



City of
Melville

AGENDA

ORDINARY MEETING OF COUNCIL

NOTICE OF MEETING

I respectfully bring to the attention of Elected Members that an Ordinary Meeting of the Council will be held in the Council Chambers, Melville Civic Centre, 10 Almondbury Road, Booragoon on Tuesday, 16 September 2025 commencing at 6:30pm.

Gail Bowman
Chief Executive Officer

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

Use this link to access the [City of Melville Council Meetings YouTube channel](#) to watch the live stream or access the recordings of public Council meetings.



Vision

Vibrant, Sustainable, Inclusive Melville

Mission

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

Values

In everything we do, we seek to adhere to our values that guide our behaviour.

- **Excellence** - Striving for the best possible outcomes.
- **Participation** – Involving, collaborating and partnering.
- **Integrity** - Acting with honesty, openness and with good intent.
- **Caring** – Demonstrating empathy, kindness and genuine concern.

Our Approach

To put our customer at the centre of everything we do.



Social / Community	Environment	Built Environment	Economic	Governance
Healthy, Safe and Inclusive	Clean and Green	Sustainable and Connected Development	Vibrant and Prosperous	Good Governance and Leadership
Healthy, safe and inclusive communities with a sense of belonging and wellbeing.	A clean, green and sustainable City for current and future generations.	Sustainable, connected development and transport infrastructure across our City.	Economic prosperity and vibrant resilient communities and businesses.	Leadership and good governance for the benefit of the whole community.

Making A Deputation

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

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

Public Question Time

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

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

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Audio-Visual Recording and Live Streaming

In accordance with the Council Policy CP-088 Live Streaming and Audio-Visual Recordings of Public Meetings of the Council, this meeting is electronically recorded and broadcast to the [City of Melville Council Meetings YouTube Channel](#). All recordings are retained as part of the City's records in accordance with the *State Records Act 2000* and the General Disposal Authority for Local Government Records. Learn more about [live streaming and audio-visual recordings of meetings](#) on the City of Melville website.

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

Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
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>
Legislative	<i>Includes adopting local laws, town planning schemes & policies.</i>
Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
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>

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1 OFFICIAL OPENING

2 ATTENDANCE AND APOLOGIES

In Attendance

Councillors

Ward

Officers

Apologies

On Approved Leave of Absence

Cr M Woodall

Bull Creek - Leeming Ward

CR G Barber

Bicton - Attadale - Alfred Cove Ward

3 DECLARATIONS BY MEMBERS

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

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

4 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

Approved Deputations

Approved Written Submission

5 DISCLOSURE OF INTEREST

5.1 Financial or Proximity Interests

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

5.2 Disclosure of Interest That May Cause a Conflict

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

6 PUBLIC QUESTION TIME

6.1 Questions Received with Notice

6.2 Questions Received at the Meeting

6.3 Questions Taken on Notice at Previous Meeting

6.3.1 Mr G Jenke, Applecross

In accordance with the *City of Melville Local Government (Meeting Procedures) Local Law 2022*, these questions were received with late notice for the 19 August 2025 Ordinary Meeting of Council and were taken on notice. The questions and responses are now provided below:

Preamble to Question 1:

The Riseley Centre Structure Plan was initiated in 2008 with the goal of creating a vibrant and sustainable centre that will be a great place to live, work, socialise and shop, as stated in a 2013 report. Over time, there has been considerable consultation with the community and business owners and operators. Now there seems to be an impasse with the officer's recommendation to abandon any change to the Kearns Crescent streetscape because of business demand for street parking to supplement the parking available on private property.

Question 1:

How much has been expended overall by the council on planning and consultation for this project to date?

Response 1:

\$163,270 has been spent to date, including design work, consultation, and graphics. This figure does not include staff time in managing the project.

Preamble to Question 2:

Many, if not most places which become popular have parking issues but still prosper, the Applecross Village and Fremantle being destination cases in point.

Question 2:

Does the council see a way forward for the Riseley Centre redevelopment in general and its streetscapes in particular by better management of private and street parking to encourage vehicle turnover, perhaps with smartphone apps like EasyPark?

Response 2:

The City will begin reviewing the Riseley Activity Centre Structure Plan later this year, which will provide an opportunity to review how the centre has developed over the past decade and consider whether the vision for Riseley Centre remains appropriate. The scope of the review is also expected to include consideration of how to encourage development and address existing parking issues.

7 AWARDS AND PRESENTATIONS

8 APPLICATIONS FOR NEW LEAVE OF ABSENCE

9 CONFIRMATION OF MINUTES

9.1 Special Meeting Of The Governance Committee – 27 August 2025

That the minutes of the Special Governance Committee Meeting held on 27 August 2025 be confirmed as a true and accurate record.

9.2 Special Meeting Of The Council – 27 August 2025

That the minutes of the Special Council Meeting held on 27 August 2025 be confirmed as a true and accurate record.

9.3 Audit, Risk, and Improvement Committee – 1 September 2025

That the minutes of the Audit, Risk, and Improvement Committee Meeting held on 1 September 2025 be confirmed as a true and accurate record.

9.4 Special Meeting Of The Governance Committee – 8 September 2025

That the minutes of the Special Governance Committee Meeting held on 8 September 2025 be confirmed as a true and accurate record.

9.5 Agenda Briefing Forum – 9 September 2025

That the Notes of the Agenda Briefing Forum held on 9 September 2025 be confirmed as a true and accurate record.

10 NEW BUSINESS OF AN URGENT NATURE

11 IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

12 PETITIONS

12.1 Petition - Request for Public Committee for Policy Review

A petition signed by 46 residents of the City of Melville and 1 non-resident was submitted by Mr G Waugh of Bull Creek on Monday 8 September 2025 and reads as follows:

“We the undersigned, all being electors of the City of Melville, respectfully ask that the Council in its deliberation in relation to the City of Melville proposed Compliance and enforcement Policy CP-114, (publicly advertised for community consultation, closed August 26, 2025) adopt the following to address perceived and real inadequacies identified by the Community in proposed policy CP-114 and across those policies affected by, or associated with proposed Policy CP-114 as had been previously requested of Council, since at least 2021;

- a) Re-form Council’s Policy & Legislation Committee, to include independent voluntary community representation, or form a voluntary community inclusive focus group/committee; consistent with the Local Government Act Part 5 provisions; and task that body with advising Council on Policy content expressed to community values.*
- b) Facilitate that community inclusive Policy & Legislation Committee, or other Community group/committee formed, to hold open public meetings to enable community members-sharing of evidence related to perceptions and experiences of issues with compliance enforcement performance, in the purpose of developing functional policy advice for the Council’s role as outlines in Local Government Act. section 2.7.”*

OFFICER RECOMMENDATION

That the Council acknowledge the petition and requests that a report be prepared by the March 2026 Ordinary Meeting of Council.

13 ADOPTION OF RECOMMENDATIONS EN BLOC

14 REPORTS

14.1 Reports from Committees

Special Governance Committee Meeting held on 8 September 2025

C25/313 Governance Framework Biennial Review 2025

File Number:	
Responsible Officer:	Director Corporate Services
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No officer involved in the preparation of this report has a declarable interest in this matter
Attachments:	1. Governance Framework - Biennial Review 2025 ↓

COUNCIL’S ROLE

Executive: The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

<p>SUMMARY</p> <ul style="list-style-type: none"> At the Ordinary Meeting of Council held 19 March 2024, the Council adopted the inaugural City of Melville Governance Framework, which included that the Governance Framework would be reviewed prior to the 2025 Local Government Elections. A significant review of the Governance Framework has been undertaken, with this report presenting the updated version for consideration and adoption.

OFFICER RECOMMENDATION

That the Governance Committee recommends that the Council:

- Adopt the Revised City of Melville Governance Framework 2025; and**
- Notes the City of Melville Governance Framework will be formatted and styled prior to publication on the City’s website; and**
- Note the next revision will be undertaken prior to the 2027 Local Government Election.**

PURPOSE

This report presents the first review of the Governance Framework to the Governance Committee and the Council for consideration and adoption.

STRATEGIC ALIGNMENT

Outcome	5	Leadership and good governance for the benefit of the whole community.
Objective	5	Good Governance and Leadership
	5.1	Provide transparent and accountable good governance.
	5.4	Strengthen active citizen engagement, participation, and access to information.

BACKGROUND

The Council adopted the inaugural Governance Framework in March 2024, which was a point in time for the City on its governance improvement journey. The City is committed to strengthening its governance functions, with this priority embedded in the Council Plan for the Future 2024 – 2034 through the outcome area Good Governance and Leadership.

The Governance Framework has been in place for over a year and is due for review prior to the 2025 Local Government Election, to be held in October 2025.

CONSIDERATION

The Governance Framework is a living document that requires regular reviews to reflect the improvements in the City’s Governance practices and changes in legislation.

The Governance Framework is divided into the following parts, with this structure maintained for this review:

- Part 1: Legislative Basis
- Part 2: Strategic planning, financial and risk management
- Part 3: Organisational framework, decision making processes and role definitions
- Part 4: Standards of behaviour
- Part 5: Performance management and accountability

The review has been informed by the following:

- Local Government Reform
 - Implementation of the *Local Government Amendment Act 2023*, and the *Local Government Amendment Act 2024*:
 - Amendments to roles and responsibilities
 - Livestreaming and recording of Council meetings
 - CEO responsible for Council or Committee meeting minutes
 - Publication of Mandatory Registers
 - Standardisation of Meeting Procedures
 - Changes to electoral processes
 - External Members Audit, Risk and Improvement Committee
 - Introduction of Local Government Inspector

- The City of Melville Council Plan for the Future
 - Key Outcome areas
 - Integrated Planning and Reporting
- Improvements to Governance practices
 - Revised Committee Structure
 - Elected Members Communication Agreement
- Clarity, contextual accuracy and overall readability
 - Organisation Structural changes
 - Review of phrasing
 - Updates to reflect new and reviewed documents
 - Reference to Department of Local Government, Industry Regulation and Safety

The revised Governance Framework is included as an attachment to this report and shows new inclusions in blue text and deletions in red strikethrough text.

Once adopted, the Governance Framework will be formatted, and styled for publication on the City's website

ENGAGEMENT

Relevant sections of the organisation contributed to the revisions process by providing input specific to the respective sections of the document. An overview of the changes was presented to the Executive Leadership Team for review and comment with the final draft provided to Elected Members for feedback during June and July 2025.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications associated with this report.

LEGISLATIVE AND POLICY ALIGNMENT

There is no legislative requirement for the City to have Governance Framework, however this document provides context and structure to the legislation, policy, plans, systems, processes and accountability requirements of the City of Melville.

The review highlights where changes in legislation and improvements to the City's governance practices have occurred.

FINANCIAL IMPLICATIONS

There are no financial impacts associated with Governance Framework review.

CONSEQUENCE

The adoption of the Governance Framework was a significant milestone in the City's commitment to improved governance practices. The document provides transparency to the community on the structure of legislation, documents and processes that guide the City's operations. The adoption of the Revised Governance Framework will ensure the community has access to up-to-date governance information.

BRIEFING FORUM – FURTHER INFORMATION

This section may be updated following the Agenda Briefing Forum to include any Elected Members questions and responses, or requests for further information.

14.2 Reports of the Chief Executive Officer

Management Services

Nil

Corporate Services

C25/307 Common Seal September 2025

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

COUNCIL’S ROLE

Information: For the Council / Committee to note.

<p>SUMMARY</p> <p>This report details the documents to which the City of Melville Common Seal has been applied for the period from Monday, 16 June 2025 up to and including Friday, 15 August 2025 for the Council’s noting. This is a standing report to the Council.</p>

OFFICER RECOMMENDATION

That the Council notes the actions of the Mayor, Deputy Mayor and the Chief Executive Officer in executing the documents listed under the Common Seal of the City of Melville from Monday, 16 June 2025 up to and including Friday, 15 August 2025 for the Council’s noting.

PURPOSE

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

The following documents were affixed with common seal during the period Monday, 16 June 2025 up to and including Friday, 15 August 2025.

Register Reference	Parties	Description	ECM Reference
CS2253	City of Melville and owner of 46 Aurelian Street, Palmyra	Execution of a restrictive covenant in relation to the use of the site as for aged and dependent persons dwellings in accordance with WAPC subdivision approval 708-22	8561085
CS2254	City of Melville and Landgate	Notification of 70A for 682 Canning Highway, Applecross – Lot in vicinity of transport corridor	8581286

CS2255	City of Melville and	Notification of 70A for 682 Canning Highway, Applecross – Land within bushfire prone area	8581282
CS2256	City of Melville	City of Melville Cats Local Law 2025	7143377
CS2257	City of Melville	City of Melville Fencing Local Law 2025	7143376
CS2258	City of Melville and WAPC	LPS6 Scheme Amendment 16 - Final Approval	7145360
CS2259	City of Melville and Collective Equity Developments Pty Ltd	Plate Height Covenant for 6 Wren Street, Mount Pleasant	8592516

STRATEGIC ALIGNMENT

Outcome	5	Leadership and good governance for the benefit of the whole community.
Objective	5	Good Governance and Leadership
	5.1	Provide transparent and accountable good governance.

LEGISLATIVE AND POLICY ALIGNMENT

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

CONSEQUENCE

This is a standard report for the Elected Members that details the documents to which the City of Melville Common Seal has been applied for the period from Monday, 16 June 2025 up to and including Friday, 15 August 2025 for the Council’s noting.

BRIEFING FORUM – FURTHER INFORMATION

At the Agenda Briefing Forum held on Tuesday, 9 September 2025, no questions or requests for further information were received from Elected Members.

C25/308 Investment Statements for July 2025

File Number:	
Responsible Officer:	Director Corporate Services
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No officer involved in the preparation of this report has a declarable interest in this matter
Attachments:	Nil

COUNCIL’S ROLE

Information: For the Council / Committee to note.

SUMMARY

This report presents the investment statements for the period ending 31 July 2025 and recommends that it be noted by the Council. It is important to highlight that the financial figures for the 2024–2025 financial year remain provisional. Year-end accounting processes are currently underway, and as such, the final accounts may differ materially from the figures presented in this report.

OFFICER RECOMMENDATION

That the Council notes the Investment Report for the period ending 31 July 2025.

PURPOSE

To report on the performance of the City’s investment portfolio for the month of July 2025.

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 4.46% to 4.67% which exceeds the benchmark three-month bank bill swap (BBSW) reference rate of 3.68%.

21% 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 29% in June 2025.

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

STRATEGIC ALIGNMENT

Outcome	5	Leadership and good governance for the benefit of the whole community.
Objective	5	Good Governance and Leadership
	5.1	Provide transparent and accountable good governance.
	5.2	Ensure long term financial sustainability, strategic advocacy and partnerships, and diverse revenue streams.
	5.3	Ensure efficient and effective use of assets, resources and technology.

BACKGROUND

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

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

CONSIDERATION

The following statement details the investments held by the City of Melville as at 31 July 2025.

CITY OF MELVILLE STATEMENT OF INVESTMENTS FOR THE PERIOD ENDING 31 JULY 2025		
SUMMARY BY FUND		
Municipal		\$13,828,754
Reserve		\$133,013,388
Citizen Relief		\$245,703
TOTAL		\$147,087,845
SUMMARY BY INVESTMENT TYPE		
11AM		\$10,147,181
60Days at Call		\$2,000,000
90Days at Call		\$16,600,000
Term Deposit		\$118,340,664
TOTAL		\$147,087,845
SUMMARY BY CREDIT RATING		
AAA Category	AAA	
AA Category (AA+ to AA-)	AA-	\$115,987,845
	A+	
A Category (A+ to A-)	A	
	A-	\$31,100,000
BBB+ Category	BBB+	
TOTAL		\$147,087,845

The City’s total investments amount to \$147.08M, made up of the Citizen Relief Fund (\$0.246M), Municipal Funds (\$13.83M) and Reserve Funds (\$133.01M) which are restricted to the defined purpose for which the reserve account was established.

Key Points

- Most of the funds (\$118.34M) are in Term Deposits, ensuring secure and stable returns.
- Short-term investments include 11AM accounts (\$10.15M) this account is a money market deposit that allows the City to access funds for daily financial needs if notice is given before 11AM, and call deposits totalling (\$18.6M). These funds allow the City to meet financial obligations, including suppliers' payment and other debt repayments, without disruptions to its services.
- The portfolio is low-risk, with 79% of funds in AA Category rated institutions and 21% in A Category rated institutions.
- There are no investments in AAA-rated and BBB+ institutions and effort are undertaken to invest in accordance with Council Investment Policy CP-009.

Overall, the City's investments remain secure, well-distributed, and aligned with financial stability goals.

Investment with financial institutions						
Institution	Credit Rating	Credit Rating Category	Funds held at period end	Actual %	Limit Per Policy	
Bank of Queensland	A-	A Category	\$ 22,600,000	15.36%	30.00%	✔
Bendigo & Adelaide	A-	A Category	\$ 8,500,000	5.78%	30.00%	✔
Suncorp	AA-	A Category	\$ 22,300,000	15.16%	50.00%	✔
NAB	AA-	AA Category	\$ 24,246,285	16.48%	50.00%	✔
Westpac	AA-	AA Category	\$ 69,441,560	47.21%	50.00%	✔
TOTAL			\$ 147,087,845	100%		

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

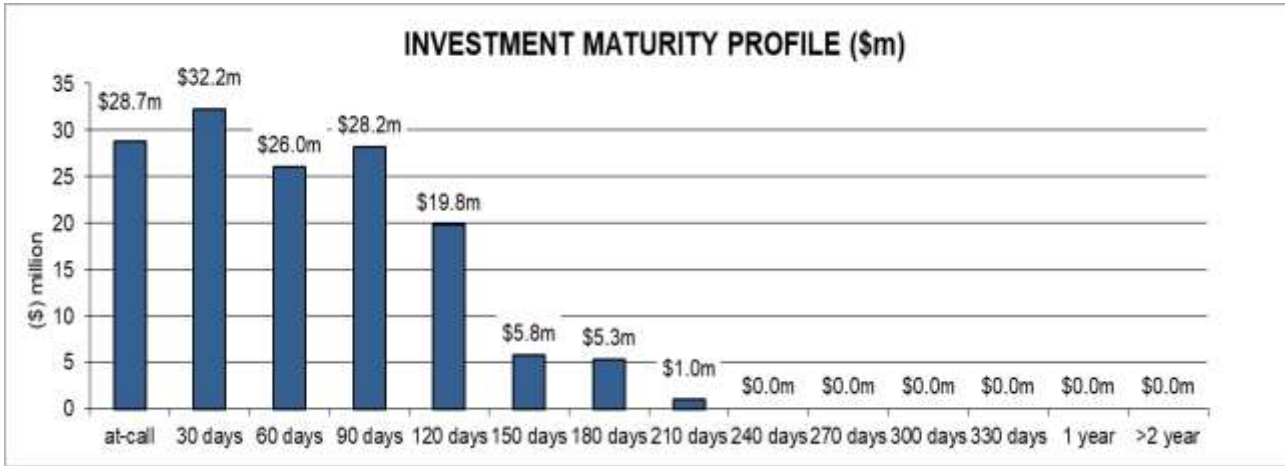
The City's investments were invested within the limits allowed within each category rating for July 2025.

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-)	\$ 115,987,845	79%	80%	✔
A Category (A+ to A-)	\$ 31,100,000	21%	50%	✔
BBB+ Category	\$ -	0%	25%	✔
TOTAL	\$ 147,087,845	100%		

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

The City's investments meet the requirements of the portfolio credit framework, as per the Investment Policy, and shown in the table above.

The below graph summarises the maturity profile of the City’s investments at market value as at 31 July 2025. The immediacy of the demand for funds depends on the particular fund or reserve Account(s) of the City. The maturity profile provided in the table above meets the liquidity requirements of the Council policy.



The above Investment Maturity Profile graph for July 2025 provides an overview of the City's investment portfolio, categorising term deposits based on their maturity periods. The maturity profile of the City's investments is aligned with Council's investment policy, cash flow requirements, and prevailing market conditions. Interest rate fluctuations will continue to influence the term of the reinvestment decisions to ensure optimal financial outcomes.

The City’s current investment approach prioritises short-term liquidity to meet operational needs and unforeseen expenses rather than focusing on long-term yield opportunities.

A substantial portion of funds (\$13.83M) is available for immediate use, ensuring sufficient liquidity for day-to-day operations. This allows the City to meet financial obligations, including suppliers’ payment and other debt repayments, without disruptions to its services.

Investments are well-distributed across various short- to medium-term maturities, with notable allocations in 90 days (\$28.2M), 120 days (\$19.8M), 150 days (\$5.8M), and 180 days (\$5.3M). This structured approach ensures financial stability while balancing liquidity needs and optimising returns. The estimated average cash outflow requirement of the City is between \$13M to \$16M per month.

The majority of the investment portfolio is concentrated in short- to medium-term maturities, with limited allocation beyond 180 days. A small portion of the portfolio matures at 210 days (\$1.0M), reflecting selective investment opportunities where competitive rates were available. There are no long-term investments beyond 210 days, including none over one year, as the City's investment strategy is designed to align with its annual revenue cycle, which is predominantly driven by rates revenue. The recent RBA interest rate cut on 12 August 2025 by 0.25 to 3.6 per cent has also contributed to reduced competitiveness of longer-term deposit rates, influencing this maturity profile.

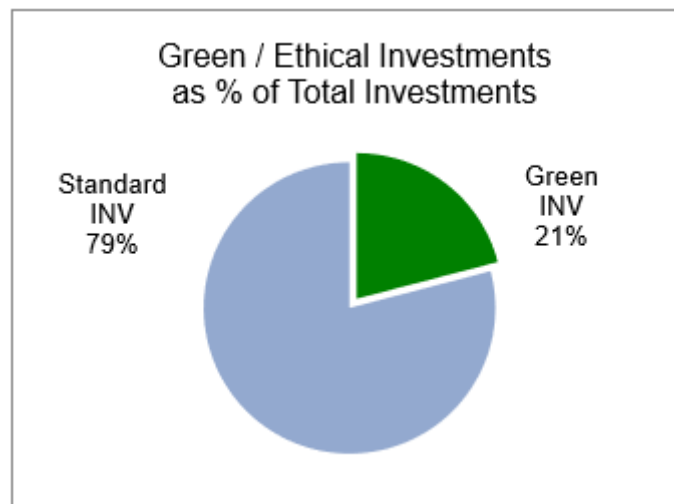
Additionally, the City maintains a balanced risk exposure, diversifying investments within shorter timeframes to mitigate financial and interest rate risks.

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

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

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

The total investment in authorised institutions as at 31 July 2025 was \$30,800,000 or 21% of total investment holdings being in non-fossil fuels institutions, compared to \$45,000,000 (29%) in June 2025. The total investments holding for July and June were \$147,087,845 and \$155,176,387 respectively.



Green/Ethical Investment with financial institutions			
Institution	Credit Rating	Credit Rating Category	Funds held at period end
Bendigo & Adelaide	A-	A Category	\$ 8,500,000
Suncorp	AA-	AA Category	\$ 22,300,000
TOTAL			\$ 30,800,000

The Green investments are allocated across the two banks mentioned above, in alignment with the Council’s credit rating policy.

The City continues to engage in active discussions with financial institutions regarding the availability of ESG Tailored Deposit (ESGTD) products. Westpac has offered AUD Green Tailored Deposits and AUD Social Tailored Deposits, however, there is no suitable investment due to low interest rates offered for these products.

While the City maintains a preference for green and ethical investments, this is only exercised after ensuring that all requirements related to credit rating, competitive interest rates, and risk diversification are fully met.

In addition, the City has held formal discussions with CBA, NAB and Bank of Queensland to explore potential ESGTD and Green Term Deposit options. At this stage, both banks are in the development phase of these products. Currently, there are no suitable ESGTD products available in the market that meet the City's Investment Policy requirements.

ENGAGEMENT

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

SUSTAINABILITY IMPLICATIONS

Strategic

The interest earned on invested funds assists in addressing the following key priority area identified in The City of Melville Corporate Business Plan 2024-2034.

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

Risk

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

Environmental

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

LEGISLATIVE AND POLICY ALIGNMENT

The following legislation is relevant to this report:

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

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

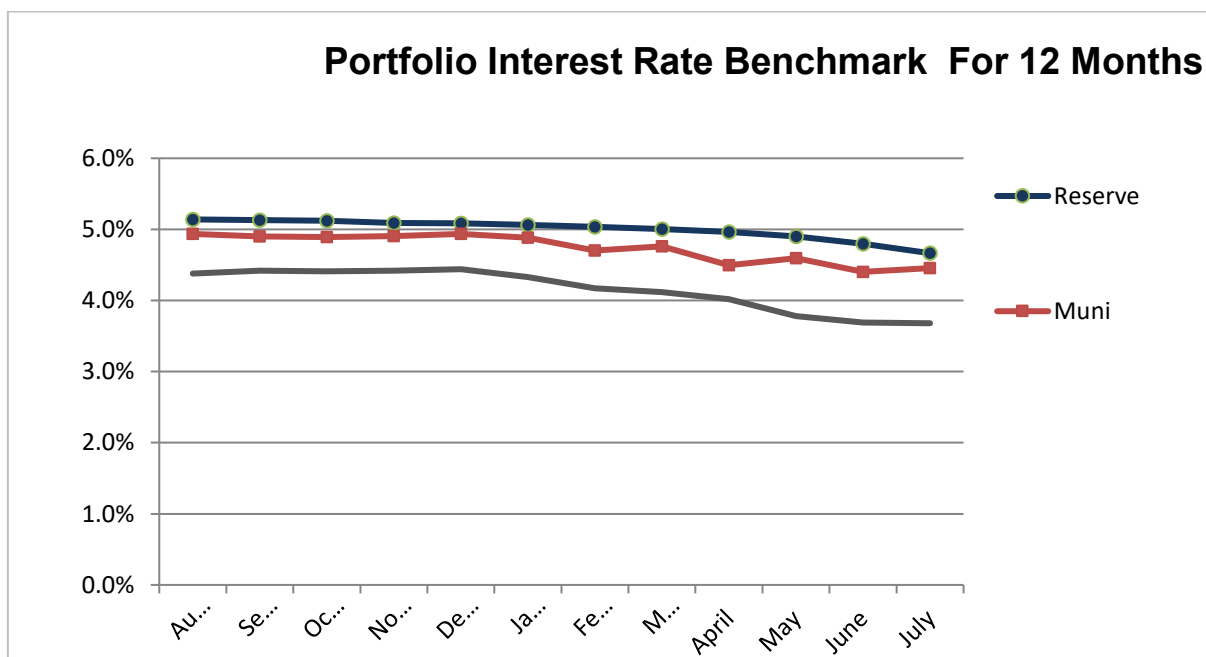
The *Local Government (Financial Management) Regulations 1996* (regulation 19C) allows local governments to deposit funds for a fixed term of three years or less. Deposits of greater than one year may, depending on the shape of the yield curve, enable the City to achieve better investment returns.

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

FINANCIAL IMPLICATIONS

For the period ending 31 July 2025:

- Year-to-date Investment earnings on term deposits held in reserve accounts, money at call accounts and the municipal account in aggregate, was \$589,976 against a year-to-date budget of \$624,197 representing a negative variance of \$34,222. This variance is primarily due to actual interest rates trending lower than anticipated.
- The weighted average interest rate for Municipal and Reserve Fund investments as at 31 July 2025 was 4.56% which compares favourably to the benchmark three-month bank bill swap (BBSW) reference rate of 3.68%.



CONSEQUENCE

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

C25/309 Schedule of Accounts Paid for July 2025

File Number:	
Responsible Officer:	Director Corporate Services
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No officer involved in the preparation of this report has a declarable interest in this matter.
Attachments:	<ol style="list-style-type: none"> 1. Payment Details July 2025 ↓ 2. Card Payment Details July 2025 ↓

<p>SUMMARY</p> <ul style="list-style-type: none"> • This report presents the details of payments made under delegated authority (DA-035) to suppliers for the period of July 2025 and recommends that the Schedule of Accounts Paid be noted.

OFFICER RECOMMENDATION

That the Council notes the Schedule of Accounts paid for the period July 2025 as approved by the Director Corporate Services in accordance with delegated authority DA-035, and detailed in the attachments to this report; Payment Details July 2025 (Attachment 1) and Card Payment Details July 2025 (Attachment 2).

PURPOSE

The Schedule of Payments for the month totals \$34,558,456 The report and the attached Schedule of Accounts Paid are presented for the Council’s information.

STRATEGIC ALIGNMENT

Outcome	5	Leadership and good governance for the benefit of the whole community.
Objective	5	Good Governance and Leadership
	5.1	Provide transparent and accountable good governance.
	5.2	Ensure long term financial sustainability, strategic advocacy and partnerships, and diverse revenue streams.
	5.3	Ensure efficient and effective use of assets, resources and technology.

BACKGROUND

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

A total of \$12,899,782 direct creditor payments were paid during the month, of which, 11% of payments were paid to suppliers located within the City of Melville and 18% to suppliers within the South West Metropolitan Region, compared to 17% and 27% of total of \$10,906,868.13 direct creditor payments made over June 2025 respectively.

The biggest payment of \$1,129,021 made during the month was the insurance premiums payment for 2025-26 to LGISWA. Approximately 95% of supplier invoices are paid within 30 days of receipt of the invoices.

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

CONSIDERATION

The Schedule of Accounts Paid for July 2025 including Payment Register numbers, Cheque number 877, Electronic Funds Transfers batches: 968-973 and 157-158, Trust Payments, Card Payments and Payroll will be distributed to the Elected Members of the Council in September 2025.

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

SCHEDULE OF PAYMENTS MADE		
JULY 2025		
<i>Payments made under Delegated Authority DA-035</i>		
MUNICIPAL FUNDS - DIRECT CREDITOR PAYMENTS		
Cheques	Chq Payment Register No. 877	\$690.26
	Chq Payment on Restricted Funds Register No.	
	Less Cancelled Chqs	
Electronic Funds Transfers	EFT Payment Register No. 969, 971 and 973	\$12,229,198.10
	EFT Payment on Restricted Funds Register No. 968, 970, 972, 157 and 158	\$472,709.28
	Less Cancelled EFTs	(\$5,132.03)
		\$12,697,465.61
Direct Debits	Bank Fees	\$20,214.88
	Ampol Fuel	\$102,178.36
Direct Payments		\$79,922.98
	Total Direct Creditor Payments	\$12,899,781.83
Payroll	Total Pay 1, 2 and 3	\$7,444,688.70
	Total Payroll	\$7,444,688.70
Cards	Westpac Purchase Cards	\$113,985.17
	Total Card Payments	\$113,985.17
	Total Direct Creditor Payments from Municipal Account	\$20,458,455.70
INTERFUND & INVESTMENT TRANSACTIONS		
Interfund Transfers		
	Loan	\$0.00
	Citizen Relief Trust	\$0.00
	Citizen Relief Operating	\$0.00
	Municipal	(\$14,192,572.44)
	Reserve	\$14,192,572.44
	Trust	\$0.00
	Total Interfund Transfers	\$0.00
New Municipal Investments		
	Westpac Bank 02/07/2025	\$2,000,000.00
	Westpac Bank 02/07/2025	\$2,000,000.00
	Westpac Bank 08/07/2025	\$2,000,000.00
	Westpac Bank 17/07/2025	\$2,000,000.00
	Westpac Bank 17/07/2025	\$2,000,000.00
	Westpac Bank 29/07/2025	\$2,300,000.00
	Bendigo 31/07/2025	\$1,800,000.00
	Total New Investments	\$14,100,000.00
	Grand Total	\$34,558,455.70

Details of the payments are shown in Attachment 1.

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

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

The list of payments made using purchase cards during June 2025 and settled in July 2025 is provided as an attachment to this report.

ENGAGEMENT

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

SUSTAINABILITY IMPLICATIONS

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

LEGISLATIVE AND POLICY ALIGNMENT

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

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

The *Local Government (Financial Management) Regulations 1996* Regulation 13A was recently introduced to prescribe reporting for payments made by employees via purchasing cards. As with other payments, the local government must report payee name, amount date and sufficient information to identify the payment. The attached payment listings meet this requirement.

FINANCIAL IMPLICATIONS

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

CONSEQUENCE

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

BRIEFING FORUM – FURTHER INFORMATION

At the Agenda Briefing Forum held on Tuesday, 9 September 2025, no questions or requests for further information were received from Elected Members.

C25/310 Statements of Financial Activity for July 2025

File Number:	
Responsible Officer:	Director Corporate Services
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Attachments:	<ol style="list-style-type: none"> 1. Statement of Financial Activity July 2025 ↓ 2. Statement of Comprehensive Income July 2025 ↓ 3. Net Working Capital July 2025 ↓ 4. Reconciliation Net Working Capital as of 31 July 2025 ↓ 5. Notes to Statement of Financial Activity July 2025 ↓ 6. Statement of Financial Position as of 31 July 2025 ↓ 7. Summary Rate Debtors July 2025 ↓ 8. Rates Collections Graph July 2025 ↓ 9. General Debtors Aged 90 Days July 2025 ↓

COUNCIL’S ROLE

Executive: The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

<p>SUMMARY</p> <ul style="list-style-type: none"> • The Statements of Financial Activity, Statement of Comprehensive Income and Statement of Financial Position for the period ending 31 July 2025 are presented for noting by the Council. • The financial statements and figures for the 2024–2025 financial year remain subject to change. Year-end accounting processes are currently underway, and the final figures may be materially different from those presented in this report. • The Annual Audit for 2024–2025 and the end-of-financial-year processes are currently underway. The final draft annual financial report will be presented to the KPMG/OAG auditors by 30 September, in accordance with the Local Government Regulations. • The preliminary variances for the month ending 31 July 2025 are presented for noting by the Council. • There were no budget amendments for the month of July 2025, and no budget amendment is attached to the Statement of Financial Activity presented to the Council for approval.

OFFICER RECOMMENDATION

That the Council notes the Statements of Financial Activity for the month ending 31 July 2025 as detailed in the following attachments:

- Statement of Financial Activity July 2025 (Attachment 1); and
- Statement of Comprehensive Income July 2025 (Attachment 2); and
- Net Working Capital July 2025 (Attachment 3); and
- Reconciliation Net Working Capital as of 31 July 2025 (Attachment 4); and
- Notes to Statement of Financial Activity July 2025 (Attachment 5); and
- Statement of Financial Position as of 31 July 2025 (Attachment 6); and
- Summary Rate Debtors July 2025 (Attachment 7); and
- Rates Collections Graph July 2025 (Attachment 8); and
- General Debtors Aged 90 Days July 2025 (Attachment 9).

PURPOSE

The attached financial reports reflect an overall positive financial position of the City of Melville as at 31 July 2025.

STRATEGIC ALIGNMENT

Outcome	5	Leadership and good governance for the benefit of the whole community.
Objective	5	Good Governance and Leadership
	5.1	Provide transparent and accountable good governance.
	5.2	Ensure long term financial sustainability, strategic advocacy and partnerships, and diverse revenue streams.
	5.3	Ensure efficient and effective use of assets, resources and technology.

BACKGROUND

The Statements of Financial Activity for the period ending 31 July 2025 have been prepared and tabled in accordance with the *Local Government (Financial Management) Regulations 1996*.

Overall Summary of the City’s Financial Position

- The City’s total investments holding for July 2025 were \$ 147.09m of which the Municipal cash balance at the end of the month was \$13.83m and \$133.01m was held in reserve accounts, which are restricted to the defined purpose for which the reserve account was established.
- The investment in green/ethical term deposits as at 31 July 2025 was \$30.80m or 21% of total investment holdings, compared to \$45.0m (29%) in June 2025. Green/Ethical investments are invested in the two banks, in accordance with the council credit rating policy.

- Rates raised as at 31 July were \$114.12M, compared to a year-to-date budget of \$114.09M.
- Total debtor collections for July 2025 equalled \$7.22m. The Rates collection progress for the month of July 2025 is 0.4% above target at 6.9%, compared to 6.6% for the same period in 2024-2025. The total outstanding debtors (including all rates and sundry debtors) is \$142.88m as of 31 July 2025.

CONSIDERATION

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

1. Statement of Financial Activity
Provides details on the various categories of income and expenditure.
2. Statement of Comprehensive Income
Provides details on the Nature classifications.
3. Statement of Financial Position
Provides details on the Financial Position.

Variances

A detailed summary of variances and comments based on the Statement of Financial Activity by Nature is provided in attachments:

- Statement of Financial Activity July 2025 (Attachment 1); and
- Statement of Financial Position July 2025 (Attachment 6): Statement of Variances in Excess of \$100,000.

Revenue

Rates raised as at July were \$114,124,878, compared to a year to date budget of \$114,090,308.

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	5,273,124	5,425,866	-3%	5,425,866	-3%
Debtors Raised	143,398,427	134,481,608	7%	131,040,977	9%
Payments Received	(6,529,504)	(134,634,629)	-95%	(9,147,670)	-29%
Closing Balance	142,142,047	5,272,844	2596%	127,319,173	12%

Total debtor collections for the month amounted to \$7,221,673, of which \$6,529,504 related specifically to rate debtor collections.

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	428,089	565,184	-24%	565,184	-24%
Invoices Raised	958,936	4,206,418	-77%	912,718	5%
Receipts	(692,169)	(4,293,590)	-84%	(488,693)	42%
Prepayments	44,264	(30,636)	-244%	(2,667)	-1760%
Closing Balance	739,120	447,376	65%	986,542	-25%

Sundry debtor balances increased by 291,744 over the course of July from \$447,376, to \$739,120 of which total 90-day sundry debtors for the month is \$239,399, representing 32% of total sundry debtors.

Corporate Climate Action Plan

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

Corporate Climate Action Plan Expenditure			
Description	YTD Actuals 2025-2026	YTD Budget 2025-2026	Total Budget 2025-2026
Energy Efficiency Program	726	-	100,000
EV Charing System Infrastructure Program	-	-	250,000
Piney Lakes Eco Hub Detailed Design	1,029	-	150,000
Renewable Energy Projects	-	-	1,455,147
Embedded Network Metering Upgrade	-	-	100,000
Sustainability & Climate Action Salaries	31,080	27,784	333,407
Carbon Accounting, Budgeting & Energy Monitoring	-	-	66,000
Supporting Community Renewable Energy Transition	-	-	50,000
Solar PV & BESS Program Feasibility Study	-	-	20,000
Energy Efficiency Improvements	-	-	40,000
Electrification & Pilot program	-	-	29,787
Third Party Verification of City and Community Emissions	-	-	20,000
Total	32,835	27,784	2,614,341

The City submitted the final grant negotiation form for the Community Energy Upgrade Fund (\$518,117) on 5 August 2025, with the expectation of receiving the grant agreement within approximately one week. Despite multiple follow-ups, the grant agreement has not yet been provided (grant application April 2024).

This delay has the potential to affect the timely delivery of the planned Renewable Energy System installations (including the EcoHub site, which was bundled with other sites for procurement efficiencies) and Point Walter’s irrigation pump upgrades scheduled for the 2025/26 financial year.

Money Expended in an Emergency and Unbudgeted Expenditure

There was no money expended in an emergency or unbudgeted expenditure for the month of July 2025.

Budget Amendments

There were no budget amendments during the month of July 2025.

Granting of concession or writing off debts owed to the City

Delegation DA-032 empowers the Chief Executive Officer (CEO) to grant concessions and write off monies owing to the City to a limit of \$10,000 for any one item. The CEO has partially on-delegated this to the Directors to write off debts or grant concessions to a value of \$5,000 and the Chief Financial Officer to a value of \$1,000.

Sundry Debtors

There were no sundry debts written off for the month of July 2025.

Rate Debtors

There were no rate debts written off for the month of July 2025.

ENGAGEMENT

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

SUSTAINABILITY IMPLICATIONS

The monthly financial statements support sustainable financial management by promoting transparency, accountability, and informed decision-making aligned with long-term financial planning

LEGISLATIVE AND POLICY ALIGNMENT

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

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

34. Financial activity statement report — s. 6.4

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

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

- (b) budget estimates to the end of the month to which the statement relates;*
- (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
- (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
- (e) the net current assets at the end of the month to which the statement relates.*

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

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

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

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

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

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

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

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

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

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

FINANCIAL IMPLICATIONS

Variances

Variances are detailed and explained in the attachment Notes to Statement of Financial Activity July 2025 (Attachment 5): Notes on Statement of Variances in excess of \$100,000.

CONSEQUENCE

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

BRIEFING FORUM – FURTHER INFORMATION

At the Agenda Briefing Forum held on Tuesday, 9 September 2025, no questions or requests for further information were received from Elected Members.

C25/317 Extraordinary Election - March 2026 (Late Covering Report)

To be provided under separate cover, by Monday 15 September 2025.

Community Development

Nil.

Environment and Infrastructure

Nil.

Planning

UP25/84 Proposed 10 Lot Subdivision at Nos. 740 & 742 (Lots 110 & 111) Canning Highway, Applecross

File Number:	
Responsible Officer:	Acting Director Planning
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No officer involved in the preparation of this item has a declarable interest in the matter.
Application Number:	DA-2025-519
Applicant:	Action Developments – S Stuurman
Owner:	Majestic Vision Pty Ltd
Proposal:	Proposed 10 Lot Subdivision at Nos. 740 & 742 (Lots 110 & 111) Canning Highway, Applecross
Attachments:	1. Subdivision Plan ↓

COUNCIL’S ROLE

Quasi-Judicial: When the Council determines an application/matter that directly affects a person’s rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice.

<p>SUMMARY</p> <ul style="list-style-type: none"> The Western Australian Planning Commission (WAPC) has referred subdivision application (Reference Number 569-25) to the City of Melville for comment. The application proposes the subdivision of Lots 110 and 111 (Nos 740 and 742) Canning Highway, Applecross. Consistent with other subdivision applications, the WAPC will make the final determination on the application, taking into account the Council’s recommendation and responses from other referral agencies such as Main Roads Western Australia, Western Power and the Water Corporation which the WAPC will refer this application to for comments and conditions. The subject site comprises two lots, each measuring 1012m2, resulting in a combined total site area of 2024m2. The subject site is zoned Residential R40 under the City of Melville Local Planning Scheme 6 (LPS6). The application is subject to assessment against Operation Policy 2.2 – Residential Subdivision (OP2.2), Operation Policy 2.3 – Planning for Public Open Space (OP2.3) and Residential Design Codes – Part D (R-Codes). OP2.2 and OP2.3 are Department of Planning, Lands and Heritage (DPLH) policies which apply to the consideration of subdivision. Both lots subject of this application are currently vacant with no existing structures. The subdivision proposal of ten (10) lots (with one being a common property lot) aligns with Development Application DA-2025-164, which is currently under assessment. The development proposes the construction of nine (9) grouped dwellings and one (1) common property, for a total of ten (10) new lots across the subject sites. The application has been referred to Council to provide the City’s recommendation to the WAPC in accordance with Delegation DA-20 Planning and Related Matters within City of Melville Statutory Delegation and Authorisation Manual.
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- The WAPC formally referred the subdivision application to the City on 29 May 2025, and a response was originally due on 9 July 2025. The WAPC has been informed that given the subject application is required to be determined by Council, the WAPC have granted an extension for the City to provides its response until 26 September 2025.
- It is recommended that the application be recommended to the WAPC for approval subject to appropriate conditions and advice notes.

OFFICER RECOMMENDATION

That the Council recommends approval to the Western Australian Planning Commission subject to the following:

Conditions

1. **Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision. (Local Government)**
2. **Redundant vehicle crossover(s) to be removed and the kerbing, verge, and footpath (where relevant) reinstated with grass or landscaping to the satisfaction of the Western Australian Planning Commission and to the specifications of the local government. (Local Government)**
3. **The land being filled, stabilised, drained and/or graded as required to ensure that:**
 - (a) **lots can accommodate their intended development; and**
 - (b) **finished ground levels at the boundaries of the lot(s) the subject of this approval match or otherwise coordinate with the existing and/or proposed finished ground levels of the land abutting; and**
 - (c) **stormwater is contained on-site, or appropriately treated and connected to the local drainage system. (Local Government)**
4. **A 4.24m truncation is to be provided at the junction of the access way and the proposed rear lot (proposed lot 4). (Local Government)**
5. **A 2.12m truncation is to be provided at the junction of the access way and the road reserve. (Local Government)**
6. **The proposed access way(s) being constructed and drained at the landowner/applicant's cost to the specifications of the local government. (Local Government)**
7. **A notification, pursuant to Section 165 of the Planning and Development Act 2005 is to be placed on the certificate(s) of title of the proposed lot(s). Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:**

“This lot is situated in the vicinity of a transport corridor and is currently affected, or may in the future be affected by transport noise. Additional planning and building requirements may apply to development on this land to achieve an acceptable level of noise reduction.”

(Western Australian Planning Commission)

Advice notes

1. **Measures being taken to ensure the identification and protection of any vegetation on the verge worthy of retention that is not impacted by subdivisional works, prior to commencement of subdivisional works. (Local Government)**

PURPOSE

The purpose of this report is to outline the key planning considerations associated with the proposed subdivision and to provide the City’s recommendation to the Western Australian Planning Commission (WAPC).

The City of Melville Statutory Delegation and Authorisation Manual, Delegation DA-20, requires that recommendations to the WAPC relating to subdivisions resulting in ten (10) or more lots, are to be referred to Council to provide a recommendation to the WAPC, who are responsible for determining the application.

STRATEGIC ALIGNMENT

Outcome	1	Healthy, safe and inclusive communities with a sense of belonging and wellbeing.
	3	Sustainable, connected development and transport infrastructure across our City.
Objective	1	Healthy, Safe and Inclusive
	1.1	Facilitate a sense of community, wellbeing, social connection, and participation.
	3	Sustainable and Connected Development
	3.1	Facilitate enhanced and sustainable urban development and amenity.
	3.3	Plan for urban growth and local commercial activity centres.

BACKGROUND

Subject Application

This subdivision referral seeks approval for the creation of ten (10) new lots (one being a common property lot) at Lots 110 and 111 (Nos. 740 & 742) Canning Highway, Applecross. The City of Melville Statutory Delegation and Authorisation Manual (Part 2 – Register of Statutory Delegations by Council), DA-020 Planning and Related Matters states that “recommendations to the WAPC relating to subdivisions resulting in less than 10 lots (approvals and refusals)” can be determined by delegated staff. As this subdivision referral proposes to create 10 new lots and is therefore not less than 10 lots, this application and subsequent recommendation to the WAPC needs to be determined by Council.

All applications for subdivision are referred to the City for its recommendation as a part of the overall consideration of the application by the WAPC.

The proposed subdivision has addressed key operational elements, including visitor parking bays, internal truncations and sightline requirements. Each of these aspects has been assessed and demonstrated to be compliant with the relevant requirements, ensuring both functionality and safety within the subdivision layout.

The application was referred internally to the City’s Traffic and Road Safety team and found to be satisfactory with respect to reversing bays, truncations and manoeuvring. All traffic engineering requirements were supported.

Concurrent Development Application DA-2025-164

Concurrently, the City is also assessing a development application, DA-2025-164, which proposes nine (9) grouped dwellings and one (1) common property lot on the subject sites. The subject subdivision referral must be determined by the WAPC prior to the assessment and determination of the development application by the City as per Design Principle 1.1.3 of Element 1.1 of the R-Codes. This is due to some of the proposed lot sizes being below the minimum site area along with the average site area not complying with what is prescribed under the Residential R40 density code.

Specifically, proposed Lots 5, 6, 7 and 8 measure 179.98m² in lieu of the minimum site area required of 180m² and the average site area does not meet the minimum required of 220m², proposed 202.40m². Therefore, approval by the WAPC on the subdivision will establish whether the reduced lot sizes are acceptable in context of the overall design, amenity and liveability outcomes before the development application can be determined by the City.



Figure 1: Aerial photograph of Lots 110 & 111 (Nos. 740 & 742) Canning Highway, Applecross.

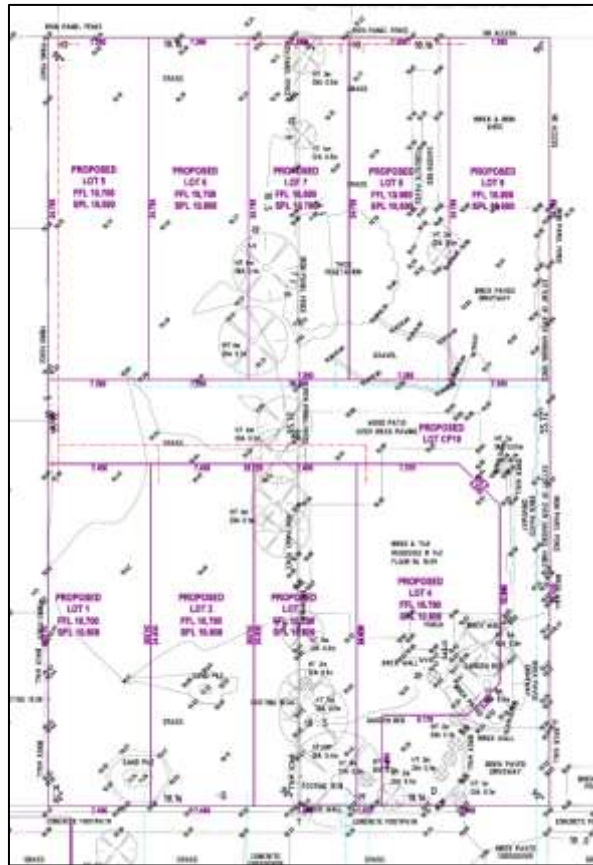


Figure 2: Proposed subdivision of lots.



Figure 3: Local Planning Scheme 6 zoning map and proximity of subject site to Riseley Activity Centre (less than 35m to the south-east) zoned RAC-0.

Scheme Provisions

MRS Zoning	Urban
LPS Zoning	Residential
R-Code	R40
Use Class	N/A

Site Details

Lot Area	Lot 110 (No. 740 Canning Highway) 1012m ² Lot 111 (No. 742 Canning Highway) 1012m ² Total: 2024m²
Retention of Existing Vegetation	N/A
Street Tree(s)	N/A
Street Furniture (drainage pits etc)	N/A
Site Details	Cleared and vacant

CONSIDERATION

The City has undertaken an assessment of the proposed subdivision application against the provisions found in the R-Codes Volume 1. The proposal complies with all the relevant development requirements except for those matters listed below, for which a performance assessment is required.

Residential Design Codes Volume 1 Part D

Development Requirement	Deemed to Comply	Proposed	Comments
Element 1.1 – Site Area	C1.1.1 - Development which complies with the dwelling type and site area requirements set out in Table D. Minimum Site Area – 180m ² Average Site Area – 220 m ²	Minimum Site Area - 179.98m ² for Proposed Lots 5, 6, 7 & 8 Average Site Area - 202.40m ²	Requires assessment using Performance Criteria. Refer to discussion below.

As noted above, the proposed subdivision does not meet the deemed to comply provisions within the R-Codes Volume 1 in relation to the minimum and average site areas of Table D and requires a design principles assessment. As per Clause 1.1 within Part D of the R-Codes, the following design principles needs to be met when considering the non-compliances outlined above:

- P1.1.1 *Development of the type and density indicated by the density code designated in the scheme.*
- P1.1.2 *The WAPC, in consultation with the local government, may approve the creation of a green title lot, survey-strata lot or strata lot of a lesser minimum and/or average site*

area than that specified in Table D provided that the proposed variation would be no more than five per cent less in area than that specified in Table D and will:

- i. facilitate the protection of an environmental or heritage feature;*
- ii. facilitate the retention of a significant element that contributes toward an existing streetscape worthy of retention;*
- iii. facilitate the development of lots with separate and sufficient frontage to more than one public street;*
- iv. Overcome a special or unusual limitation on the development of the land imposed by its size, shape or other feature.*
- v. Allow land to be developed with housing of the same type and form as land in the vicinity and which would not otherwise be able to be development; or*
- vi. Achieve specified objectives of the local planning framework.*

The subject subdivision referral is considered to address the above design principles as follows:

- The subdivision proposal aligns with the density code designated under LPS6, which will deliver development consistent with the intended built form outcomes for the area and surrounding;
- The proposed 10 lots (9 residential development lots with one common property lot) provide for development at a scale and intensity that reflects the surrounding residential character and density expectations, especially being within 50 meters of the Riseley Activity Centre Structure Plan area;
- While the proposal generally meets the minimum and average lot sizes prescribed in Table D, flexibility under P1.1.2 may be considered for minor non-compliances (up to five per cent) where it achieves broader planning objectives;
- The proposed subdivision responds to site constraints and the minor non-compliances in lot sizes ensures practical and efficient use of the land;
- The proposal does not compromise residential amenity, streetscape character or local environment/heritage values;
- The proposed subdivision maintains adequate street frontage and access, preserving the amenity and functionality of public footpaths; and
- The proposal is consistent with the City of Melville's LPS6 objectives and consistent with the land in the surrounding neighbourhood.

In addition to the above, the following objectives found under the R-Codes Volume Part D for subdivision are as follows:

- 1A To provide for a consistent and coordinated approach to residential built form and development.
- 1B To ensure that residential development meets community expectations in regard to appearance, use and density.
- 1C To promote a range of lot sizes to support housing diversity and a variety of built form typologies.

The proposed subdivision is considered to align with the above objectives as follows:

- 1A The subdivision facilitates a coordinated approach to built form by aligning with a proposed development application currently under assessment for nine grouped dwellings with

- common property (DA-2025-164), ensuring integration between lot layout and building design;
- 1B The proposal supports medium-density residential development consistent with the R40 zoning, delivering a scale and form of housing that reflects community expectations and the local planning context; and
- 1C The subdivision enables a mix of lot sizes and introduces grouped dwellings in a well-located urban area, contributing to housing diversity and supporting a range of contemporary built form outcomes.

City of Melville Local Planning Scheme No. 6

In considering the discretionary nature of the lot sizes proposed, it is necessary to take into consideration the zone objectives table of LPS6. The objectives of the 'Residential' zone where the subject site is located are as follows:

- To provide for a range of housing and a choice of residential densities to meet the needs of the community.
- To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.
- To provide for a range of non-residential uses, which are compatible with and complementary to residential development to promote sustainable residential development.
- To maintain the compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades.

The proposed subdivision referral satisfactorily responds to the relevant Residential zone objectives of LPS6 for the following reasons:

- The creation of the subject lots will provide for a diversified housing choice within the locality;
- The design of the development on the subject lots will be determined by a separate development application currently under assessment (DA-2025-164) and as such, this subdivision referral does not compromise the design, built form and streetscape of the area;
- The subdivision referral is for the creation of residential development lots, not non-residential uses; and
- Compatibility with the streetscape will also be considered as part of the assessment of DA-2025-164 and as such, this subdivision referral does not compromise the compatibility with the general streetscape.

Operational Policy 2.2 – Residential Subdivision

The City is not directly subject to this policy; however the following is provided as a guide to show alignment and support. Clause 4.2.4 a) of this policy outlines criteria whereby WAPC will only consider subdivision or survey-strata applications proposing variations to lot sizes below five percent of the minimum and average site area requirements specified in R-Codes Volume 1 Table D or elsewhere in the R-Codes for non-battleaxe configured lots. The subject subdivision referral is consistent with these criteria as outlined by the following points below:

- The proposed subdivision makes efficient use of an underutilised site by enabling medium-density infill development within an existing serviced urban area, consistent with the policy's intent to optimise land supply and infrastructure;
- The subdivision supports increased housing diversity by facilitating grouped dwellings on varied lot sizes, in line with the policy objective to promote a range of lot configurations and dwelling typologies that respond to changing household needs;

- The proposal seeks a minor variation to average and minimum lot sizes within the 5% discretion permitted under Clause 4.2 of OPP 2.2. This variation is considered minor and consistent with the intent of the policy, which allows flexibility where high-quality built form outcomes can still be achieved;
- The subdivision layout is designed to align with a development application still under assessment, ensuring that lot orientation, access, and common property are coordinated with the built form. This supports the policy's emphasis on achieving well-integrated and functional residential environments; and
- The proposal generally reflects the intended residential density for the R40 zone, supporting the policy's objective to deliver subdivision outcomes that are consistent with the strategic planning framework and zoning provisions.

Operational Policy 2.3 - Planning for Public Open Space

The City is not directly subject to this policy; however the following is provided as a guide to show alignment and support. OPP2.3 outlines that all subdivision proposals that increase the number of lots can potentially be required to make a land or monetary contribution to public open space. The subject subdivision referral is consistent with Clause 5.4.3 (Residential Subdivision) of OPP2.3 in that a land or monetary contribution to public open space is not considered necessary whereby one or more situations occur. For this subdivision referral, the following situations are relevant and therefore why a condition recommending a monetary public open space contribution has not been recommended to the WAPC:

- The subdivision referral is within an established infill suburb with substantial existing public open spaces, such as Shirley Strickland Reserve, Wireless Hill Park and Tompkins Park; and
- The proposed subdivision aligns with state and local planning objectives and responds to clause 5.4.3(e) by meeting the intent of state planning policy 3.6 (infrastructure contributions), being supported by local government and ensuring that the subdivision is in line with liveable neighbourhoods' objectives of providing housing diversity options.

ENGAGEMENT

The City is not responsible for referring subdivision applications to state agencies. In addition, public consultation is not required for subdivision referrals as they are not a development application, consistent with Local Planning Policy 1.1 – Planning Process and Decision Making (LPP1.1).

SUSTAINABILITY IMPLICATIONS

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

LEGISLATIVE AND POLICY ALIGNMENT

Legislation

1. *Planning and Development Act 2005*
2. *Planning and Development (Local Planning Schemes) Regulations 2015*
3. *City of Melville Local Planning Scheme No. 6 (LPS6)*

State Government Policies

1. *State Planning Policy 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning (SPP5.4).*

Other

1. *State Planning Strategy 2050*
2. *Local Planning Strategy 2016*
3. *Operation Policy 2.2 – Residential Subdivision*
4. *Operation Policy 2.3 – Planning for Public Open Space*

City of Melville Local Planning Scheme No 6

Under the provisions of LPS6, the site is zoned 'Residential' with a density code of R40. The objectives of the Residential zone are to provide for a range of housing types and densities that meet the needs of the community, while maintaining and enhancing the amenity, character and liveability of established residential areas. The objectives also seek to ensure development is compatible with the surrounding built form and landscape, supporting walkability and access to services, with the underlying aim of contributing positively to the existing neighbourhood.

Operation Policy 2.2 – Residential Subdivision

This policy is prepared under the *Planning and Development Act 2005* and provides the WAPC's policy framework for the assessment and approval of residential subdivisions, supplementing the Residential Design Codes and other State Planning Policies.

The policy is not to be used to circumvent the R-Coding of land to facilitate subdivision and increased density not intended under local planning frameworks.

Operation Policy 2.3 – Planning for Public Open Space

This policy is prepared under the *Planning and Development Act 2005* and sets out the requirements for consideration of public open space provisions or cash-in-lieu contributions in subdivision, in accordance with *State Planning Policy 3.6 – Infrastructure Contributions* and the 10 per cent public open space standard established in *Liveable Neighbourhoods* and earlier development control policies.

FINANCIAL IMPLICATIONS

There are no financial implications to the City as the application has only been referred to the City to provide a recommendation.

CONSEQUENCE

Officer Comment

The Council may choose to:

- provide a referral response to the WAPC, as outlined in the recommendation; or
- provide a referral response to the WAPC, with modifications; or
- not provide a referral response to the WAPC.

The proposal is considered to meet most of the relevant elements of the applicable planning framework. Once the City has provided a submission to the WAPC, the WAPC will undertake a detailed assessment of the proposal and give due regard to any comments submitted by the various referral agencies (including the City) before making a determination on the recommendation for the subdivision application.

BRIEFING FORUM – FURTHER INFORMATION

At the Agenda Briefing Forum held on Tuesday, 9 September 2025, no questions or requests for further information were received from Elected Members.

UP25/85 Amendment to DA-2024-681/A, Home Business - Modification to Condition of Approval at Lot 2 (No. 1A) Latham Street, Alfred Cove

File Number:	DA-2024-681/B
Responsible Officer:	Acting Director Planning
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No officer involved in the preparation of this report has a declarable interest in the matter.
Application Number:	DA-2024-681/B
Applicant:	M McCarthy
Owner:	M McCarthy
Proposal:	Amendment to DA-2024-681/A, Home Business – Modification to Condition of Approval
Attachments:	<ol style="list-style-type: none"> 1. Applicant Report ↓ 2. Development Plans ↓ 3. Letters of Support ↓ 4. Acoustic Report ↓ 5. Applicant Further Information ↓ 6. Original Development Approval (DA-2024-681) ↓ 7. Amended Development Approval (DA-2024-681/A) ↓ 8. Alternative Motion (With Notice) Cr Ross ↓ 9. Officer Advice Note to Alternative Motion from Cr Ross ↓

COUNCIL’S ROLE

Quasi-Judicial: When the Council determines an application/matter that directly affects a person’s rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice.

<p>SUMMARY</p> <ul style="list-style-type: none"> • In May 2024 the City of Melville (the City) received a complaint in relation to the operation of an unauthorised Home Business at the subject site, specifically in relation to overflow parking onto Latham Street. • Following a compliance investigation, development application DA-2024-681 was lodged for retrospective development approval for the operation of the home business which includes the provision of musicianship and music theory tuition to children. • The application was considered and approved under delegation following the submission of an acoustic report and was subject to standard conditions which apply to all home occupation applications. The original development approval (Attachment 6) contained conditions limiting the number of clients at any one time to one (1) client and limited hours of operation to 10am to 12pm and 4pm to 7pm during the week.
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- Following the determination of this application, the applicant lodged an amended development application under DA-2024-681/A in March 2025 to seek modification to the conditions imposed limiting client numbers and the hours of operation. The applicant sought no specific limit on the number of clients at any one time and operation hours to be from 7am to 7pm Monday to Saturday. This resulted in the land use proposed changing from Home Occupation to Home Business.
- The City approved this amended development application through the Development Advisory Unit (DAU) process in May 2025 (Attachment 7) with conditions, on the basis that there be no more than six (6) clients at any one time, a 12-month temporary approval apply and that a parking management plan be provided for the Home Business.
- Following the determination of this application, the applicant in July 2025 lodged a further amendment development application under DA-2024-681/B (the subject of this report) to seek modification to the condition imposed as part of DA-2024-681/A limiting no more than six (6) clients at any one time by proposing a maximum of twelve (12) clients at any one time.
- The subject application (DA-2024-681/B) being considered has been assessed in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* (P&D Regs), Local Planning Scheme No. 6 (LPS6), Local Planning Policy 1.1 – Planning Process and Decision Making (LPP1.1) and Local Planning Policy 1.6 – Parking and Access (LPP1.6). Through this assessment, the amendment application as proposed by the applicant has been classified as an ‘Educational Establishment’ land use and not a ‘Home Business’ land use, as defined within LPS6.
- The amendment development application was advertised in accordance with LPP 1.1 due to the ‘Educational Establishment’ land use being with an ‘A’ permissibility in the Mixed Use zone. Under LPS6, ‘A’ land uses are required to be advertised as ‘the use is not permitted unless the local government has exercised its discretion in granting development approval and given special notice in accordance with clause 64 of the deemed provisions’. No submissions were received during this consultation process.
- The application is being presented to an Ordinary Meeting of Council for determination following a request from the applicant and elected members that the matter be considered at a Council meeting, following the two previous determinations being made at officer level.
- The subject amendment development application is recommended for refusal on the basis that there is inadequate on-site car parking to support the land use and as a result, potential to negatively impact the amenity. Refusal of this application will still permit the applicant to operate under the previous development approval which limits the scale to six clients at any given time.
- There is the discretion for the Council to determine that the application is classified as a Home Business and to approve the application as such, see Consequences section of this report.

OFFICER RECOMMENDATION

That the Council:

1. **Determines that the application is most appropriately classified as an Educational Establishment; and**
2. **Refuse the application for development approval for the following reasons:**
 - a) **Pursuant to clause 67(2) (s) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and City of Melville Local Planning Scheme No. 6 clause 34(5)(b), the inadequacy of on-site parking associated with the Educational Establishment will adversely impact on the existing and future amenity of the locality.**
 - b) **Pursuant to clause 67(2) (t) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and City of Melville Local Planning Scheme No. 6 clause 34(5)(b), the increase in traffic and proposed on-street parking will likely negatively affect traffic flow and safety within the existing road network.**
 - c) **Pursuant to clause 67(2) (g) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and City of Melville Local Planning Scheme No. 6 clause 34(5)(b), the development proposes a 3-car bay shortfall of on-site parking and doesn't meet the deemed to comply or performance criteria of LPP 1.6 – Parking and Access.**

PURPOSE

The purpose of this report is to provide an outline of the key matters of consideration for the proposed amendment to the previously approved Home Business at Lot 2 (No. 1A) Latham Street, Alfred Cove, outline where discretion is required to be exercised and alignment against the relevant performance criteria and explain the rationale for the officer recommendation that the Educational Establishment be refused.

The matter is being presented to the Council following a request from the applicant and some Elected Members that Council determine the application, following two previous applications for this site and this business having been determined by officers since June 2024.

STRATEGIC ALIGNMENT

Outcome	3	Sustainable, connected development and transport infrastructure across our City.
	4	Economic prosperity and vibrant resilient communities and businesses.
	5	Leadership and good governance for the benefit of the whole community.
Objective	3	Sustainable and Connected Development
	3.1	Facilitate enhanced and sustainable urban development and amenity.
	3.4	Protect and promote the City's character and heritage.
	4	Vibrant and Prosperous
	4.1	Facilitate vibrant activated local places and centres.
	5	Good Governance and Leadership
	5.1	Provide transparent and accountable good governance.

BACKGROUND

Subject Site

The subject site is zoned Mixed Use under Local Planning Scheme 6 (LPS6) and is afforded a residential density code of R50. The site is occupied by a two-storey single house with a paved driveway in front of the house.

The surrounding context on Latham Street is comprised of residential single house or grouped dwelling developments to the south and a commercial consulting room business to the north on the corner of Latham Street and Canning Highway. Although the zoning of the subject site is Mixed Use (with a residential density of R50), the immediate surrounding context is predominantly residential in character in Latham Street featuring single house and grouped dwelling development. Commercial and multiple dwelling development is located on Canning Highway to the north-east and north-west.

History

The original development application made under DA-2024-681 for a retrospective Home Business at the subject site of Lot 2 (No. 1A) Latham Street, Alfred Cove resulted from a complaint that was made in relation to the operation of an unapproved home business from the subject site in June 2024 causing on-street parking problems on Latham Street. DA-2024-681 was approved as a Home Occupation (See Attachment 6) with a condition requiring that only one client visit the site at any one time, and that hours of operation be limited to 10am to 12pm and 4pm to 7pm during the week.

Following the determination of this application, the applicant lodged an amended development application under DA-2024-681/A to seek modification to the conditions which limited client numbers and the hours of operation. The applicant sought no specific limit on the number of clients at any one time and hours of operation to be from 7am to 7pm Monday to Saturday.

The amended application made under DA-2024-681/A for a Home Business was approved (See Attachment 7) through the City of Melville's (the City) Development Advisory Unit (DAU) process on the basis that there be no more than six (6) clients at any one time, a 12-month temporary approval to apply and that a parking management plan be provided. These were all reinforced via modified and additional conditions imposed on the development approval.

Subject Application

This subject amendment development application under DA-2024-681/B seeks to modify a condition of development approval issued for the approved Home Business at the site under DA-2024-681/A. Specifically, this amendment is proposing to modify the current condition of approval restricting the business to six (6) clients at any one time and to instead propose a maximum of twelve (12) clients at any one time.

The amendment application DA-2024-681/B has been assessed in accordance with the P&D Regs, LPS6, Local Planning Policy (LPP) 1.1 and LPP 1.6. Through this assessment, the land use proposed has been reclassified as an 'Educational Establishment' and not a 'Home Business' land use, as defined within the City's LPS6. This is elaborated on further in the Consideration section of this report.

Educational Establishments are an 'A' land use under LPS6 in the Mixed Use Zone and are not permitted unless the local government has exercised its discretion by granting development approval after first having advertised the application in accordance with the P&D Regs.



Figure 1: Aerial photograph (site marked in red)

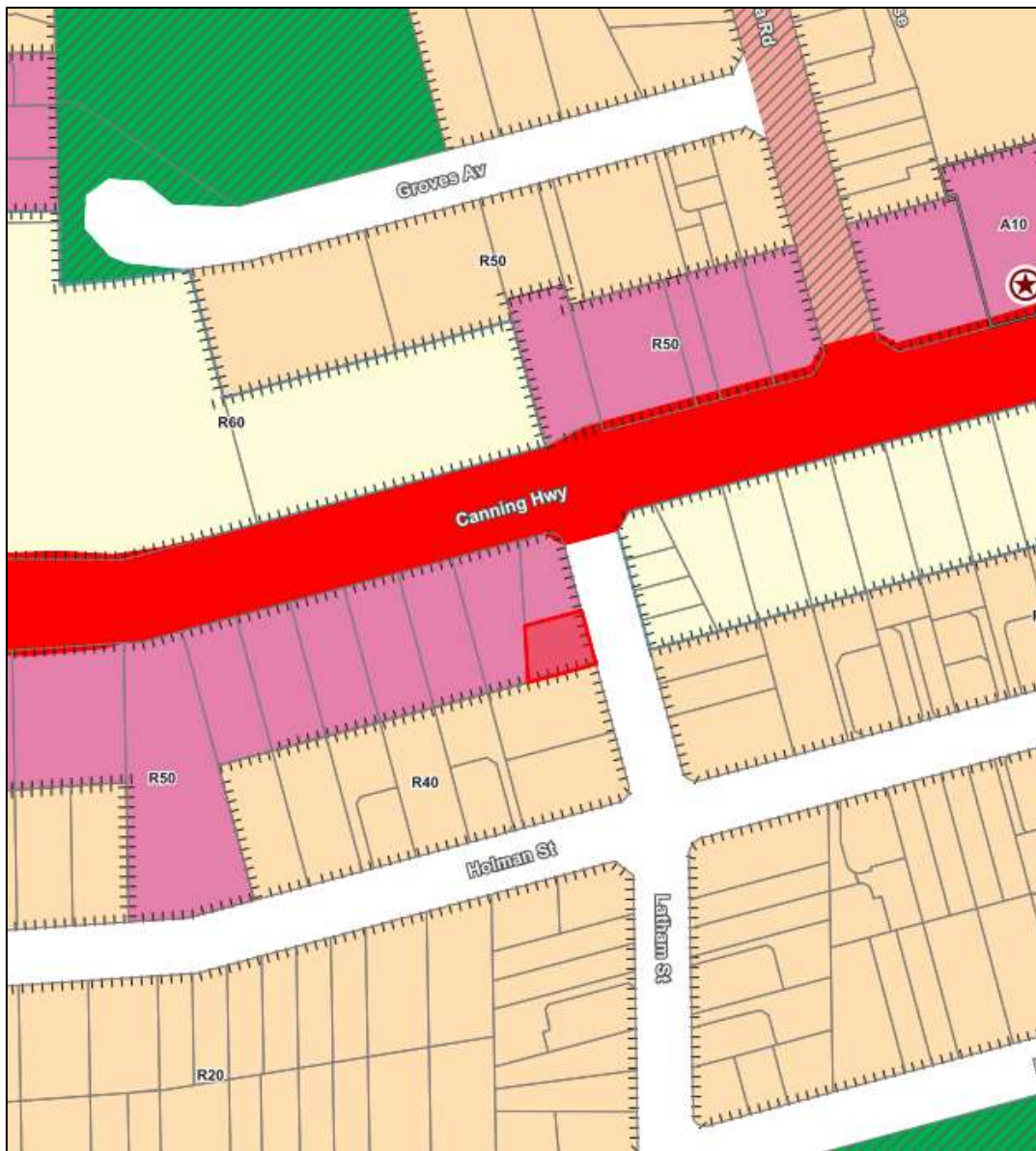


Figure 2: LPS6 zoning map context with subject site marked in red in Mixed Use zone.

Scheme Provisions

MRS Zoning		Urban
LPS Zoning		Mixed Use
R-Code		R50
Use Type		Educational Establishment
Use Class		A

Site Details

Lot Area		466m ²
Retention of Existing Vegetation		N/A
Street Tree(s)		Existing street tree to be retained
Street Furniture (drainage pits etc.)		N/A
Site Details		Existing Single House

CONSIDERATION

The application has been assessed against the provisions of LPS6, the R-Codes and relevant Local Planning and Council Policies. The following matters have been identified as key considerations for this proposal.

Land Use

The proposed business has been described as a school that teaches music theory, music lessons, provides group activities for student children (up to 12 clients at any one time) and one on one tutoring, encompassing the below educational and research activities:

1. Specialist Musicianship/Music Theory tuition for children aged 2-16;
2. Professional development for music teachers;
3. Research into the education of Deaf children; and
4. Educational materials for use in schools.

A further breakdown of the business operation in terms of class times, sizes and lesson types has been provided by the applicant within Attachment 5 of this report.

The subject application is proposing a modification to condition 5 of the existing development approval which is worded as follows to be increased to twelve (12) clients at any one time.

5. A maximum of 6 clients at any one time are permitted to visit the property.

As the intensity of the land use is increasing from that of the existing approval, a review of the land use and definitions was required to ascertain if the land use still fits within the Home Business definition as per the existing development approval. The Home Business definition found within LPS6 along with an officer assessment as to whether all parts of the definition are still met and can therefore still be a 'Home Business' land use is listed below.

'Home Business' LPS6 Definition	Officer Assessment
means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or profession if the carrying out of the business, service or profession – a) does not involve employing more than 2 people who are not members of the occupier's household; and	Meets definition criteria. 1 employee only and who is owner occupier of the property.
b) will not cause injury to or adversely affect the amenity of the neighbourhood; and	Does not meet definition criteria. Noise from the premises is shown to be acceptable per the submitted acoustic report (Attachment 4). The noise generated from the premises is not considered to adversely affect the amenity of the neighbourhood. Traffic volumes generated by the premises is not considered to be appropriately accommodated, specifically during the group classes for up to 12 children. The business

‘Home Business’ LPS6 Definition	Officer Assessment
	<p>proposes no on-site parking for clients and is reliant on on-street parking and alternative modes of transport. The increased on-street parking is likely to adversely impact the amenity of the area and the number of traffic movements generated is well outside of what would normally be associated with a single dwelling.</p>
<p>c) does not occupy an area greater than 50m²; and</p>	<p>Meets definition criteria.</p> <p>The business occupies an area of 49.6m² (excluding residential amenities such as the kitchen and bathrooms of the dwelling).</p>
<p>d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and</p>	<p>Meets definition criteria.</p> <p>No retail sale of goods is proposed.</p>
<p>e) does not result in traffic difficulties because of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and</p>	<p>Does not meet definition criteria.</p> <p>Insufficient on-site parking is likely to increase on-street parking demand, specifically in relation to the group classes of up to 12 children at any one time. While the applicant has provided educational brochures and parking guidance, parents are still expected to rely on on-street parking for their trips. The carriageway is approximately 6 meters wide, and on-street parking will restrict sightlines for driveways and effectively reduce the carriageway to one-way traffic. This situation may lead to congestion, decreased visibility, and conflict points.</p> <p>The operation of classes with up to 12 clients at any one time and 9 classes a week, will result in traffic difficulties due to the inadequacy of parking and an increase in traffic volumes within the neighbourhood.</p> <p>Furthermore the heavy reliance of conditions to ensure appropriateness of a land use indicates that the land use is likely inappropriate within the context as established within SAT case law.</p>
<p>f) does not involve the presence, use or calling of a vehicle more than 4.5 tonnes tare weight; and</p>	<p>Meets definition criteria.</p> <p>Does not involve the presence, use or calling of a vehicle more than 4.5 tonnes tare weight.</p>
<p>g) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located.</p>	<p>Meets definition criteria.</p> <p>Does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located.</p>

The City has determined that the proposal can no longer be classified within the Home Business land use definition as shown in the assessment above due to exceeding the quantitative definition requirements of b) and e) of the Home Business definition.

The City is then required to determine what use class the proposal falls under in the zoning table within LPS6. It has reasonably been determined that the land use class which best fits the proposed business is now that of an 'Educational Establishment'. An assessment of the proposal against the Educational Establishment definition is outlined below.

'Educational Establishment' LPS6 Definition	Officer Assessment
<p>means premises used for the purposes of providing education including premises used for a school, higher education institution, business college, academy or other educational institution.</p>	<p>The activities carried out on the premises can reasonably be described as 'education'.</p> <p>The second question is whether the words 'including premises used for a school, higher education institution, business college, academy or other educational institution' imply that an educational establishment must be a type of formal institution, given that every example given in the definition is of that type.</p> <p>The definition is not confined in that way because it is an inclusive definition, so that the examples given do not limit the scope of premises that can be considered an educational establishment.</p> <p>Some of the classes provided at the premises cater for up to 12 clients at any one time and therefore the land use can be reasonably classified as an educational establishment.</p>

The subject application has therefore been considered as proposing an Educational Establishment land use and is therefore a change of use development application from 'Home Business' to 'Educational Establishment'.

Land Use Permissibility

Given the above, it is therefore considered that a business of this nature, with up to 12 customers accessing the site at any given time, would fall outside the scope of the Home Business definition and would be better suited to a commercial property which has been purpose built for businesses of this scale and which have vehicle parking provided for on site. The proposed class sizes and associated potential vehicle movements are inconsistent with the definition of a Home Business land use in accordance with LPS6 which specifies that the carrying out of the business "does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood".

Although the site is zoned 'Mixed Use', the property has been developed as a Single House without appropriate on-site parking for a commercial business. Generally, Home Businesses which are operating from a residential dwelling are small in scale and have a similar number of vehicular trips generated as a residential dwelling.

The land use therefore is more reasonably suited to sit within the ‘Educational Establishment’ definition as the above assessment shows. The proposed ‘Educational Establishment’ is an ‘A’ use in the Mixed-Use Zone. As such, the use is not permitted unless the City has exercised its discretion by granting development approval. In considering the appropriateness of the Educational Establishment use, the City is to assess the use in the context of the listed objectives applicable to the zone.

The Mixed-Use zone objectives within Clause 16, Table 2 of LPS6 and the City’s assessment regarding the appropriateness of the use are listed below.

Mixed Use Zone Objectives	Officer Assessment
<i>To provide for a wide variety of active uses on street level which are compatible with residential and other non-active uses on upper levels.</i>	The use is considered compatible with the surrounding context which includes residential properties to the south.
<i>To allow for the development of a mix of varied but compatible land uses such as housing, child care, and appropriate land uses which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents.</i>	<p>The use, if appropriately restricted to limit the impacts of parking in the locality, is of limited impact upon the amenity of the immediate locality. Noise from the premises is shown to be acceptable per the submitted and accepted acoustic report (Attachment 4) which was supported as part of the last development approval issued for the site. Given the acoustic report approved previously was for a maximum of 18 students, no change to the acoustic report has been provided as part of this subject application given now it is only wanting a max of 12 students.</p> <p>However, the impacts of parking and traffic generation for classes of up to 12 students cannot be appropriately managed. Traffic and parking impacts are discussed further below under the heading LPP1.6.</p>
<i>To ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality.</i>	<p>The noise impact of the use on the amenity of the locality is appropriately managed as demonstrated with the submitted and accepted acoustic report.</p> <p>The traffic and parking impacts of the use is not considered to be appropriate given the existing context of the subject site and surrounding area and cannot be reasonably managed through conditions of development approval. The traffic and parking impacts generated by the group classes of up to 12 students at any one time have the capacity to impact the predominantly low-density residential character and amenity of the existing streetscape. Traffic and parking impacts are discussed further below under the heading LPP1.6.</p>
<i>To ensure the design and landscaping of development provides a high standard of safety, convenience and amenity and contributes towards a sense of place and community.</i>	The subject application relates to a land use, rather than physical alterations to the site, as such the provision of landscaping and the design of the building are not being considered.

Mixed Use Zone Objectives	Officer Assessment
<p><i>To provide for a compatible mix of commercial and residential uses which complement the adjacent activity centres, and will contribute towards the development of a vibrant and attractive place to live and work.</i></p>	<p>The business is considered to appropriately contribute to the vibrancy of the mixed use zone in the immediate area, however the use results in an inadequate number of parking spaces on the site which will create traffic and parking related amenity impacts into the public realm.</p>
<p><i>To ensure the nature, form and scale of any nonresidential development is such as not to prejudice the commercial services provided for within the designated activity centres, recognising the strategic significance of such centres with reference to their accessibility and co-locational synergies.</i></p>	<p>The use is taking place in an existing single house and as such does not prejudice the adjacent activity centres.</p>

In light of the above, the proposed Educational Establishment is not considered to meet the objectives Mixed Use zone.

Building Classification

Due to the proposed change in land use from ‘Home Business’ to ‘Educational Establishment’ under LPS6, upgrade works may be required for a change of building class under the *Building Act 2011* in line with the commercial building Class 9b. These works may include fire separation (noting existing residential use), internal and external accessibility requirements being met and provision of a universally accessible parking bay on site. It is important that the applicant is made aware of these requirements if any possible approval is given for intensifying the land use from the existing ‘Home Business’ approval to the proposed ‘Educational Establishment’. The current house on-site may not meet the requirements of a change of building class to a Class 9b building. So should the subject proposal be approved, substantial work would need to be done to ensure compliance with the relevant Building framework.

As the present built form and living arrangements may need to be altered to permit this use which may not be possible without substantial alteration which may require further development approval, it would be contrary to orderly and proper planning to approve a land use which may either not be capable of approval under other legislation or require further development approval in order to be actioned.

Hours of Operation

The hours of operation are not the subject of this amendment application. The business has been approved to operate from 7am to 7pm Monday to Saturday under DA-2024-681/A. The acoustic report provided as part of the previous development approval which was supported by the City found that the operation of the business would not unduly affect the amenity of the locality with respect to class noise from a class size of eighteen (18) students, noting that this amendment application proposes a maximum class size now of twelve (12) students.

Local Planning Policy (LPP) 1.6 – Parking and Access

The proposed business as shown in the above land use definition assessment is now considered to be an Educational Establishment and not a Home Business. The change of use to an Educational Establishment now requires more on-site parking than the previous from Home

Business use, the development is now required to provide on-site parking in accordance with the ratios set out in Table 1 of LPP1.6. An assessment against Table 1 is listed below:

Use	Table 1 Car Parking Requirements	Officer Assessment
Educational Establishment	1 bay per 5 students, plus 0.5 bays per staff member. <ul style="list-style-type: none"> • 3 bays required for 12 students. • 0.5 bays required for 1 staff member. Total requirement of 3.5 (rounded up to 4) on-site parking bays.	Has provided one on-site parking bay in lieu of four on-site parking bays.

As the proposed Educational Establishment does not meet the requirements of Table 1 within LPP1.6, an assessment has been undertaken against the policy objectives as detailed below:

LPP 1.6 Objectives	Officer Assessment
<i>To facilitate the development of adequate, safe and convenient parking facilities that meets the needs of users.</i>	The business proposes no on-site client parking. Informal verge and street parking as proposed in the application is not considered to provide safe and convenient parking facilities that meet the needs of the users, which for the group classes are predominantly parents and children.
<i>Promote environmentally sustainable development.</i>	The lack of on-site parking will not promote environmentally sustainable development by way of increasing on-street parking and constraining the relatively narrow road reserve.
<i>Facilitate active, vibrant and successful places.</i>	The lack of on-site parking will not facilitate active, vibrant and successful places and pose additional on-street parking impacts within the relatively narrow road reserve.
<i>Support local businesses and economically viable development.</i>	The lack of on-site parking is not considered to support the local business or its economic viability due lack of parking hindering access to the business. The lack of on-site car parking may also result in unauthorised car parking on private properties such as the adjacent commercial businesses.
<i>Enable healthy lifestyles and travel choices.</i>	The applicant has encouraged clients to utilise alternative modes on transport such as walking, public transport and carpooling. These initiatives are considered to enable healthy lifestyles and travel choices.
<i>To ensure that development proposals incorporate an appropriate level of parking.</i>	The business proposes no on-site client parking. Informal verge and street parking as proposed in the application is not considered to provide an appropriate level of parking to the business operation.

LPP 1.6 Objectives	Officer Assessment
<i>To ensure safe, convenient, and efficient access for pedestrians, cyclists and motorists.</i>	The business proposes no on-site client parking. Informal verge and street parking as proposed in the application is not considered to provide an appropriate level of parking based on the parking needs of the business. The proposed on-street and verge parking will restrict pedestrian and cyclist access for this business and other community members.
<i>To promote alternative transport modes by incorporating flexibility to reduce parking requirements where alternative transport options exist.</i>	The development is well serviced by high frequency public transport and pedestrian access. The applicant has proposed initiatives to encourage clients utilising alternative modes of transport such as walking, public transport and carpooling.
<i>To promote 'shared' or publicly available parking in preference to exclusive, single user parking for non-residential developments.</i>	<p>The applicant has proposed a shared parking arrangement with the dentist at 557 Canning Highway with the owner of the dentist providing written support and confirmation of this arrangement (See Attachment 3).</p> <p>The proposed shared parking arrangements can be utilised by the Music School outside of the dentist's normal business hours which are Monday to Friday, 8am to 5pm. The use of these bays would not wholly address the need for parking for the business and would need to be enforced by reciprocal agreement via caveat on title to ensure its perpetuity in case of change in ownership or business.</p>

The lack of off-street parking will encourage on-street parking on the existing road reserve which will restrict traffic flow and have the capacity to impact the predominantly low-density residential character and amenity of the existing streetscape. Given the above assessment, the development has not demonstrated that the on-site car parking shortfall meets the policy objectives of LPP 1.6.

ENGAGEMENT

The City undertook public consultation in accordance with LPP 1.1 to the surrounding landowners and occupiers (as shown in Figure 3 below) as the proposed land use of Educational Establishment is an 'A' land use in the Mixed Use zone. The City did not receive any submissions during the consultation period which occurred from Thursday, 24 July 2025 to Monday, 11 August 2025.



Figure 3: City consultation to adjoining properties (landowners and occupiers) is shown in green circles.

The applicant also undertook their own consultation and obtained fifteen (15) letters of support (See Attachment 3) from various landowners and occupiers in the direct locality whose properties are shown below in Figure 4 below. The applicant also obtained three (3) general letters of support from other members of the community, including the Member for Bicton, Mrs Lisa O'Malley MLA.



Figure 4: Property owners and occupiers that provided letters of support are shown in green circles.

SUSTAINABILITY IMPLICATIONS

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

LEGISLATIVE AND POLICY ALIGNMENT

Legislation

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- City of Melville Local Planning Scheme No.6

State Government Policies

- Residential Design Codes Volume 1

Local Planning Policies

- Local Planning Policy 1.1 – Planning Process and Decision Making
- Local Planning Policy 1.6 – Parking and Access

FINANCIAL IMPLICATIONS

There are no financial implications if the recommendations of this report are adopted. However, should the applicant be aggrieved by a decision, an application for the review of the decision to the State Administrative Tribunal (SAT) may be made by the applicant. This may incur costs for the City including legal and consultant fees.

CONSEQUENCE

Consequence

Should the application be refused by the Council or conditions applied to an approval which the applicant finds objectionable, the applicant will have right of review through an application for the review of the decision to the State Administrative Tribunal, in accordance with Part 14 of the *Planning and Development Act 2005*.

The Council may choose to:

- Proceed with the recommendation to refuse the amended development application; or
- Approve the amended development application, subject conditions; or
- Not determine the amended development application.

It should be noted that a refusal will still allow for the business to operate in accordance with the existing approval for six clients at any given time.

Alternative Option Open to the Council

The Council has the discretion to approve this application as a Home Business rather than as an Educational Establishment as determined by officers.

In order for the Council to reach such a determination, the Council will need to be satisfied that the use of the premises meets the definition of a Home Business. Officers have determined that the business does not meet the Home Business definition based on the following criteria not being satisfied:

(b) will not cause injury to or adversely affect the amenity of the neighbourhood;

(e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood;

Both of these criteria are subjective, and thus it is open to the Council to determine that the use of the premises, satisfies each of the criteria.

The Council in considering the use of the premises, may determine that the amenity of the neighbourhood is not adversely impacted as demonstrated by the fact that the business has operated for a number of years now and when most recently advertised to surrounding neighbours

no objections were lodged. It's also noted that the application has a 12-month approval, so there is the ability to further review the application closer to the expiry of the approval. The applicant has submitted information in terms of advice provided to attendees of the business on parking options, to ensure that the business does not impact the neighbourhood in a negative manner. The business owner appears to have actively engaged with the immediate neighbourhood in a manner to ensure that any concerns of the neighbours can be addressed by the business owner immediately.

In terms of traffic and parking, while there is no parking provided on the site itself, cars can park on the verge adjacent to the property and in surrounding streets, including in established parking spaces. The Council may conclude that the management of the attendees of the business allows this parking and walking solution to be provided in a manner which does not create traffic difficulties. In terms of traffic on Latham Street, the additional traffic created by the proposed classes (being limited to 9 per week, over 28 weeks of the year) is likely to be minimal, noting that Latham Street intersects with Canning Highway and immediately adjacent to the subject site is a medical clinic. The access off Canning Highway and the location of the medical clinic would suggest that it is reasonable to expect that Latham Street would experience higher traffic volumes than a standard residential street and that the additional impact of the traffic from the Home Business would be minimal.

The lived experience of the neighbours of the Home Business may lead the Council to conclude that the business does not have an adverse impact on the streets amenity nor does it cause traffic difficulties.

Based on the individual merits of this circumstance it is open to Council to approve the request from the applicant to increase the restrictions on clients attending the business from six (6) to twelve (12) persons (Condition 5).

In considering this request, the Council should be aware that the approval (DA-2024-681/A, see attachment 6 and 7) is conditional upon the following;

- Condition 6 – the approval is granted exclusively to the applicant and is not transferable to another person or property.
- Condition 11 – the provision of a parking management plan.
- Condition 12 – the approval is limited to 12 months (a further application will be required to be made to extend the approval)
- Condition 13 - the classes are to be spaced 10 minutes apart to allow for sufficient drop off and pick up of students

In the event that the Council wishes to approve the request to amend the existing condition to limit the number of clients to twelve (12) the following wording is provided;

That the Council approves the amendment application for a Home Business at Lot 2 (No. 1A) Latham Street, Alfred Cove, subject to the following:

- 1. The Home Business complying with the previous development approvals, referenced DA-2024-681 dated 19 March 2025 and DA-2024-681/A dated 4 June 2025 (including approved plans, conditions and advice notes), and***
- 2. Condition 5 of development approval DA-2024-681/A being modified as follows:***
- 3. A maximum of 12 clients at any one time are permitted to visit the property.***

BRIEFING FORUM – FURTHER INFORMATION

At the Agenda Briefing Forum held on Tuesday, 9 September 2025, during discussion of the item, the following questions and/or requests for information were raised by Elected Members and now form part of the Final Ordinary Meeting of Council Agenda:

Question 1:

Is the property on the corner of Jane Road and Canning Highway known as the Academic Group considered to be an educational institution?

Response 1:

Originally the building at 8 Jane Road (corner Canning Highway) was a residential unit complex. In 2011 the ground floor was approved for use as an office. In 2012, approval was granted to use part of the ground floor for the purposes of an Educational Establishment, with the hours of the Educational Establishment limited to Monday to Friday 4.30pm to 7.00pm and on Sundays 9.00am to 3.00pm. Car parking is provided on the site.

Question 2:

Does this studio meet the safety requirements of a business?

Response 2:

The City has no concerns over safety, the only concerns raised are parking and traffic related.

Question 3:

Parking hasn't been an issue since 2021, what has changed?

Response 3:

It does not appear that anything has changed in relation to how the business operates. I understand the business was operating before the City was aware of it, we became aware of the business when a complaint was made about one car parking in the street. A request was made for an application to be made to the City, an application was made, approval granted and then a request was made for conditions to be modified essentially around the hours of operation and number of students.

The current approval is for six students and the request before Council is for twelve students. No objections have been received from residents within close proximity to the business and it is acknowledged that business manages parents well in terms of where they can and should park.

Question 4:

The business has gone from one student to twelve, what has changed?

Response 4:

The original approval granted by the City in March 2025 did have a condition that limited the number of clients to one and a restriction on hours, there was a request for that to be modified and approval was granted in June 2025 for hours from 7am-7pm Monday – Saturday and increased the number of clients to six. Officers come to the number of six as that is what they were comfortable with in terms of this being a home business.

Question 5:

Are the parking locations given by Mr McCarthy used by any sporting groups?

Response 5:

A number of locations have been identified within 300 or 400 metres from the site, that includes on street parking, adjacent to parks and that may also include some parks that are used as sporting facilities.

Question 6:

Why has the City approached this matter in this way, not collaboratively, not small business friendly?

Response 6:

The one complaint did result in the City requesting an application for planning approval for a home business, which was submitted. With the first approval in March there may have been a misunderstanding of what was being requested but then the June approval and the restriction on six clients being on the property that is the maximum that would normally be permitted by officers in a residential area for a home business. Given the request to increase that number the decision was made to bring the matter to the Council for consideration. It is acknowledged that the business has operated for some time without parking of traffic issues. Officers have a concern that if this home business is permitted to have up to twelve clients visiting at one time, other home businesses may also request to have the same number of clients.

Question 7:

Are you saying before the complaint was made this business wasn't registered?

Response 7:

Yes, that's my understanding.

Question 8:

Has the City permitted an increased number of clients before?

Response 8:

The approach at the City of Melville has been to limit Home Businesses to no more than six (6) clients visiting the property at any one time. When the Home Business is operating in a quiet residential street, this approach has served the City well.

In this particular case, the option exists for Council to approve the Home Business with up to twelve (12) clients visiting the premises at any one time, based on the site being zoned Mixed Use under local Planning Scheme No. 6, being located adjacent to a Medical Centre, being located just off Canning Highway, no objections having been received from the neighbouring property owners and the business having operated from that location for a number of years without concern.

Question 9:

Is the application historically limited to a 12 month period?

Response 9:

The condition is that the approval is limited to 12 months. I assume that if the approval is granted for twelve clients then after 12 months if no concerns are received by the City then a further approval including twelve clients would be granted. If complaints were received it would be reviewed, I also note that one of the conditions of this approval is it relates to this operator and should the property sell it doesn't transfer on to the new owner.

Question 10:

Will the application have to come back to Council after 12 months?

Response 10:

If no objections received it wouldn't come back to Council.

Question 11:

Are there any building compliance issues for the business to go from six to twelve clients?

Response 11:

Not if approved as a home business.

Question 12:

Six clients is the number the City allows, I've looked through Local Planning Policy 6 and it doesn't enumerate any numbers for home businesses or educational establishments. Is it in any other documentation of the City?

Response 12:

You won't find it in a document I am referring to the practice of officers and the discretion they have applied in other cases.

Question 13:

Can we get some understanding on how that discretion is applied?

Response 13:

It is open to the Council to use its discretion. The report provides wording that the Council might like to use if it wishes to increase the clients to twelve for the home business. There are two clauses that are subjective, so different conclusions may be reached. Firstly, does this business adversely affect the amenity of the neighbourhood? Secondly does this business cause traffic difficulties resulting from inadequacies of parking and increased traffic volumes? That's the discretion, it is entirely subjective so decision makers may reach different conclusions on the impact on traffic due to the lack of parking.

Question 14:

Are there any other educational business that have up to twelve clients in the City?

Response 14:

There are Education Establishments in Melville with more than 12 students, however, officers are unaware of any cases of an Educational Establishment operating from a single residential dwelling.

Question 15:

There is an issue at Petterson Place which could be comparable, it involves music and parking is this something your aware of and has this been a consideration

Response 15:

I am not aware of that property and that situation, I'm not sure its been actively part of the consideration of this request.

15 MOTIONS WITH PREVIOUS NOTICE

16 MOTIONS WITHOUT PREVIOUS NOTICE (APPROVAL BY ABSOLUTE MAJORITY)

17 MATTERS FOR WHICH MEETING WAS CLOSED TO THE PUBLIC

18 DECISIONS MADE WHILE MEETING WAS CLOSED TO THE PUBLIC

19 CLOSURE



City of Melville
GOVERNANCE FRAMEWORK
Adopted at the OMC 19 March 2024

2025 Biennial Review
Consolidated Comments

7

New inclusions to this document are shown in **blue text**,
information to be deleted is shown in ~~red strikethrough text~~

PLEASE NOTE

This document will be proofread, formatted and styled for publication
once finalised and adopted.





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





EXECUTIVE SUMMARY

Local Government Governance is the structure of legislation and the development and management of policy that ensures the organisation is accountable for the ‘good government’ of the local area and is accountable. Good governance includes those high-level processes and behaviours that ensure an organisation performs by achieving its intended purpose, and conforms by complying with all relevant laws, codes and directions while meeting community expectations of probity, accountability and transparency.

In local government, governance involves the ways in which the elected members and staff are accountable to the community.

Under section 3.1 of the *Local Government Act 1995 (the Act)*, local governments have the general power to provide for the good governance of people in their district, having regard for:

- “... (a) *the need —*
 - (i) *to promote the economic, social and environmental sustainability of the district; and*
 - (ii) *to plan for, and to plan for mitigating, risks associated with climate change; and*
 - (iii) *in making decisions, to consider potential long-term consequences and impacts on future generations;*
- (b) *the need —*
 - (i) *to recognise the particular interests of Aboriginal people; and*
 - (ii) *to involve Aboriginal people in decision making processes;*
- (c) *the need to consider collaboration with other local governments.”*

This means that local governments can make decisions if the Act or any other written law does not prevent them from doing so. A local government can make local laws (legislative function) and provide services and facilities (executive function).

The City of Melville Governance Framework is an overview of the documents and processes of the City of Melville that guide its strategic decision making to:

- best respond to community needs;
- ensure public participation and accountability in local government processes; and
- respond to the growing demand for more efficient and effective local government.

The Elected Members and staff of the City of Melville consider good governance to be critical if the community is to have confidence in the City. This Governance Framework sets out guidelines and standards expected of Elected Members and employees to achieve good governance through concepts such as compliance, community participation, ethical conduct, transparency, accountability and ongoing performance management.

It also sets out the roles of Elected Members, management and employees of the City of Melville and their relationships, along with financial, legal and ethical responsibilities that impact individuals and the organisation.





THE CITY OF MELVILLE

1.1 About Melville

The City of Melville's foundations began in 1901 when the Melville Roads Board (the Board) was established. Today, the City of Melville is a metropolitan local government located approximately 8km south of Perth [Central Business District](#).

Melville has a population of in excess of 103,000 from diverse nationalities, comprises 18 suburbs and covers an area of 53km² with 18km of river foreshore.

It is a leading Local Government Authority employing approximately 820 ([headcount](#)) full-time, part-time and casual employees who deliver quality services to the community and stakeholders from a number of sites.

The City of Melville is a vibrant and interesting place with many unique features including:

- the Swan and Canning Rivers and foreshore areas [such as Dyoondalup / Point Walter and Quaada Gabee / Bicton foreshore](#),
- [the Murdoch Knowledge and Health Precinct](#), featuring Murdoch University and Fiona Stanley Hospital,
- Westfield Shopping Centre,
- Melville Glades Golf Course,
- Point Walter Golf Course,
- [Yagan Mia / Wireless Hill Park](#), [Bidi Katitjiny / Piney Lakes Reserve](#), Kadidjiny and Carawatha Parks and several other bushland areas and reserves.



1.2 Corporate values

The City of Melville's values require Elected Members and staff to operate in an environment that in everything we do, we seek to adhere to our **EPIC** values that guide our behaviours:

- **Excellence** – Striving for the best possible outcomes
- **Participation** – Involving, collaborating and partnering
- **Integrity** – Acting with honesty, openness and with good intent
- **Caring** – Demonstrating empathy, kindness and genuine concern.

This ethos is further supported by our ~~Corporate Business Plan Key Priorities~~ Council Plan for the Future 2024 – 2034 key outcome areas:

- **Healthy, Safe and Inclusive** – healthy, safe and inclusive communities with a sense of belonging and well-being.
- **Clean and Green** – a clean, green and sustainable City for current and future generations.
- **Sustainable and Connected Development** – sustainable, connected development and transport infrastructure across our City.
- **Vibrant and Prosperous** – economic prosperity and vibrant resilient communities and businesses.
- **Good Governance and Leadership** – leadership and good governance for the benefit of the whole community.

1.3 Vision statement

Vibrant, Sustainable, Inclusive Melville

1.4 Mission statement

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



2 INTRODUCTION

2.1 Governance

Governance is the process of directing, controlling and holding organisations to account in respect of all aspects of their function. It requires clear and effective operational systems to be both developed and complied with to ensure equity, transparency and accountability whilst also establishing a benchmark for continuous review and improvement.

The Elected Members and staff of the City of Melville consider good governance to be critical if the community is to have confidence in the City. This Governance Framework sets out guidelines and standards expected of Elected Members and employees to achieve good governance by adhering to its obligations, including:

- compliance;
- community participation;
- ethical conduct;
- transparency;
- accountability; and
- ongoing performance management.

It also sets out the roles of Elected Members, management and employees of the City of Melville and their relationships, along with financial, legal and ethical responsibilities that impact individuals and the organisation.

The City of Melville's good governance is achieved through various strategies explored in this Governance Framework, including as follows:

- Ensuring individual and organisational compliance with the Local Government Act, supporting regulations and additional relevant legislative instruments;
- Ensuring individual and organisational compliance with applicable Codes of Conduct, policies, procedures and management practices;
- Developing and publishing policies and procedures to ensure consistency and fairness in all decisions as well as transparency and accountability in respect of such decisions (both internally and to the members of the public);
- Implementing effective risk management processes, including ongoing identification, assessment, review and management of operational and strategic risks;
- Ensuring clear role definition and clarity for Elected Members and employees;
- Acting efficiently and effectively in its decision-making processes including:
 - obtaining, collating and reporting accurate, comprehensive and relevant information to the Council;
 - ensuring Elected Members have a sound understanding of matters prior to making critical decisions;
- Ensuring ethical behaviour of Elected Members and employees, characterised by honesty and integrity;
- Seeking equitable community participation (through open elections, open Council meetings and question time processes as well as community consultation and engagement processes);
- Effectively managing staff and resources to ensure efficiency and effectiveness in implementing Council resolutions; and
- Creating a positive culture to promote open communication, teamwork and accountability.



In employing these strategies, the City of Melville complies with the s1.3 of the *Local Government Act 1995* to achieve:

- Better decision-making;
- Greater community participation;
- Greater accountability; and
- More efficient and effective operations.

2.2 Governance Framework document

This Governance Framework document is divided into the following parts:

Part 1: Legislative Basis

Part 2: Strategic planning, financial and risk management

Part 3: Organisational framework, decision making processes and role definitions

Part 4: Standards of behaviour

Part 5: Performance management and accountability

The City of Melville will undertake regular review of this document to ensure that the Governance Framework set out herein remains relevant and current, and that the City of Melville's functions are being performed in accordance with legislative and regulatory requirements and best practices.



3 LEGISLATIVE BASIS

3.1 Local Government Authority

Local governments are the third tier of government in Australia (in addition to Commonwealth and State governments) and have legislative responsibility for the functions and activities of a community.

The City of Melville is a district, and established as a local government authority established under the Local Government Act. The local government is a body corporate, with perpetual succession and a common seal, and is comprised of:

- An elected Council currently consisting of twelve Councillors led by the Mayor (the Council)
- Administration, consisting of the CEO and other employees.

As a local government, the City of Melville is regulated by the Department of Local Government, Industry Regulation and Safety (DLGIRS) under the Local Government Act and various regulations.

The functions of the City of Melville include:

- Strategic Planning:
 - strategic planning including developing comprehensive management plans, budgets, financial controls and performance objectives; and
 - providing direction for the management of community activities including determining the type, range and scope of projects to be undertaken;
- Administering laws, law making and enforcement: developing and implementing local laws covering issues such as animal management and the use of public land and local government facilities;
- Meeting community needs: identifying community needs, representing constituents, assessing and prioritising competing needs and allocating resources;
- Developing policies and implementing policy decisions in the interest of the community;
- Advocating on behalf of the City of Melville at State and Commonwealth levels; and
- Executive functions: delivering services for the Community including building and planning services, waste management, and provision and management of community infrastructure and resources.

3.2 Elections and formation of Council

Part 4 of the *Local Government Act 1995* “deals with elections of mayors and presidents by electors, elections of councillors, and polls and referendums, and with related matters.”

Local government elections, including for the City of Melville, are held every two years. Currently the Council is comprised of twelve members, plus the Mayor. ~~This is unlikely to change under the current Local Government Act reform.~~

The ordinary election cycle requires Councillors to be elected for overlapping four-year terms, with half of the Council members elected every two years. The Mayor is elected every four years.



This overlapping system ensures good governance, as following an election, **the minimum** 50% of Councillors who remain in their seats provide continuity for residents and ratepayers, reduce the risk of loss of knowledge with outgoing Councillors and provide leadership for the incoming Councillors.

The Council is charged with the responsibility for the good governance of the City of Melville and is subject to various requirements of the Local Government Act and various regulations. Having been elected by the local community, the Council and individual Elected Members are also accountable to the electorate for their decisions.

3.3 Management and decision-making structure

3.3.1 Separation of power

There is a clear legislative distinction between the role of the Council, and the roles of the CEO and administration. This is to ensure there is a separation of powers between the two components of the City of Melville: it prevents the concentration of power and establishes accountability mechanisms to achieve responsible governance.

3.3.2 Role of Council

Section 2.7 of the *Local Government Act 1995* "Role of council" has recently been further defined as part of Local Government Reform:

- (1) *The council governs the local government's affairs and, as the local government's governing body, is responsible for the performance of the local government's functions.*
- (2) *The council's governing role includes the following —*
 - (a) *overseeing the allocation of the local government's finances and resources;*
 - (b) *determining the local government's policies;*
 - (c) *planning strategically for the future of the district;*
 - (d) *determining the services and facilities to be provided by the local government in the district;*
 - (e) *selecting the CEO and reviewing the CEO's performance;*
 - (f) *providing strategic direction to the CEO.*
- (3) *For the purpose of ensuring proper governance of the local government's affairs, the council must have regard to the following principles —*
 - (a) *the council's governing role is separate from the CEO's executive role as described in section 5.41;*
 - (b) *it is important that the council respects that separation.*
- (4) *The council must make its decisions —*
 - (a) *on the basis of evidence, on the merits and in accordance with the law; and*
 - (b) *taking into account the local government's finances and resources.*
- (5) *The council must have regard to the need to support an organisational culture for the local government that promotes the respectful and fair treatment of the local government's employees.*
- (6) *The council has the other functions given to it under this Act or any other written law.*

~~The Council, as the overall decision making body, is responsible under the Local Government Act for:~~





- ~~• Governing the City of Melville's (strategic planning for continued sustainability and monitoring of such strategies);~~
- ~~• Performing the City of Melville's functions (including developing mechanisms such as delegated authority and overseeing executive functions such as providing services and facilities (and regularly reviewing the same));~~
- ~~• Overseeing the allocation of the City of Melville's finances and resources; and~~
- ~~• Determining the City of Melville's policies.~~

The Council receives reports, advice and recommendations from the CEO and administrative staff regarding decisions needing to be made. The Council may resolve to adopt, amend, reject or defer a recommendation put to them by the CEO and administrative staff. Where the Council makes a decision that differs from any recommendations or advice provided by the CEO and/or administrative staff, the minutes from the relevant meeting must set out in appropriate detail the reasons that the Council resolved not to follow such recommendations or advice, [as required by Regulation 11\(da\) of the Local Government \(Administration\) Regulations 1996](#).

Decisions are voted on by the Elected Members in accordance with legislative or regulatory requirements and if passed, a decision is made in the form of a resolution. The Local Government Act as well as the [City of Melville Local Government \(Meeting Procedures\) Local Law 2022](#), set out requirements that must be followed including as to quorum, motions, voting rights, and the type of majority required for a decision to be made.

