services	E065473 & E065841	Weed control at various sites and maintenance to Bushland reserves	\$46,549.33
OCE Corporate	E065400 & E065767	Cleaning services at various sites	\$30,633.90
Pearmans Electrical & Mechanical Services	E065330 & E065691	Electrical services	\$85,782.41
Power Intelligence	E065796	Voltage optimiser at LeisureFit Booragoon	\$42,079.40
Pro Crack Seal	E065369	Crack sealing works at various sites	\$33,267.50
Roberts Day Group Pty Ltd	E065438	Revenue and expenditure analysis	\$32,790.45
Signature Paving & Earthworks Pty Ltd	E065387	Paving upgrade at Point Walter Reserve	\$71,819.94
Southern Metropolitan Regional Council	E065290, E065494 & E065658	Green waste fees, MRF gate fees and MSW gate fees for June, MSW gate fees for July and RRRC loan repayment	\$788,242.62
Synergy	E065234 & E065592	Electricity charges	\$297,807.19
Technology One Ltd	E065478 & E065846	Consultancy, training and annual support and maintenance for 2018-2019	\$83,365.17
TJS Services Group Pty Ltd	E065454	Cleaning of LeisureFit's Booragoon and Melville and AH Bracks Library	\$52,778.62
Tree Amigos Tree Surgeons	E065317 & E065682	Tree lopping services	\$39,894.69
Tree Care WA Pty Ltd	E065467 & E065835	Tree lopping services	\$120,703.79
Tree Planting & Watering	E064499 & E064798	Street tree watering	\$94,743.87
Turf Care WA Pty Ltd	E065286 & E065656	Turf renovations at various reserves	\$28,205.00
Vocus Communications	E065349 & E065713	Fibre services, ADSL and Cross Connect internet charges	\$37,203.66
Water Corporation	Chq's 069403 & 069453	Water charges	\$25,033.42
West Coast Turf	E065248	Turf installation at various sites	\$36,821.40
Western Australian Local Government Association	E065661	Subscription fees	\$65,985.70

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

**Payroll**

<b>Supplier Name</b>	<b>Remittance Number</b>	<b>Remittance Details</b>	<b>Amount</b>
Various Banking Institutions	Direct Bank Transfers 11/07/2018 & 25/07/2018	Payment of salaries and wages to City employees net of tax and deduction for pays 1 and 2.	\$2,168,614.42
Australian Taxation Office	Direct Bank Transfers 11/07/2018 & 25/07/2018	Pay as You-Go taxation and other deductions from employee payroll for pays 1 and 2.	\$681,995.00
Creditors & Advances	Direct Bank Transfers 11/07/2018 & 25/07/2018	Payment of superannuation, union membership, council rates, vehicle deductions, Centrelink, etc. for pays 1 and 2.	\$530,071.99
<b>Total</b>			<b>\$3,380,681.41</b>

**Investments**

<b>Bank</b>	<b>Date of investment</b>	<b>Amount</b>
Westpac Bank	Term Deposit	\$1,000,000
Westpac Bank	Term Deposit	\$1,000,000
Commonwealth Bank	Term Deposit	\$1,000,000
Westpac Bank	On Call	\$3,000,000
<b>Total</b>		<b>\$6,000,000</b>

**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

Not applicable.

**II. OTHER AGENCIES / CONSULTANTS**

**STATUTORY AND LEGAL IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

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**C18/6001 – SCHEDULE OF ACCOUNTS PAID FOR JULY 2018 (REC) (ATTACHMENT)****POLICY IMPLICATIONS**

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

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Not applicable as this report presents information for noting only.

**CONCLUSION**

Payments for the period totalled \$9,342,219.20 for the Municipal Fund and \$100,008.29 for the Trust Fund whilst new investment transactions totalled \$6,000,000.00.

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

**OFFICER RECOMMENDATION (6001)****NOTING**

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

At 11:41pm the Mayor submitted the motion, which was declared

**CARRIED EN BLOC (12/0)**

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

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

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

<p>This report presents the following information:</p> <ul style="list-style-type: none"> <li>• The Statements of Financial Activity by Program, Sub-Program and Nature and Type, for the period ending 31 July 2018 and recommends that they be noted by the Council. The year end accounts for 2017-2018 are still being finalised and this will impact any opening balances in this report.</li> <li>• The variances for the month of July 2018 and recommends that they be noted by the Council.</li> <li>• The Budget amendments required for the month of July 2018 and recommends that they be adopted by Absolute Majority decision of the Council.</li> </ul>
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**C18/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR JULY 2018 (AMREC)  
(ATTACHMENTS)**

**BACKGROUND**

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

**DETAIL**

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

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

**Variations**

RATE SETTING STATEMENT <small>by Program</small> EXTRACT OF RATE SETTING STATEMENT FOR VARIANCE \$50,000 for the Period 1 July 2018 to 31 July 2018							
	July Actual \$	YTD Rev. Budget \$	YTD Actual \$	Variance \$	Variance %	Annual Budget \$	Annual Rev. Budget \$
<b>OPERATING ACTIVITIES</b>							
Revenue from operating activities (excluding rates and non-operating grant, subsidies and contributions)							
General Purpose Funding	3,298,128	3,216,221	3,298,128	81,907	3%	10,568,752	10,568,752
Health	133,326	28,075	133,326	105,251	375%	336,905	336,905
Community Amenities	1,889,960	1,954,825	1,889,960	(64,865)	-3%	3,338,109	3,338,109
Recreation and Culture	860,399	783,836	860,399	76,563	10%	8,160,171	8,160,171
Economic Services	884,334	935,117	884,334	(50,784)	-5%	2,762,888	2,762,888
Other Property and Services	73,135	16,290	73,135	56,845	349%	334,849	334,849
	9,664,494	9,534,074	9,664,494	130,420		30,082,837	30,082,837
<b>Expenditure from operating activities</b>							
Community Amenities	(1,642,456)	(2,485,773)	(1,642,456)	843,317	-34%	(25,607,458)	(25,615,458)
Recreation and Culture	(1,897,262)	(2,822,103)	(1,897,262)	924,841	-33%	(31,042,439)	(31,048,439)
Transport	(1,254,292)	(1,741,582)	(1,254,292)	487,290	-28%	(18,503,353)	(18,503,353)
Other Property and Services	(1,303,858)	(2,186,177)	(1,303,858)	882,319	-40%	(9,865,826)	(9,857,826)
	(7,295,326)	(10,621,689)	(7,295,326)	3,326,363		(108,727,124)	(108,727,124)
<b>Investing Activities</b>							
Purchase of Furniture & Equipment	34,197	(86,153)	34,197	120,350	-140%	(1,863,602)	(1,863,602)
Purchase of Plant & Equipment	0	(180,976)	0	180,976	-100%	(2,171,707)	(2,171,707)
Purchase of Land & Buildings	(179,561)	(9,000)	(179,561)	(170,561)	1895%	(11,831,681)	(11,831,681)
Purchase of Infrastructure Assets	(268,229)	(205,000)	(268,229)	(63,229)	31%	(23,494,859)	(23,834,859)

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

A more detailed summary of variances and comments based on the Rate Setting Statement by Sub-Program is provided in attachments [6002C Sub Program July 2018](#) and [6002H July 2018](#).

**Revenue**

\$87.202 million in Rates was raised to 31 July 2018, compared to \$85.513 million (2017-2018 year) million being 1.70 million or 1.9% more than for the same reporting period last year. This is compared with a year to date budget of \$87.218 million, resulting in a positive variance of \$16,000.

The net current assets surplus/deficit carried forward from 2017-2018 has yet to be finalised.

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

Not applicable for July 2018.

**Budget Amendments**

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

- \$227,500 – Transfer of IT capital budgets for specific projects.
- \$176,707 – Transfer of income budgets relating to Community Centres to correct responsible officer.
- \$340,000 – Create budget for grant funding received from Department of Transport for City of Melville Safe Active Street Project.

Rates, Refuse, Fire and Emergency Service Authority and Underground Power payments totalling \$3,056,255 were collected over the course of the month. Rates collection progress for the month of July is 6.4% below the target of 9%. This represents a dollar value of \$2,430,321.

As at 31 July 2.6% of 2018-2019 rates, including prior year arrears had been collected compared with 9% collected for the same time last year. Income received has been impacted by a delay in delivery of rate notices by one week due to issues under the control of the external contractor who produce and distribute the rate notices.

Rates collection for 2018-2019 excluding prior year rate arrears is 2.7%.

Total sundry debtor balances increased by \$428,318 over the course of the month from \$488,748 to \$917,066. The 90+ day's debtor balance decreased by \$3,426 from \$151,886 to \$148,460.

**Granting of concession or writing off debts owed to the City**

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

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

There were no debts written off for the month of July 2018.

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

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

**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

Not applicable.

**II. OTHER AGENCIES / CONSULTANTS**

Not applicable.

**STATUTORY AND LEGAL IMPLICATIONS**

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

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

**C18/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR JULY 2018 (AMREC)  
(ATTACHMENTS)****34. Financial activity statement report — s. 6.4**

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

(a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);

(b) budget estimates to the end of the month to which the statement relates;

(c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;

(d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and

(e) the net current assets at the end of the month to which the statement relates.

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

(a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;

(b) an explanation of each of the material variances referred to in subregulation (1)(d); and

(c) such other supporting information as is considered relevant by the local government.

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

(a) according to nature and type classification; or

(b) by program; or

(c) by business unit.

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

(a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and

(b) recorded in the minutes of the meeting at which it is presented.

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

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

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

**FINANCIAL IMPLICATIONS****Variations**

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

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

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**POLICY IMPLICATIONS**

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

**CONCLUSION**

The attached financial reports reflect a positive financial position of the City of Melville as at 31 July 2018. The reported figures are subject to review with the completion of the 2017-2018 financial year currently underway.

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

At 11:41pm Cr Robartson moved, seconded Cr Barling –

**That the Council:**

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

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

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

At 11:41pm the Mayor submitted the motion, which was declared

**CARRIED BY ABSOLUTE MAJORITY (12/0)**

**15. EN BLOC ITEMS**

At 11:41pm Cr Phelan moved, seconded Cr Barling–

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

At 11:41pm the Mayor submitted the motion, which was declared  
**CARRIED UNANIMOUSLY (12/0)**

**17. MOTIONS WITHOUT NOTICE BY ABSOLUTE MAJORITY OF THE COUNCIL**

**17.1 Consideration of Amendment to Meeting Procedures Local Law 2017**

At 11:42pm Cr Barling moved, seconded Cr Mair –

**That Cr Robins be permitted to present to the Council a Motion Without Notice relating to Consideration of Amendment to Meeting Procedures Local Law 2017.**

At 11:42pm the Mayor submitted the motion, which was declared

**CARRIED BY ABSOLUTE MAJORITY (12/0)**

At 11:43pm Cr Robins moved, seconded Cr Barling –

**That the Council request the Chief Executive Officer to consider as part of the next review of the City of Melville Meeting Procedures Local Law 2017, the following amendments to clauses (1) and (2) of part 7.10 Deputations:**

- (1) Any person or group wishing to be received as a deputation by the Council is to either-**
  - (a) apply before the meeting, to the Mayor (or in the Mayor’s absence, the Deputy Mayor); or**
  - (b) apply in person to the presiding member at the meeting.**
- (2) At the meeting, the presiding member will refer the request to the Council to decide by simple majority whether or not to receive the deputation.**

At 11.47pm the Mayor submitted the motion, which was declared

**CARRIED (8/4)**

<b>Vote Result Summary</b>	
Yes	8
No	4

<b>Vote Result Detailed</b>	
Cr Barling	Yes
Cr Barton	Yes
Cr Macphail	Yes
Cr Mair	Yes
Cr Pazolli	Yes
Cr Robartson	Yes
Cr Robins	Yes
Cr Wheatland	Yes
Cr Kepert	No
Cr Phelan	No
Cr Wieland	No
Mayor	No

### Reasons for Amendment

The City of Melville Meeting Procedures Local Law 2017 will be due for review shortly. As an amendment to a local law is quite a long process, any amendments to it should all be considered at once.

Any person or group applying to present a deputation wishes to present to the Council. It is therefore deemed appropriate that the Council be the decision maker when it comes to accepting or rejecting the application.

Elected Members attend Agenda Briefing Forums having read the agenda papers for the Ordinary Meeting of Council, and are in a position to determine whether the content of the deputation being requested is relevant to the item(s) on the agenda.

Officers may have other suggestions for improvements to the Meeting Procedures Local Law. It is requested that when improvements to the local law are considered, this change to the process for determining deputation requests be considered.

### **16. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

At 11:48pm Cr Mair withdrew her Motion With Notice advising that points 2, 3 and 5 of her motion had been submitted as reject and replace motions earlier in the meeting and that she no longer wished to pursue points 1 and 4.

At 11:48pm Cr Barling moved, seconded Cr Mair –

**That the meeting be closed to the public to permit discussion on a confidential matter (Item P18/3790 – Disposition of 7 Temby Court, Kardinya covered under section 5.23 (2) (c) of the *Local Government Act 1995*).**

At 11:48pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (12/0)**

**18. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED**

**P18/3790 – Confidential Item - Disposition of 7 Temby Court Kardinya**

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3790)**

**APPROVAL**

At 11.48pm Cr Barling moved, seconded Cr Wieland –

**That the Council:**

1. **Notes that the resolutions from the earlier meetings for this item have been fulfilled in accordance with section 3.58 of the *Local Government Act 1995*.**
2. **Authorises the Chief Executive Officer to proceed with the Contract of Sale Agreement for the disposal of Lot 323, No. 7 Temby Court, Kardinya, on the basis that the City would not enforce the condition prohibiting vehicular access to Temby Court.**

At 11:52pm the Mayor submitted the motion, which was declared

**CARRIED (9/3)**

<b>Vote Result Summary</b>	
Yes	9
No	3

<b>Vote Result Detailed</b>	
Cr Barling	Yes
Cr Barton	Yes
Cr Kepert	Yes
Cr Macphail	Yes
Cr Mair	Yes
Cr Phelan	Yes
Cr Robartson	Yes
Cr Wieland	Yes
Mayor	Yes
Cr Pazolli	No
Cr Robins	No
Cr Wheatland	No

At 11:53pm Cr Barling moved, seconded Cr Robartson –

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

At 11:53pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (12/0)**

No members of the public returned to the meeting.

The Mayor advised that recommendation as contained in the confidential report was supported by the Council.

## **19. CLOSURE**

There being no further business to discuss, the Mayor declared the meeting closed at 11:53pm.