

MINUTES
OF THE
ORDINARY MEETING OF THE COUNCIL
TUESDAY, 12 OCTOBER 2021
COMMENCING AT 6.30PM

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

Due to the State of Emergency declared in Western Australia, effective 16 March 2020 and the subsequent government directives with regard to public gatherings and physical distancing only a limited number of the public were able to physically attend this meeting.

This meeting was publically broadcast to the community and the minutes and the audio recording of the meeting available on the City's website as soon as practicable after the meeting to meet the requirements of Regulation 14E(3)(b)(i) and (ii) of the *Local Government (Administration) Regulations 1996*.

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

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

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1. OFFICIAL OPENING

The Presiding Member welcomed those in attendance to the meeting and officially declared the meeting open at 6:30pm and invited Cr Tomas Fitzgerald to read the Acknowledgement of Country and advised those present of the Disclaimer, the Affirmation of Civic Duty and Responsibility and the Audio Recording Advice.

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

Mayor Honourable G Gear

COUNCILLORS

WARD

Cr G Barber	Bicton – Attadale – Alfred Cove
Cr N Robins, Cr D Macphail	Bateman – Kardinya - Murdoch
Cr C Robartson	Bull Creek - Leeming
Cr N Pazolli, Cr S Kepert	Applecross – Mount Pleasant
Cr K Mair, Cr M Sandford	Central
Cr T Fitzgerald, Cr K Wheatland	Palmyra – Melville – Willagee

3. IN ATTENDANCE

Mr M Tieleman	Chief Executive Officer
Mr S Cope	Director Urban Planning
Ms C Young	Director Community Development
Mr M McCarthy	Director Technical Services
Mr A Ferris	Director Corporate Services
Mr L Hitchcock	Executive Manager Governance and Legal Services
Mr B Taylor	Manager Governance and Legal Services
Ms C Newman	Governance Coordinator
Ms R Davis	Governance Officer

At the commencement of the meeting, there were no members of the public in the Council Chambers, 9 members of the public and no representatives from the Press in attendance.

Statement from the Mayor:

I would like to wish all candidates the best for the upcoming election. Putting your hand up to serve on Council is an honourable service and an essential function of representing our community.

I would like to take a moment to acknowledge our two retiring Councillors, Councillor June Barton who unfortunately has not been able to make it this evening, and Councillor Clive Robartson.

Cr Robartson and Cr Barton have served on the City of Melville Council for an accumulation of over 60 years. It has been a privilege to work with you both.

Cr Robartson has been the longest continuously serving Councillor since being re-elected in 1990. In 1999, Cr Robartson received the Distinguished Service Award. He also served as Deputy Mayor in 1993, 2005 & 2011.

Cr Barton has been continuously serving since her re-election in 2001, and was the Mayor from 1989 – 1995, and is our current Deputy Mayor. Cr Barton is also a Freeman of the City, a prestigious title given to a select few.

It has been a great privilege working with you all.

4. APOLOGIES AND APPROVED LEAVE OF ABSENCE

4.1 APOLOGIES

Cr J Barton (Deputy Mayor) Bicton – Attadale – Alfred Cove

4.2 APPROVED LEAVE OF ABSENCE

Cr M Woodall Bull Creek - Leeming

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.

Cr Wheatland advised the meeting that she had not yet read the amendment circulated late in the afternoon by Cr Sandford regarding Item C21/5865 - Selection of Site Surveyor for 18A and 18B Tweeddale Road, Applecross.

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

Nil.

6. QUESTION TIME

6.1 Questions With Notice

Nil.

6.2 Questions Without Notice

6.2.1 City of Melville Residents and Ratepayers Association Inc

We refer to C21/5865 Selection of Site Surveyor for 18A and 18B Tweeddale Road Applecross and our previous complaints and submissions on this matter:

Question 1

Why is Mr Alan Ferris listed as the responsible officer when CEO Marten Tieleman and/or Mr Steve Cope are the senior employees with line responsibilities for planning and building compliance and enforcement as outlined in Council's Delegation and Authorisation Manual, including DA-061 – Enforcement and Legal Proceedings – Urban Planning Matters, DA-098 Authorised Persons (Building Act) (attached) and DA-105 Prosecutions and Legal Process?

Response

Alan Ferris was listed as the responsible officer as the initial report related to the procurement process.

Question 2

What are the City's reasons for progressing this compliance inspection for the unauthorised building works/land fill under the Planning and Development Act 2005 and not the Building Act 2011?

Response

This is not a compliance inspection and there is no active compliance matter under investigation by the City.

Question 3

Why can't the Surveyor, as a service provider to the City be authorised for this specific activity given many local governments outsource their pool inspections to Royal Life Saving Society WA (RLSSWA). Presumably the RLSSWA persons are authorised per s 96(3) and of the Building Act the undertaking the inspections of the pools as required by Building Regulations 2012 r 53 (1)?

Response

Access arrangements will be finalised during the procurement and engagement process under any relevant legislation.

6.2.1 Public Questions, City of Melville Residents and Ratepayers Association Inc continued

Question 4

Why would the City not have an Authorised Person attend the site with the surveyor, who would then take directions from the Authorised Person to provide assistance per Division 3 of the Building Act, including s 103 (5)?

Response

Access arrangements will be finalised during the procurement and engagement process under any relevant legislation.

Question 5

What are the reasons the City has changed Mr McCarthy's previous advice to Council that stated the Surveyor would not need access to the land to perform the work?

Response

The City is responding to the scope of work for the survey as defined in the Council's resolution.

The comments attributed to Mr McCarthy were in relation to a possible course of action should the landowner not grant permission for the surveyor to access the land.

Question 6

Why would the City not require the Surveyor to provide a Statutory Declaration for their assessment, survey and other information the provided pursuant by s 102 (b) (iv), particularly in preparation for further enforcement action in the event the allegations prove correct?

Response

Licensed Surveyors provide a Surveyors Certificate in terms of Regulation 25A of the *Licensed Surveyors General Surveying Practice Regulations 1961* having to provide a Statutory Declaration was considered a deterrent to undertake the task.

Question 7

Why has the city obfuscated the scope as outlined by motions 1 & 3 resolved at the 21 September 2021 OMC. The Officer recommendation appears to 'muddy the waters' by not making clear that the Surveyor IS required to determine and produce a report on the current and natural ground levels vs the levels shown on the DA-2008-1557 site plan?

Response

That the resolution is not obfuscating the issue and reconfirms the Council Motions 1 and 3 of the 21 September 2021 resolution.

The detailed scope will be outlined more carefully in the procurement process.

6.2.1 Public Questions, City of Melville Residents and Ratepayers Association Inc continued

We refer to the 3 October 2021 social media posts in relation to Firm Construction's management of Health and Safety performance at 8 Macrae Road Applecross, and specifically DWER's advice "Nuisance dust from non-licensed premises is not regulated by DWER. Dust emissions generated from activities such as land development sites, commercial activities and light industry, woodworking, grinding, roads, trotting tracks, extractive industries involving sand or gravel extraction are generally managed by local governments.

Question 8

Why doesn't Council have policies/local laws dealing with nuisance dust compliance and enforcement and readily available on its website?

Response

This question will be taken on notice.

Question 9

Why doesn't Council's Delegations and Authorities Manual list delegations and authorities specifically to deal with breaches of s 49 of the Environmental Protection Act 1986; that is to protect residents from unreasonable emissions, meaning emissions or transmission of noise, odour or electromagnetic radiation which unreasonably interferes with the health, welfare convenience, comfort or amenity of any person?

Response

This question will be taken on notice.

Question 10

Why hasn't the CEO ensured residents' dust complaints in relation to 8 Macrae Rd Applecross were investigated?

Response

This question will be taken on notice.

The responses to the Questions Taken on Notice will published in the minutes of the Ordinary Meeting of Council to be held on Tuesday, 16 November 2021.

6.3 Responses Questions Taken on Notice

From the Ordinary Meeting of Council, 21 September 2021

6.3.1 Mr N Belyea, Attadale

On 10 Sept 2021 a school athletics day was held at Troy Park. The Carpark & entry were full of cars. On Burke Dve, cars were parked on the roadside from Haig Rd to Hislop Rd. Buses blocked one traffic lane and could not get in/or out of Troy Park. This occurrence posed a significant and highly dangerous safety risk. An Overflow Parking Area (still visible on Google Earth) is a short distance NW of Troy Park oval and was previously (safely) used over a long period and was accessed from Burke Drive. My Question:

6.2.1 *Public Questions, Mr N Belyea, Attadale, continued.*

Question 1

- a) *Why was the overflow parking area discontinued and was a safety case undertaken to support the decision?*

Response

Alternative parking locations were required as a result of the City determining that a particular bird, the Rainbow Bee Eater required protection, these birds are Federally listed under the EPBC Act. To ensure park users had an alternative safe place to park their vehicles the City approved overflow parking further down on Burke Drive (south eastern corner of the dog exercise area). The overflow parking area was approved by the City for this event and a permit was issued highlighting the requirements of car park management and marshalling during the event.

Question 2

- b) *On whose authority was the Overflow Parking Area discontinued and was safety considered in that decision? and;*

Response

The concern was raised by the Manager Natural Areas & Parks that vehicles were parking in an area that was frequented by the Rainbow Bee Eater and there were risks identified related to the destruction of their underground nests and possible bird deaths. As a result the City then investigated possible short term parking options which resulted in the Attadale Foreshore area being identified as the preferred overflow parking area.

Question 3

- c) *Is the Council aware that this action has led to a highly dangerous parking situation on Burke Drive, putting the Council at high risk of being a party to a major accident, or worse, fatality?*

Response

The City is aware of ongoing parking concerns in the area and as such a plan has also been developed for minor works for verge parking on Burke Drive in the vicinity of Troy Park to improve safety which includes:

- Shifting of some bollards to make the verge wider therefore reducing conflict with park users and vehicles passing through the area.
- Installation of parking signs on sections of the road deemed inappropriate for parking

The works are currently being scheduled for implementation.

7. AWARDS AND PRESENTATIONS

Nil.

8. CONFIRMATION OF MINUTES

8.1 ORDINARY MEETING OF THE COUNCIL –21 SEPTEMBER 2021 Minutes 21 September 2021

At 6:39pm Cr Macphail moved, seconded Cr Robartson –

That the Minutes of the Ordinary Meeting of the Council held on Tuesday, 21 September 2021 be confirmed as a true and accurate record.

Amendment

At 6:40pm Cr Kepert moved, seconded Cr Pazolli –

That an amendment be made to the responses to Public Questions from Mr R Aubrey in the September Ordinary Meeting of Council Minutes to only include the original answers the Council provided at the meeting of the Ordinary Meeting of Council.

At 6:46pm the Mayor declared the motion

LOST (1/10)

Yes	1	Cr Kepert
No	10	Cr Robartson, Cr Macphail, Cr Barber, Cr Wheatland, Cr Mair, Cr Sandford, Cr Pazolli, Cr Robins, Cr Fitzgerald, Mayor Gear

At 6:42pm Cr Wheatland left the meeting and returned at 6:45pm.

COUNCIL RESOLUTION

At 6:39pm Cr Macphail moved, seconded Cr Robartson –

That the Minutes of the Ordinary Meeting of the Council held on Tuesday, 21 September 2021 be confirmed as a true and accurate record.

At 6:45pm the Mayor declared the motion

CARRIED (10/1)

Yes	10	Cr Robartson, Cr Macphail, Cr Barber, Cr Wheatland, Cr Mair, Cr Sandford, Cr Pazolli, Cr Robins, Cr Fitzgerald, Mayor Gear
No	1	Cr Steve Kepert

8.2 NOTES OF AGENDA BRIEFING FORUM – 5 OCTOBER 2021 Notes 5 October 2021

COUNCIL RESOLUTION

At 6:46pm Cr Wheatland moved, seconded Cr Pazolli –

That the Notes of Agenda Briefing Forum held on Tuesday, 5 October 2021, be received.

At 6:47pm the Mayor declared the motion

CARRIED UNANIMOUSLY (11/0)

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

Nil.

9.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT

- Cr Macphail – Item CD21/8143 – CSRFF (Community Sporting and Recreation Facility Funding). Interest Under the Code of Conduct.
- Cr Wheatland – Item 13.1 – Petition – Off-Lead Dog Park, Piney Lakes. Interest Under the Code of Conduct.

10. DEPUTATIONS

Nil.

11. APPLICATIONS FOR NEW LEAVES OF ABSENCE

Nil.

12. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil.

Disclosure of Interest

Member	Cr Wheatland
Type of Interest	Interest under the Code of Conduct
Nature of Interest	An Electorate Officer for Kim Giddens MLA and she has been active on this.
Request	Stay, Discuss, Vote
Decision Leave	Stay, Discuss, Vote

13. PETITIONS**13.1 Petition – Off-Lead Dog Park, Piney Lakes**

A petition signed by 117 residents the City of Melville and 11 non-residents was received on 12 October 2021 reads as follows:

“We the undersigned, all being electors of the City of Melville respectfully request that the Council suspend plans to construct an off-lead dog park at Piney Lakes for the following reasons:

1. The City has not consulted with the Piney Lakes community about the site proposed;
2. A fenced area on the site will fragment a well utilised large public open space system;
3. A 1.8, boundary fences as proposed will create an eye sore on a unique environment;
4. Concerns about the environmental impact of a fenced area on protected fauna including long necked turtles and bandicoots (quendas);
5. Establishing an off-lead fenced dog park in an existing off-lead park is illogical and does not justify the expenditure of \$160,000.00 of public funds; and
6. If Council is determined to proceed we respectfully request that an alternative on-lead area be considered that has reduced environmental impacts, and that the site be identified in consultation with users.”

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

At 6:49pm Cr Mair moved, seconded Cr Sandford –

That the petition bearing 117 signatures of residents and 11 signatures of non-residents be acknowledged and a report be prepared.

At 6:49pm the Mayor declared the motion

CARRIED UNANIMOUSLY (11/0)

14. REPORTS OF THE CHIEF EXECUTIVE OFFICER

**P21/3949 - LOCAL DEVELOPMENT PLAN – 23 BUCKINGHAM CRESCENT, KARDINYA
(REC) (ATTACHMENT)**

Ward : Bateman – Kardinya - Murdoch
 Category : Operational
 Application Number : DA-2021-954
 Property : 23 Buckingham Crescent, Kardinya
 Proposal : Local Development Plan (Stages 2 & 3)
 Applicant : Hex Design & Planning
 Owner : Pindan Capital Kardinya Pty Ltd
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : Item P20/3862 Local Development Plan Stage 2 Lot 42 (23) Buckingham Crescent, Kardinya Ordinary Council Meeting 18 August 2020.
 Item P20/3887 Local Development Plan Stage 3 Lot 42 (23) Buckingham Crescent, Kardinya Ordinary Council Meeting 15 December 2020.
 Responsible Officer : Peter Prendergast
 Manager Statutory Planning

AUTHORITY / DISCRETION

DEFINITION

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

**P21/3949 - LOCAL DEVELOPMENT PLAN – 23 BUCKINGHAM CRESCENT, KARDINYA
(REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- In 2016 the Metro Central JDAP, granted approval for the construction of 107 single and two storey grouped dwellings at Buckingham Crescent, Kardinya. Stage 1 of the development is nearing completion.
- In granting approval for the 107 lot grouped dwelling development, detailed designs for the development of individual lots within the development were also approved.
- In practice this proved to be inflexible for the developer in attempting to respond to the specific site and development requirements of individual potential purchasers, noting that there are no permitted development provisions under the Planning & Development (Local Planning Schemes) Regulations 2015 (the Regulations) associated with grouped dwelling development.
- This means that each time a change is proposed to one of the approved grouped dwellings on site, a new development application is required to be lodged with the City for consideration, even if the proposal meets all the relevant provisions of the R-Codes and local planning policies.
- For this reason the City has approved two Local Development Plans (LDPs) in association with the ongoing development of this site, one for Stage 2 and one for Stage 3 of the development. These LDP's effectively vary the existing development provisions of the R Codes and Local Planning Policy, without compromising the objectives of the R Codes and Local Planning Policy, and the built form outcomes that result.
- The Stage 2 LDP was approved by Council at the August 2020 Council Meeting whilst the Stage 3 LDP was approved in December 2020.
- Since then, the developer of the site has changed, and with that change the City is now in receipt of a third LDP. This latest LDP is proposed to apply to Stages 2 and 3, and will replace the previous LDP's that were approved individually for those stages.
- The LDP has been assessed in accordance with Part 6 of the Regulations. In accordance with Clause 50 (3) the proposed LDP has not been advertised as its provisions do not impact upon residents located outside of the planned residential estate, there being no shared boundaries with existing adjoining dwellings.
- In accordance with Council Delegation *DA-020: Planning and Related Matters*, the application is referred to Council for determination.
- It is recommended that the proposed LDP be approved.

**P21/3949 - LOCAL DEVELOPMENT PLAN – 23 BUCKINGHAM CRESCENT, KARDINYA
(REC) (ATTACHMENT)**



Figure 1: Aerial image of the site

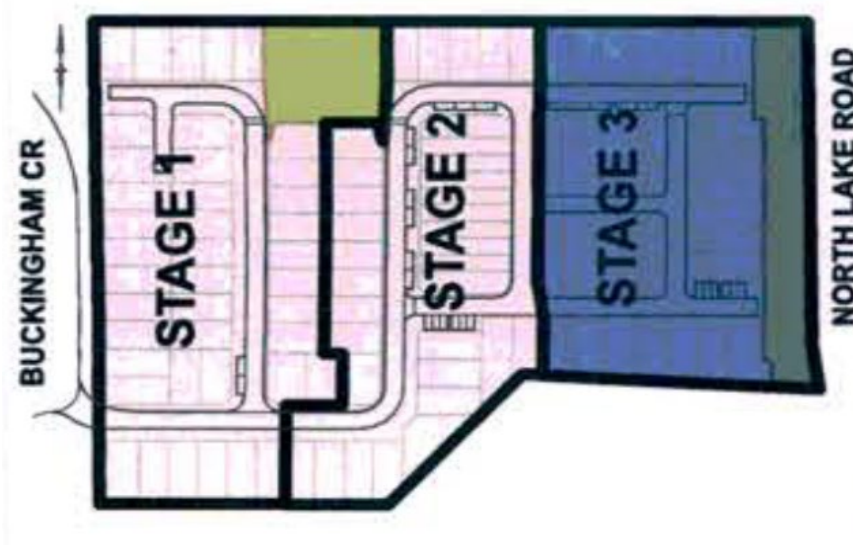


Figure 2: Staging Plan

BACKGROUND

Development Approval has previously been granted for 107 Grouped Dwellings at Lot 42 (No.23) Buckingham Crescent, Kardinya. The initial approval was granted by the Metro Central Joint Development Assessment Panel (JDAP) at its meeting held 25 February 2016.

**P21/3949 - LOCAL DEVELOPMENT PLAN – 23 BUCKINGHAM CRESCENT, KARDINYA
(REC) (ATTACHMENT)**

Since then, a number of amended development approvals have been endorsed by the JDAP on 29 June 2016, 21 February 2017, 1 August 2017, 26 November 2018 and by the City on 8 August 2018 and 27 June 2019.

At the August 2020 Council Meeting a LDP was approved by Council for Stage 2 of the development and at the December 2020 Council Meeting a LDP was approved by Council for stage 3 of the development.

The requirement for an LDP comes from the subdivision approval for Stage 2 & 3 approved by the WAPC. Condition 11 of which states as follows:

A Local Development Plan being prepared and approved for lots shown on the approved plan of subdivision dated 22 August 2019, that is consistent with the approved development, and addresses the following:

- *Guidance for lots with an area of less than 260sqm. The LDP has been specifically written for stage3 as all the lots within this stage are all less than 260sqm therefore this requirement has been addressed;*
- *Interface with public open space for lots. This requirement has been addressed via fencing provisions within the proposed LDP; and*
- *Noise management requirements.*

It is noted that the noise management requirement has been addressed via an Acoustic Report prepared by Lloyd George Acoustics dated 31 August 2021, which is provided as an attachment to this report. The report identifies a number of lots within stage 3 as requiring increased construction standards and notifications on Certificate of Titles.

The original developer has entered into administration and a new developer has taken over the site with a view to completing the development. Where the original intent for the site was that the one developer would deliver house and land packages, the new developer aims to open up the site, allowing people to purchase vacant land and engage any builder to construct the dwelling. In order to facilitate this change the new developer proposes to combine the two existing LDP's for stages 2 and 3, and make some minor modifications.

Scheme Provisions

MRS Zoning	:	Urban
LPS Zoning	:	Residential
R-Code	:	R60
Use Type	:	N/A
Use Class	:	N/A

**P21/3949 - LOCAL DEVELOPMENT PLAN – 23 BUCKINGHAM CRESCENT, KARDINYA
(REC) (ATTACHMENT)****Site Details**

Lot Area	:	19500sqm (Stages 2 & 3)
Street Tree(s)	:	N/A
Street Furniture (drainage pits etc.)	:	N/A
Site Details	:	Refer to Figure 1 above

DETAIL

A Local Development Plan (LDP) is a mechanism used to coordinate and assist in achieving the desired built form outcomes by linking lot design to future development. Under Clause 46 Schedule 2 Part 6 of the Regulations, a LDP is defined as a plan setting out specific and detailed guidance for a future development including one or more of the following:

- (a) site and development standards that are to apply to the development:
- (b) specifying exemptions from the requirement to obtain development approval for development in the area to which the plan relates.

An LDP is also referenced in Clause 7.3.1 of the R-Codes as being one of the mechanisms by which some of the deemed to comply provisions of the R-Codes may be amended or replaced.

Site Context

The subject site for the LDP incorporates Stages 2 & 3 of the 107 lot grouped dwelling development, as shown in Figure 2 above. The site is bordered by Stage 1 to the west which was not subject to a LDP. All site works for Stages 2 & 3 have been completed to accommodate future single and two storey grouped dwellings, Stages 2 & 3, abuts Alan Edwards Park to the north, North Lake Road to the east and North Lake Senior Campus to the south.

[3949 Acoustic Report](#)**[3949 Local Development Plan Stage 2 and 3](#)***Proposal*

The proposed LDP is intended to modify development controls applicable to the site in order to facilitate a more diverse housing product and exempt the developer from the requirement to obtain development approval for dwelling designs which align with the development parameters expressed in the LDP.

The original DA for 107 grouped dwellings across the subject site set out a specific house design/type for each lot. Each time a purchaser sought variations to the design to suit their needs, a development application was required to be lodged with the City for its consideration. The approved LDPs for Stages 2 and 3 allowed changes to the approved house designs to take place without the need for an additional development approval.

**P21/3949 - LOCAL DEVELOPMENT PLAN – 23 BUCKINGHAM CRESCENT, KARDINYA
(REC) (ATTACHMENT)**

The proposed new LDP will go further in that the remaining lots on the development site are now to be offered for sale as land only, enabling purchasers to appoint their own builder, and to build according to their own bespoke designs. Such proposed dwellings may be exempt from the need for additional development approval where the development criteria as expressed by the LDP are met. Where the criteria are not met, development approval will be required.

The LDP remains consistent with the applicable planning framework, with some minor variations to State Planning Policy 7.3 – ‘Residential Design Codes’, Volume 1 (R-Codes) and Local Planning Policy 3.1 ‘Residential Development’ (LPP 3.1) provisions.

The provisions contained within the LDP involve modifications to the following elements of Local Planning Scheme No. 6, Local Planning Policies and the R-Codes:

- Primary & Secondary Street Setbacks;
- Boundary Walls;
- Garage Setbacks;
- Street Fences;
- Vehicle Access & Garages;
- Incidental Development;
- Solar Access; and
- Visual privacy.

All other development standards continue to apply.

In addition to the above, the LDP includes provisions for Quiet House Design Principles provisions as required by Condition 11 of the subdivision approval granted by the WAPC.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

Advertising Required: No
Reason: In accordance with Schedule 2 Cl. 50 (3) of the Regulations

The proposed LDP is within a lot where planning approval was granted for 107 grouped dwellings and the variations to the R-Codes and LPP 3.1, along with the additional development provisions outlined above are not considered to adversely affect any owners or occupiers within the area covered by the LDP or any adjoining areas.

II. OTHER AGENCIES / CONSULTANTS

Required: No
Reason: In accordance with Schedule 2 Cl. 50 (1) (b) of the Regulations

**P21/3949 - LOCAL DEVELOPMENT PLAN – 23 BUCKINGHAM CRESCENT, KARDINYA
(REC) (ATTACHMENT)****STATUTORY AND LEGAL IMPLICATIONS**

The City will follow the requirements of the Deemed Provisions of *Planning and Development (Local Planning Schemes) Regulations 2015*.

Should the City of Melville determine not to approve the LDP, the applicant has the right to have the decision reviewed by the State Administrative Tribunal in accordance.

FINANCIAL IMPLICATIONS

There are no financial implications for the City relating to this proposal.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

Refer to the comment sections below for commentary on this section.

COMMENT

Development Approval was granted in 2016 for 107 single and two storey grouped dwellings. The approved design allowed for buildings and garages set close to the street boundaries and for the construction of two storey boundary walls. The approved setbacks and boundary wall heights do not meet the deemed to comply provisions of the R-Codes for this site, however were considered appropriate to deliver an urban form on a large brownfield site. .

As previously outlined, since the whole development comprises grouped dwellings, any changes to the approved dwelling designs, previously required development approval irrespective of whether those changes align with the deemed to comply provisions of the R-Codes and Council Policy. The existing LDP's were approved to enable flexibility to modify the design of the approved dwellings on each lot without the need to lodge an amended development application each time, provided the changes requested fall within the design parameters set by the LDP. The amended LDP provisions are the same as Stage 2 & 3 LDP provisions with the exception of the following.

Primary & Secondary Street Setbacks

The deemed to comply provisions of the City's Local Planning Policy 3.1 'Residential Development' (LPP 3.1) allows for:

- an average 2 metres and minimum 1 metre setback to the primary street; and,
- an average 1.5 metres and minimum 1 metre to the secondary street.

**P21/3949 - LOCAL DEVELOPMENT PLAN – 23 BUCKINGHAM CRESCENT, KARDINYA
(REC) (ATTACHMENT)**

The proposed development controls in the LDP will allow a primary street (front) setback of between 1 metre and 1.5 metres, whilst in respect to the secondary street setbacks it is proposed that these be setback a minimum of 1 metre and walls are to include articulation via the use of at least one major opening on each floor and use of different materials.

This is consistent with the original development approval which allows for similar setbacks.

Boundary Walls

LPP 3.1 allows boundary walls up to 3.5 metres in height with an average of 3 metres for two-thirds the length of the balance of the lot boundary behind the front setback line. The proposed development controls in the LDP will allow for single storey boundary walls to be setback behind the street setback line and to a maximum height of 3.5m, and two storey boundary walls up to 6.5 metres high behind the front and rear setback line.

In order to protect direct sun and ventilation to outdoor living areas, rear setback restrictions have been incorporated into the LDP to limit the extent of such walls thereby ensuring the integrity of outdoor living areas is not compromised.

Garage Setbacks

The deemed to comply provisions of LPP 3.1, require garages to be setback 4.5 metres from the primary street boundary line, noting that this length may be reduced where a dwelling is forward of the garage. The proposed development controls in the LDP will allow for garages to be setback a minimum 1.5m where either the dwelling protrudes past the garage or the dwelling includes an upper floor with a major opening fronting the communal street. For lots with rear loaded laneway access, setbacks can be reduced to 0.5m. These provisions are considered appropriate to ensure that the visual bulk of garages on the streetscape is minimised and is consistent with the original development approval which allows for similar setbacks.

*Visual Privacy**Overlooking of Boundary Walls, Roofs and Non-Major Openings.*

The deemed to comply provisions of the R-Codes require major openings that overlook any part of any other residential property behind its street setback line to be setback a minimum distance from the lot boundary. Major openings located on an upper floor of a two storey dwelling which do not meet the deemed to comply provisions would result in a development application being lodged with the City.

The purpose of this provision is to remove the requirement for a development application to be lodged with the City where a major opening overlooks boundary walls, roofs and non-major openings.

**P21/3949 - LOCAL DEVELOPMENT PLAN – 23 BUCKINGHAM CRESCENT, KARDINYA
(REC) (ATTACHMENT)**

Overlooking of these areas will not result in any visual privacy impacts to any habitable areas on adjoining properties therefore it is proposed that applications for development be exempt from obtaining planning approval where they overlook non habitable areas such as those described above.

Alan Edwards Reserve and North Lake Senior Campus

In order to provide passive surveillance and an attractive interface with Allen Edwards Reserve and North Lake Senior Campus at least one major opening is required to the upper floor facing the Reserve and the Campus.

Rear Loaded Lots

It is anticipated that two storey dwellings will be constructed on these lots due to the width, with side walls constructed to the boundary, garages located off the laneway and bedrooms located on the upper floor.

In order to provide better surveillance to the laneway, improved resident amenity and a more interesting and articulated rear façade, it is proposed to allow a major opening to each habitable room facing the lane to a maximum size of 1 square metre. Any overlooking from these windows towards the adjoining properties will be on an oblique angle minimising the visual privacy impact. In addition many of the dwellings will be developed with the main outdoor living area located towards the front of the dwelling as per the provisions of the LDP or with a partially covered OLA located centrally within the site. This roof cover will minimise overlooking from the upper floor of adjoining properties.

The R-Codes explanatory guidelines state that it is important to strike a balance between privacy and amenity in an urban area. The proposed provisions are considered to do this allowing for landowners to design a dwelling in a way will allows them reasonable levels of privacy within their internal spaces and outdoor living areas.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The Council could determine that the LDP be refused, in which case the applicant will have an option of appeal to the State Administrative Tribunal.

CONCLUSION

Based on the above, the proposed Local Development Plan is considered to align with the strategic objectives of the City's Local Planning Strategy and with State Planning Policy 7.3 - *Residential Design Codes 7.3, Volume 1*. On that basis, it is recommended that the LDP be approved as proposed.

**P21/3949 - LOCAL DEVELOPMENT PLAN – 23 BUCKINGHAM CRESCENT, KARDINYA
(REC) (ATTACHMENT)****OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3949) APPROVAL**

At 6:50pm Cr Macphail moved, seconded Cr Robins –

That the Council, in accordance with Schedule 2 Clause 52 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, approves the Local Development Plan for Stage 3 Lot 42 (No. 23) Buckingham Crescent, Kardinya.

At 6:50pm the Mayor declared the motion

CARRIED UNANIMOUSLY (11/0)

Disclosure of Interest

Member Cr Macphail
 Type of Interest Interest under the Code of Conduct
 Nature of Interest I am a social Member of the Melville City Hockey Club which is a member of the Windelya Sports Association.
 Request Stay, Discuss, Vote
 Decision Leave Stay, Discuss, Vote

**CD21/8143 - CSRFF (COMMUNITY SPORTING AND RECREATION FACILITY FUNDING)
(REC) (ATTACHMENT)**

Ward : All
 Category : Operational
 Subject Index : Community Sporting and Recreation Facility Funding
 Customer Index : City of Melville
 Melville Turf Inc.
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : Nil
 Works Programme : Not Applicable
 Funding : \$2,295,000 allocated to the 2021 - 2022 Annual Budget
 Responsible Officer : Todd Cahoon
 Manager Healthy Melville

AUTHORITY / DISCRETION

DEFINITION

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

**CD21/8143 - CSRFF (COMMUNITY SPORTING AND RECREATION FACILITY FUNDING)
(REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- As part of the assessment process for the Community Sport and Recreation Facilities Funding round the City of Melville is required to rank and prioritise all applications received prior to forwarding to Sport and Recreation for consideration.
- The Minister of Sport and Recreation announced an increase of \$500,000 to the annual Community Sport and Recreation Facilities Funding budget to support projects that improve the usability of facilities for female participants.
- The purpose of this Agenda Item is to provide the rankings and priorities for each of the applications listed below.

BACKGROUND

Each year, the Council prioritises and ranks applications for the Standard and Forward Planning Grants of the Community Sport and Recreation Facility Fund (CSRFF) that are within the City of Melville's boundary.

The Department of Local Government, Sport and Cultural Industries (formally Department of Sport and Recreation) have developed key principles of facility provision against which the allocation of funds are assessed. These principles are based on the need for a planned approach to facilities provision which takes account of justified needs, existing facilities and the social and financial impact of investing in new facilities.

When prioritising and rating, the Local Government is asked to consider the Key Principles of Facility Provision, rank in order of priority (highest priority application being ranked as 1) and rate all applications based on:

- *A - Well planned and needed by municipality.*
- *B - Well planned and needed by applicant.*
- *C - Needed by municipality, more planning required.*
- *D - Needed by applicant, more planning required.*
- *E - Idea has merit, more planning work needed.*
- *F - Not recommended.*

The rating is to reflect how worthwhile the project is and indicate its importance on its actual benefit to the community.

In June 2021 the Minister for Sport and Recreation announced the 2022-23 CSRFF Annual and Forward Planning round will open on 1 June 2021 and close on 30 September 2021, with successful projects likely to be announced in January 2022. The priority and rating of the applications by the City is to be submitted in October 2021. Therefore a decision is required at the October Ordinary Meeting of Council.

**CD21/8143 - CSRFF (COMMUNITY SPORTING AND RECREATION FACILITY FUNDING)
(REC) (ATTACHMENT)**

The State Government has announced that from the 2022-23 round of funding, the CSRFF budget has been increased to \$12.5 million per year. The additional \$500,000 allocated to the CSRFF program will support projects that improve the usability of facilities for female participants. Projects that address this including the provision of lockable individual showers and the installation of toilet cubicles in lieu of urinals will be prioritised.

The City of Melville has received 3 applications from:

1. City of Melville - Upgrade of changing rooms at Marmion Reserve.
2. City of Melville - Redevelopment of amenities including changing rooms with non-gender change areas at Winthrop Reserve.
3. Melville Turf Inc. (Melville City Hockey Club) for the replacement of the synthetic playing surface at Morris Buzacott Reserve.

DETAIL**City of Melville upgrade of changing rooms at Marmion Reserve and Winthrop Reserve.**

In 2020 The City of Melville noted the Active Reserve Infrastructure Strategy (ARIS) that was developed to guide the provision of infrastructure on Active Reserves for the next 20 years. Active Reserves are principally those reserves within the City which provide for formal sport and associated recreational uses. While they are used for sport they also provide a variety of other recreational activities for the local communities they serve.

The analysis of Active Reserves took into account emerging trends in the development of contemporary sporting and community infrastructure and the current funding commitments which have already been made by the City in respect of upgrading pavilions, clubhouses and changing rooms. This is a program which has been developed across the breadth of Active Reserves within the Councils control to ensure the facilities fulfil high priority objectives of incorporating gender diverse changing infrastructure together with increasing access to those members of the community who have varying degrees of physical challenges.

A key outcome of ARIS was to assess the current standard of Active Reserves, club and change room facilities, supporting infrastructure to determine existing issues and adequacy with consideration of the City's Long-Term Financial Plan and Asset Management Plans.

From this assessment a comprehensive list of all active reserve changing rooms was established ranking and prioritising each active reserve based on condition. The City of Melville is three years into the program having recently completed:

- Bill Ellson change room upgrade
- Webber Reserve club and change room redevelopment.
- Tompkins Park Change rooms upgrade

*The design for the upgrade of changing rooms to non-gender change areas at Marmion Reserve can be found here - [8143 Design Marmion Reserve Change Rooms](#)

**CD21/8143 - CSRFF (COMMUNITY SPORTING AND RECREATION FACILITY FUNDING)
(REC) (ATTACHMENT)**

*The design for the redevelopment of amenities at Winthrop Reserve can be found here - [8143 Design Winthrop Reserve Amenities](#)

Melville Turf (INC)

Morris Buzacott is home to the Melville City Hockey Club. In 2005 Melville City Hockey Club with the support of the City of Melville and the Department of Sport and Recreation installed a brand new synthetic playing surface at the reserve. Subsequently this playing surface was replaced by the Melville City Hockey Club in 2014. The current surface has come to the end of its natural life and needs to be replaced again. The project will:

- Make any repairs as required to the turf base,
- Replace the shock pad (underlay) and
- Replace the synthetic playing surface.

The Melville City Hockey Club Turf facility is a major hockey facility in the South Metropolitan corridor and caters for male and female players of all ages. The facility is used every day of the week for both training and fixtured games. The turf facility hosts approximately 50,000 players per annum. The Turf facility is used for the best part of 12 months a year. On completion of the winter season a summer sevens competition commences incorporating evening competitions for both male and female junior, senior and masters competitions. The Melville Hockey Club advises that the collective membership is over 1000.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

The City of Melville upgrades will be subjected to the normal development application process that includes public advertising. Currently the City is in discussions with the user groups of the Marmion and Winthrop facilities.

The City has engaged with the Clubs who currently play at each reserve as part of the development of the designs.

As the turf replacement is considered operational the only stakeholder engagement has being between the Department of Local Government Sport and Cultural Services (CSRFF), Melville City Hockey Club and Hockey WA .

II. OTHER AGENCIES / CONSULTANTS

The Department of Local Government Sport and Cultural Services (CSRFF) and Hockey WA

STATUTORY AND LEGAL IMPLICATIONS

The City of Melville upgrades will be subjected to the normal development and building application process

**CD21/8143 - CSRFF (COMMUNITY SPORTING AND RECREATION FACILITY FUNDING)
(REC) (ATTACHMENT)****FINANCIAL IMPLICATIONS****City of Melville upgrade of changing rooms at Marmion and Winthrop Reserve.**

The quantity surveyors and construction consultants cost estimates for both Marmion and Winthrop Reserves are;

- Marmion Reserve \$1,030,000
- Winthrop Reserve \$1,265,000

These funds are allocated to the 2021/2022 Annual Budget.

Melville Turf Inc.

Melville Turf has an established governance and financial structure that has seen sound management of the facility since its inception. Turf users are charged a fee for use. Income is then used to fund operating expenses, repairs and replacements costs.

The cost of the turf replacement is \$482,920 (all figures are ex GST). The Melville Turf has requested the following contributions:

Melville Turf	\$352,466
CSRFF	\$ 80,454
City of Melville (not supported)	<u>\$ 50,000</u>
Total	\$482,920

Melville Turf believes the contribution of \$50,000 from the City would ease some financial pressure on a well-run proven not for profit organisation that provides a community service.

The Melville Turf is classified as a specialised sporting venue. Specialised Sporting venues identify Clubs that require facilities above the standard of provision normally provided by the City of Melville. Such Clubs/groups require exclusive use of public open space to conduct club activities, which are generally fenced and restrict public access. The design of venues are specific and for single purpose, fee paying use or provides clubs with control or dominant use. This limits the amount of use of the public space for the general community.

The City of Melville's practice is in line with the Department of Local Government, Sport and Cultural Industries Community Sport and Recreation Facilities Funding (CSRFF) policies and procedures. CSRFF and the City of Melville have supported the establishment of the Turf facility. This can be said for the sport of bowls, tennis and hockey.

Melville Turf received conditional funding to support the development of the Turf facility. (This included the installation of the sub surface and playing surface). The condition is that the Melville Turf demonstrated its ability to maintain the facility by developing a sinking fund for the asset replacement.

**CD21/8143 - CSRFF (COMMUNITY SPORTING AND RECREATION FACILITY FUNDING)
(REC) (ATTACHMENT)**

These surfaces typically have a life span of 7 – 10 years providing the opportunity for the club to budget its operations to fund the eventual playing surface replacement. This combined with dominant, controlled and fee paying use of the playing surface provides the Club with further opportunities to generate income from services and programs. By not contributing to the replacement costs also makes the Clubs active insuring the management and maintenance of the turf is such that maximum life span is achieved.

It should also be noted that resurfacing projects are considered a low priority particularly where the applicant has previously been funded through CSRFF. The project may attract reduced funding of 16.66% and in competitive rounds it is unlikely that these projects will receive any funding from CSRFF. This is due to the Clubs prior commitment to maintain sinking funds for asset replacement.

For the above reasons officers do not support the \$50,000 contribution to the turf replacement.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement & Consequence	Level of Risk	Risk Treatment
The City is required to prioritise and rate all CSRFF applications received within the municipality. By the City not providing the priority and rating, worthwhile projects will be at risk of not receiving funding resulting in additional financial pressure on clubs and the City.	Moderate consequences which are likely, resulting in a High level of risk	The City provides the Department of Local Government, Sport and Cultural Industries with a priority and rating for each application received.

POLICY IMPLICATIONS

Supporting the Community Sport and Recreation Facility Funding application will meet the first three City of Melville policies.

- 1) Policy CP-028 Physical Activity highlights the increase of opportunities for physical activity; leading to the improved health and wellbeing of the community.
- 2) CP-037 Neighbourhood Development – Community Hub Policy highlights that gaining the greatest community benefit can be achieved through the provision of facilities consolidated into community hubs.
- 3) CP-031 Asset Management Policy highlights that assets must be reviewed on a regular basis to ensure they remain relevant, have a demonstrated community need and are achieving optimal levels of service in a cost effective manner over the asset lifecycle.

**CD21/8143 - CSRFF (COMMUNITY SPORTING AND RECREATION FACILITY FUNDING)
(REC) (ATTACHMENT)****ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Nil.

CONCLUSION

The change room upgrade program is considered a high priority for the City as many changing facilities in the City are not fit for purpose and particularly not suitable for the increasing trend of female participation.

Turf replacement is generally not seen as a high priority for CSRFF funding and particularly where the original facilities received funding. The key principle of the initial development is for the asset to provide the ability to generate income to fund the asset replacement.

Multi-purpose/ multi-use facilities receive a higher priority for CSRFF funding. The upgrades to change rooms at both Marmion Reserve and Winthrop Park will be used by a number of different sports clubs, schools, casual hire groups and the general community. The Melville Hockey Centre is a well-used community facility, essential for the sustainability of the hockey club and to support the sport of hockey for the City, however the facility is predominantly a single sport use.

**CD21/8143 - CSRFF (COMMUNITY SPORTING AND RECREATION FACILITY FUNDING)
(REC) (ATTACHMENT)**

OFFICER RECOMMENDATION (8143)

APPROVAL

At 6:50pm Cr Wheatland moved, seconded Cr Mair –

That the Council resolves that:

Projects submitted for the 2021 Annual and Forward Planning Grants Round of the Community Sporting and Recreation Facilities Fund be prioritised and rated as follows:

Project A. Upgrade to Change Rooms at Marmion Reserve

**Project Priority 1
Project Rating A – well planned and needed by the municipality**

Project B. Redevelopment of Change Rooms at Winthrop Park

**Project Priority 2
Project Rating A – well planned and needed by the municipality**

Project C. Turf Replacement at Melville Hockey Club

**Project Priority 3
Project Rating A – well planned and needed by the municipality**

Amendment

At 6:51pm Cr Pazolli moved, seconded Cr Sandford –

To amend the prioritisation of the Projects as follows:

- **Project C to Priority 1**
- **Project A to Priority 2, and;**
- **Project B to priority 3.**

At 7:16pm the Mayor declared the motion

LOST (5/6)

Yes	5	Cr Macphail, Cr Barber, Cr Sandford, Cr Robins, Cr Pazolli
No	6	Cr Robartson, Cr Wheatland, Cr Mair, Cr Kepert, Cr Fitzgerald, Mayor Gear

At 7:01pm Cr Robins left the meeting and returned at 7:02pm.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (8143)**APPROVAL**

At 6:50pm Cr Wheatland moved, seconded Cr Mair –

That the Council resolves that:

Projects submitted for the 2021 Annual and Forward Planning Grants Round of the Community Sporting and Recreation Facilities Fund be prioritised and rated as follows:

Project A. Upgrade to Change Rooms at Marmion Reserve

Project Priority 1
Project Rating A – well planned and needed by the municipality

Project B. Redevelopment of Change Rooms at Winthrop Park

Project Priority 2
Project Rating A – well planned and needed by the municipality

Project C. Turf Replacement at Melville Hockey Club

Project Priority 3
Project Rating A – well planned and needed by the municipality

At 7.17pm the Mayor declared the motion

CARRIED UNANIMOUSLY (11/0)

M21/5000 – COMMON SEAL REGISTER (REC)

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

AUTHORITY / DISCRETION

DEFINITION

<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 and policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
<input checked="" type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

KEY ISSUES / SUMMARY

This report details the documents to which the City of Melville Common Seal has been applied for the period from 31 August 2021 up to and including 15 September 2021 for the Council's noting.

M21/5000 – COMMON SEAL REGISTER (REC)

BACKGROUND

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

DETAIL

Register Reference	Parties	Description	ECM Reference
CS2186	City of Melville and Lionel Liam Thompson	Temporary Withdrawal of Caveat: Lot 3 (Unit 3, 47) & Lot 4 (Unit 4, 47) McCoy Street Myaree: Nangara Holdings Pty Ltd & C.P Kailis Pty Ltd to Thompson	6464842

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Not applicable.

II. OTHER AGENCIES / CONSULTANTS

Not applicable.

STATUTORY AND LEGAL IMPLICATIONS

Section 2.5(2) of the *Local Government Act 1995* states:
The local government is a body corporate with perpetual succession and a common seal.

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

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

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

M21/5000 – COMMON SEAL REGISTER (REC)**FINANCIAL IMPLICATIONS**

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

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

There are no policy implications in this report.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable.

CONCLUSION

This is a standard report for the Elected Members' that details the documents to which the City of Melville Common Seal has been applied for the period from 31 August 2021 up to and including 15 September 2021.

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

That the Council notes the actions of His Worship the Mayor and the Chief Executive Officer in executing the documents listed under the Common Seal of the City of Melville from 31 August 2021 up to and including 15 September 2021.

At 7:22pm the Mayor declared the motion

CARRIED EN BLOC BY ABSOLUTE MAJORITY (11/0)

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

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

AUTHORITY / DISCRETION

DEFINITION

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

KEY ISSUES / SUMMARY

This report presents the investment statements for the period ending 31 August 2021 for the Council's information and noting.

C21/6000 - INVESTMENT STATEMENTS FOR 31 AUGUST 2021 (REC)

BACKGROUND

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

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

DETAIL

The following statement details the investments held by the City as at 31 August 2021.

CITY OF MELVILLE STATEMENT OF INVESTMENTS FOR THE PERIOD ENDING 31 AUGUST 2021		
SUMMARY BY FUND		
Municipal		\$61,704,684
Reserve		\$161,049,194
Trust		\$-
Citizen Relief		\$224,057
TOTAL		\$222,977,935
SUMMARY BY INVESTMENT TYPE		
11AM		\$12,355,412
31Days at Call		\$6,000,000
60Days at Call		\$2,000,000
90Days at Call		\$16,600,000
Term Deposit		\$186,022,523
TOTAL		\$222,977,935
SUMMARY BY CREDIT RATING		
AAA Category	AAA	
AA Category (AA+ to AA-)	AA-	\$150,977,220
A Category (A+ to A-)	A+	\$10,000,716
	A	
	A-	
BBB+ Category	BBB+	\$62,000,000
TOTAL		\$222,977,935

C21/6000 - INVESTMENT STATEMENTS FOR 31 AUGUST 2021 (REC)

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

Investment with financial institutions						
Institution	Credit Rating	Credit Rating Category	Funds held at period end	Actual %	Limit Per Policy	
ANZ	AA-	AA Category	\$ 5,500,000	2.47%	30.00%	✓
AMP	BBB+	BBB+ Category	\$ -	0.00%	15.00%	✓
Bankwest	AA-	AA Category	\$ -	0.00%	30.00%	✓
Bank of Queensland	BBB+	BBB+ Category	\$ 30,000,000	13.45%	15.00%	✓
ING Bank	A-	A Category	\$ -	0.00%	25.00%	✓
Bendigo & Adelaide	BBB+	BBB+ Category	\$ 32,000,000	14.35%	15.00%	✓
CBA	AA-	AA Category	\$ 53,500,000	23.99%	30.00%	✓
Macquarie	A+	A Category	\$ 7,000,716	3.14%	25.00%	✓
NAB	AA-	AA Category	\$ 45,035,660	20.20%	30.00%	✓
St George	AA-	AA Category	\$ -	0.00%	30.00%	✓
Suncorp	A+	A Category	\$ 3,000,000	1.35%	25.00%	✓
Westpac	AA-	AA Category	\$ 46,941,560	21.05%	30.00%	✓
TOTAL			\$ 222,977,935	100%		

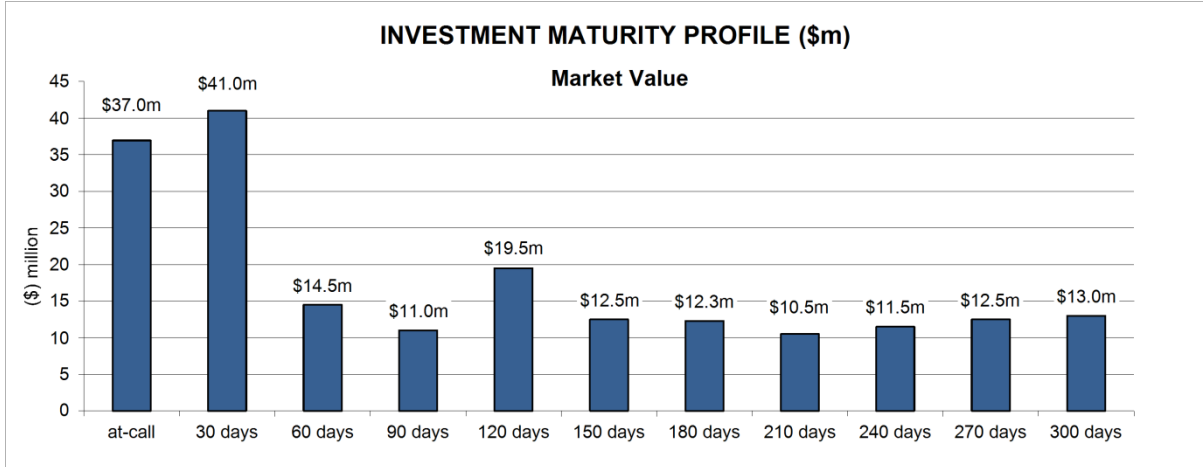
*Standard & Poor's ratings. Source: Policy No. CP-009: Investment of Funds

The City's investment in the BBB+ category exceeded the limit allowed for this category rating. This is due mainly to an increased focus on green investments which generally have this lower rating. However, the investment allocation will be adjusted in proceeding months.

Maximum Percentage of Average Investment Portfolio Balance				
Long Term Rating	Funds held at period end \$	Actual %	Limit Per Policy	
AAA Category	\$ -	0%	100%	✓
AA Category (AA+ to AA-)	\$ 150,977,220	68%	80%	✓
A Category (A+ to A-)	\$ 10,000,716	4%	50%	✓
BBB+ Category	\$ 62,000,000	28%	25%	✗
TOTAL	\$ 222,977,935	100%		

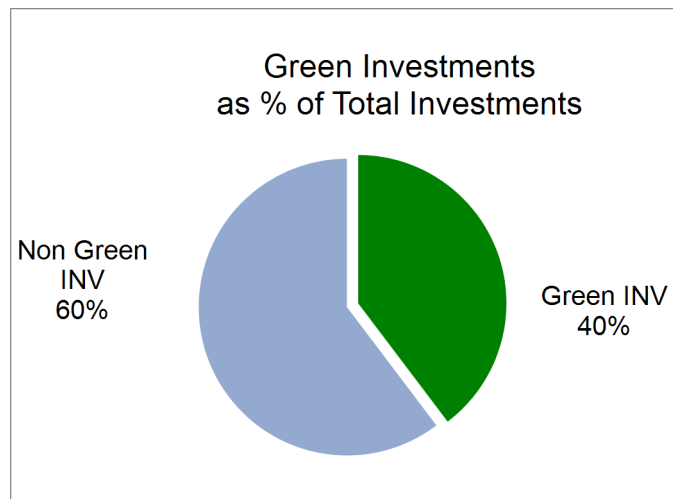
C21/6000 - INVESTMENT STATEMENTS FOR 31 AUGUST 2021 (REC)

The below graph summarises the maturity profile of the City’s investments at market value as at 31 August 2021. The immediacy of the demand for funds depends on the particular Fund or Reserve Account(s) of the City. The maturity profile provided in the table above meets the liquidity requirements of the Council policy.



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

The total investment in authorised institutions that do not lend to industries engaged in the exploration for, or production of, fossil fuels, as at 31 August 2021 was \$88,500,000 or 40% of total investment holdings being in non-fossil fuels institutions, compared to \$57,500,000 (33%) in July 2021. The total investments holding for August and July were \$222,977,935 and \$174,477,935 respectively.



C21/6000 - INVESTMENT STATEMENTS FOR 31 AUGUST 2021 (REC)

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

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

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

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

II. OTHER AGENCIES / CONSULTANTS

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

STATUTORY AND LEGAL IMPLICATIONS

The following legislation is relevant to this report:

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

Authorised Deposit-taking Institutions are authorised under the *Banking Act 1959* and are subject to Prudential Standards 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.

C21/6000 - INVESTMENT STATEMENTS FOR 31 AUGUST 2021 (REC)

FINANCIAL IMPLICATIONS

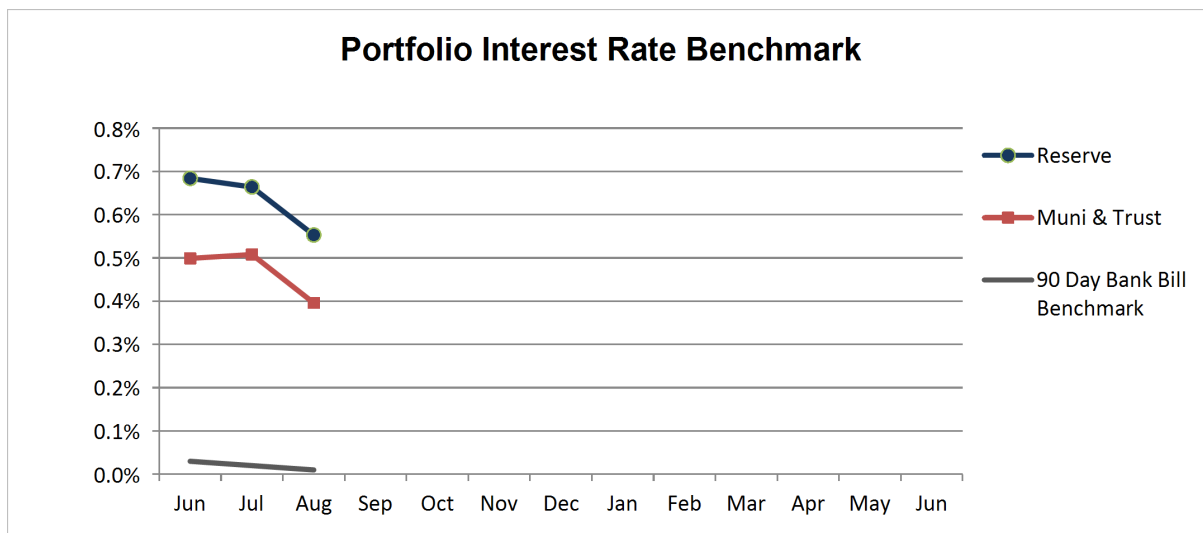
For the period ending 31 August 2021:

- Investment earnings on Municipal and Trust Funds were \$25,777 against a year to date budget of \$41,667 representing a negative variance of \$15,890 .

The weighted average interest rate for Municipal and Trust Fund investments as at 31 August 2021 was 0.40% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 0.01%.

- Investment earnings on Reserve accounts were \$155,176 against a year to date budget of \$200,000 representing a negative variance of \$44,824.

The weighted average interest rate for Reserve account investments as at 31 August 2021 was 0.55% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 0.01%.



STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Strategic

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

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

Risk

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

C21/6000 - INVESTMENT STATEMENTS FOR 31 AUGUST 2021 (REC)**Environmental**

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

POLICY IMPLICATIONS

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

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable as this report only presents information for noting.

CONCLUSION

The City's investment portfolio is invested in highly secure investments with a low level of risk yielding a weighted average rate of return of 0.40% to 0.55% which exceeds the benchmark three month bank bill swap (BBSW) reference rate of 0.01%.

40% 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 33% in July 2021.

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 August 2021.

At 7:22pm the Mayor declared the motion

CARRIED EN BLOC BY ABSOLUTE MAJORITY (11/0)

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

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

AUTHORITY / DISCRETION

DEFINITION

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

KEY ISSUES / SUMMARY

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

**C21/6001 – SCHEDULE OF ACCOUNTS PAID FOR AUGUST 2021 (REC)
(ATTACHMENT)****BACKGROUND**

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

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

DETAIL

The Schedule of Accounts Paid for August including Payment Register numbers, Cheques: 801-801, Electronic Funds Transfers batches: 720-724, Trust Payments, Card Payments and Payroll was distributed to the Elected Members of the Council on 12 October 2021.

A total of \$7,229,747 direct creditor payments were paid during the month, of which, 24% of payments were paid to suppliers located within the City of Melville and 34% to suppliers within the South West Group, compared to 17% and 30% of total of \$ 9,173,357 direct creditor payments made over July 2021 respectively. The biggest payment of \$1,089,077 made during the month was the ESL payment to the Department of Fire and Emergency Services. Approximately 96% of supplier invoices are paid within 30 days of receipt of the invoices.

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

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

SCHEDULE OF PAYMENTS MADE AUGUST 2021		
<i>Payments made under Delegated Authority DA-035</i>		
MUNICIPAL FUNDS - DIRECT CREDITOR PAYMENTS		
Cheques	Chq Payment Register No. 801	\$2,835.11
	Chq Payment on Restricted Funds Register No.	\$0.00
	Less Cancelled Chqs	\$0.00
Electronic Funds Transfers	EFT Payment Register No. 721,722 and 724	\$6,876,552.35
	EFT Payment on Restricted Funds Register No. 110, 720 and 723	\$169,288.30
	Less Cancelled EFTs	(\$6,948.71)
		\$7,041,727.05
Direct Debits	Bank Fees	\$106,945.83
	Ampol Fuel	\$79,134.38
Direct Payments		\$1,940.36
	Total Direct Creditor Payments	\$7,229,747.62
Payroll	Total Pay 3 and 4	\$3,718,349.62
		Total Payroll
Cards	Corporate Cards	\$17,786.02
	Purchase Cards	\$57,215.63
	American Express	\$1,832.42
		Total Card Payments
Total Direct Creditor Payments from Municipal Account		\$11,024,931.31

Schedule of Payments Made continued.

INTERFUND & INVESTMENT TRANSACTIONS		
<i>Interfund Transfers</i>		
Loan		\$0.00
Citizen Relief Trust		\$0.00
Citizen Relief Operating		\$0.00
Municipal		(\$6,288,904.87)
Reserve		\$6,288,904.87
Trust		\$0.00
<i>Total Interfund Transfers</i>		\$0.00
<i>New Municipal Investments</i>		
Bendigo & Adelaide Bank	2/08/2021	\$2,000,000.00
Bendigo & Adelaide Bank	3/08/2021	\$1,500,000.00
Commonwealth Bank	5/08/2021	\$2,500,000.00
Bendigo & Adelaide Bank	6/08/2021	\$1,500,000.00
Bendigo & Adelaide Bank	9/08/2021	\$2,000,000.00
Bendigo & Adelaide Bank	9/08/2021	\$2,000,000.00
Bendigo & Adelaide Bank	10/08/2021	\$2,000,000.00
Bendigo & Adelaide Bank	11/08/2021	\$1,500,000.00
Bendigo & Adelaide Bank	12/08/2021	\$1,500,000.00
Bendigo & Adelaide Bank	13/08/2021	\$1,500,000.00
National Australia Bank	13/08/2021	\$1,000,000.00
Commonwealth Bank	18/08/2021	\$1,500,000.00
Commonwealth Bank	19/08/2021	\$1,000,000.00
Commonwealth Bank	20/08/2021	\$1,500,000.00
Commonwealth Bank	23/08/2021	\$2,000,000.00
National Australia Bank	23/08/2021	\$1,500,000.00
Commonwealth Bank	24/08/2021	\$2,000,000.00
National Australia Bank	24/08/2021	\$2,000,000.00
Bendigo & Adelaide Bank	25/08/2021	\$1,500,000.00
National Australia Bank	25/08/2021	\$2,000,000.00
Bendigo & Adelaide Bank	26/08/2021	\$1,500,000.00
Westpac Bank	26/08/2021	\$2,000,000.00
Westpac Bank	27/08/2021	\$6,500,000.00
Bank of Queensland	30/08/2021	\$2,500,000.00
National Australia Bank	30/08/2021	\$2,000,000.00
National Australia Bank	31/08/2021	\$3,000,000.00
National Australia Bank	31/08/2021	\$3,000,000.00
National Australia Bank	31/08/2021	\$2,000,000.00
Bank of Queensland	31/08/2021	\$2,500,000.00
Bendigo & Adelaide Bank	31/08/2021	\$2,000,000.00
<i>Total New Investments</i>		\$61,000,000.00
Grand Total		\$72,024,931.31

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

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

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

Not applicable.

II. OTHER AGENCIES / CONSULTANTS**STATUTORY AND LEGAL IMPLICATIONS**

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

FINANCIAL IMPLICATIONS

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

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

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

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable as this report presents information for noting only.

CONCLUSION

The Schedule of Payments for the month totals \$72,024,931.31.

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

**C21/6001 – SCHEDULE OF ACCOUNTS PAID FOR AUGUST 2021 (REC)
(ATTACHMENT)****OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (6001) NOTING**

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

At 7:22pm, the Mayor declared the motion

CARRIED EN BLOC BY ABSOLUTE MAJORITY (11/0)

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

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

AUTHORITY / DISCRETION

DEFINITION

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

**C21/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR AUGUST 2021 (AMREC)
(ATTACHMENTS)****KEY ISSUES / SUMMARY**

This report presents:

- The Statements of Financial Activity by Program, Sub-Program and Nature and Type, for the period ending 31 August 2021 and recommends that they be noted by the Council.
- Year-end processes are still underway and therefore the final figures for August 2021 may be different from what is presented in this report.
- The variances for the month of 31 August 2021 and recommends that they be noted by the Council.
- The Budget amendments required for the month of 31 August 2021 and recommends that they be adopted by Absolute Majority decision of the Council.
- Amendments to the Fees and Charges schedule and recommends that they be adopted by Absolute Majority decision of the Council.

BACKGROUND

The Statements of Financial Activity for the period ending 31 August 2021 have been prepared and tabled in accordance with the *Local Government (Financial Management) Regulations 1996*.

OVERALL SUMMARY OF THE CITY'S FINANCIAL POSITION

- End of financial year processes for 2020-2021 are still underway and therefore the final figures for 2020-2021 may be materially different to what is presented in this report.
- The Municipal cash balance at the end of the month is \$61.7m. This reflects that the City has a positive financial position to meet its obligations.
- An investment holding in reserve accounts for August is \$161m, compared to the reserve investment holding of \$146m in July 2021. 73% of the City's investment holdings are held in reserve accounts which are restricted to the defined purpose for which the reserve account was established.
- The Green investment in authorised banking institutions as at 31 August 2021 was \$88,500,000 or 40% of total investment holdings, compared to \$57,500,000 (33%) in July 2021.
- Rates raised as at August were \$91,659,351 with a variance of \$83,994 compared to the approved budget of \$91,575,357. This is mainly due to the impact of interim rate adjustments processed on various residential improved properties following the preparation of the 2021-2022 annual budget. These adjustments are subsequently reflected in the value of the rates raised in 2021-2022.
- Total debtor collections for August equalled \$66,382,138 as a result of the 1st rates instalment due 28 August. The Rates collection target is 56.3% and the actual collection is tracking slightly under at 55.4%. The year to date total outstanding debtors (including all rates and sundry debtors) is \$57,553,244.

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

DETAIL

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

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

Variances

A detailed summary of variances and comments based on the Rate Setting Statement by Sub-Program is provided in attachments:

[6002B Rate setting Statement August 2021](#): Rate Setting Statement by Nature or Type
[6002H Statement of Variances August 2021](#): Statement of Variances in Excess of \$100,000.

Revenue

Rates raised as at August were \$91,659,351, compared to a year to date budget of \$91,575,357. The positive variance of \$83,994 is due to the impact of interim rate adjustments processed on various residential improved properties.

Rates Collection

SUMMARY OF RATE DEBTOR MOVEMENT					
Detail	Actuals Current Month YTD	Actuals Previous Month YTD	% Diff Current Mth to Previous Mth	Actuals This Month Last Year YTD	% Diff Current Mth to Current Mth Last Yr
Opening Balance - 1 July	6,491,862	9,142,487	-29%	9,142,487	-29%
Debtors Raised	117,193,581	99,891,672	17%	99,884,977	17%
Payments Received	(66,944,926)	(1,627,019)	4015%	(23,438,647)	186%
Closing Balance	56,740,517	107,407,141	-47%	85,588,818	-34%

Total rate debtor collections for the month equalled \$65,317,908.

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

Sundry Debtor Movement

SUMMARY OF SUNDRY DEBTOR MOVEMENT					
Detail	Actuals Current Month YTD	Actuals Previous Month YTD	% Diff Current Mth to Previous Mth	Actuals This Month Last Year YTD	% Diff Current Mth to Current Mth Last Yr
Opening Balance - 1 July	882,151	1,238,865	-29%	1,238,865	-29%
Invoices Raised	1,415,333	821,959	72%	1,083,102	31%
Receipts	(1,490,171)	(425,941)	250%	(709,142)	110%
Prepayments	5,415	16,335	-67%	19,011	-72%
Closing Balance	812,727	1,651,218	-51%	1,631,837	-50%

Sundry debtor balances decreased by \$838,491 over the course of August from \$1,651,218 to \$812,727 of which total 90 day sundry debtors over \$1,000 for the month is \$116,192 , representing 14% of total sundry debtors.

Money Expended in an Emergency and Unbudgeted Expenditure

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

The total spend in August was \$3,772 with further expenditure occurring in the proceeding month. The City will make an insurance claim with Local Government Insurance Services (LGIS) for expenditure in excess of \$50,000 which is the City's insurance excess on property claims.

Budget Amendments

Details of Budget Amendments requested for the month of August 2021 are shown in attachment [6002J August 2021](#). Variances greater than \$50,000 processed in August 2021 are highlighted in the attachment.

Amendments to Fees and Charges Schedule 2021-2022

The removal of the existing Annual Fee, Application Fee and Renewal Application Fee for Outdoor Eating Areas is proposed with a view to better support the City's Small Businesses.

The proposed changes are in line with Reform 3.7 - Identify low risk applications (e.g. alfresco dining) and reduce or remove associated fees of the City's Small Business Friendly Approvals Program - Action plan. The fee review reform complements other reforms currently being progressed within the Program that are aimed at cutting red-tape and fast-tracking approvals for low-risk applications. The proposed changes, if approved will take effect from 1 November 2021.

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

The addition of the new fee for room hire at 6 Hickey Street is proposed to enable the City to use this building for Cultural activation/programming in the future. The proposed fee is comparable to the fees currently charged for room hire at other City owned venues with similar amenities and features and is anticipated to be deemed as an affordable rate by the community.

The proposed new fee, if approved, will be advertised by way of public notice in October 2021 and will take effect from 1 November 2021.

Granting of concession or writing off debts owed to the City

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

There were no debts written off for the month of August 2021.

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

DESCRIPTION	LINK
Statement of Financial Activity By Nature and Type	<u>6002A Statement Nature Type August 2021</u>
Rate Setting Statement by Program	<u>6002B Rate Setting Nature Type August 2021</u>
Rate Setting Statement by Sub-Program	<u>6002B Rate Setting Program August 2021</u>
Representation of Net Working Capital	<u>6002E Net Working Capital August 2021</u>
Reconciliation of Net Working Capital	<u>6002F Reconciliation Net Working Capital August 2021</u>
Notes on Rate Setting Statement reporting on variances of 10% or \$100,000 whichever is greater	<u>6002H Notes Rate Setting Statement August 2021</u>
Details of Budget Amendments requested	<u>6002J Budget Amendments August 2021</u>
Summary of Rates Debtors	<u>6002L Summary Rate Debtors August 2021</u>
Graph Showing Rates Collections	<u>6002M Rates Collections Graph August 2021</u>
Summary of General Debtors aged 90 Days Old or Greater	<u>6002N General Debtors Aged 90days August 2021</u>
The proposed changes to fees and charges	<u>2021-2022 Fees and Charges Amendments – 6002O October 2021</u>

**C21/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR AUGUST 2021 (AMREC)
(ATTACHMENTS)****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:

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.

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

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

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

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

Imposition of fees and charges

Local Government Act 1995 Part 6 Financial Management Division 5 Financing Local Government Activities

6.16 Imposition of fees and charges

- (3) Fees and charges are to be imposed when adopting the annual budget but may be –*
- (a) imposed* during a financial year; and*
 - (b) amended* from time to time during a financial year.*

**Absolute majority required.*

6.19 Local Government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of –

- (a) its intention to do so ; and*
- (b) the date from which it is proposed the fees or charges will be imposed.*

FINANCIAL IMPLICATIONS**Variances**

Variances are detailed and explained in attachment

[6002H Notes Rate Setting Statement August 2021](#): Notes on Statement of Variances in excess of \$100,000 by Nature and Type.

Amendments to Fees and Charges Schedule 2021-2022

Income from fees associated with Outdoor Eating Areas is approximately \$8,500 annually. The proposed removal of the fees and charges will not have a material impact on the 2021-2022 budget position.

**C21/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR AUGUST 2021 (AMREC)
(ATTACHMENTS)****STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

POLICY IMPLICATIONS

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

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable

CONCLUSION

The attached financial reports reflect a positive financial position of the City of Melville as at 31 August 2021.

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

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

That the Council:

- Notes the Rate Setting Statement and Statements of Financial Activity for the month ending 31 August 2021 as detailed in the following attachments:**

DESCRIPTION	LINK
Statement of Financial Activity By Nature and Type	<u>6002A Statement Nature Type August 2021</u>
Rate Setting Statement by Program	<u>6002B Rate Setting Nature Type August 2021</u>
Rate Setting Statement by Sub-Program	<u>6002B Rate Setting Program August 2021</u>
Representation of Net Working Capital	<u>6002E Net Working Capital August 2021</u>
Reconciliation of Net Working Capital	<u>6002F Reconciliation Net Working Capital August 2021</u>
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater	<u>6002H Notes Rate Setting Statement August 2021</u>
Details of Budget Amendments requested	<u>6002J Budget Amendments August 2021</u>
Summary of Rates Debtors	<u>6002L Summary Rate Debtors August 2021</u>
Graph Showing Rates Collections	<u>6002M Rates Collections Graph August 2021</u>
Summary of General Debtors aged 90 Days Old or Greater	<u>6002N General Debtors Aged 90days August 2021</u>
The proposed changes to fees and charges	<u>2021-2022 Fees and Charges Amendments – 6002O October 2021</u>

- By Absolute Majority Decision adopts the budget amendments, as detailed in the attached Budget Amendment Reports for August 2021 [6002J Budget Amendments August 2021](#)**
- By Absolute Majority Decision adopts the Fees and Charges amendments detailed in attachment 6002O October 2021 be applicable from 1 November 2021 following a public notice to be published in October 2021. [2021-2022 Fees and Charges Amendments – 6002O October 2021](#)**

At 7:22pm the Mayor declared the motion

CARRIED EN BLOC BY ABSOLUTE MAJORITY (11/0)

15. EN BLOC ITEMS**COUNCIL RESOLUTION**

At 7:17pm Cr Fitzgerald moved, seconded Cr Barber –

That the recommendations for the following items be carried En Bloc:

- M21/5000 Common Seal Register**
- C21/6000 Investment Statements August 2021**
- C21/6001 Schedule of Accounts Paid August 2021**
- C21/6002 Statements of Financial Activity for August 2021**

At 7:22pm, the Mayor declared the motion

CARRIED BY ABSOLUTE MAJORITY (11/0)

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

16. LATE ITEM

C21/5865 – SELECTION OF SITE SURVEYOR FOR 18A AND 18B TWEEDDALE ROAD, APPLECROSS (REC)

Ward	:	Applecross - Mt Pleasant
Category	:	Operational
Application Number	:	DA-2008-1557 DAP-2017-1238/C COMPLP-2020-179
Property	:	18a and 18b Tweeddale Road, Applecross
Proposal	:	Selection of Site Surveyor
Applicant	:	Not Applicable
Owner	:	Not Applicable
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	Item P21/3936 Review Of Compliance And Enforcement Actions - 18a And 18b Tweeddale Road, Applecross – Ordinary Meeting of Council 17 August 2021. Item C21/5864 Selection of Site Surveyor for 18a and 18b Tweeddale Road, Applecross - Ordinary Meeting of Council 21 September 2021.
Responsible Officer	:	Alan Ferris Director Corporate Services

AUTHORITY / DISCRETION

DEFINITION

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

**C21/5865 – SELECTION OF SITE SURVEYOR FOR 18A AND 18B TWEEDDALE ROAD,
APPLECROSS (REC)****KEY ISSUES / SUMMARY**

- At the Ordinary Meeting of the Council held on 21 September 2021 the Council selected AAM Pty Ltd to undertake a site survey to establish the natural ground level at 18a and 18b Tweeddale Road, Applecross.
- The surveyor has declined to do the work and this report now represents the matter the Council for further consideration and direction.
- It is recommended that the administration conduct a procurement process in accordance with Council Policy and obtain quotes from suppliers sourced from the WALGA Panel PSP002-013 Engineering, Environmental and Technical Consultancy – Surveying.

BACKGROUND

At the Ordinary Council meeting held on Tuesday, 21 September 2021 in relation to report C21/5864 Selection of Site Surveyor For 18a and 18b Tweeddale Road, Applecross the Council resolved as follows:

That the officer recommendation be amended to read:

- 1. Select AAM Pty Ltd to conduct a site survey to determine the true natural ground levels of 18A and 18B Tweeddale Road, Applecross.**
- 2. Directs the CEO to include in scope of works a requirement that the surveyor produce a statutory declaration that establishes that they hold the results of their survey to be true and correct.**
- 3. Request a report on the results of the site survey verses the approved ground levels set in 2008.**
- 4. Allows the results and report of the site survey to be made available to the public.**

DETAIL

The selected land surveyor has declined to undertake the work and therefore the matter will need to be reconsidered by Council to make an alternative resolution.

The requirement for a statutory declaration to be provided by the selected land surveyor has not been recommended by officers as land surveyors are professionally qualified and licensed and the preparation of the site survey is subject to professional standards and indemnities.

**C21/5865 – SELECTION OF SITE SURVEYOR FOR 18A AND 18B TWEEDDALE ROAD,
APPLECROSS (REC)****STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

No community engagement has been undertaken with regard to the survey or selecting and appointing a surveyor.

II. OTHER AGENCIES / CONSULTANTS

Apart from the selected surveyor no other engagement with agencies, consultants or surveyors has been undertaken.

STATUTORY AND LEGAL IMPLICATIONS

Should access to the site be required to undertake the survey, consent of the owners of the properties will be required.

The entry and inspection powers that are provided to the Local Government are from Cl 79 Sched 2 Pt10 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. These allow the CEO to make an officer of the Local Government an authorised officer, and such officers are authorised to enter and inspect for monitoring purposes. A third party surveyor is not and cannot be an authorised person under these Regulations.

The question of access is one for the approval of the landowners. Contact should be made with the owners to gauge whether such approval is likely to be given. If approval is not given, then it would be impossible for an accurate survey of the site to be undertaken. It remains of course possible that the City's qualified surveyor be asked to undertake the work for Council.

FINANCIAL IMPLICATIONS

The cost of the survey will be established upon the seeking of quotations from suitably qualified and licenced suppliers.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Not applicable.

**C21/5865 – SELECTION OF SITE SURVEYOR FOR 18A AND 18B TWEEDDALE ROAD,
APPLECROSS (REC)****POLICY IMPLICATIONS**

CP-023 Procurement of Products or Services should now be applied in relation to the selection of an appropriately qualified and experienced surveyor.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The alternative to the Officer Recommendation for the Administration to undertake the procurement and appointment of a surveyor, using the scope of works decided by the Council, is for the Council to appoint an alternative surveyor or for the City's surveyor to undertake the survey.

CONCLUSION

As the selected surveyor declined to undertake the work an alternative surveyor should be appointed to report on the results of the site survey verses the approved ground levels set in 2008.

OFFICER RECOMMENDATION (5865)

At 7:23pm Cr Robartson moved, seconded Cr Pazolli –

That the Council:

- 1. Directs the CEO to appoint a suitably qualified and experienced surveyor in accordance with Council Policy CP-023 Procurement of Products or Services, to conduct a site survey to determine the natural ground levels of 18A and 18 Tweeddale Road, Applecross as per the approvals provided by the City in 2008.**
- 2. Note that the Council requires the results and report of the site survey to be made available to the public.**

C21/5865 – SELECTION OF SITE SURVEYOR FOR 18A AND 18B TWEEDDALE ROAD, APPLECROSS (REC)

At 7:36pm, during discussion and debate, the mover and seconder consented to the deletion of the word “true” from point 1 of the amendment to read “...determine the natural ground levels of 18a and 18b Tweeddale Road, Applecross.”

Amendment

COUNCIL RESOLUTION

At 7:24pm Cr Sandford moved, seconded Cr Mair –

That the Officer Recommendation be amended with the following:

That the Council:

- 1. Direct the CEO to select and engage a licensed land surveyor who is independent of the City of Melville and any entity or individual that has been involved in the subject development, to conduct a site survey to determine the natural ground levels of 18A and 18B Tweeddale Road, Applecross.**
- 2. Directs the CEO to include in scope of works a requirement that the surveyor produce a statutory declaration that establishes that they hold the results of their survey to be true and correct.**
- 3. Request a report on the results of the site survey versus the approved ground levels set in 2008.**
- 4. Allows the results and report of the site survey to be made available to the public.**

At 7:53pm, the Mayor declared the motion

CARRIED (6/5)

Yes	6	Cr Robartson, Cr Barber, Cr Mair, Cr Sandford, Cr Kepert, Cr Pazolli
No	5	Cr Macphail, Cr Wheatland, Cr Robins, Cr Fitzgerald, Mayor Gear

**C21/5865 – SELECTION OF SITE SURVEYOR FOR 18A AND 18B TWEEDDALE ROAD,
APPLECROSS (REC)****Reasons for the amendment as provided by Cr Sandford**

1. The yellow shaded areas of Clause 1, and all of Clauses 2, 3 and 4, above are the same as the terms of the Council Resolution passed by the majority of Council at the OMC of 21 September 2021. There has been no compelling reason advanced in the Officer's Report for departing with Council's previous resolutions.
2. The requirement for the clause 1 and 2 wording, including for the surveyor to provide a statutory declaration, is entirely consistent with, and in the interests of advancing, in the special circumstances of this case, the procurement principle in clause 2.2 of the City's Procurement Policy CP-023 to ensure that:

“any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed”.

3. Section 102(2)(b)(iv) of the Building Act 2011 (WA) empowers an authorised person, for compliance purposes, to direct a person to give such information as the authorised person requires, and to require that information to be verified by a statutory declaration. There is a precedent for the City previously accepting a statutory declaration by a surveyor in one of Mr Mark McLerie's matters, a copy of which was provided by him to councillors by email recently. This is what the affected residents reasonably seek, such is their dissatisfaction with the treatment of their concerns over more than 13 years.
4. Page 3 of the Officer's report refers to the entry and inspection powers of clause 79 of Schedule 2 Pt 10 of the PLANNING AND DEVELOPMENT (LOCAL PLANNING SCHEMES) REGULATIONS 2015 which provides that:

(1) The local government CEO may, by instrument in writing, designate an officer of the local government as an authorised officer for the purposes of this clause.

(2) An authorised officer may, for the purpose of monitoring whether the local planning scheme is being complied with, at any reasonable time and with any assistance reasonably required —

(a) enter any building or land in the Scheme area; and

(b) inspect the building or land and any thing in or on the building or land.

Therefore there is no reason why an authorised officer of the City cannot obtain the assistance from a contracted surveyor to enter the site and do the survey.

C21/5865 – SELECTION OF SITE SURVEYOR FOR 18A AND 18B TWEEDDALE ROAD, APPLECROSS (REC)

Substantive Motion as Amended

COUNCIL RESOLUTION

At 7:23pm Cr Robartson moved, seconded Cr Pazolli –

That the Officer Recommendation be amended with the following:

That the Council:

- 1. Direct the CEO to select and engage a licensed land surveyor who is independent of the City of Melville and any entity or individual that has been involved in the subject development, to conduct a site survey to determine the natural ground levels of 18A and 18B Tweeddale Road, Applecross.**
- 2. Directs the CEO to include in scope of works a requirement that the surveyor produce a statutory declaration that establishes that they hold the results of their survey to be true and correct.**
- 3. Request a report on the results of the site survey versus the approved ground levels set in 2008.**
- 4. Allows the results and report of the site survey to be made available to the public.**

At 7:54pm, the Mayor declared the motion

CARRIED (9/2)

Yes	9	Cr Robartson, Cr Barber, Cr Wheatland, Cr Mair, Cr Sandford, Cr Pazolli, Cr Kepert, Cr Fitzgerald, Mayor Gear
No	2	Cr Robins, Cr Macphail

16. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

17. MOTIONS WITHOUT NOTICE BY ABSOLUTE MAJORITY OF THE COUNCIL

Nil.

18. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil.

19. CLOSURE

At 7:54pm, with the permission of the Mayor, Cr Robartson as a retiring Elected Member addressed the meeting.

At 7:55pm Cr Kepert left the meeting and did not return.

There being no further business, Mayor George Gear declared the meeting closed at 8:02pm.