

**MINUTES**

**OF THE**

**ORDINARY MEETING OF THE COUNCIL**

**HELD ON**

**TUESDAY 21 OCTOBER 2014**

**AT 6.30PM IN THE COUNCIL CHAMBERS**

**MELVILLE CIVIC CENTRE**

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**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL HELD IN THE COUNCIL CHAMBERS, MELVILLE CIVIC CENTRE, 10 ALMONDBURY ROAD, BOORAGOON, COMMENCING AT 6.30PM ON TUESDAY, 21 OCTOBER 2014.**

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**1. OFFICIAL OPENING**

The Presiding Member welcomed those in attendance to the meeting and declared the meeting open at 6:30pm. Mr J Clark, Governance & Compliance Program Manager, read aloud the Disclaimer that is on the front page of these Minutes and then His Worship the Mayor, R Aubrey, read aloud the following Affirmation of Civic Duty and Responsibility.

**Affirmation of Civic Duty and Responsibility**

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

**2. PRESENT**

His Worship the Mayor, Russell Aubrey

**COUNCILLORS**

Cr M Reynolds, Cr N Foxtton  
Cr D Macphail, Cr R Aubrey  
Cr C Robartson, Cr R Willis  
Cr C Schuster, Cr N Pazolli  
Cr J Barton, Cr S Taylor-Rees  
Cr R Hill, Cr P Phelan

**WARD**

University  
City  
Bull Creek/Leeming  
Applecross/Mount Pleasant  
Bicton/Attadale  
Palmyra/Melville/Willagee

### 3. IN ATTENDANCE

Dr S Silcox	Chief Executive Officer
Ms C Young	Director Community Development
Mr M Tieleman	Director Corporate Services
Mr J Christie	Director Technical Services
Mr S Cope	Director Urban Planning
Mr L Hitchcock	Executive Manager Legal Services
Mr P Prendergast	Manager Statutory Planning
Mr T Cahoon	Manager Health & Lifestyle Services
Mr J Clark	Governance & Compliance Program Manager
Mr N Fimmano	Governance & Property Officer
Ms S Tranchita	Minutes Secretary

There were 18 members from the public and one member from the Press representing the Melville Times in the Public Gallery.

### 4. ELECTION OF DEPUTY MAYOR 2014/2015

Acknowledging that the provisions of the Local Government Act 1995 allow the person elected to occupy the position for a period of twenty-four (24) months, City of Melville Elected Members have previously indicated their desire to elect the Deputy Mayor for a period of only twelve (12) months to give as many Councillors as possible exposure to and experience that this role provides. Past protocol has established that Candidates after 12 months stand down (resign) from the position and allow another ballot to be conducted in October 2015.

At 6.37pm the Mayor invited nominations for the Office of Deputy Mayor for the 2014/2015 period as requested by the *Local Government Act 1995*.

The following nominations for the position of Deputy Mayor were received –

Cr Foxton  
Cr Pazolli

The Mayor closed the nominations at 6.38pm and gave each of the candidates the opportunity to make a brief presentation to the meeting.

The Chief Executive Officer then conducted the Election in accordance with the provisions of the *Local Government Act 1995* and a secret ballot was conducted.

At 6.59pm Cr Foxton was declared Deputy Mayor from October 2014 to October 2015.

### DECLARATION

The Chief Executive Officer requested the newly elected Deputy Mayor to make the **DECLARATION OF OFFICE**, in accordance with Section 2.29 of the *Local Government Act 1995*, which was duly signed by the Deputy Mayor and the Mayor.

**5. APOLOGIES AND APPROVED LEAVE OF ABSENCE****5.1 APOLOGIES**

Nil.

**5.2 APPROVED LEAVE OF ABSENCE**

Nil.

**6. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION) AND DECLARATIONS BY MEMBERS****6.1 DECLARATIONS BY MEMBERS WHO HAVE NOT READ AND GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPERS PRESENTED BEFORE THE MEETING.**

Nil.

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

Nil.

**7. QUESTION TIME**

Nil.

**8. AWARDS AND PRESENTATIONS****Australian Service Excellence Awards**

The Mayor advised that for 13 years, the Australian Service Excellence Awards Program has been recognising the delivery of outstanding customer service and rewarding organisations and individuals on their commitment to continuous high levels of customer service.

At a Gala Presentation Dinner, held in Melbourne on Tuesday 7 October 2014, the City of Melville received two awards:

- Western Australian State Winner - Local Government
- National Winner - Local Government

The awards are a fantastic achievement and illustrate the high standards of management, training, processes and commitment to excellence within the City of Melville.

At 7.02pm His Worship the Mayor presented the Awards to the Director Community Development, Ms Christine Young, who accepted the Awards on behalf of all Staff and Management.

**9. CONFIRMATION OF MINUTES****9.1 ORDINARY MEETING OF THE COUNCIL – 16 SEPTEMBER 2014**  
**Minutes 16 September 2014****COUNCIL RESOLUTION**

At 7.06pm Cr Reynolds moved, seconded Cr Schuster –

**That the Minutes of the Ordinary Meeting of the Council held on Tuesday, 16 September 2014, be confirmed as a true and accurate record.**

At 7.06pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (13/0)**

**9.2 NOTES OF AGENDA BRIEFING FORUM – 7 OCTOBER 2014**  
**Notes 7 October 2014****COUNCIL RESOLUTION**

At 7.06pm Cr Foxtton moved, seconded Cr Hill –

**That the Notes of the Agenda Briefing Forum held on Tuesday, 7 October 2014, be received.**

At 7.06pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (13/0)**

**9.3 SPECIAL MEETING OF THE COUNCIL – 22 SEPTEMBER 2014**  
**Minutes 22 September 2014****COUNCIL RESOLUTION**

At 7.06pm Cr Willis moved, seconded Cr Schuster –

**That the Minutes of the Special Meeting of the Council held on Monday 22 September 2014, be confirmed as a true and accurate record.**

At 7.06pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (13/0)**

**10. DECLARATIONS OF INTEREST****10.1 FINANCIAL INTERESTS**

Nil.

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

- C14/8062 – Cr Aubrey– Interest under the Code of Conduct
- C14/8062 – Cr Foxton– Interest under the Code of Conduct
- 15.2 – Cr Barton – Interest under the code of Conduct
- 15.3 – Cr Willis – Interest under the code of Conduct
- 15.3 – Cr Taylor – Rees Interest under the Code of Conduct

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

At 7.09pm Cr Willis moved, seconded Cr Phelan -

**That the applications for new leaves of absence submitted by Cr Robartson and Cr Schuster on 21 October 2014 be granted.**

At 7.10pm the Mayor submitted the motion which was declared

**CARRIED UNANIMOUSLY (13/0)**

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

Nil.

**13. PETITIONS****13.1 Petition – Blue Gum Squash Club**

A petition signed by 27 residents and two non residents was received by the City of Melville on Tuesday, 7 October 2014. The petition reads as follows –

*“We, the undersigned, all being Electors of the City of Melville, do humbly pray that the Blue Gum Squash Centre be leased from October 2014 to the qualified and capable Squash Club known as the Blue Gum Squash Club.*

*Blue Gum Squash Club is the only Squash Club who should manage the centre for squash players of the City of Melville.”*

**COUNCIL RESOLUTION**

At 7.11pm Cr Macphail moved, seconded Cr Aubrey –

**That the petition bearing 29 signatures from the Blue Gum Squash Club be received and acknowledged in writing to the lead petitioner.**

At 7.12pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (13/0)**

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

At 7.13pm His Worship the Mayor requested that Item C14/8062 be brought forward for discussion.

**CD14/8062 - COMMUNITY SPORTING AND RECREATION FACILITY FUNDING  
(STANDARD AND FORWARD PLANNING GRANTS ROUND) (REC) (CONFIDENTIAL  
ATTACHMENT)**

Disclosure of Interest

Item No.	CD14/8062
Member	Cr R Aubrey
Type of Interest	Interest under the Code of Conduct
Nature of Interest	Soccer Club supported my election campaign
Request	Stay, discuss and vote
Decision of Council	Not Applicable

Disclosure of Interest

Item No.	CD14/8062
Member	Cr N Foxtton
Type of Interest	Interest under the Code of Conduct
Nature of Interest	Employed by Secondary school adjacent to Murdoch University
Request	Stay, discuss and vote
Decision of Council	Not Applicable

Ward	: All
Category	: Strategic
Subject Index	: CSRFF
Customer Index	: Department of Sport and Recreation. Murdoch University
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: November 2011 - D11/8041 - Community Sport and Recreation Facilities Funding (standard and forward planning grants round) March 2012 - C12/6046 Mid Year Budget Review
Works Programme	: Not Applicable
Funding	: \$1,000,000 310-85525-7126 Synthetic Turf Project
Responsible Officer	: Todd Cahoon Manager Health and Lifestyle Services.

**CD14/8062 - COMMUNITY SPORTING AND RECREATION FACILITY FUNDING  
(STANDARD AND FORWARD PLANNING GRANTS ROUND) (REC) (CONFIDENTIAL  
ATTACHMENT)**

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**CD14/8062 - COMMUNITY SPORTING AND RECREATION FACILITY FUNDING  
(STANDARD AND FORWARD PLANNING GRANTS ROUND) (REC) (CONFIDENTIAL  
ATTACHMENT)****KEY ISSUES / SUMMARY**

This report seeks the endorsement of:

- The priority and ranking for the 2014 Standard and Forward Planning Grants as part of the Community Sport and Recreation Facility Fund facilitated by the Department of Sport and Recreation.
- The \$1,000,000 budget for Synthetic Turf Projects (account 310.85525.7126.000) be allocated to the Multi-Use Synthetic Sports Fields Project proposed to be developed at the Murdoch University South Street Campus.

**BACKGROUND**

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

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

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

- High - Well planned and needed by municipality.
- High/Medium - Well planned and needed by applicant.
- Medium - Needed by municipality, more planning required.
- Medium/Low - Needed by applicant, more planning required.
- Low - Idea has merit, more planning work needed.
- Not recommended.

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

**[8062 DSR Key Principles of Facility Provision](#)**

For the 2014 Standard and Forward Planning Grants only one application has been received:

- Multi-Use Synthetic Sports Fields – Murdoch University South Street Campus



**CD14/8062 - COMMUNITY SPORTING AND RECREATION FACILITY FUNDING  
(STANDARD AND FORWARD PLANNING GRANTS ROUND) (REC) (CONFIDENTIAL  
ATTACHMENT)**

The Len Shearer Reserve option would resolve some of the issues with this reserve in terms of ground water allocations and overuse. It would not however accommodate the predicted growth of football (soccer) within the City. Further development of pitches elsewhere would be required under this option. However, the proposed partnership with Murdoch University demonstrated the potential to accommodate all future growth of football to at least 2031. The additional benefit of the Murdoch University concept is the provision of an additional all weather synthetic cricket field within the City of Melville.

Given the significant benefits of the partnership with Murdoch University, the decision was made to relinquish the grant relating to the synthetic sports fields at Len Shearer in favour of progressing the partnership with Murdoch University. This action was taken after discussions and advice from the Department of Sport and Recreation.

The City also advised the Department of Sport and Recreation at the time that it would reapply for a future grant for the establishment of sporting fields at Murdoch University once it was further progressed and a firm commitment is received by all partners.

**DETAIL****Multi-Use Synthetic Sports Fields – Murdoch University South Street Campus**

As detailed in the attached confidential business case, the opportunity for new synthetic sports fields at Murdoch University was identified as a potential to accommodate future growth of Football (Soccer) within the City of Melville to at least 2031. The additional benefit of the Murdoch University concept is the provision of an additional all weather cricket field within the City of Melville.

The Murdoch University concept proposes the relocation of the Melville City Football Club which will also significantly alleviate the over-use of Len Shearer Reserve and better position the City to manage the future growth of all sports on its existing reserves.

The partnership opportunity allows:

- The City and the University to share the initial development and on-going operating costs of a new facility;
- For a reduction of the overall financial impact to each party;
- The provision and benefits of shared community and University use; and
- The City to deliver additional sporting fields for the community within the existing budget allocated.

The concept would see the development of:

- New change rooms;
- Synthetic multi-use pitches and spectator seating;
- Floodlighting;
- Spectator seating;
- Car parking;
- General landscaping and site works; and
- A base for a teaching, research and community engagement collaboration between the City and the University.

**CD14/8062 - COMMUNITY SPORTING AND RECREATION FACILITY FUNDING  
(STANDARD AND FORWARD PLANNING GRANTS ROUND) (REC) (CONFIDENTIAL  
ATTACHMENT)**

The partnership and concept development is consistent with the strategic intents of the City and the University, and represents an exciting potential development of the University's emerging plans for a sports precinct on the South Street campus. Furthermore, the partnership provides for:

- The University's aspirations to improve the on-campus sports offering through the development of a sports precinct on the South Street campus.
- The significant potential for the University to develop its sport and recreation infrastructure to achieve these aspirations. The University has limited facilities and infrastructure to host a number of high-participation sports on campus and the recreational and fitness facilities are dated and in poor condition.
- A University partnership with the City of Melville in developing football and cricket facilities on campus is expected to be one of the first developments within the new sporting precinct.
- The promotion of the City of Melville's corporate strategic planning to provide and promote active and healthy lifestyles through accessible health and recreation facilities and public open spaces.
- The City to progress a key goal for long term planning for community facilities infrastructure, including indoor and outdoor recreation facilities and passive open space.
- Additional football and cricket facilities within the City of Melville as identified in the City of Melville's Strategic Provision of Active Reserves, in particular, the report highlights that by 2031:
  - Football will potentially have a shortfall of four grass fields (or two synthetic) with two fields being required currently, a third in 2019 and the fourth in 2029.
  - Cricket will potentially have a short fall of five cricket fields with one additional field being required in 2013,2017,2021,2025 and 2028.

[8062\\_SK00\\_Concept\\_Design](#)

[8062\\_SK01\\_Site\\_Plan](#)

[8062\\_SK02\\_Ground\\_Floor\\_Plan](#)

[8062\\_SK03\\_Elevations\\_and\\_Section](#)

[8062\\_SK04\\_Elevations](#)

[8062\\_Cost\\_Estimates](#)

**STAKEHOLDER ENGAGEMENT****I. COMMUNITY****City of Melville Residents**

Community engagement regarding the installation of a multi-use synthetic playing surface on the upper oval at Len Shearer Reserve prompted further investigation of options leading to the progression of the partnership with Murdoch University.

**CD14/8062 - COMMUNITY SPORTING AND RECREATION FACILITY FUNDING  
(STANDARD AND FORWARD PLANNING GRANTS ROUND) (REC) (CONFIDENTIAL  
ATTACHMENT)****Melville City Football Club:**

Engagement has also taken place with the Melville City Football Club, which is keen to relocate to the University campus should the proposed partnership be approved.

**II. OTHER AGENCIES / CONSULTANTS****Department of Sport and Recreation (DSR):**

The City of Melville was previously allocated funding to develop a similar facility. The DSR has provided preliminary advice indicating that the demonstrated need for such facilities in the region strengthens the case for a future application. The DSR are fully aware of the negotiations between the City of Melville and Murdoch University.

**Western Australia Cricket Association (WACA):**

The WACA was engaged regarding the proposed development and understands the potential for this to be a first of its kind facility for community cricket to host night games and be available in all weather conditions. The WACA have shown keen interest in this development which will also be adjacent to their existing cricket facilities at Murdoch University's South Street campus.

**STATUTORY AND LEGAL IMPLICATIONS**

Approval from the Western Australia Planning Commission is required for this development as the site is zoned under the Metropolitan Region Scheme.

It is likely that as part of the Melville City Football Club's contribution a future agenda item will be required as the Club seeks to take out a self supporting loan from the City. Any application for a self supporting Loan will be dealt with under the provisions of Section 6.20 of the Local Government Act 1995.

**FINANCIAL IMPLICATIONS**

The City has \$1,000,000 allocated for the synthetic turf project in the 2014/2015 budget. This budget would constitute the City's capital contribution towards this project.

**CD14/8062 - COMMUNITY SPORTING AND RECREATION FACILITY FUNDING (STANDARD AND FORWARD PLANNING GRANTS ROUND) (REC) (CONFIDENTIAL ATTACHMENT)**

**Capital Costs**

The estimated capital cost of the facility is \$5,652,444 and the proposed funding sources is detail in the below table.

Proposed Funding Source	Estimated Cost
City of Melville	\$ 1,000,000
DSR - CSRFF	\$ 1,880,000
Murdoch University	\$ 1,272,444
WACA	\$ 1,000,000
Melville City Football Club	\$ 500,000
<b>Total</b>	<b>\$ 5,652,444</b>

The funding required from the City of Melville presents extremely good value for money. The community will benefit from access to over \$5.5 million in sporting infrastructure through establishing the partnership. If the City was to develop one of its passive reserves with no benefit from a similar partnership this would result in an additional \$2.3m of capital and potentially \$70,000pa in operating and replacement costs (assuming a \$500,000 contribution from a Club and \$1,880,000 grant through CSRFF).

The funding from the Department of Sport and Recreation is estimated on a one third contribution.

The contribution for the Melville City Football Club has been given indicative support by the Club President with the view of taking out a self-supporting loan. The main concerns from the club will be around access and the ability to pay back the loan.

Funding from the WACA will be sourced as contribution to:

- The change rooms to be co-used for the synthetic fields (cricket and soccer) and the WACA grass cricket field to the west of the change rooms;
- The game standard lighting to the synthetic fields for community cricket.

**CD14/8062 - COMMUNITY SPORTING AND RECREATION FACILITY FUNDING  
(STANDARD AND FORWARD PLANNING GRANTS ROUND) (REC) (CONFIDENTIAL  
ATTACHMENT)**

**Operational Costs**

The recurrent costs will be met by Murdoch University as the owner of the asset, and will be partly off-set by income generated by the lease/hire of the facilities and subsidy for community use from the City of Melville.

<b>Expenditure</b>	
Maintenance approximately 1.5% pa. and renewal works capital allocation approximately 0.5% pa. (excluding Synthetic Fields surface replacement)	\$ 66,000pa
Synthetic Field Surface Replacement (estimated surface replacement is 12 years)	\$ 85,000pa
<b>Total Expenditure</b>	<b>\$151,000pa</b>
<b>Income</b>	
Melville City Football Club seasonal fees	\$7,600 winter \$2,400 summer
Hire revenue (10hrs daytime hire @ \$50/hr and 10hrs evening hire @ \$70/hr per week)	\$48,000pa
<b>Total Income</b>	<b>\$58,000pa</b>
<b>Subsidies</b>	
City of Melville community use subsidy (based on equivalent area grass)	Up to \$23,000pa
Murdoch University maintenance and capital budgets	\$70,000pa

The City of Melville would provide Murdoch University an annual community subsidy of up to \$23,000 dependant on the income generated by the facility and its ability to cover the operating and replacement costs. The detail of any subsidy arrangement will be captured in the partnership and usage agreement between Murdoch University and the City. The subsidy would be an additional operational cost to the City's current budget.

**CD14/8062 - COMMUNITY SPORTING AND RECREATION FACILITY FUNDING  
(STANDARD AND FORWARD PLANNING GRANTS ROUND) (REC) (CONFIDENTIAL  
ATTACHMENT)**

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
Unforeseen circumstances may delay the project at any stage.	Consequence Rating: Moderate Likelihood: Possible Risk Rating: Medium	Delivery of the project scope and outcomes needs to be scheduled with appropriate contingencies to accommodate unexpected delays.
Failure to secure adequate funding or support for the project.	Consequence Rating: Major Likelihood: Possible Risk Rating: High	Engagement with DSR and apply for future CSRFF. Secure funding commitment from all partners.
Project costs are higher than budgeted.	Consequence Rating: Moderate Likelihood: Possible Risk Rating: Medium	Develop details scope with clear inclusions and exclusions to reduce the opportunity for scope creep. Ensure cost estimates are updated during the detailed design phase.
Continued and further overuse of the City active reserves resulting in damage and more regular closure of sports fields.	Consequence Rating: Major Likelihood: Possible Risk Rating: High	Development of Multi-use Sports fields at Murdoch University.

**POLICY IMPLICATIONS**

The objective of the City of Melville's Policy CP-028 Physical Activity is to increase opportunities for physical activity; leading to the improved health and wellbeing of the community.

**CD14/8062 - COMMUNITY SPORTING AND RECREATION FACILITY FUNDING  
(STANDARD AND FORWARD PLANNING GRANTS ROUND) (REC) (CONFIDENTIAL  
ATTACHMENT)****ALTERNATE OPTIONS AND THEIR IMPLICATIONS****To not support the Partnership with Murdoch University**

Under this option, the City will continue to investigate the suitability to convert a grass sports field to synthetic on a City of Melville reserve. The City's sporting reserves are nearing capacity and the increased evidence of overuse makes it difficult for the City to maintain reserves to an acceptable community standard. Development of synthetic pitches on Sports Reserves would deliver significant benefits to the City of Melville including increased active reserve usage capacity, greatly reduced water consumption, consistently high quality playing surfaces and improved long term financial sustainability. An example of the estimated cost of installing one senior and one junior synthetic field, and associated infrastructure to Len Shearer Reserve was \$2,294,000. The establishment cost on another reserve would be similar.

Whilst this option will resolve some of the issues on the City's sports reserve in terms of ground water allocations and overuse, it does not allow for the predicted growth of football within the City, meaning that further development of pitches would still be required.

**CONCLUSION**

The Multi-Use Synthetic Sports Fields – Murdoch University South Street Campus:

- Meets State and City objectives for active communities, including those aspirations and objectives from the City of Melville's Strategic Community Plan (2012-2022), and Corporate Plan (2012-2016).
- Supports the City's community hub approach that maximises asset utilisation and opportunities for participation through co-location of functions at one location.
- Contributes to meeting current and predicted future demand for sports participation within the City of Melville.
- Improves University and community asset utilisation through the shared asset development and use for University, student, and community purposes.
- Supports the development and activation of the Murdoch Activity Centre through provision of significant active space.
- The shared use of the facility reduces the initial development and on-going operating costs of a new facility for all partners.
- For the City, this creates the ability to deliver additional sporting fields for the community within the existing capital budgets. A possible saving of \$2.3M in capital and \$70,000 operating/replacement based on the City doing a similar development of a passive undeveloped reserve.

**CD14/8062 - COMMUNITY SPORTING AND RECREATION FACILITY FUNDING (STANDARD AND FORWARD PLANNING GRANTS ROUND) (REC) (CONFIDENTIAL ATTACHMENT)**

At 7.53pm Mr Prendergast left the meeting and returned at 7.55pm.  
At 7.59pm Cr Phelan left the meeting and returned at 8.01pm.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (8062) APPROVAL**

At 7.13pm Cr Macphail moved, seconded Cr Aubrey –

**That the Council:**

1. **Prioritise and rate the CSRFF grant submission for The Multi-Use Synthetic Sports Fields – Murdoch University South Street Campus as follows;**
  - A. **Priority 1**
  - B. **Rating High**
  
2. **Allocate the \$1,000,000 budget for Synthetic Turf Projects (account 310.85525.7126.000) to the Multi-use Synthetic Sports fields project proposed to be developed at the Murdoch University South Street Campus subject to:**
  - A. **The City of Melville and the Murdoch University entering into a partnership for the establishment, management and shared use of the Multi-Use Synthetic Sports Fields that enables significant community use.**
  - B. **The successful attainment of capital funds from partners to fund the development.**

At 8.06pm the Mayor submitted the motion, which was declared

**CARRIED (10/3)**

<b>Vote Result Summary</b>	
Yes	10
No	3

<b>Vote Result Detailed</b>	
Cr Aubrey	Yes
Cr Foxtton	Yes
Cr Hill	Yes
Cr Macphail	Yes
Cr Phelan	Yes
Cr Reynolds	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Willis	Yes
Mayor Aubrey	Yes
Cr Barton	No
Cr Pazolli	No
Cr Taylor-Rees	No

At 8.06pm His Worship the Mayor adjourned the meeting for a comfort break.

At 8.13pm the meeting resumed.

The Presiding Member advised Elected Members that when dealing with the following Reports they act in their Quasi-Judicial capacity which means that they are performing functions which involve the exercise of discretion and require the decision making process be conducted in a Judicial Manner. The judicial character arises from the obligation to abide by the principles of natural justice and requires the application of the relevant facts to the appropriate statutory regime.

**P14/3551 – RETROSPECTIVE PLANNING APPLICATION FOR SIGNAGE AT LOT 340 (NO. 248) LEACH HIGHWAY, MYAREE (AMREC) (ATTACHMENT)**

Ward	:	City
Category	:	Operational
Application Number	:	DA-2014-860
Property	:	Lot 340 (No. 248) Leach Highway, Myaree
Proposal	:	Retrospective planning application for signage
Applicant	:	Baby Bunting
Owner	:	City of Melville
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	Nil
Responsible Officer	:	Amanda Leith A/ Manager Statutory Planning

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**P14/3551 – RETROSPECTIVE PLANNING APPLICATION FOR SIGNAGE AT LOT 340  
(NO. 248) LEACH HIGHWAY, MYAREE (AMREC) (ATTACHMENT)**

**KEY ISSUES / SUMMARY**

- An application for signage associated with the Baby Bunting tenancy located at 248 Leach Highway, Myaree was approved by the City in 2011.
- The signage that was then installed on the building was at odds with the approved plans. The matter proceeded to the State Administrative Tribunal (SAT) in 2012 and a mediated outcome was subsequently approved by the City in 2012.
- Retrospective planning approval is now sought for the installation of additional signage on the façade of the building which is currently unauthorised.
- The proposed signage is considered to satisfy all of the relevant provisions of Community Planning Scheme No. 5 (CPS5) and the draft Outdoor Advertisements and Signage policy.
- The approval of the application requires an Absolute Majority decision of Council pursuant to Clause 7.14(a) of CPS5.
- It is recommended that the application be approved.



**BACKGROUND**

An application for signage associated with the Baby Bunting tenancy located at 248 Leach Highway, Myaree was approved by the City in 2011.

The signage installed on the building post planning approval differed from the approved plans. Compliance action was then initiated by the City for the removal of all unauthorised signage.

The matter proceeded to the SAT in 2012 and a mediated outcome was achieved. Pursuant to Section 31 of the *State Administrative Tribunal Act 2004*, the City approved an amended application in 2012.

**P14/3551 – RETROSPECTIVE PLANNING APPLICATION FOR SIGNAGE AT LOT 340  
(NO. 248) LEACH HIGHWAY, MYAREE (AMREC) (ATTACHMENT)****Scheme Provisions**

MRS Zoning	:	Industrial
CPS 5 Zoning	:	Mixed Business Precinct
R-Code	:	Not applicable
Use Type	:	Showroom
Use Class	:	P - Permitted

**Site Details**

Lot Area	:	27416m <sup>2</sup>
Street Tree(s)	:	Yes, retained
Street Furniture (drainage pits etc)	:	None applicable
Site Details	:	Refer to aerial photo above

**[3551 Baby Bunting Signage 248 Leach Highway Myaree](#)****DETAIL**

Retrospective planning approval is sought for signage at 248 Leach Highway Myaree.

The unauthorised signage that requires approval are the white words: 'Car Safety', 'Nappies', 'Swings', 'Cots', 'Babywear', 'Toys', 'Prams' 'Furniture' 'High Chairs' that are displayed upon the blue background immediately above the verandah.

The remainder of the signage currently displayed upon the building façade has approval.

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

The application is not required to be the subject of public consultation pursuant to Community Planning Scheme No. 5 (CPS5) or Council Policy 54: Community Planning Scheme No. 5 Development Advertising.

**II. OTHER AGENCIES / CONSULTANTS**

No consultation with other agencies / consultants is required.

**STATUTORY AND LEGAL IMPLICATIONS**

Should the Council refuse the application for planning approval, the applicant will have the right to have the decision reviewed by the State Administrative Tribunal (SAT) in accordance with part 14 of the Planning and Development Act 2005.

**FINANCIAL IMPLICATIONS**

There are no financial implications for the City associated with this application.

**P14/3551 – RETROSPECTIVE PLANNING APPLICATION FOR SIGNAGE AT LOT 340  
(NO. 248) LEACH HIGHWAY, MYAREE (AMREC) (ATTACHMENT)****STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**POLICY IMPLICATIONS**

The proposal has been assessed against the provisions of the City's draft Outdoor Advertisements and Signage policy. This is addressed in the Comment section below.

**ALTERNATE OPTIONS & THEIR IMPLICATIONS**

The application is recommended for approval for the reasons outlined in the Comment section below. Should the Council have an alternate view, the application could be refused, or alternatively, additional conditions may be imposed.

If the Council refuses to grant approval, or if any conditions of planning approval are imposed that are considered to be unreasonable, the applicant can apply to have the decision of the Council reviewed by the SAT.

**COMMENT**

The subject signage, in conjunction with the signage already approved for the business, exceed the requirements of Part 4 of the City's draft Outdoor Advertisements and Signage policy. Consequently, the proposal requires assessment against Part 8 of the policy.

The subject signage is considered to satisfy Part 8 of the policy for the following reasons:

- It is clear, simple and concise.
- The signage is compatible with the existing signage on the site and the character of the area which is characterised by large scale showrooms, fitness studios and mechanical businesses.
- Due to the significant size of the subject tenancy façade, the quantity of signage displayed is not considered to contribute to an unacceptable level of visual clutter.
- As the subject signage is displayed internal to the site and is not visible from either Leach Highway or Norma Road, it will have no adverse visual impact on to surrounding properties, nor any impact upon traffic safety.

**P14/3551 – RETROSPECTIVE PLANNING APPLICATION FOR SIGNAGE AT LOT 340  
(NO. 248) LEACH HIGHWAY, MYAREE (AMREC) (ATTACHMENT)**

**CONCLUSION**

Based on the above, the application satisfies the requirements of the draft Outdoor Advertisements and Signage policy. It is considered that the subject signage can be accommodated on the façade of the building without having a detrimental visual impact upon the surrounding locality. For these reasons, the proposal is recommended for approval via Absolute Majority decision of Council pursuant to Clause 7.14(a) of CPS5.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3551)  
ABSOLUTE MAJORITY APPROVAL**

At 8.13pm Cr Schuster moved, seconded Cr Foxtton –

**That the Council approve the retrospective planning application for signage at 248 Leach Highway, Myaree.**

At 8.14pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (13/0)**

<b>Vote Result Summary</b>	
Yes	13
No	0

<b>Vote Result Detailed</b>	
Cr Aubrey	Yes
Cr Barton	Yes
Cr Foxtton	Yes
Cr Hill	Yes
Cr Macphail	Yes
Cr Phelan	Yes
Cr Pazolli	Yes
Cr Reynolds	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes

**P14/3552 – RETROSPECTIVE PLANNING APPLICATION FOR THE INSTALLATION OF A SEA CONTAINER AT LOT 2 (NO. 12B) MALSBUURY STREET, BICTON (AMREC)**

Ward : Bicton/Attadale  
 Category : Operational  
 Application Number : DA-2014-775  
 Property : Lot 2 (No. 12B) Malsbury Street, Bicton  
 Proposal : Retrospective planning application for the installation of a sea container  
 Applicant : M McLerie  
 Owner : M McLerie  
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
 Previous Items : Nil  
 Responsible Officer : Amanda Leith  
 A/ Manager Statutory Planning

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**P14/3552 – RETROSPECTIVE PLANNING APPLICATION FOR THE INSTALLATION OF A SEA CONTAINER AT LOT 2 (NO. 12B) MALSBURY STREET, BICTON (AMREC)**

**KEY ISSUES / SUMMARY**

- Retrospective planning approval is sought for the unauthorised installation of a sea container at 12B Malsbury Street, Bicton.
- The sea container is located within the front setback area and is for storage purposes while renovation works are occurring on the property.
- The applicant is seeking approval of the sea container until the end of 2014.
- The sea container satisfies all of the requirements of the Community Planning Scheme No. 5 (CPS5) and Council Policy.
- In accordance with Clause 7.14(a) of CPS5, an Absolute Majority decision of Council is required for the approval of all retrospective planning applications.
- It is recommended that the application for the sea container be conditionally approved pursuant to Clause 7.14(a) of CPS5).



**BACKGROUND**

There is no previous relevant planning history in respect of the subject site.

**Scheme Provisions**

MRS Zoning	: Urban
CPS 5 Zoning	: Living Area
R-Code	: R17.5
Use Type	: Residential
Use Class	: 'P' - Permitted

**P14/3552 – RETROSPECTIVE PLANNING APPLICATION FOR THE INSTALLATION OF A SEA CONTAINER AT LOT 2 (NO. 12B) MALSBURY STREET, BICTON (AMREC)****Site Details**

Lot Area	:	564m <sup>2</sup>
Street Tree(s)	:	None applicable
Street Furniture (drainage pits etc)	:	None applicable
Site Details	:	Refer to aerial photo above

**DETAIL**

Retrospective planning approval is sought for the installation of a sea container within the front setback area of 12B Malsbury Street, Bicton.

The subject sea container is green and is approximately 6m long x 3m wide (20 foot).

The sea container is being used for storage purposes while the dwelling is being renovated and has been on-site since sometime between 2011 and 2012. The applicant seeks approval for its installation until the end of 2014.

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

The application was the subject of consultation with the adjoining property to the south as this property has a view of the subject sea container. No submissions were received.

**II. OTHER AGENCIES / CONSULTANTS**

No consultation with other agencies/consultants is required in this instance.

**STATUTORY AND LEGAL IMPLICATIONS**

Should the Council refuse the application for planning approval; the applicant will have the right to have the decision reviewed by the State Administrative Tribunal (SAT) in accordance with part 14 of the *Planning and Development Act 2005*.

**FINANCIAL IMPLICATIONS**

There are no financial implications for the City associated with this application.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**P14/3552 – RETROSPECTIVE PLANNING APPLICATION FOR THE INSTALLATION OF A SEA CONTAINER AT LOT 2 (NO. 12B) MALSBURY STREET, BICTON (AMREC)****POLICY IMPLICATIONS**

The application has been assessed against the provisions within Council Policy 051: Temporary Structures. The proposal satisfies all of the relevant provisions within this Policy.

**ALTERNATE OPTIONS & THEIR IMPLICATIONS**

The application is recommended for approval for the reasons outlined in the comment section below. Should the Council have an alternate view, the application could be refused, or alternatively, additional conditions may be imposed.

If the Council refuses to grant approval, or if any conditions of planning approval are imposed that the Applicant considers unreasonable, the Applicant can apply to have the decision reviewed by the SAT.

**COMMENT**

The subject sea container satisfies the requirements of CPS5 and CP-051: Temporary Structures as it is located entirely within the property boundaries and does not obstruct vehicle sight lines. The sea container is also well concealed from the street and the adjoining properties by existing vegetation and fencing.

It is acknowledged that the sea container has been positioned on site for a long period of time where CP-051: Temporary Structures states that it can be in place for no longer than 12 months. However as the Applicant is planning its removal at the end of 2014 and it is not highly visible within the street and the adjoining neighbour has no objections, this timeframe is considered acceptable.

**CONCLUSION**

Approval of the subject sea container is supported until the end of 2014 on the grounds that the requirements of CPS5 and Council Policy are satisfied. As such, it is recommended that the application be approved via an Absolute Majority decision of Council pursuant to Clause 7.14(a) of CPS5.

**P14/3552 – RETROSPECTIVE PLANNING APPLICATION FOR THE INSTALLATION OF A SEA CONTAINER AT LOT 2 (NO. 12B) MALSBURY STREET, BICTON (AMREC)**

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3552)  
ABSOLUTE MAJORITY APPROVAL**

At 8.14pm Cr Willis moved, seconded Cr Phelan –

**That the Council approve the retrospective planning application for the temporary installation of a sea container on 12B Malsbury Street, Bicton subject to the following condition:**

- 1. This planning approval is only valid until 31 December 2014. On or prior to this date, the sea container is to be permanently removed from the lot.**

At 8.15pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (13/0)**

<b>Vote Result Summary</b>	
Yes	13
No	0

<b>Vote Result Detailed</b>	
Cr Aubrey	Yes
Cr Barton	Yes
Cr Foxtton	Yes
Cr Hill	Yes
Cr Macphail	Yes
Cr Phelan	Yes
Cr Pazolli	Yes
Cr Reynolds	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes

**P14/3553 – RETROSPECTIVE PLANNING APPLICATION FOR THE CONSTRUCTION OF A DECK AND A PROPOSED PATIO AT LOT 16 (NO. 13) GUY PLACE, MELVILLE (AMREC) (ATTACHMENT)**

Ward : Palmyra/Melville/Willagee  
 Category : Operational  
 Application Number : DA-2014-859  
 Property : Lot 16 (No. 13) Guy Place, Melville  
 Proposal : Retrospective planning application for the construction of a deck and proposed patio  
 Applicant : A F Tholet  
 Owner : A F & J M Tholet  
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
 Previous Items : Nil  
 Responsible Officer : Amanda Leith  
 A/ Manager Statutory Planning

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**P14/3553 – RETROSPECTIVE PLANNING APPLICATION FOR THE CONSTRUCTION OF A DECK AND PROPOSED PATIO AT LOT 16 (NO. 13) GUY PLACE, MELVILLE (AMREC) (ATTACHMENT)**

**KEY ISSUES / SUMMARY**

- Retrospective planning approval is sought for the construction of an unauthorised deck located to the rear of the existing single house at 13 Guy Place, Melville.
- Planning approval is also sought for the construction of a patio above the existing deck. The patio is yet to be constructed.
- The proposed patio satisfies the Deemed to Comply requirements of the Residential Design Codes (R-Codes) and is therefore acceptable.
- The existing deck requires assessment against the Design Principles of the R-Codes relating to visual privacy. The deck satisfies the Design Principles as it will not allow overlooking of the outdoor living area or major openings of the adjoining property. On this basis, the proposed deck is supported.
- In accordance with Clause 7.14(a) of CPS5, an Absolute Majority decision of Council is required for the approval of all retrospective planning applications.
- It is recommended that retrospective planning approval for the existing deck and planning approval for the proposed patio be granted.



**BACKGROUND**

There is no previous relevant planning history in respect of the subject site.

**Scheme Provisions**

MRS Zoning	: Urban
CPS 5 Zoning	: Living Area Precinct
R-Code	: R20
Use Type	: Residential
Use Class	: 'P' – permitted

**P14/3553 – RETROSPECTIVE PLANNING APPLICATION FOR THE CONSTRUCTION OF A DECK AND PROPOSED PATIO AT LOT 16 (NO. 13) GUY PLACE, MELVILLE (AMREC) (ATTACHMENT)**

**Site Details**

Lot Area	:	850m <sup>2</sup>
Street Tree(s)	:	Yes, all retained
Street Furniture (drainage pits etc)	:	None applicable
Site Details	:	Refer to aerial photo above

**[3553 Site and Elevation Plans 13 Guy Place](#)**

**DETAIL**

Retrospective planning approval is sought for the construction of a deck at 13 Guy Place, Melville. The deck is 6.4m in length x 4.6m in width and has a raised finished floor level of 0.6m above ground level.

Planning approval is also sought for the construction of a patio above the existing deck, of the same dimensions and is to have a maximum height of 4m above ground level. The patio is to extend out from the existing dwelling and the existing balcony in this location will be removed.

Both the existing deck and the proposed patio are setback approximately 7m from the eastern boundary, 9.5m from the western boundary and 15m from the northern boundary.

The development has been assessed against all of the relevant provisions of CPS5, the R-Codes and Council Policy and requires the following Design Principle assessment:

**R-Code Requirements**

Development Requirement	Deemed to Comply	Proposed	Comments	Delegation to approve variation
Visual Privacy	Unenclosed outdoor active habitable spaces – 7.5m	7m	Requires assessment against Design Principles of the R-Codes	Absolute Majority decision of Council

**STAKEHOLDER ENGAGEMENT**

**III. COMMUNITY**

The application is not required to be the subject of public consultation pursuant to Part 4 of the R-Codes.

**IV. OTHER AGENCIES / CONSULTANTS**

No consultation with other agencies / consultants is required.

**P14/3553 – RETROSPECTIVE PLANNING APPLICATION FOR THE CONSTRUCTION OF A DECK AND PROPOSED PATIO AT LOT 16 (NO. 13) GUY PLACE, MELVILLE (AMREC) (ATTACHMENT)**

**STATUTORY AND LEGAL IMPLICATIONS**

Should the Council refuse the application for planning approval; the applicant will have the right to have the decision reviewed by the State Administrative Tribunal (SAT) in accordance with part 14 of the Planning and Development Act 2005.

**FINANCIAL IMPLICATIONS**

There are no financial implications for the City associated this application. .

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**POLICY IMPLICATIONS**

The application has been assessed against all of the relevant Council Policies, including CP-078: Residential Development. The development satisfies all of these policy requirements.

**ALTERNATE OPTIONS & THEIR IMPLICATIONS**

The application is recommended for approval for the reasons outlined in the Comment section below. Should the Council have an alternate view, the application could be refused, or alternatively, additional conditions may be imposed.

If the Council refuses to grant approval, or if any conditions of planning approval are imposed that the Applicant considers unreasonable, the Applicant can apply to have the decision reviewed by the SAT.

**COMMENT**

The proposed patio satisfies all of the Deemed to Comply requirements of the R-Codes and is therefore acceptable.

The unauthorised deck however, requires assessment against Design Principle 5.4.1: Visual Privacy of the R-Codes in relation to the eastern boundary.

In this instance, Design Principle 5.4.1 of the R-Codes is satisfied, as the deck does not allow any direct overlooking of the outdoor living area or major openings of the adjoining property. Views from the deck fall wholly upon the roof of the existing patio on the adjoining lot. Furthermore, as the adjoining lot has a lower ground level than the subject site, the existing dividing fence screens the side of the adjoining property's patio from any potential overlooking.

**P14/3553 – RETROSPECTIVE PLANNING APPLICATION FOR THE CONSTRUCTION OF A DECK AND PROPOSED PATIO AT LOT 16 (NO. 13) GUY PLACE, MELVILLE (AMREC) (ATTACHMENT)**

It is also noted that the existing balcony is proposed to be removed to allow the construction of the proposed patio. This existing balcony is open on all sides and allows views into the outdoor living areas of the adjoining properties. Consequently, the proposed development is considered to result in less overlooking than that which currently exists.

**CONCLUSION**

The retention of the deck is supported on the grounds that the requirements of CPS5, the R-Codes and Council Policies, are not compromised. The proposed patio is also supported as it satisfies all of the requirements of CPS5, the R-Codes and Council Policies. As such it is recommended that the application be approved via an Absolute Majority decision of Council pursuant to Clause 7.14(a) of CPS5.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3553)  
ABSOLUTE MAJORITY APPROVAL**

At 8.16pm Cr Robartson moved, seconded Cr Hill –

**That the Council approve the retrospective application for the construction of an unauthorised deck and proposed patio at No.13 Guy Place, Melville subject to the following condition:**

- 1. All stormwater generated on site is to be retained on site.**

At 8.16pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (13/0)**

<b>Vote Result Summary</b>	
Yes	13
No	0

<b>Vote Result Detailed</b>	
Cr Aubrey	Yes
Cr Barton	Yes
Cr Foxton	Yes
Cr Hill	Yes
Cr Macphail	Yes
Cr Phelan	Yes
Cr Pazolli	Yes
Cr Reynolds	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes

**P14/3554 – RETROSPECTIVE PLANNING APPLICATION FOR THE CONSTRUCTION OF A RETAINING WALL AND SITE WORKS AND PROPOSED CONSTRUCTION OF AN OUTBUILDING AT LOT 634 (NO. 10) LEVEY RISE, WINTHROP (AMREC) (ATTACHMENT)**

Ward : University  
 Category : Operational  
 Application Number : DA-2014-868  
 Property : Lot 634 (No. 10) Levey Rise, Winthrop  
 Proposal : Retrospective planning application for the construction of a retaining wall and site works and proposed construction of an outbuilding  
 Applicant : D Piercy  
 Owner : D & R Piercy  
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
 Previous Items : Nil  
 Responsible Officer : Amanda Leith  
 A/ Manager Statutory Planning

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**P14/3554 – RETROSPECTIVE PLANNING APPLICATION FOR THE CONSTRUCTION OF A RETAINING WALL AND SITE WORKS AND PROPOSED CONSTRUCTION OF AN OUTBUILDING AT LOT 634 (NO. 10) LEVEY RISE, WINTHROP (AMREC) (ATTACHMENT)**

**KEY ISSUES / SUMMARY**

- Retrospective planning approval is sought for a retaining wall and associated site works located within the northwest corner of 10 Levey Rise, Winthrop.
- Planning approval is also sought for the construction of a proposed outbuilding within this location.
- The subject works are not considered to have an adverse impact upon the amenity of the adjoining properties or streetscape and are considered to satisfy all of the requirements of Community Planning Scheme No. 5 (CPS5), the Residential Design Codes (R-Codes) and Council Policy.
- In accordance with Clause 7.14(a) of CPS5, an Absolute Majority decision of Council is required for the approval of all retrospective planning applications.
- It is recommended that retrospective planning approval for the existing retaining wall and associated site works and approval for the proposed outbuilding be granted.



**BACKGROUND**

There is no previous relevant planning history in respect of the subject site.

**Scheme Provisions**

MRS Zoning	: Urban
CPS 5 Zoning	: Living Area Precinct
R-Code	: R17.5
Use Type	: Residential
Use Class	: 'P' Permitted

**P14/3554 – RETROSPECTIVE PLANNING APPLICATION FOR THE CONSTRUCTION OF A RETAINING WALL AND SITE WORKS AND PROPOSED CONSTRUCTION OF AN OUTBUILDING AT LOT 634 (NO. 10) LEVEY RISE, WINTHROP (AMREC) (ATTACHMENT)**

**Site Details**

Lot Area	:	938m <sup>2</sup>
Street Tree(s)	:	Yes, all retained
Street Furniture (drainage pits etc)	:	None applicable
Site Details	:	Refer to aerial photo above

[3554 Plans Retaining Wall 10 Levey Rise](#)

**DETAIL**

Retrospective planning approval is sought for unauthorised site works and retaining walls at 10 Levey Rise, Winthrop.

Up to 1.5m of excavation has been undertaken within the northeast corner of the lot. These site works have been conducted due to the sloping topography of the site, to create a flat area for the construction of the proposed outbuilding. Retaining walls of up to 1.5m in height have also been constructed to retain the existing ground levels of the adjoining properties as a result of the site works that have been undertaken.

Planning approval is also sought for the construction of an outbuilding within the northeast corner of the property. The outbuilding is to be 49m<sup>2</sup> in area with a maximum wall height of 2.8m and an overall height of 3.5m above natural ground level.

The development has been assessed against all of the relevant provisions of CPS5, the R-Codes and Council Policy and requires the following Design Principle assessment:

**R-Code Requirements**

<b>Development Requirement</b>	<b>Deemed to Comply</b>	<b>Proposed</b>	<b>Comments</b>	<b>Delegation to approve variation</b>
Outbuilding	Wall Height – 2.4m	Wall Height – 2.8m	Requires assessment against Design Principles of R-Codes	Manager Statutory Planning (MSP)

**STAKEHOLDER ENGAGEMENT**

**V. COMMUNITY**

The application is not required to be the subject of public consultation pursuant to Part 4 of the R-Codes.

**P14/3554 – RETROSPECTIVE PLANNING APPLICATION FOR THE CONSTRUCTION OF A RETAINING WALL AND SITE WORKS AND PROPOSED CONSTRUCTION OF AN OUTBUILDING AT LOT 634 (NO. 10) LEVEY RISE, WINTHROP (AMREC) (ATTACHMENT)**

**II. OTHER AGENCIES / CONSULTANTS**

No consultation with other agencies / consultants is required.

**STATUTORY AND LEGAL IMPLICATIONS**

Should the Council refuse the application for planning approval; the applicant will have the right to have the decision reviewed by the State Administrative Tribunal (SAT) in accordance with part 14 of the Planning and Development Act 2005.

**FINANCIAL IMPLICATIONS**

There are no financial implications for the City associated with this application. .

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**POLICY IMPLICATIONS**

There are no policy implications associated with this application.

**ALTERNATE OPTIONS & THEIR IMPLICATIONS**

The application is recommended for approval for the reasons outlined in the Comment section below. Should the Council have an alternate view, the application could be refused, or alternatively, additional conditions may be imposed.

If the Council refuses to grant approval, or if any conditions of planning approval are imposed that the Applicant considers unreasonable, the Applicant can apply to have the decision reviewed by the SAT.

**COMMENT**

As outlined above, retrospective planning approval is sought for unauthorised site works and retaining walls at 10 Levey Rise, Winthrop. In addition, planning approval is sought for the construction of an outbuilding.

**P14/3554 – RETROSPECTIVE PLANNING APPLICATION FOR THE CONSTRUCTION OF A RETAINING WALL AND SITE WORKS AND PROPOSED CONSTRUCTION OF AN OUTBUILDING AT LOT 634 (NO. 10) LEVEY RISE, WINTHROP (AMREC) (ATTACHMENT)**

As the site works and retaining walls relate to excavation, these works satisfy the Deemed to Comply provisions of the R-Codes and have no impact upon the adjoining properties. Accordingly, it is recommended that Council grant retrospective planning approval to these works pursuant to Clause 7.14(a) of CPS5.

The proposed outbuilding requires assessment against Design Principle 5.4.3 of the R-Codes by virtue of its wall height. This Design Principle is satisfied for the following reasons:

- The outbuilding will not be highly visible within the streetscape of Levey Rise, given the subject property's location at the head of the cul-de-sac and the position of the existing dwelling on the site; and
- Due to the natural slope of the area, the wall height of the outbuilding that will be visible from the adjoining properties will be less than 2.4m and be largely screened by the dividing fences along the side and rear boundaries.

As a result, the proposed outbuilding is recommended for approval.

## **CONCLUSION**

The existing retaining wall and associated site works and proposed outbuilding are supported on the grounds that the requirements of CPS5, the R-Codes and Council Policies are satisfied. As such it is recommended that the application be approved via an Absolute Majority decision of Council pursuant to Clause 7.14(a) of CPS5.

**P14/3554 – RETROSPECTIVE PLANNING APPLICATION FOR THE CONSTRUCTION OF A RETAINING WALL AND SITE WORKS AND PROPOSED CONSTRUCTION OF AN OUTBUILDING AT LOT 634 (NO. 10) LEVEY RISE, WINTHROP (AMREC) (ATTACHMENT)**

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3554)  
ABSOLUTE MAJORITY APPROVAL**

At 8.16pm Cr Reynolds moved, seconded Cr Foxtton –

**That the Council approve the retrospective planning application for the construction of a retaining wall and associated site works and proposed outbuilding at No. 10 Levey Rise, Winthrop subject to the following condition:**

- 1. All stormwater generated on site is to be retained on site.**

At 8.17pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (13/0)**

<b>Vote Result Summary</b>	
Yes	13
No	0

<b>Vote Result Detailed</b>	
Cr Aubrey	Yes
Cr Barton	Yes
Cr Foxtton	Yes
Cr Hill	Yes
Cr Macphail	Yes
Cr Phelan	Yes
Cr Pazolli	Yes
Cr Reynolds	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes

**P14/3555 - RETROSPECTIVE PLANNING APPLICATION FOR THE CONSTRUCTION OF A MEZZANINE LEVEL WITHIN AN EXISTING SHOWROOM AT 17A/70-72 NORMA ROAD, BOORAGOON (AMREC) (ATTACHMENT)**

Ward : City  
 Category : Operational  
 Application Number : DA-2014-875  
 Property : No. 17A/70-72 Norma Road, Booragoon  
 Proposal : Retrospective planning application for the construction of a mezzanine level within an existing Showroom  
 Applicant : Westholland Trading & Investments Pty Ltd  
 Owner : Westholland Trading & Investments Pty Ltd  
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
 Previous Items : Nil  
 Responsible Officer : Amanda Leith  
 A/ Manager Statutory Planning

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**P14/3555 - RETROSPECTIVE PLANNING APPLICATION FOR THE CONSTRUCTION OF A MEZZANINE LEVEL WITHIN AN EXISTING SHOWROOM AT 17A/70-72 NORMA ROAD, BOORAGOON (AMREC) (ATTACHMENT)**

**KEY ISSUES / SUMMARY**

- Retrospective planning approval is sought for the construction of a mezzanine level within an existing Showroom at 17A/70-72 Norma Road, Booragoon.
- The mezzanine level is contained entirely within the existing Showroom building and is not visible from outside the unit.
- The mezzanine level satisfies all of the relevant provisions within Community Planning Scheme No. 5 (CPS5) and Council Policy and does not have an adverse impact upon the amenity of the adjoining commercial units or the surrounding area.
- In accordance with Clause 7.14(a) of CPS5, an Absolute Majority decision of Council is required for the approval of all retrospective planning applications.
- It is recommended that retrospective planning approval be granted.



**BACKGROUND**

There is no previous relevant planning history in respect of the subject site.

**Scheme Provisions**

MRS Zoning	: Urban
CPS 5 Zoning	: Mixed Business Precinct
R-Code	: Not applicable
Use Type	: Showroom
Use Class	: 'P' - permitted

**P14/3555 - RETROSPECTIVE PLANNING APPLICATION FOR THE CONSTRUCTION OF A MEZZANINE LEVEL WITHIN AN EXISTING SHOWROOM AT 17A/70-72 NORMA ROAD, BOORAGOON (AMREC) (ATTACHMENT)****Site Details**

Lot Area	:	16,930m <sup>2</sup>
Street Tree(s)	:	Nil
Street Furniture (drainage pits etc)	:	None applicable
Site Details	:	Refer to aerial photo above

**[3555 Mezzanine Drawings 17A 70 72 Norma Road](#)****DETAIL**

Retrospective planning approval is sought for the construction of an unauthorised mezzanine level within the existing Showroom at 17A/70-72 Norma Road, Booragoon.

The mezzanine level is utilised as an ancillary office and storage space for the pool chemical business which operates out of the Showroom unit. The remainder of the Showroom building is constructed as previously approved.

The unauthorised works constitute an additional 25m<sup>2</sup> in floor space.

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

The application is not required to be the subject of public consultation pursuant to Community Planning Scheme No. 5 (CPS5) or Council Policy 54: Community Planning Scheme No. 5 Development Advertising.

**II. OTHER AGENCIES / CONSULTANTS**

No consultation with other agencies / consultants is required.

**STATUTORY AND LEGAL IMPLICATIONS**

Should the Council refuse the application for retrospective planning approval; the applicant will have the right to have the decision reviewed by the State Administrative Tribunal (SAT) in accordance with part 14 of the Planning and Development Act 2005.

**FINANCIAL IMPLICATIONS**

There are no financial implications for the City associated with this application.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**P14/3555 - RETROSPECTIVE PLANNING APPLICATION FOR THE CONSTRUCTION OF A MEZZANINE LEVEL WITHIN AN EXISTING SHOWROOM AT 17A/70-72 NORMA ROAD, BOORAGOON (AMREC) (ATTACHMENT)**

**POLICY IMPLICATIONS**

The application has been assessed against all of the relevant Council Policies including CP-073: Mixed Business Precinct Additional Development Requirements, and found to satisfy all of their requirements.

**ALTERNATE OPTIONS & THEIR IMPLICATIONS**

The application is recommended for approval for the reasons outlined in the comment section below. Should the Council have an alternate view, the application could be refused, or alternatively, additional conditions may be imposed.

If the Council refuses to grant approval, or if any conditions of planning approval are imposed that the Applicant considers unreasonable, the Applicant can apply to have the decision reviewed by the SAT.

**COMMENT**

The mezzanine level satisfies all of the requirements of CPS5 and Council Policy. As the addition is internal to the existing Showroom, it is not visible from outside the building and therefore has no impact upon the amenity of the area.

**CONCLUSION**

Approval of the mezzanine level is supported on the grounds that the requirements of CPS5 and Council Policies are satisfied. As such, it is recommended that the application be approved via an Absolute Majority decision of Council pursuant to Clause 7.14(a) of CPS5.

**P14/3555 - RETROSPECTIVE PLANNING APPLICATION FOR THE CONSTRUCTION OF A MEZZANINE LEVEL WITHIN AN EXISTING SHOWROOM AT 17A/70-72 NORMA ROAD, BOORAGOON (AMREC) (ATTACHMENT)**

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3555)  
ABSOLUTE MAJORITY APPROVAL**

At 8.18pm Cr Foxtton moved, seconded Cr Aubrey –

**That the Council approve the retrospective planning application for the construction of a mezzanine level within the existing Showroom at No.17A/70-72 Norma Road, Booragoon.**

At 8.18pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (13/0)**

<b>Vote Result Summary</b>	
Yes	13
No	0

<b>Vote Result Detailed</b>	
Cr Aubrey	Yes
Cr Barton	Yes
Cr Foxtton	Yes
Cr Hill	Yes
Cr Macphail	Yes
Cr Phelan	Yes
Cr Pazolli	Yes
Cr Reynolds	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes

**P14/3558 – RETROSPECTIVE PLANNING APPLICATION FOR SIGNAGE AT LOT 654 (NO. 45) ARDROSS STREET, APPECROSS (AMREC) (ATTACHMENT)**

Ward : Applecross/Mt Pleasant  
 Category : Operational  
 Application Number : DA-2014-1031  
 Property : Lot 654 (No. 45) Ardross Street, Applecross  
 Proposal : Retrospective planning application for signage  
 Applicant : Archistruct Builders and Designers  
 Owner : Acr Property Investments Pty Ltd  
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
 Previous Items : P14/3453 – Additions and Alterations to an Existing Building at Lot 654 (No. 45) Ardross Street, Applecross - Ordinary Meeting of Council 18 February 2014  
 Responsible Officer : Amanda Leith  
 A/ Manager Statutory Planning

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**P14/3558 – RETROSPECTIVE PLANNING APPLICATION FOR SIGNAGE AT LOT 654  
(NO. 45) ARDROSS STREET, APPLECROSS (AMREC) (ATTACHMENT)**

**KEY ISSUES / SUMMARY**

- The City is in receipt of a retrospective planning application for a wall sign and roof sign associated with 'Jacs' restaurant at 45 Ardross Street, Applecross.
- The wall sign is not considered to have an adverse impact upon the amenity of the surrounding area and is consequently considered to satisfy the requirements of Part 8 of the City's draft Outdoor Advertisements and Signage policy. This sign is therefore recommended for approval.
- The roof sign, in conjunction with the other signage on the building is considered to result in an unacceptable level of visual clutter and will detract from the architectural design of the building. Consequently, this sign is not recommended for approval.
- In accordance with Clause 7.14(a) of CPS5, an Absolute Majority decision of Council is required for the approval of all retrospective planning applications.
- It is recommended that the wall sign be approved and that the roof sign is removed within 28 days of the date of the Council decision.



**BACKGROUND**

Council, at the Ordinary Meeting held 18 February 2014 approved a planning application for additions and alterations to the existing building at 45 Ardross Street, Applecross subject to conditions. These works are almost complete. This February 2014 approval also included the verandah fascia signage associated with 'Jacs' restaurant.

As a result of the approved additions and alterations, three businesses are now located within the first floor level of the building above 'Jacs' restaurant. In August 2014, the City granted approval for the installation of a number of signs associated with the three, first floor businesses.

**P14/3558 – RETROSPECTIVE PLANNING APPLICATION FOR SIGNAGE AT LOT 654  
(NO. 45) ARDROSS STREET, APPECROSS (AMREC) (ATTACHMENT)****Scheme Provisions**

MRS Zoning	:	Urban
CPS 5 Zoning	:	Community Centre
R-Code	:	R40
Use Type	:	Use Not Listed (Small Bar) and Office
Use Class	:	Use Not Listed – D - discretionary Office - P – Permitted

**Site Details**

Lot Area	:	1012m <sup>2</sup>
Street Tree(s)	:	Yes, six street trees all retained
Street Furniture (drainage pits etc)	:	Yes, bike rack, shade umbrellas and planter boxes all retained
Site Details	:	Refer to photo above

**[3558 Jacs Signage Elevation Floor Plans 45 Ardross Street Applecross](#)****DETAIL**

Retrospective planning approval is sought for the installation of two additional signs associated with the ground floor 'Jacs' business as follows:

- 1) A wall sign facing the rear car park. This sign is 3.2m wide x 0.9m tall and directs people to the front entrance of the business on Ardross Street.
- 2) A roof sign on top of the first floor level verandah facing the intersection of McDonald Road and Ardross Street. This sign is proposed to be 0.6m in height.

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

The application is not required to be the subject of public consultation pursuant to Community Planning Scheme No. 5 (CPS5) or Council Policy 54: Community Planning Scheme No. 5 Development Advertising.

**II. OTHER AGENCIES / CONSULTANTS**

No consultation with other agencies/consultants is required in this instance.

**STATUTORY AND LEGAL IMPLICATIONS**

Should the Council refuse the application for planning approval; the applicant will have the right to have the decision reviewed by the State Administrative Tribunal (SAT) in accordance with part 14 of the Planning and Development Act 2005.

**P14/3558 – RETROSPECTIVE PLANNING APPLICATION FOR SIGNAGE AT LOT 654  
(NO. 45) ARDROSS STREET, APPECROSS (AMREC) (ATTACHMENT)****FINANCIAL IMPLICATIONS**

There are no financial implications for the City associated with this application.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**POLICY IMPLICATIONS**

The proposal has been assessed against the provisions of the City's draft Outdoor Advertisements and Signage policy. This is addressed in the Comment section below.

**ALTERNATE OPTIONS & THEIR IMPLICATIONS**

The application is recommended for approval for the reasons outlined in the Comment section below. Should the Council have an alternate view, the application could be refused, or alternatively, additional conditions may be imposed.

If the Council refuses to grant approval, or if any conditions of planning approval are imposed that the Applicant considers unreasonable, the Applicant can apply to have the decision reviewed by the SAT.

**COMMENT**

The proposed wall sign does not satisfy Part 4 of the City's draft Outdoor Advertisements and Signage policy and is therefore required to be assessed against Part 8 of the policy. This sign satisfies Part 8 of the policy for the following reasons:

- The signage is clear, simple and concise.
- The signage is compatible with existing signage on the site and within the surrounding area and does not obscure signage on adjacent tenancies or properties.
- The sign does not create an unacceptable level of visual clutter within the area.
- The signage is appropriate to the locality and surrounding land uses, in terms of its size, location and design.

Consequently, the proposed wall sign is recommended for approval.

The subject roof sign (marked as 'D1' on the attached plans) is classed as a restricted sign within the City's draft Outdoor Advertisements and Signage policy and consequently requires assessment against Part 8 of the policy. The roof sign is not supported for the following reasons:

**P14/3558 – RETROSPECTIVE PLANNING APPLICATION FOR SIGNAGE AT LOT 654 (NO. 45) ARDROSS STREET, APPECROSS (AMREC) (ATTACHMENT)**

- This sign, in conjunction with the approved verandah fascia signage and the signage approved for the first floor tenancies, is considered to result in an unacceptable level of visual clutter within the area, to the detriment of visual amenity.
- The sign detracts from the architectural style of the building.
- The display of a number of signs toward the intersection of Ardross Street and McDonald Road may result in driver distraction when travelling through the roundabout.

For the abovementioned reasons, the roof sign is not supported. Consequently, a condition of approval is recommended deleting the subject roof sign from the approval.

**CONCLUSION**

Based on the above, the wall sign is considered to satisfy the requirements of the City's draft Outdoor Advertisements and Signage policy; however the roof sign does not. As a result, the wall sign is recommended for approval pursuant to Clause 7.14(a) of CPS5 and a condition of approval is recommended requiring the removal of the roof sign.

**OFFICER RECOMMENDATION (3558)****ABSOLUTE MAJORITY APPROVAL**

At 8.18pm Cr Taylor - Rees moved, seconded Cr Robartson –

**That the Council:**

**Approve the retrospective planning application for signage at 45 Ardross Street, Applecross. Subject to the following condition:**

**The roof sign referenced as 'D1' on the approved plans does not form part of this approval.**

**Advice Notes:**

**The applicant will be advised in writing that the roof sign referenced as 'D1' on the approved plans is to be removed within 28 calendar days of the date of such written notice.**

Amendment

At 8.19pm Cr Schuster moved, seconded Cr Pazolli -

**That the Council:**

**Approve the retrospective planning application for signage at 45 Ardross Street, Applecross.**

**P14/3558 – RETROSPECTIVE PLANNING APPLICATION FOR SIGNAGE AT LOT 654 (NO. 45) ARDROSS STREET, APPECROSS (AMREC) (ATTACHMENT)**

At 8.19pm Cr Taylor-Rees, with agreement of the seconder Cr Robartson, agreed to incorporate the amendment into the recommendation.

**COUNCIL RESOLUTION (3558)**

**ABSOLUTE MAJORITY APPROVAL**

At 8.29pm the Mayor submitted the substantive motion as amended -

**That the Council:**

**Approve the retrospective planning application for signage at 45 Ardross Street, Applecross.**

At 8.29pm the Mayor declared the motion

**CARRIED BY ABSOLUTE MAJORITY (12/1)**

<b>Vote Result Summary</b>	
Yes	12
No	1

<b>Vote Result Detailed</b>	
Cr Aubrey	Yes
Cr Barton	Yes
Cr Hill	Yes
Cr Macphail	Yes
Cr Phelan	Yes
Cr Pazolli	Yes
Cr Reynolds	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes
Cr Foxtton	No

The Presiding Member advised Elected Members that the Meeting was now moving out of the Quasi-Judicial phase.

**P14/3559 – INITIATION OF NEW COUNCIL POLICY: WASTE AND RECYCLABLES COLLECTION FOR MULTIPLE DWELLINGS, MIXED USE DEVELOPMENTS AND NON-RESIDENTIAL DEVELOPMENTS (REC) (ATTACHMENT)**

Ward : All  
 Category : Policy  
 Application Number : Not applicable  
 Property : Not applicable  
 Proposal : Initiation of new Council Policy: Waste and Recyclables Collection for Multiple Dwellings, Mixed Use Developments and Non-Residential Developments.  
 Applicant : Not applicable  
 Owner : Not applicable  
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
 Previous Items : Nil  
 Responsible Officer : Amanda Leith  
 A/ Manager Statutory Planning

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**P14/3559 – INITIATION OF NEW COUNCIL POLICY: WASTE AND RECYCLABLES COLLECTION FOR MULTIPLE DWELLINGS, MIXED USE DEVELOPMENTS AND NON-RESIDENTIAL DEVELOPMENTS (REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- With the 2010 changes to the Residential Design Codes (R-Codes), there has been an increase in the number of multiple dwelling and mixed use developments being undertaken within the City of Melville.
- Through the consideration of these applications it has been identified that the typical waste and recycling measures should not apply to these developments.
- As a result, a coordinated approach across a number of the City's service areas has been facilitated which has resulted in the subject draft policy.
- The draft policy specifies requirements in relation to the submission of waste management plans, waste and recycling capacity, bin sizes, bin compounds, collection requirements and sustainability.
- Overall, the draft policy is considered to be an improvement to the City's current undocumented approach to the assessment of such developments and it will ensure that waste and recycling collection is considered by the developer as part of the planning process, rather than as an afterthought.
- The policy also applies a coordinated approach to the consideration and assessment of planning applications in relation to waste and recycling generation and collection, through specifying planning, waste, engineering and environmental health requirements.
- It is recommended that Council adopt the draft policy pursuant to Clause 9.6 of Community Planning Scheme No. 5 (CPS5) for the purposes of public consultation for a period of 21 days.

**BACKGROUND**

With the 2010 changes to the Residential Design Codes (R-Codes), there has been an increase in the number of multiple dwelling and mixed use developments being undertaken within the City of Melville.

Through the consideration of these applications it has been identified by applicants, submitters and decision makers that the typical waste and recycling measures (i.e one waste bin and one recycling bin per dwelling) are problematic and should not apply to these developments for a number of reasons, which include:

- Multiple dwellings are limited in their size, are generally occupied by one or two people and do not generate the same volumes of waste and recyclables as single houses or grouped dwellings;
- Waste collection for multiple dwelling developments is often controlled by a body corporate and the majority of these developments have a communal waste and recycling area that all residents share;
- To allow each multiple dwelling to have one waste and one recycling bin can result in large areas of the verge being occupied by bins on collection day which can lead to traffic delays during collection, obstruction of footpaths, traffic safety issues and an impact upon amenity.

**P14/3559 – INITIATION OF NEW COUNCIL POLICY: WASTE AND RECYCLABLES COLLECTION FOR MULTIPLE DWELLINGS, MIXED USE DEVELOPMENTS AND NON-RESIDENTIAL DEVELOPMENTS (REC) (ATTACHMENT)**

- The areas required to store this number of bins on-site is significant and can impact the serviceability of the development, including the ability to provide adequate on-site car parking spaces.

**DETAIL**

In order to address the abovementioned issues, officers from the City's Planning, Waste, Engineering, Environmental Health and Sustainability service areas have prepared a draft Council Policy which prescribes the waste and recycling requirements for multiple dwellings, mixed use and non-residential developments.

The draft policy includes the following:

*Waste Management Plan (WMP)*

The policy requires the submission of a WMP for all of these types of developments as part of the planning application process. The WMP is to be completed by the Applicant and is to detail how compliance with the policy will be achieved by the proposed development. A template is provided as an attachment to the draft policy to aid the preparation of the WMP.

*Waste and Recyclables Capacity*

The policy specifies that storage for at least one week's waste and recycling is to be provided on-site.

The waste and recycling formulas outlined within the policy have been taken from a document entitled '*Better Practice Guide for Waste Management in Multi-unit Dwellings*' prepared by the Department of Environment and Climate Change New South Wales, as no publicly available document of a similar nature currently exists for Western Australia.

The volumes prescribed by this document have been reviewed by the City's Waste Services who state that they reflect the volumes that they collect from existing similar developments within the City.

With respect to multiple dwellings, the draft policy specifies that one multiple dwelling generates approximately 80 litres of waste and 40 litres of recyclables per week. Therefore, where 240 litre bins are utilised:

- The weekly waste generated by three multiple dwellings can be contained within one waste bin; and
- The weekly recyclables generated by six multiple dwellings can be contained within one recycling bin.

The waste and recycling capacities outlined within the draft policy for non-residential uses are also provided by the abovementioned NSW document.

**P14/3559 – INITIATION OF NEW COUNCIL POLICY: WASTE AND RECYCLABLES COLLECTION FOR MULTIPLE DWELLINGS, MIXED USE DEVELOPMENTS AND NON-RESIDENTIAL DEVELOPMENTS (REC) (ATTACHMENT)***Bin Compounds*

Waste and recycling bins are to be stored within each development site. The policy specifies the acceptable locations and specifications for bin compounds based upon engineering, planning and environmental health requirements.

*Collection*

On-site collection is promoted by the policy, however it is acknowledged that to make this a mandatory requirement would result in significant design constraints, particularly for smaller lots. This is due to the minimum floor to ceiling level for developments having to be a minimum of 4m, ramps and driveway gradients having to cater for vehicles 10m in length and substantial on-site manoeuvring space. As a result, the policy specifies the requirements for both on-site and on-street collection.

Notwithstanding the above, on-street collection will only be supported where the criteria within the policy are satisfied. These include:

- A suitable and sufficient sized bin collection point within the verge;
- There being adequate space to line the bins up along the verge; and
- The bin collection point does not impede vehicle sight lines or pedestrian access and takes into account the location of existing street trees, public car parking bays, street signs and street furniture.

*Bulk and Green Waste Collection*

Due to the lack of storage space generally provided within multiple dwellings, the policy includes a requirement for these developments to provide a bulky storage space for the temporary storage of unwanted large items awaiting disposal.

*Sustainability and Waste Minimisation*

The policy also includes encouragement of composting of green waste, increased recycling and attendance of the City's educational sessions relating to waste minimisation.

**[3559 Waste Policy](#)****STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

Pursuant to Clause 9.6(b) of CPS5, should Council resolve to adopt the draft policy, it will be advertised via a notice in the local newspaper and on the City's website for a period of 21 days.

**P14/3559 – INITIATION OF NEW COUNCIL POLICY: WASTE AND RECYCLABLES COLLECTION FOR MULTIPLE DWELLINGS, MIXED USE DEVELOPMENTS AND NON-RESIDENTIAL DEVELOPMENTS (REC) (ATTACHMENT)**

**II. OTHER AGENCIES / CONSULTANTS**

Clause 9.6(b)(ii) of CPS5 requires Council to advise the Western Australian Planning Commission (WAPC) of any policy proposal which affects the interests of the WAPC. The proposed policy does not have regional significance; therefore the WAPC need not be consulted.

**STATUTORY AND LEGAL IMPLICATIONS**

Once adopted, the proposed policy will be applied through the planning approval process.

**FINANCIAL IMPLICATIONS**

There are no financial implications which result from this proposed policy for the City other than advertising costs for consultation and adoption purposes.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

The proposed policy does not result in any strategic, risk or environmental management implications for the Council.

**POLICY IMPLICATIONS**

Once adopted, the policy will provide a sound basis for the assessment and determination of planning applications.

**ALTERNATE OPTIONS & THEIR IMPLICATIONS**

Council could elect not to adopt the draft policy, however this is not recommended as the City does not presently have a policy relating to waste or recycling collection for these types of developments, therefore this could lead to the ad hoc assessment of waste and recycling requirements.

Council also has the ability to modify the amended policy prior to advertising.

**CONCLUSION**

Overall, the draft policy is considered to be of benefit as it will ensure that waste and recycling collection is considered by the developer as part of the planning process, rather than as an afterthought. The policy also applies a coordinated approach to the consideration and assessment of planning applications in relation to waste and recycling generation and collection, through specifying planning, waste, engineering and environmental health requirements.

**P14/3559 – INITIATION OF NEW COUNCIL POLICY: WASTE AND RECYCLABLES COLLECTION FOR MULTIPLE DWELLINGS, MIXED USE DEVELOPMENTS AND NON-RESIDENTIAL DEVELOPMENTS (REC) (ATTACHMENT)**

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3559)**

**INITIATION**

**That the Council:**

- 1 Pursuant to Clause 9.6(b) of Community Planning Scheme No. 5, resolves, to adopt the draft Council Policy: Waste and Recycling Collection for Multiple Dwellings, Mixed Use Developments and Non-Residential Developments for the purposes of public consultation for a period of no less than 21 calendar days.**
- 2 Directs that, where no submissions in objection are received in response to the consultation undertaken, the final adoption of the new Council Policy: Waste and Recycling Collection for Multiple Dwellings, Mixed Use Developments and Non-Residential Developments, can be approved by the Chief Executive Officer.**

At 8.30pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (13/0)**

**P14/3560 – REVIEW OF COUNCIL POLICY - 056: PLANNING PROCESS AND DECISION MAKING (REC) (ATTACHMENT)**

Ward	:	All
Category	:	Policy
Application Number	:	None applicable
Property	:	None applicable
Proposal	:	Final adoption of Council Policy – 056: Planning Process and Decision Making
Applicant	:	None applicable
Owner	:	None applicable
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	P00/1004 - Special Planning and Development Services Committee - 27 June 2000 P07/1006 – Consideration of Draft Revised Policy on the Function and Role of the Development Advisory Unit - Ordinary Meeting of Council 19 June 2007 P10/3152 – Final Adoption of Advertised Urban Planning Policies - Ordinary Meeting of Council 17 August 2010 P10/3178 – Second Stage Review of Urban Planning Policies - Special Meeting of Council 9 November 2010 P11/3228 – Review of Policy CP-044 Development Advisory Unit - Ordinary Meeting of Council 16 August 2011 P14/3228 – Review and Amalgamation of Four Existing Council Policies (CP-042: Development Approvals, CP-044: Development Advisory Unit, CP-054: Community Planning Scheme No. 5 and Advertising Procedures and CP-056: Planning Process and Decision Making) – Ordinary Meeting of Council 17 June 2014
Responsible Officer	:	Amanda Leith A/ Manager Statutory Planning

**P14/3560 – REVIEW OF COUNCIL POLICY - 056: PLANNING PROCESS AND DECISION MAKING (REC) (ATTACHMENT)**

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

- At the Ordinary Meeting of Council on 17 June 2014, Council resolved to adopt the revised CP-056: Planning Process and Decision Making for the purposes of public consultation.
- The revised policy was advertised for a period of 21 days via a press notice and content on the City's website. No submissions were received.
- Upon review of the revised policy and the receipt of a proposed Notice of Motion in relation to the policy, officers have amended the draft policy.
- The changes to the draft policy include the introduction of advertising procedures specifically relating to multiple dwelling developments outside of Structure Plan areas, and also other minor wording changes throughout the policy to reflect the change in terminology introduced by the 2013 Residential Design Codes (R-Codes).
- As some of the proposed amendments introduce new provisions, the revised policy requires re-advertising.
- It is therefore recommended that Council resolve to adopt the draft policy for the purposes of public consultation for a period of 21 days in accordance with Clause 9.6 of Community Planning Scheme No. 5 (CPS5).

**P14/3560 – REVIEW OF COUNCIL POLICY - 056: PLANNING PROCESS AND DECISION MAKING (REC) (ATTACHMENT)****BACKGROUND**

At the Ordinary Meeting of Council on 17 June 2014, Council considered the review and amalgamation of four existing planning procedural policies:

- CP-042: Development Approvals,
- CP-044: Development Advisory Unit,
- CP-054: Community Planning Scheme No. 5 and Advertising Procedures, and
- CP-056: Planning Process and Decision Making

At this meeting, Council resolved as follows:

- 1 *That the Council resolve pursuant to Clause 9.6(b) of Community Planning Scheme No. 5 to adopt the amended Council Policy 056: Planning Process and Decision Making for the purposes of public consultation for a period of no less than 21 calendar days.*
- 2 *Where no submissions in objection are received in response to the consultation undertaken, the final adoption of Council Policy 056: Planning Process and Decision Making and subsequent revocation of CP-042: Development Approvals, CP-044 Development Advisory Unit and CP-054: Community Planning Scheme No. 5 and Residential Design Code Development Advertising Procedures be approved by the Chief Executive Officer.*

At the Ordinary Meeting of Council on 16 September 2014, a proposed Notice of Motion in relation to the revised CP-056: Planning Process and Decision Making was submitted for consideration. At this meeting, Council resolved as follows:

*That in the instance of any review of CP-056 the following issues be considered for inclusion:*

1. *That Clause 1.7.5 of the Draft Policy No CP-056; Planning Process and Decision Making considered at the June 2014 Ordinary Meeting of Council (Item 14/3507) be amended to include the following words at the beginning of Clause 1.7.5: “all applications that do not satisfy the deemed-to-comply requirements of Part 5 of the Residential Design Codes (Multi-Unit Housing Codes) or, other applications.;*

*Clause 1.7.5 shall then become:*

*“All applications that do not satisfy the deemed-to-comply requirements of Part 5 of the Residential Design Codes (Multi-Unit Housing Codes) or, other applications which involve a departure from the prescriptive development requirements, which in the opinion of the delegated officer, are likely to adversely affect the amenity of adjoining or surrounding property owners or occupiers, are to be advertised in accordance with:...”*

**P14/3560 – REVIEW OF COUNCIL POLICY - 056: PLANNING PROCESS AND DECISION MAKING (REC) (ATTACHMENT)**

2. *That the following sub – clause be added as Clause 3.5.2(a)(iii) Matters to be considered by the DAU:*

*“(iii) All applications that do not satisfy the deemed-to-comply requirements of Part 5 of the Residential Design Codes (Multi-Unit Housing Codes).”*

**DETAIL**

Upon completion of the initial public consultation period, officers identified that minor modifications were required to be undertaken to the policy. On this basis, officers commenced a further review of the policy. The majority of the minor wording changes proposed, reflect the changes in terminology introduced within the 2013 R-Codes. These modifications are detailed within the attachment to this report.

In addition to this review, the abovementioned proposed Notice of Motion has also been considered by officers and subsequent modifications have been made to the revised policy to address these suggestions. These modifications include the incorporation of a new Clause 1.7.6 relating to specific advertising requirements of multiple dwelling developments located outside of adopted Structure Plan areas. This change is considered to address Part 1 within the abovementioned motion and is detailed within the attachment to this report.

With respect to Part 2 of the abovementioned motion, it is considered that as mandatory public consultation is now proposed to occur for multiple dwelling developments requiring assessment against the Design Principles in relation to a number of matters, that the existing triggers for consideration by the Development Advisory Unit (DAU) in the policy (Clause 3.5) are appropriate.

In particular, Clause 3.5.2 of the draft policy requires referral of applications to the DAU where submissions are lodged which raise relevant planning matters. Consequently, for those multiple dwelling developments where relevant planning concerns are raised, the application will be referred to the DAU with the opportunity for Elected Members or interested third parties to call the item up for consideration by Council. Where no submissions raising relevant planning grounds are received, the determination of the application can be undertaken as per CPS5 and Council delegations.

[3560 Planning Process And Decision Making Policy](#)

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

In accordance with Council’s resolution of 17 June 2014, the revised CP-056: Planning Process and Decision Making was the subject of public consultation for a period of 21 days via a press notice and content on the City’s website. No submissions were received as a result of this public consultation.

As outlined above, given that some of the proposed amendments to the policy introduce new provisions, it is recommended that the revised policy be re-advertised pursuant to Clause 9.6(b) of CPS5.

**P14/3560 – REVIEW OF COUNCIL POLICY - 056: PLANNING PROCESS AND DECISION MAKING (REC) (ATTACHMENT)****II. OTHER AGENCIES / CONSULTANTS**

Clause 9.6(b) (ii) of CPS5 requires Council to advise the Western Australian Planning Commission (WAPC) of any policy proposal which affects the interests of the WAPC. The revised policy does not have regional significance; therefore the WAPC need not be consulted.

**STATUTORY AND LEGAL IMPLICATIONS**

The regular review of Council's policies improves their validity in circumstances where a decision by a decision maker on a development proposal is subject to review by the State Administrative Tribunal.

**FINANCIAL IMPLICATIONS**

There are no financial implications which result from this report other than advertising costs for consultation, adoption and revocation purposes.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

The proposed policy does not result in any strategic, risk or environmental management implications for the Council.

**POLICY IMPLICATIONS**

Once adopted, the revised policy will provide a sound basis for the assessment and determination of planning applications.

**ALTERNATE OPTIONS & THEIR IMPLICATIONS**

Council could elect not to adopt the amended policy for advertising and continue to rely upon the four existing policies. This is not recommended, as the revised policy is considered to be an improvement upon the City's current planning procedural policies as it expands upon the existing provisions, and in many cases, explains the City's processes and procedures in writing for the benefit of applicants and submitters, where these are currently undocumented.

Council also has the ability to make amendments to the revised policy.

Should Council resolve to amend Clause 3.5.2 of the draft policy to require referral of all multiple dwelling developments which require assessment against the Design Principles of the R-Codes to the DAU, this will require an amendment to Delegated Authority 020 – Planning and Related Matters prior to the final adoption of the policy.

**P14/3560 – REVIEW OF COUNCIL POLICY - 056: PLANNING PROCESS AND DECISION MAKING (REC) (ATTACHMENT)****CONCLUSION**

As the proposed modifications introduce new provisions which have not previously been the subject of public consultation, it is recommended that Council resolve to adopt the revised policy for the purposes of public consultation in accordance with Clause 9.6 of CPS5.

At 8.49pm Mr Tieleman left the meeting and returned at 8.51pm.

**OFFICER RECOMMENDATION (3560)****PUBLIC CONSULTATION**

At 8.31pm Cr Barton moved, seconded Cr Willis –

**That The Council:**

- 1 Pursuant to Clause 9.6(b) of Community Planning Scheme No. 5, resolves, to adopt the revised Council Policy 056: Planning Process and Decision Making for the purposes of public consultation for a period of not less than 21 calendar days.**
- 2 Directs that, where no submissions in objection are received in response to the consultation undertaken, the final adoption of Council Policy 056: Planning Process and Decision Making and subsequent revocation of CP-042: Development Approvals, CP-044 Development Advisory Unit and CP-054: Community Planning Scheme No. 5 and Residential Design Code Development Advertising Procedures, can be approved by the Chief Executive Officer.**

Amendment

At 8.32pm Cr Pazolli moved, seconded Cr Schuster –

That the following sub clause be added as Clause 3.5.2(a) (iii) Matters to be considered by the Development Advisory Unit:

“(iii) All applications that do not satisfy the deemed to comply requirements of part 6 of the Residential Design Codes (Multi Unit Housing Codes).”

**P14/3560 – REVIEW OF COUNCIL POLICY - 056: PLANNING PROCESS AND DECISION MAKING (REC) (ATTACHMENT)**

Procedural Motion

At 8.45pm Cr Reynolds moved, seconded Cr Phelan –

**That this item be referred to the November Elected Members Information Session and the November Ordinary Meeting of Council for further consideration.**

At 8.50pm the Mayor submitted the Procedural motion which was declared

**CARRIED (8/5)**

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

<b>Vote Result Detailed</b>	
Cr Aubrey	Yes
Cr Hill	Yes
Cr Macphail	Yes
Cr Phelan	Yes
Cr Reynolds	Yes
Cr Robartson	Yes
Cr Willis	Yes
Mayor Aubrey	Yes
Cr Barton	No
Cr Foxtton	No
Cr Pazolli	No
Cr Schuster	No
Cr Taylor-Rees	No

**P14/3505 – CP-089: LOCAL PLANNING STRATEGY POLICY (REC) (ATTACHMENT)**

Ward : All  
 Category : Policy  
 Application Number : Not Applicable  
 Property : Not applicable  
 Proposal : Draft Council Policy 089: Local Planning Strategy  
 Applicant : Not applicable  
 Owner : Not applicable  
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
 Previous Items : N/A  
 Responsible Officer : Gavin Ponton  
 Manager Strategic Urban Planning

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**P14/3505 – CP-089: LOCAL PLANNING STRATEGY POLICY (REC) (ATTACHMENT)**

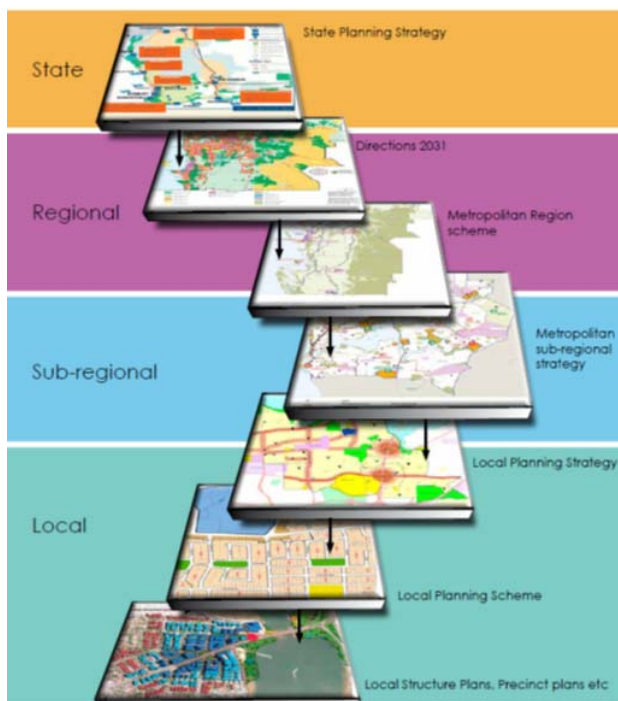
**KEY ISSUES / SUMMARY**

- Community Planning Scheme No. 5 (CPS5) allows Council to prepare and adopt planning policies and undertake regular policy reviews.
- Planning policies supplement CPS5 provisions.
- Planning policies provide a sound basis for planning decision making and can improve the validity of decisions taken particularly when used in determining planning applications.
- Provided a policy has a firm and sound basis, it has similar status to CPS5 provisions when a decision made by a decision maker on a development application is under review in the State Administrative Tribunal. It is important therefore that policy provisions remain up to date and relevant.
- The draft Council Policy CP-089 is a new policy that has been prepared to explain the strategic direction provided by the draft Local Planning Strategy and the relationship of the draft Local Planning Strategy with the statutory planning framework of CPS5 and draft Local Planning Scheme 6 (LPS6), local structure plans, local development plans and local planning policies.
- It is recommended that Council resolve to adopt the draft policy for the purposes of public consultation in accordance with Clause 9.6 of CPS5.

**BACKGROUND**

CPS5 was gazetted on 14 December 1999. The Western Australian Planning Commission (WAPC) requires town planning schemes to be based on a Local Planning Strategy. This is important so that the overarching state and metropolitan strategies are included in a strategy for a local government area, which are then reflected in a statutory planning framework.

**Town Planning Hierarchy**



State, metropolitan and local strategies influence the local statutory planning framework and decision-making

**P14/3505 – CP-089: LOCAL PLANNING STRATEGY POLICY (REC) (ATTACHMENT)**

The City has not previously had a LPS. The draft Local Planning Strategy was adopted for public advertising by Council August 2011. Council also adopted the draft Local Planning Scheme 6 (LPS6) for public advertising in August 2011, which is based on the Local Planning Strategy.

The Local Planning Strategy is the key strategic planning document for the City and will be read in conjunction with the City's LPS6. It is closely linked to the City's Plan for the Future (the Corporate Plan for the City) and People Places Participation (the Strategic Community Plan for the City). The Local Planning Strategy defines a framework of land uses and activities and provides a broad statement of intent to guide integrated and sustainable planning and development in the City of Melville over the period 2012 – 2031 and beyond. The Local Planning Strategy has been developed together with the Melville community through Melville Visions – Community Perspectives on Our City, Our Future (Dialogue with the City of Melville Project) and the production of the City's long term Strategic Community Plan and represents the culmination of many participatory and consultation steps

The Local Planning Strategy provides a 'roadmap' for the future and endeavours to balance many competing issues and interests. It will also influence the future look and feel of local areas. Targeted approaches in different areas of the City will help provide a range of housing, employment, recreation and lifestyle choices for the local community.

The Local Planning Strategy generally aims to encourage increased intensity in and around Activity Centres, transport nodes and along transport corridors in order to provide greater housing choice, improve employment and encourage sustainable transport options. This strategy will enable the City to accommodate the expected growth in population without wholesale change to the suburban areas that characterise the City.

**DETAIL**

The draft CP-089 is a new policy that has been prepared to explain the strategic direction provided by the Local Planning Strategy and the relationship of the draft LPS 6 with the statutory planning framework of CPS5 and LPS6, local structure plans, local development plans and local planning policies.

**[3505 Draft Local Planning Strategy Policy for Council Initiation Oct 2014](#)**

The City is seeking to provide for population growth and development in vibrant activity centres and along high frequency public transport corridors. It is also aiming for development in suburban residential areas to respect and complement the local neighbourhood form, scale and amenity.

The Local Planning Strategy and draft policy endeavour to proactively address some of the key issues driving the need for change, including (but not limited to):

- Perth's rapidly growing population
- Australia's ageing population, which is particularly evident in the City
- People's changing lifestyles and expectations
- Growing environmental issues, which need to be better addressed
- Rising concerns regarding traffic congestion, which is influenced by the urban form
- Increasing physical and mental health issues
- Increasingly unaffordable housing for many people in the local area

**P14/3505 – CP-089: LOCAL PLANNING STRATEGY POLICY (REC) (ATTACHMENT)**

It is important that the City takes proactive steps to help address these issues as they:

- Are mandatory urban planning requirements of the WAPC
- Are aligned with the City's Corporate Plan and *People, Places, Participation, A Strategic Community Plan for the City of Melville*
- Would be for the benefit of current and future residents and local businesses
- Would provide a range of housing and lifestyle choices for people

**Policy Objectives**

The key objective of the draft policy is to explain the strategic direction provided by the draft Local Planning Strategy and the relationship to CPS 5 and draft Local Planning Scheme 6 (LPS 6), local structure plans, local development plans and local planning policies. Specifically the Policy emphasises the role of the Local Planning Strategy in providing high level guidance with respect to the City's statutory planning decision making, especially in situations where an exercise of judgment is required



Function of Local Planning Strategy Policy

By providing recognition of the role of the Local Planning Strategy, the Policy aims to enhance achievement of the following objectives:

- Promote a range of housing choices for all ages and diverse lifestyles
- Provide for population growth and development in vibrant activity centres and along high frequency public transport corridors
- Encourage development in suburban residential areas to respect and complement the neighbourhood form, scale and amenity
- Support local services, businesses and employment opportunities by promoting development in appropriate locations
- Promote high quality design and streetscapes
- Promote further studies leading to the development of more detailed plans to realise the foregoing objectives

**P14/3505 – CP-089: LOCAL PLANNING STRATEGY POLICY (REC) (ATTACHMENT)****Policy Statement**

The policy distinguishes the following areas:

1. Activity centres
2. Public transport corridors
3. Areas outside activity centres and public transport corridors
4. Industrial and Mixed Business Areas

The context of the area is very important in assessing and determining development outcomes. The Residential Design Codes (the R-Codes) focus on good design outcomes. The Explanatory Guidelines of the R-Codes state:

*“Our cities, towns and suburbs are becoming more complex. The need to accommodate greater diversity in land use, housing types and transport modes requires a more sophisticated approach and increased focus on good design.”*

It also states that the context of development is a key consideration:

*“A dwelling type that is appropriate in one setting, such as existing suburban development, may not be appropriate in another setting, such as an activity centre. Consideration of the character and local environment of a place is required and takes into account any future changes that may be proposed to an area.”*

**P14/3505 – CP-089: LOCAL PLANNING STRATEGY POLICY (REC) (ATTACHMENT)**

The Local Planning Strategy provides information on the desired character of particular areas. The policy provides a character statement for each area, which is a broad overview of what kind of development is intended and the future look and feel of the place. This will help stakeholders to understand what should be expected to happen in the future. The content also provides high level guidance with respect to the City's statutory planning decision making, especially in situations where an exercise of judgment is required.

Each area has a broad vision for the built form. Building height and bulk are issues often raised by the community for particular development applications. The policy helps to explain what kind of buildings should be expected in each area.

The policy also identifies how development outcomes will be considered and assessed. The R-Codes is a performance based document. Every application must meet the design principles of the R-Codes and the deemed to comply provisions provide one, straight-forward means for development to comply with the principles and objectives of the R-Codes.

The policy suggests the design principles, supplemented by the requirements of CPS 5, local structure plans and local development plans (where these have been prepared and approved) and local planning policies, are the best way to deliver high quality development outcomes in activity centres and along public transport corridors. Development in suburban areas outside centres and corridors would be assessed against the relevant design principles and the deemed to comply provisions of the R-Codes as well as the requirements of CPS 5, local structure plans and local development plans (where these have been prepared and approved) and local planning policies. New development in these areas should respect and complement the neighbourhood scale and amenity. Building form and heights will consider the suburban residential nature of the area.

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

Pursuant to Clause 9.6(b) of CPS5, should Council resolve to adopt the draft policy, it will be advertised via a notice in the local newspaper and on the City's website for a period of 21 calendar days.

**II. OTHER AGENCIES / CONSULTANTS**

Clause 9.6(b)(ii) of CPS5 requires Council to advise the WAPC of any policy proposal which affect the interests of the WAPC. The proposed modifications do not have regional significance; therefore the WAPC need not be consulted.

**STATUTORY AND LEGAL IMPLICATIONS**

The regular review of Council's policies improves their validity in review situations by the State Administrative Tribunal. Once finally adopted by Council, the proposed policy will carry similar weight to CPS5.

**P14/3505 – CP-089: LOCAL PLANNING STRATEGY POLICY (REC) (ATTACHMENT)****FINANCIAL IMPLICATIONS**

There are no financial implications associated with the proposed draft policy.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

CP-089 aligns with the draft Local Planning Strategy, Corporate Plan and Strategic Community Plan.

There are not considered to be risk or environmental management implications associated with the proposed draft policy.

**POLICY IMPLICATIONS**

Once adopted, the revised policy will provide a sound basis for the assessment and determination of planning applications.

**ALTERNATE OPTIONS & THEIR IMPLICATIONS**

Council could elect not to adopt the proposed policy. This is not however recommended for the reasons outlined above.

Council also has the ability to modify the proposed policy prior to advertising.

**CONCLUSION**

The City is seeking to focus population growth and development in vibrant activity centres and along high frequency public transport corridors. It is also aiming for development in suburban residential areas to respect and complement the local neighbourhood form, scale and amenity. The policy helps to explain what should be expected by the community in each area.

It is considered that the new policy would help better align decision-making under the existing statutory planning framework (CPS5 and local planning policies) with the strategic direction provided by the draft Local Planning Strategy.

It is recommended that Council resolve to adopt the draft policy for the purposes of public consultation in accordance with Clause 9.6 of CPS5.

**P14/3505 – CP-089: LOCAL PLANNING STRATEGY POLICY (REC) (ATTACHMENT)****OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3505)          APPROVAL****That The Council:**

- 1          Pursuant to Clause 9.6(b) of Community Planning Scheme No. 5, resolves to adopt the new Council Policy 089: Local Planning Strategy for the purposes of public consultation for a period of no less than 21 calendar days.**
- 2          Requests, that following the close of the advertising period, the draft Policy be referred back to Council for final adoption.**

At 8.51pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (13/0)**

**T14/3543 – BULK VERGE SIDE COLLECTION REVIEW (REC)**

Ward : All  
 Category : Operational  
 Subject Index : Waste  
 Customer Index : City of Melville  
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
 Previous Items : Not applicable  
 Funding : 2014/2015 Waste budget  
 Responsible Officer : Paul Kellick  
 Manager Asset Management

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**T14/3543 – BULK VERGE SIDE COLLECTION REVIEW (REC)****KEY ISSUES / SUMMARY**

- At the Ordinary Meeting of Council on 15 April 2014 Council endorsed a 'Motion without Notice' requesting a review of the City's bulk verge waste collections and waste disposal options
- The City has recently participated in a project with the Western Australian Local Government Association (WALGA) to identify best practice in relation to bulk verge collections.
- This report summarises the results of the review and the 'best practice approaches' recommended by the report.
- This report also utilises a waste audit undertaken by Mindarie Regional Council in order to identify opportunities to improve the City's recovery of items collected in bulk verge collections.
- As a result, the City has recently commenced the recovery of mattresses and metals from its bulk verge collections.
- The report also recommends the introduction of a Household Hazardous Waste Collection service, subject to external funding, and the introduction of Electronic waste Collection services.

**BACKGROUND**

At the Ordinary Meeting of Council on 15 April 2014 Council endorsed the following Notice of Motion:

*That the Council requests the Chief Executive Officer to:*

- 1. Consider improvements to the City's bulk waste collections from street verges, so as to allow appropriate materials to be collected for recycling and re-use from the materials left out for collection by residents and ratepayers, before the City's collection system removes the remaining waste for landfill disposal; and,*
- 2. To consider if limited improvements can be implemented for the 2014/2015 waste collection periods and if so include an appropriate allowance, to fund these improvements, in the 2014/2015 budget for approval by the Council.*
- 3. Advise the Council what improvements may be undertaken and provide costings of the identified improvements for the 2014/2015 City budget.*

The City's current bulk verge collection operation currently consists of:

- Three annual domestic green waste collections
- One annual junk and white goods collection

**T14/3543 – BULK VERGE SIDE COLLECTION REVIEW (REC)**

Approximately 4,500 tonnes of green waste is collected per annum and disposed at the Regional Resource Recovery Centre (RRRC) in Canning Vale. Approximately 2,500 tonnes of junk is collected and disposed to landfill at Cockburn Recovery Park at a disposal rate of \$135 per tonne. This includes approximately 30 tonnes of white goods.

In order to carry out these services, the City utilises two articulated loaders, two 28 m<sup>3</sup> rear lift compaction vehicles, one 19 m<sup>3</sup> rear loader compaction vehicle, one utility, five operators and one supervisor. In the 2013/2014 financial year the bulk verge collection service had a total operating budget of \$1,751,696.

There is an opportunity to improve this collection service by intercepting additional materials from the bulk verge collection waste stream which will reduce disposal costs, improve recycling and reuse and also develop a modest revenue stream for the City. There are a number of waste streams present in sufficient volumes to make collection for recycling viable.

**DETAIL**

The City, along with other Western Australian local governments, has recently participated in a project with the Western Australian Local Government Association, (WALGA), to identify best practice in relation to bulk verge collections. As a result a set of draft guidelines has been developed.

The draft guidelines include an overview of the research and engagement and included a workshop with Local Governments and service providers. It also included learnings from local practices and research into interstate and international approaches. The draft guidelines also include the long term vision for verge side collections, focusing on efficient service delivery and best practice approaches.

In Western Australia, there are a range of different approaches taken by Local Governments towards verge side collections. In the Perth Metropolitan area most Local Governments provide a hard waste collection once or twice a year, whereas green waste collections are often more frequent usually two to three times a year. The frequency and type of verge side collection service is reported to be influenced by a number of factors including historic decisions of Councils, other services provided by the Local Government and budgetary constraints.

The materials collected through verge side collections include both hard and green waste. Hard wastes are loosely defined as those large items that cannot be disposed of through the containerised kerbside waste collection system. Hard waste collections include items such as household junk, furniture, white goods, electronic items and mattresses. The term green waste refers to biodegradable materials. Green waste collections predominantly feature garden waste such as grass clippings and bush or tree cuttings.

**T14/3543 – BULK VERGE SIDE COLLECTION REVIEW (REC)**

Verge side collection services accounted for 12% of the Local Government waste stream in 2012/13, with the remaining 88% being general waste or recycling waste. Of the verge side waste collected, only 7% of hard waste was recovered, whereas 95% of green waste was recovered. The remainder of waste was sent to landfill. Table 1 below provides the State-wide volumes collected through the verge side collection system for 2012/13 and indicates a significant opportunity to improve the recovery of hard waste and avoid landfill.

<b>Waste</b>	<b>Local Government with service</b>	<b>Tonnes collected</b>	<b>Tonnes to Landfill</b>	<b>Tonnes recovered</b>	<b>Tonnes per household</b>
<b>Hard</b>	77	82,123	76,330	5,793	0.10
<b>Green</b>	63	61,154	3,195	57,959	0.08

*Table 1: Local Government verge side collection tonnage – 2012/13 (Source: Local Government Census).*

Whilst it is acknowledged there are problems with verge side collections, the WALGA report recommends continuing with them for a number of reasons including:

- The community is accustomed to the collections and simply ceasing to provide them will likely result in illegal dumping.
- Behavioural change takes time and requires a transition plan.
- New approaches to collection will need to be planned to allow the industry to invest in the new collection and processing techniques required.
- Many Local Governments have long term collection contracts which will take time to respond.
- The process of local government reform has created uncertainty in the industry and substantial change to current service delivery options is not likely.

The report also suggests a number of best practice approaches that Local Governments can take in the short term based on the research undertaken and these are summarised, with a comment on City of Melville operations below:

**T14/3543 – BULK VERGE SIDE COLLECTION REVIEW (REC)**

<b>Better Practice Approaches</b>	<b>City of Melville</b>
Separation of hard and green waste collections	Current City practice
Provide residents with clear information on how they can reduce and reuse the material they usually put out for verge side collections	Current City practice. Information is provided through social media, local papers and the City's web site and annual collection calendars.
Once a year hard waste collections	Current City practice.
Information before collection	Current City practice.
Ensuring collection happens quickly after information has been distributed	Current City practice, material goes out 7 days prior to scheduled collection.
Enforcement of type and amount of material	Current practice enforcement carried out by Bulk Verge Collection Supervisor, advising offending residents of any non-conformances.
Establish a position on 'verge shoppers'	Allowed - no position.
One day drop offs for recycling	Not recurrent practice, however this report includes proposal for Household Hazardous Waste (HHW) and Electronic Waste (e-waste).
Different service options for multi-residential locations	Current practice and formalised as part of the waste and recyclables collection for multiple dwellings, mixed use developments and non-residential developments
Flexible contracts to promote recovery	The City's collections are undertaken in house allowing maximum flexibility.
Reducing green waste collections	This would require agreement with the Member Councils of the Southern Metropolitan Regional Council (SMRC)

The WALGA report also examined the content of hard waste collections.

Mindarie Regional Council (MRC) undertook a hard waste audit to better understand the contents and relative proportions of the hard waste being collected and to identify opportunities for improvement.

**T14/3543 – BULK VERGE SIDE COLLECTION REVIEW (REC)**

The audit was undertaken across 1,502 representative households from all member Local Governments and a summary of the results is shown below in table 2.

<b>Waste stream</b>	<b>Proportion of total</b>
Timber	19%
General waste	17%
E- waste	9%
Scrap metal	9%
Furniture	9%
Cardboards	7%
Mattresses	7%
White goods	7%
Carpet	6%
Plastics	5%
Toys	1%
Styrofoam	1%
Tyres	1%
Glass	1%
Building materials	1%

*Table 2: Breakdown of materials audited for MRC*

The City has investigated options available to reduce volumes disposed into landfill and increase reuse and recycling based on the results shown above. In the short term, the following additional services have been investigated and are recommended:

- collection of mattresses and their disposal and recycling at an appropriate location
- collection of whitegoods and other metal junk separately from the verge and their sale and reuse
- a Hazardous Household Waste (HHW) temporary collection day (subject to it being subsidised by WALGA)
- Electronic waste drop off

Timber was not considered because recycling would require a separate collection and additional 'non-compacting' vehicle. A timber 'drop off' day may be a future consideration.

General waste is the proportion of the waste that would go to landfill and furniture would either be treated as timber and compacted or recovered and sold at a 'tip shop'. However, this would require additional plant (flat top truck rather than compacters) and staff and is not recommended at this point in time.

**T14/3543 – BULK VERGE SIDE COLLECTION REVIEW (REC)****Mattress Collection**

Large numbers of mattresses and mattress bases are collected during the existing junk collection cycles. These items are made of materials that are almost entirely recyclable, yet our current practice is to transport these to the Cockburn Recovery Park.

Mattresses are one of the most common items put out for bulk verge collections. On average people change their mattress every 10 years and each year in Australia around 1.25 million mattresses end up in landfill. An average mattress contains 12.5kg of steel, 2kg of wood and 1.5kg of foam.

Mattresses and box springs are created from a number of materials, including wood, metal, fabric and plastic, which can all be recycled once separated. Recovery of recyclable materials is over 90%. Operators take apart box springs and mattresses by hand. As these products are being dismantled, materials are sorted and segregated. Some materials are baled to save space in the recycling facility and provide transport efficiencies. Wood can be reduced to chips and steel sent to steel recyclers

It is envisaged that the introduction of mattress collections to bulk verge collections along with their separation, recovery and disposal at a suitable recovery site, can be undertaken with existing assets and staff and will come at a minimal cost. Each mattress costs \$13 to dispose of, but this cost will be balanced by productivity improvements, better use of existing assets and savings in landfill costs. In the first week of mattress collections at the City, 180 were recovered. This was more than originally anticipated and will be monitored on a weekly basis as we continue through the collection areas. It is expected that these additional costs can be covered under the existing budget, but will be closely monitored and adjustments made at the mid-year review if required.

The actual financial impact will be reviewed later in the year and additional funds, if required, will be sought at the Mid-Year Budget Review.

**Metal Recovery**

Metal is a relatively easy material to separate and recycle and include aluminum, tin, brass, copper (nonferrous) and steel and iron (ferrous). With the implementation of operator source separation, it is envisaged that an annual average of 55 tonnes of white goods and recyclable steel can be collected and disposed for recycling at a suitable recycling facility. Pricing at the time of disposal will determine the return on collected material. Current pricing is \$100 per tonne which equates to an annual income of \$5,500.

Recycling scrap metal has the added benefit of avoiding the environmental costs of disposing of the metal in landfill and the risk of it leaching toxic chemicals into groundwater. In addition, the City will reduce the transport costs to the Cockburn Recovery Park as the proposed recycling facility is in Spearwood.

**Electronic Waste (e-waste)**

The term electronic waste, or e-waste, is loosely applied to consumer and business electronic and electrical equipment that is near or at the end of its useful life. Typical products include computers, televisions, mobile phones, DVD players, stereos, photocopiers, and fax machines, as well as 'peripheral' goods such as batteries and printers which contain recoverable high value materials such as copper and gold.

**T14/3543 – BULK VERGE SIDE COLLECTION REVIEW (REC)**

Most electronic waste goes through a recycling system called a WEEE (Waste Electrical and Electronic Equipment), which not only recycles 95-98% by weight, of all e-waste passed through it, it also ensures that any data left on hard drives and memories is thoroughly destroyed.

The City has previously conducted e-waste collections on an 'ad-hoc' basis at a cost of approximately \$5,000 per event. E-waste collections involve the 'drop off' of items such as televisions, computers and phones to divert them from landfill. In the past, this has taken place at the Operations Centre and this will continue to be the preferred location. Upon completion of the collection event, waste is consolidated in supplied containers and transported to a facility in Kewdale for recycling.

It is recommended the City host two annual e-waste collection drop off days per annum and continue to monitor and report volumes and associated costs. Based on previous experience, it is estimated that E-Waste collection days would cost approximately \$10,000 per annum.

**Household Hazardous Waste Collection**

The HHW Program provides Local Governments and Regional Councils with funding to assist with the collection, storage and disposal of HHW. The Program is funded by the Waste Authority through the Waste Avoidance and Resource Recovery Levy and is administered by WALGA.

These temporary collection days are short term, (one day) collection points for HHW. They are generally set up in Local Government or Regional Council car parks, usually in areas where no permanent HHW disposal options exist.

The HHW Program Advisory Committee have indicated that these events are an essential program element providing additional coverage for residents without access to suitable permanent HHW facilities and a valuable tool for promoting the safe disposal of hazardous material. The aim of the HHW Program is to remove these products from people's homes, and divert them from landfill.

Experience from previous collection days has proven these to be a costly option for collecting material. Information provided by WALGA and the HHW Program shows the average cost per temporary collection day is \$70,621 which includes both collection and disposal costs.

Due to the associated cost of disposal, it is recommended that the City continues to apply to host temporary collection days through the WALGA HHW Program. This would result in no direct cost to the City. If funding is not made available, HHW would be considered as part of the larger proposed operational review. The City has a current application pending.

**T14/3543 – BULK VERGE SIDE COLLECTION REVIEW (REC)****STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

There has been no engagement with the community on this matter to date however; changes will be communicated through normal channels once they are finalised. This will include the City's website and Annual Bulk Verge Collection, Green Waste, Junk and Whitegoods Calendar.

**II. OTHER AGENCIES / CONSULTANTS**

Although no specific consultation has occurred with other agencies, the City has worked extensively with WALGA, and other local governments, on the development of the Best Practice Guide for Bulk Verge Collections.

**STATUTORY AND LEGAL IMPLICATIONS**

The Waste Avoidance and Resource Recovery (WARR) Act 2007 provides for waste avoidance and resource recovery as well as waste services by local governments. This Act defines local government waste as 'waste from residential sources' and, as such, includes bulk verge collections.

All green waste is currently disposed of at the Regional Resource Recovery Centre (RRRC) in Canning Vale operated by the Southern Metropolitan Regional Council (SMRC) of which the City is a member Council. Should the City choose to reduce the frequency of its current green waste collections, a written request seeking permission to implement the necessary changes will need to be agreed to by member Councils of the SMRC to change the collection type and cycle. It is not proposed to change the green waste collection service at this stage.

**FINANCIAL IMPLICATIONS**

To assess the financial implications of changes to bulk verge collection operations, current industry unit rates have been used.

**Mattress collection.**

Based on industry data, the City expects to collect approximately one mattress in every one hundred dwellings with the disposal rate being \$13 per mattress delivered to a suitable recycling facility. The 18 suburbs of the City are divided into 12 collection areas which have an annual collection. It is estimated that thirty mattresses will be retrieved from each area totalling three hundred and sixty mattresses per annum at a total annual disposal cost of \$4,680. However, the City has recently commenced collection of mattresses and has experienced a much higher rate of collection and anticipate as many as 1,800 could be collected in a single year. As such, the financial implications have been based on these figures.

The cost of disposing 1,800 mattresses is \$23,400 which would divert 36 tonnes of mattresses from landfill resulting in a saving of \$4,860 leaving a net cost of \$18,540.

**T14/3543 – BULK VERGE SIDE COLLECTION REVIEW (REC)**

Metal collection

With current industry pricing of \$100 per tonne and average yearly volumes of 55 tonnes of steel and white goods collected, the City can expect an income of \$5,500 per annum from white goods and steel. This diverts 55 tonnes of metals away from landfill which results in a saving of \$7,425 resulting in a total saving of \$12,925 per annum.

**Additional costs/savings**

<b>Material</b>	<b>Disposal/Income rate per unit</b>	<b>Volume recovered (per annum)</b>	<b>Expenditure</b>	<b>Revenue/savings</b>
<b>White goods/ steel (sale)</b>	\$100 per tonne (income)	55 tonnes		\$5,500
<b>Mattresses (disposal)</b>	\$13 per mattress	1,800 mattresses	\$23,400	
<b>E-waste</b>	\$5,000 per event		\$10,000	
<b>White goods/ steel (diverted from landfill)</b>	\$135 per tonne saving	55		\$7,425
<b>Mattresses (diverted from landfill)</b>	\$135 per tonne saving	36		\$4,860
<b>Total</b>			<b>\$33,400</b>	<b>\$17,785</b>

The net cost to the City as a result of the proposed changes is \$15,615 per annum.

In addition to the direct costs and savings mentioned above, there are also efficiency gains as result of reduced travel times. This has resulted from the reduced need to dispose of waste at Cockburn Recovery Park due to the increased interception and recycling of metal and mattresses. The disposal sites for these streams are closer to the City of Melville than the Cockburn Recovery Park.

**T14/3543 – BULK VERGE SIDE COLLECTION REVIEW (REC)**

The actual financial impact will be reviewed later in the year and additional funds, if required, will be sought at the Mid-Year Budget Review.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
Risk that the recovery rate of metal is lower than anticipated leading to a lower than budgeted income	Insignificant consequence which are likely resulting in a <b>Low</b> level of risk as the increase is <\$50k	The volumes of metal recovered will be monitored and the financial implications of any changes to estimates will be reviewed as necessary. Any necessary changes to budget will be reviewed at the mid-year review of budget.
Risk of increased expenditure due to the collection of more mattresses than anticipated.	Insignificant consequence which are likely resulting in a <b>Medium</b> level of risk as the increase is <\$50k	The number of mattresses being collected is monitored daily and the financial implications of any changes to estimates will be reviewed regularly Any necessary changes to budget will be reviewed at the mid-year review of budget.

Additionally, diverting additional materials away from landfill will reduce overall environmental risks.

**POLICY IMPLICATIONS**

There are no policy implications associated with this report; however the report is consistent with Council's Waste Minimisation Policy CP-036 and the Environmental Policy CP-030.

**ALTERNATE OPTIONS & THEIR IMPLICATIONS**

Reducing green waste collections

The City currently collects green waste 3 times per year and would need to seek the approval of the SMRC if this was to change. Reducing green waste collections may be undertaken to provide additional hard waste collections or reduce overall operating costs which may be diverted to other programs In order to utilise existing City of Melville resources, any reduction in green waste collections would need to be matched by an increase in hard waste collections, however, the WALGA report recommends that this only occur on an annual basis. At this stage this option is not recommended.

**T14/3543 – BULK VERGE SIDE COLLECTION REVIEW (REC)**Bulk verge collections on demand

The WALGA report has identified an 'on call' service as future better practice which already occurs on the East Coast of Australia. On call services provide greater flexibility for residents and Local Governments can also spread service requirements more evenly across the year. However, this option has major resource and operational implications and is not considered feasible to change in the short term.

Provision of skip bins as required

Providing skip bins on demand would require significant changes to Operations as existing staff and plant would become redundant and new contractual arrangement would be necessary. Each bin would cost in the order of \$110-\$210, depending on contractual arrangements, and the total cost would depend on the level of service provided. Assuming 40,000 properties being provided the same level as service as currently provided (3 green waste and 1 hard waste collection or 4 bins per annum) the total cost could range from \$17.6 million to \$33.6 million. Again all bins are unlikely to be requested so these estimated costs would reduce.

Tip passes

Some local governments that operate landfill sites or transfer stations provide tip passes to their residents. This option is relatively simple to implement although comes at a very high cost. As the City does not currently operate a landfill facility or transfer station, an estimate of \$210 per property has been obtained for the purposes of this report based on 6 tip passes being provided per annum. For 40,000 properties, the total cost is estimated at up to \$8.4 million. Anecdotal evidence also suggests that less than half the tip passes provided in other local governments are used which could drop the cost to \$4.2 million. Either way, this cost is significant and not considered further.

Hazardous Household Waste collection (HHW) days

HHW has also been considered, however these initiatives present significant financial implications costing in excess of \$75,000 and it is not financially viable to host these alone. Therefore it would be recommended that the City apply to host a fully funded HHW collection day with WALGA whereas all associated costs will be covered with the WALGA grant.

**CONCLUSION**

The City operates a bulk verge collection service that aims to promote the recycling and reuse of household junk and the subsequent reduction in waste going to landfill. Whilst the City operates an effective service, there are always opportunities for improvement.

The City has worked closely with WALGA in developing best practice guidelines for bulk verge collections and is proposing that a number of cost neutral actions are implemented immediately. Subsequent to this, the City is also undertaking a larger review of waste collection operations and broader and longer term issues will be considered as part of this review.

**T14/3543 – BULK VERGE SIDE COLLECTION REVIEW (REC)**

In the short term, the addition of mattress collections and white good separation is considered to be a positive service level increase. These services can be implemented with existing staff and resources and Waste Services have commenced the separation of these items as part of the 2014/2015 bulk verge collection service.

**OFFICER RECOMMENDATION (3543)**

**APPROVAL**

At 8.52pm Cr Schuster moved, seconded Cr Phelan –

**That the Council:**

1. **Notes the improvements made to date with the City’s Bulk Verge Collection Service.**
2. **Endorses an annual Household Hazardous Waste Collection service, subject to successful funding through the Western Australian Local Government Household Hazardous Waste Program.**
3. **Endorses the introduction of two Electronic Waste Collection services per annum.**

Amendment

8.53pm Cr Willis moved, seconded Cr Aubrey –

**That the Council request the Chief Executive Officer to investigate the establishment of a permanent drop off location for recyclable goods.**

At 8.59pm the Mayor submitted the amendment, which was declared

**CARRIED UNANIMOUSLY (13/0)**

<b>Vote Result Summary</b>	
Yes	13
No	0

<b>Vote Result Detailed</b>	
Cr Aubrey	Yes
Cr Barton	Yes
Cr Foxtton	Yes
Cr Hill	Yes
Cr Macphail	Yes
Cr Phelan	Yes
Cr Pazolli	Yes
Cr Reynolds	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes

**T14/3543 – BULK VERGE SIDE COLLECTION REVIEW (REC)**

**COUNCIL RESOLUTION (3543)**

**APPROVAL**

At 9.00pm the Mayor submitted the substantive motion as amended -

**That the Council:**

1. **Notes the improvements made to date with the City's Bulk Verge Collection Service.**
2. **Endorses an annual Household Hazardous Waste Collection service, subject to successful funding through the Western Australian Local Government Household Hazardous Waste Program.**
3. **Endorses the introduction of two Electronic Waste Collection services per annum.**
4. **Request the Chief Executive Officer to investigate the establishment of a permanent drop off location for recyclable goods.**

At 9.00pm the Mayor declared the motion

**CARRIED (12/1)**

<b>Vote Result Summary</b>	
Yes	12
No	1

<b>Vote Result Detailed</b>	
Cr Aubrey	Yes
Cr Barton	Yes
Cr Foxtton	Yes
Cr Hill	Yes
Cr Macphail	Yes
Cr Phelan	Yes
Cr Reynolds	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes
Cr Pazolli	No

**M14/5000 – COMMON SEAL REGISTER (REC)**

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

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

This report details the documents to which the City of Melville Common Seal has been applied for the period from 22 August 2014 up to and including 25 September 2014 and recommends that the information be noted and endorsed.

**M14/5000 – COMMON SEAL REGISTER (REC)**

**BACKGROUND**

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

**DETAIL**

<b>Register Reference</b>	<b>Party</b>	<b>Description</b>	<b>ECM Reference</b>
900	The City of Melville and Waylen Bay Scouts Group	Scouts Australia WA Branch - Waylen Bay on Baden Powell Reserve - Deed of Lease - for a further three years from 1 July 2014 to 30 June 2017	3231929
902	The City of Melville and Bateman Winthrop Scout Group	Scouts Australia WA Branch - Bateman Winthrop Scout Group Deed of Lease for five years from 1 July 2014 to 30 June 2019	3232038
904	The City of Melville and Waylen Bay – The Strand Scout Group	Scouts Australia WA Branch - Waylen Bay – The Strand – Deed of Lease Agreement - Five years commencing 1 July 2014 to 30 June 2019	3232499
905	The City of Melville and Scouts Australia WA Branch - 1st Attadale Group Bicton	Scouts Australia WA Branch - 1st Attadale Group Bicton – Deed of Lease - Three years, commencing 1 July 2014 to 30 June 2017	3232190
917	The City of Melville and Willagee/Melville Sporting Association Inc.	Deed of Lease - City of Melville and Willagee/Melville Sporting Association Inc Management Licence. Five years commencing on the 1 October 2014 to 30 September 2019	3254489
948	The City of Melville and Connect Groups of 335-337 Pier Street, Perth	Connect Groups of 335-337 Pier St Perth - Deed of Extension of Lease for a further six months from 1 December 2014 to 31 May 2015	3309408
957	The City of Melville and Mr and Mrs Velletri.	Temporary Withdrawal of Caveat Application and Replacement of Legal Agreement – (Lot 2) 9 The Strand Applecross	3371937
958	The City of Melville and the Owners of 1-4/893 Canning Highway Mt Pleasant Strata Plan 8967	Withdrawal of caveat Lot 136 (19) Ogilvie Road and 893-897 Canning Highway, Mount Pleasant Canning Highway Mt Pleasant 893 Canning Highway Pty Ltd	3375555

**M14/5000 – COMMON SEAL REGISTER (REC)****PUBLIC CONSULTATION/COMMUNICATION**

Not applicable.

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

Not applicable.

**II. OTHER AGENCIES / CONSULTANTS**

Not applicable.

**STATUTORY AND LEGAL IMPLICATIONS**

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

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

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

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

(a) *the mayor or president; and*

(b) *the chief executive officer or a senior employee authorised by the chief executive officer,*

*each of whom is to sign the document to attest that the common seal was so affixed.*

**FINANCIAL IMPLICATIONS**

Not applicable.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

Not applicable.

**POLICY IMPLICATIONS**

Not applicable.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Not applicable.

**M14/5000 – COMMON SEAL REGISTER (REC)****CONCLUSION**

This is a standard report for Elected Members' information.

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

**That the actions of His Worship the Mayor and the Chief Executive Officer in executing the documents listed under the Common Seal of the City of Melville from 22 August 2014 up to and including 25 September 2014, be noted**

At 9.01pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (13/0)**

**M14/5385 - COUNCIL MEETING CYCLE (REC) (ATTACHMENT)**

Ward : All  
 Category : Operational  
 Subject Index : Schedule of Meetings  
 Customer Index : City of Melville  
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
 Previous Items : M13/5332 – Council Meeting Cycle – December 2013 – Ordinary Meeting of Council  
 Works Programme : Not Applicable  
 Funding : Not Applicable  
 Responsible Officer : Ned Fimmano  
 A/Governance & Compliance Program Manager

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**M14/5385 - COUNCIL MEETING CYCLE (REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- This report summarises the monthly Ordinary Meetings of Council cycle to commence in February 2015.
- The report recommends adoption of the proposed meeting schedule.

**BACKGROUND**

The Council Meeting Cycle was reviewed in December 2013 and it was resolved to continue a monthly meeting cycle whereby the Agenda Briefing Forum would be scheduled for the first Tuesday of each month and the Ordinary Meeting of Council held on the third Tuesday of every month except in January when Council is in recess.

It was also resolved that the Ordinary Meeting of Council and the Council Agenda Briefing Forums would be rescheduled in October of each Local Government Election year. The rescheduling of the October meetings allows the meeting cycle to be completed prior to the commencement of the newly Elected Members. Due to the date of the election being 17 October 2015 the meeting dates for the Agenda Briefing Forum and Council Meeting for October 2015 have been changed to occur before the election date.

The Ordinary Meeting of Council and the Council Agenda Briefing Forum are both open to the public with decision making by Council only taking place at the Ordinary Meeting of Council.

**DETAIL**

An attachment showing the proposed meeting cycle has been prepared to inform Elected Members [5385 Meeting Cycle Calendar](#) of the proposed meeting schedule.

The meeting dates for December 2015 have been brought forward to allow completion of the meeting cycle on the second Tuesday of December as is the practice in 2014.

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

The City informs the public of the dates that meetings will be held through the media, press releases and notices at the Civic Centre, Libraries and website. When adopted, the meeting schedule for the 2015 year will be advertised in a local newspaper.

**M14/5385 - COUNCIL MEETING CYCLE (REC) (ATTACHMENT)****II. OTHER AGENCIES / CONSULTANTS**

Whilst no direct consultation has taken place with other agencies the views of the Department of Local Government as expressed in the Local Government Operational Guideline Number 05 relating to Council Forums, Operations and Procedures has been taken into account in the preparation of this report

**STATUTORY AND LEGAL IMPLICATIONS**

The Local Government Act 1995, Section 5.3 - Ordinary and Special Council Meetings provides that:-

- (1) A Council is to hold ordinary meetings and may hold special meetings.*
- (2) Ordinary meetings are to be held not more than three months apart.*

Council must formally resolve to provide its meeting schedule for the next 12 months and advertise the times and date for future meetings of the Council and the Ordinary Meeting of Council Agenda Briefing Forum. Should Council resolve to adopt the proposed meeting cycle, Section 5.25(1) (g) of the Local Government Act 1995 requires that local public notice of meetings is provided.

The Local Government (Administration) Regulations 1996 require at Regulation 12(2), that the Local Government give local public notice of any change to advertised meetings date, time or place.

**FINANCIAL IMPLICATIONS**

A provision for the cost of advertising is held in an operational budget cost center.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

Matters will be brought to the Council on 11 occasions and where required, a Special Meeting of Council will be held to resolve urgent matters or those matters that will absorb a full Council agenda. There is no risk or environmental management implications in this report.

**POLICY IMPLICATIONS**

There are no policy implications in this report.

**M14/5385 - COUNCIL MEETING CYCLE (REC) (ATTACHMENT)****ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The current model provides for 11 scheduled meetings per annum with a provision to call Special Meetings of Council where a matter requires urgent attention.

There is an option to revert to a prior model which provided for 12 meetings of Council from February to December. A more frequent cycle of Ordinary Meeting of Council will have the effect of increasing the amount of decision making opportunities for Council, increase the timeliness of responses to customers awaiting Council decisions but additional staff resources would be required to service the increased frequency of meetings.

**CONCLUSION**

The current monthly Council meetings cycle was adopted with the intention of providing a stable meeting date for all Ordinary Meetings of Council and Ordinary Meetings of Council Agenda Briefing Forums. The current model has been successful in achieving the requirements of Council and it is recommended that it be maintained.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5385)****APPROVAL****That the Council:**

- 1. Approve the Ordinary Meetings of Council to be held on the third Tuesday of each month commencing in February to September 2015, November 2015 and on the second Tuesday of October 2015 and December 2015.**
- 2. Approve the Ordinary Meeting of Council Agenda Briefing Forums to be held on the first Tuesday of each month from February to September 2015 and on 29 September 2015 and 24 November 2015 and be chaired by the Mayor or his delegate.**
- 3. Go into recess in January 2015 and neither the Ordinary Meeting of Council nor an Ordinary Meeting of Council Agenda Briefing Forum will be held.**
- 4. Endorse that Elected Member Information Sessions occur as required on any Tuesday evenings that are not required for Ordinary Meetings of Council, Ordinary Meetings of Council Agenda Briefing Forums or meetings of Standing Committees.**
- 5. Request the Chief Executive Officer to advertise the Schedule of Council Meetings in order to inform the community of the Council Meeting dates.**

At 9.01pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (13/0)**

**C14/6000 - INVESTMENT STATEMENTS FOR AUGUST 2014 (REC)**

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

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

This report presents the preliminary investment statements for the period ending 31 August 2014 for the Council's information and noting.

**C14/6000 - INVESTMENT STATEMENTS FOR AUGUST 2014 (REC)**

**BACKGROUND**

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

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

**DETAIL**

Summary details of investments held as at 31 August 2014 are shown in the tables below.

<b>CITY OF MELVILLE</b>	
<b>STATEMENT OF INVESTMENTS</b>	
<b>FOR THE PERIOD ENDING 31 AUGUST 2014</b>	
<b>SUMMARY BY FUND</b>	<b>AMOUNT</b>
	<b>\$</b>
MUNICIPAL	\$ 63,919,821
RESERVE	\$ 78,420,240
TRUST	\$ 272,939
CITIZEN RELIEF	\$ 204,517
	<b>\$ 142,817,518</b>
<b>SUMMARY BY INVESTMENT TYPE</b>	<b>AMOUNT</b>
	<b>\$</b>
11AM	\$ 4,303,120
TERM DEPOSIT	\$ 132,233,753
BOND	\$ 2,000,000
FRTD	\$ 3,000,000
CDO	\$ 1,050,000
UNITS (Local Govt Hse)	\$ 230,645
	<b>\$ 142,817,518</b>
<b>SUMMARY BY CREDIT RATING</b>	<b>AMOUNT</b>
	<b>\$</b>
AA	\$ 6,000,000
AA-	\$ 85,236,873
A+	\$ 12,000,000
A	\$ 3,900,000
A-	\$ 34,400,000
BBB+	\$ -
NR	\$ 1,050,000
UNITS (Local Govt Hse)	\$ 230,645
	<b>\$ 142,817,518</b>

**C14/6000 - INVESTMENT STATEMENTS FOR AUGUST 2014 (REC)**

The following statements detail the investments held by the City for the period ending 31 August 2014.

STATEMENT OF INVESTMENTS FOR THE PERIOD ENDING 31 AUGUST 2014						
INSTITUTION / INVESTMENT	RISK of IMPAIRMENT	INVESTMENT TYPE	Interest Rate %	S & P RATING	AMOUNT \$	MATURITY DATE
BANKWEST (11AM)	Very Low	11AM	#N/A	AA-	\$0	On call
WESTPAC (MAXI DIRECT)	Very Low	11AM	2.50%	AA-	\$3,700,000	On call
WESTPAC (MAXI BONUS 1)	Very Low	11AM	2.85%	AA-	\$603,013	On call
WESTPAC (MAXI BONUS 2)	Very Low	11AM	2.85%	AA-	\$108	On call
					<b>\$4,303,120</b>	
BANK OF QUEENSLAND (TERM)	Very Low	TERM	Various	A-	\$5,000,000	Various
BENDIGO AND ADELAIDE BANK (TERM)	Very Low	TERM	Various	A-	\$10,100,000	Various
CITIBANK (TERM)	Very Low	TERM	Various	AA-	\$22,942,968	Various
AMP BANK (TERM)	Very Low	TERM	Various	A+	\$10,000,000	Various
ING BANK (TERM)	Very Low	TERM	Various	A-	\$19,300,000	Various
MACQUARIE BANK (TERM)	Very Low	TERM	Various	A	\$3,900,000	Various
NAB (TERM)	Very Low	TERM	Various	AA-	\$26,290,784	Various
RABODIRECT (TERM)	Very Low	TERM	Various	AA	\$4,000,000	Various
ST GEORGE BANK (TERM)	Very Low	TERM	Various	AA-	\$4,100,000	Various
SUNCORP METWAY LTD (TERM)	Very Low	TERM	Various	A+	\$2,000,000	Various
WESTPAC (TERM)	Very Low	TERM	Various	AA-	\$18,600,000	Various
					<b>\$132,233,753</b>	
WESTPAC (FRTD)	Very Low	FRTD	3.42%	AA-	\$3,000,000	Various
					<b>\$3,000,000</b>	
COMMONWEALTH BANK (COVERED BOND)		BOND	0.00%	AAA	\$0	
COMMONWEALTH BANK (RETAIL BOND)	Very Low	BOND	3.76%	AA	\$2,000,000	20-Dec-15
NAB (FRN)	Very Low	FRN	#N/A	AA-	\$0	0-Jan-00
COMMONWEALTH BANK (FRN)	Very Low	FRN	0.00%	AA	\$0	0-Jan-00
					<b>\$2,000,000</b>	
MANAGED ACES CLASS 1A PARKES	Very High	CDO	4.24%	NR	\$1,050,000	20-Jun-15
-Face Value					\$1,050,000	
-Written Down (Book) Value (30 June 2009)					\$9,874	
-Estimated Market Value					\$299,880	
					<b>\$1,050,000</b>	
UNITS IN LOCAL GOVT HOUSE	NA	NA	NA	NA	\$230,645	NA
<b>TOTAL FUNDS INVESTED</b>					<b>\$142,817,518</b>	
<b>CREDIT RISK COMPARISON</b>						
CREDIT RISK		AMOUNT \$	ACTUAL PROPORTION	MAX. % AMOUNT IN TOTAL PORTFOLIO	Comments	
AA		\$6,000,000	4%	80%		
AA-		\$85,236,873	60%	80%		
A+		\$12,000,000	8%	50%		
A		\$3,900,000	3%	50%		
A-		\$34,400,000	24%	50%		
BBB+		\$0	0%	20%		
NR		\$1,050,000	1%			Purchased Prior To Policy Change
UNITS IN LOCAL GOVT: HOUSE		\$230,645	0%	0.1%		Council Decision
<b>TOTAL</b>		<b>142,817,518</b>	<b>100%</b>			

**C14/6000 - INVESTMENT STATEMENTS FOR AUGUST 2014 (REC)**

<b>DIVERSIFICATION RISK</b>							
<b>INSTITUTION</b>	<b>INVESTMENT TYPE</b>	<b>S &amp; P RATING</b>	<b>AMOUNT \$</b>	<b>ACTUAL PROPORTION</b>	<b>INSTITUTION PROPORTION</b>	<b>MAX. % WITH ANY ONE INSTITUTION</b>	<b>Comments</b>
ANZ BANK (TERM)	TERM	AA-	4,000,000	2.80%	2.80%	20%	
AMP BANK (TERM)	TERM	A+	10,000,000	7.00%	7.00%	15%	
BANKWEST (11AM)	11AM	AA-	-	0.00%		20%	
BANKWEST (TERM)	TERM	AA-	2,000,000	1.40%	1.40%	20%	
BANK OF QUEENSLAND (TERM)	TERM	A-	5,000,000	3.50%	3.50%	15%	
BENDIGO AND ADELAIDE BANK (TERM)	TERM	A-	10,100,000	7.07%	7.07%	15%	
CITIBANK (TERM)	TERM	AA-	22,942,968	16.06%	16.06%	20%	
COMMONWEALTH BANK (COVERED BOND)	BOND	AAA	-	0.00%		20%	
COMMONWEALTH BANK (RETAIL BOND)	BOND	AA	2,000,000	1.40%	1.40%	20%	
ING BANK (TERM)	TERM	A-	19,300,000	13.51%	13.51%	15%	
MACQUARIE BANK (TERM)	TERM	A	3,900,000	2.73%	2.73%	15%	
NAB (TERM)	TERM	AA-	26,290,784	18.41%	18.41%	20%	
RABODIRECT (TERM)	TERM	AA	4,000,000	2.80%	2.80%	15%	
ST GEORGE BANK (TERM)	TERM	AA-	4,100,000	2.87%	2.87%	20%	
SUNCORP METWAY LTD (TERM)	TERM	A+	2,000,000	1.40%	1.40%	15%	
WESTPAC (MAXI BONUS 1)	11AM	AA-	603,013	0.42%		20%	
WESTPAC (MAXI BONUS 2)	11AM	AA-	108	0.00%		20%	
WESTPAC (MAXI DIRECT)	11AM	AA-	3,700,000	2.59%		20%	
WESTPAC (FRTD)	FRTD	AA-	3,000,000	2.10%		20%	
WESTPAC (TERM)	TERM	AA-	18,600,000	13.02%	18.14%	20%	
MANAGED ACES CLASS 1A PARKES UNITS IN LOCAL GOVT HOUSE	CDO		1,050,000	0.74%	0.74%		Purchased Prior To Policy Change
	NA	NA	230,645	0.16%	0.16%		
			<b>142,817,518</b>	<b>100%</b>	<b>100%</b>		
<b>MATURITY COMPARISON</b>							
<b>TERM to MATURITY</b>	<b>AMOUNT \$</b>	<b>ACTUAL PROPORTION</b>	<b>MAX. % IN ANY ONE YEAR</b>	<b>Comments</b>			
<b>MUNICIPAL &amp; TRUST FUNDS</b>							
< 1 year	63,962,116	100%	100%				
	<b>63,962,116</b>	<b>100%</b>					
<b>RESERVE FUNDS</b>							
< 1 year	76,420,240	97%	100%				
< 2 years	2,000,000	3%	80%				Purchased Prior To Policy
< 3 years	-	0%	80%				
< 4 years	-	0%	40%				
< 5 years	-	0%	40%				
> 5 years	-	0%	20%				
	<b>78,420,240</b>	<b>100%</b>					

The City's sole remaining Collateralised Debt Obligation (CDO) (MAS Parkes 1A), which has a final maturity date of 20 June 2015, has suffered an erosion of credit support and therefore underlying principal of 41.9%.

The sole remaining value of this CDO as at 31 August 2014 was:

- Face Value	\$ 1,050,000
- Written Down (Book) Value (30 June 2014)	\$ 1

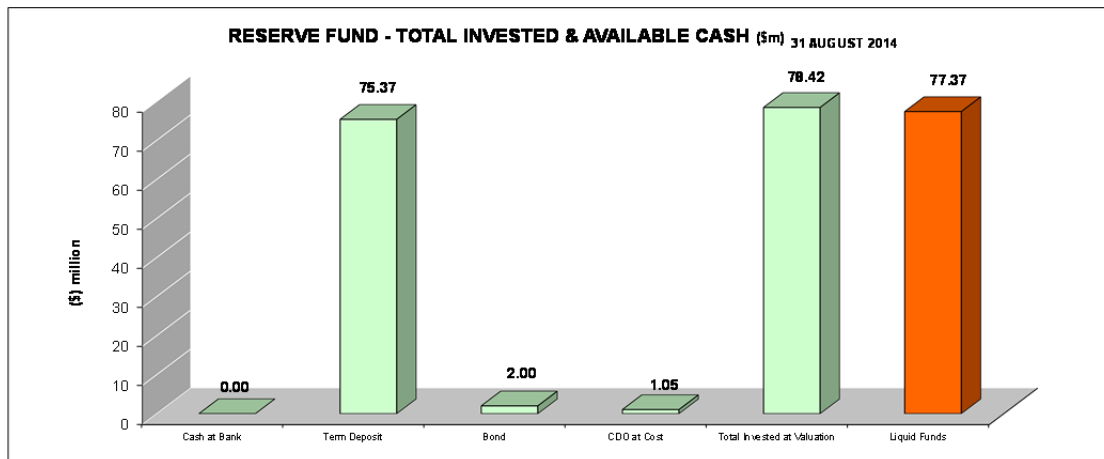
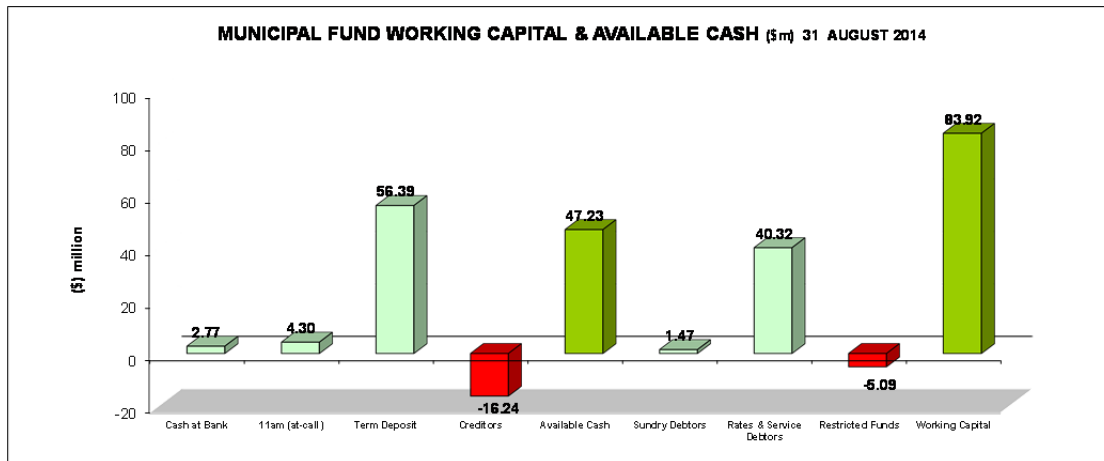
The City has earned approximately \$5.12 million from CDO investments since 1 July 2007.

**C14/6000 - INVESTMENT STATEMENTS FOR AUGUST 2014 (REC)**

CDO Name Arranger Face Value & Maturity Date	No. of Credit Events	Remaining Credit Support before <b>FIRST</b> Loss of Principal	Remaining Credit Support before <b>TOTAL</b> Loss of Principal	Comments
<b>Managed Aces Class Parkes 1A</b> Arranger: Morgan Stanley <b>\$1.05 million</b> <b>Maturing 20/6/15</b>	<b>10 credit events:</b> ResCap, AMBAC Assurance, AIFUL, XL Capital Assurance, Freddie Mac, Fannie Mae, Lehman's, WaMu, CIT Group & PMI Group.	-0.8	1.1	Partial loss 41.9% (\$0.44 million) of principal has occurred. Very high likelihood of total default.

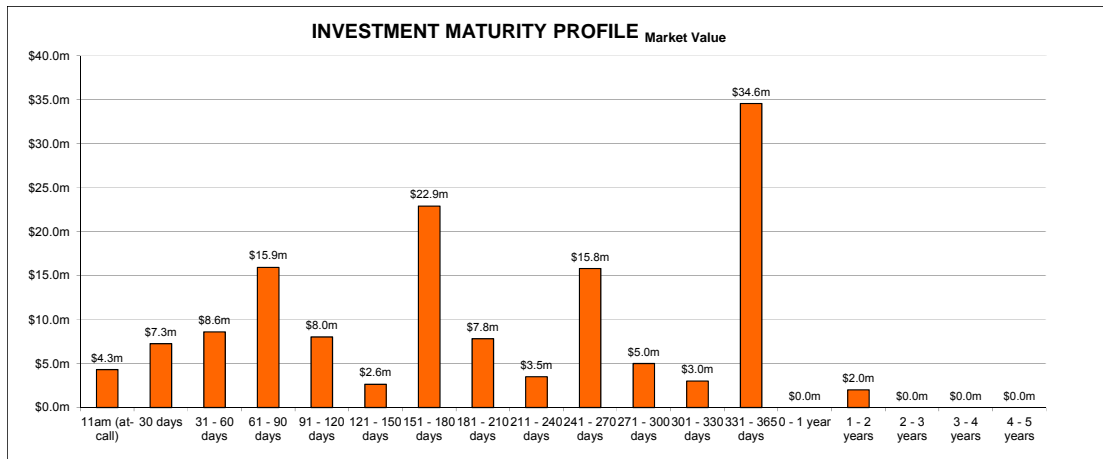
**Net Funds Held**

The graphs below summarise the Municipal Fund working capital and available cash and the funds held in the Reserve Fund at purchase price and last valuation at 31 July 2014.



**C14/6000 - INVESTMENT STATEMENTS FOR AUGUST 2014 (REC)**

The graph below summarise the maturity profile of the City's investments at market value as at 31 August 2014.



**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

This report is available to the public on the City's web-site and hard copies of this agenda and attachments are available for viewing at the City's five public libraries.

**II. OTHER AGENCIES / CONSULTANTS**

Not applicable.

**STATUTORY AND LEGAL IMPLICATIONS**

The following legislation is relevant to this report:

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

In conjunction with approximately 71 local government authorities, charities and other entities, (The Applicants) the City of Melville engaged litigation funder IMF (Australia) Ltd. to seek recovery of losses from Lehman Brothers Australia (LBA) in the Supreme Court of Australia.

On 21 September 2012, Federal Court of Australia Justice Rares delivered his findings. In summary, "His Honour found that LBA, in selling and advising on sales of certain investment products to the Applicants, acted in breach of contracts it had with the Applicants, engaged in misleading or deceptive conduct, was negligent and was in breach of its fiduciary duties as a financial adviser to the Applicants". For these reasons, LBA was found to be liable to compensate the Applicants for their losses incurred as a result of their investments.

**C14/6000 - INVESTMENT STATEMENTS FOR AUGUST 2014 (REC)**

On 3 and 21 December 2012 and 25 March 2013, Justice Rares made the Common Issues Orders (which determine a number of common questions and answers binding on the Applicants, LBA and Group Members). On 25 March 2013, Justice Rares granted the Declaratory Relief declaring, amongst other things, the amounts for which the Applicants are entitled to be admitted to prove in the liquidation of LBA.

Whilst the decisions taken by the various courts have been positive for the litigants, the legal process is lengthy.

Piper Alderman has prepared the City of Melville's final Proof of Debt claim which was lodged with the liquidators in February 2014. No accurate estimates of the distribution amounts that will eventually be made to the City can be made at this time.

**FINANCIAL IMPLICATIONS**

For the period ending 31 August 2014:

- Investment earnings on Municipal and Trust Funds were \$153,796 against a budget of \$245,000 representing a \$91,204 negative variance.
- Investment earnings on Reserve accounts were \$504,527 against a budget of \$416,667 representing \$87,860 positive variance.

Due to the continued low 'Cash' rate and the legislative restrictions that have been placed by State Government, the City's revenue earned from investment earnings is expected to remain at current levels in the foreseeable future.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

The risk of capital loss associated with \$1.05 million of the City's last legacy CDO investment is extreme. The risk of capital loss with the balance of the City's investment portfolio is low. The interest rate risk is high due to the short-term nature of the City's investments and the inability, due to legislative restrictions, to lock into longer dated investments which attract higher interest rates and help reduce exposure to reductions in interest rates.

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

**C14/6000 - INVESTMENT STATEMENTS FOR AUGUST 2014 (REC)****POLICY IMPLICATIONS**

Council Policy CP-009 – Investment of Funds.

Further investment in CDOs is specifically excluded under the City's current Investment Policy.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Not applicable.

**CONCLUSION**

The investment report highlights that, except for the one remaining legacy CDO investment of 2007, the City's investment portfolio is invested in highly secure investments that are returning low, but market competitive investment returns. These returns are commensurate with the low level of risk of the portfolio.

Future investment earnings are expected to continue to remain lower when compared to previous years as interest rates continue to be low and the legislative restrictions that have been implemented by the State Government limiting term deposits to a maximum term of 12 months, resulting in the City being able to invest in term deposits with the higher interest rates that are available on longer term investments.

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

**That the Investment Report for the month of August 2014 be noted.**

At 9.02pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (13/0)**

**C14/6001 – SCHEDULE OF ACCOUNTS PAID FOR AUGUST 2014 (REC)**  
**(ATTACHMENT)**

Ward : All  
 Category : Operational  
 Subject Index : Financial Statement and Investments  
 Customer Index : Not applicable  
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
 Previous Items : Standard Item  
 Works Programme : Not Applicable  
 Funding : 2013/2014 Budget  
 Responsible Officer : Bruce Taylor – Manager Financial Services

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

This report presents the details of payments made under delegated authority to suppliers for the month of August 2014 and recommends that the Schedule of Accounts be noted.

**C14/6001 – SCHEDULE OF ACCOUNTS PAID FOR AUGUST 2014 (REC)  
(ATTACHMENT)**

**BACKGROUND**

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

**DETAIL**

The Schedule of Accounts Paid for the month ending 29 August 2014 ([6001 August 2014](#)), including Payment Registers numbers, Cheques 420 to 422 and Electronic Funds Transfers batches 343 to 344 was distributed to the Elected Members of Council on 3 October 2014.

Payments in excess of \$25,000 for the month of August 2014 are detailed as follows:

<b>Supplier Name</b>	<b>Remittance Number</b>	<b>Remittance Details</b>	<b>Amount</b>
Amcom Telecommunications	E040271	Data charges	\$51,060.14
Belgravia Leisure	E040394	Point Walter green fees for June, July and August	\$66,000.00
City of Cockburn	E040158	Tip fees for July	\$55,385.77
CPD Group	E040482	Progress claim 1 for refurbishment of Troy Park Clubrooms and Marmion Reserve Clubrooms	\$234,806.25
Crabclaw Holdings	E040215 & E040389	Building maintenance	\$25,624.27
Department of Transport	Chq's 059043 & 059114	Vehicle registration renewals	\$45,022.73
Dowsing Concrete	E040309	Concrete works	\$61,332.81
Flexi Staff	E040182 & E040356	Temporary employment	\$61,730.93
Haefeli-Lysnar	Chq 059068	Trimble S6 2" Robotic DR Plus	\$52,250.00
Hays Specialised Recruitment	E040272 & E040450	Temporary employment	\$27,733.97
High Speed Electrics	E059149	Upgrade of lighting at Robert Crawford Reserve	\$47,462.80
JMG Air Conditioning & Electrical Services	E040441	Air conditioner maintenance	\$42,866.56
Landmark Engineering & Design Pty Ltd T/A Exteria	E040173 & E040341	Park furniture	\$72,589.00
MMM WA Pty Ltd	E040240	Drainage works at 3/156 Bateman Road and retaining wall at Lou Stoneham Reserve	\$29,052.44
Natural Area Management & Services	E040302 & E040480	Progress claim 2 and 3 for herbicide treatment and variation for Point Walter Foreshore restoration project	\$25,242.16
Programmed Maintenance Services	E040355	Painting at Heathcote	\$27,150.31
Robinson Buildtech	E040169 & E040337	Building maintenance	\$150,751.50
Sirsidyntix Pty Ltd	E040351	Software maintenance renewal	\$34,885.30
Southern Metropolitan Regional Council	E040228 & E040400	Recyclable gate fees for June and July, green waste gate fees for June and July and MSW gate fees for July	\$920,243.86
St Ives Murdoch	E040386	Refund for overpaid rates	\$44,176.10

**C14/6001 – SCHEDULE OF ACCOUNTS PAID FOR AUGUST 2014 (REC)**  
**(ATTACHMENT)**

Strategix Training Group Pty Ltd	E040274 & E040453	Certificate III in Driving Operations	\$108,000.00
Synergy	E040181 & E040354	Electricity charges	\$241,944.83
Western Australian Local Government Association	E040230 & E040401	Subscriptions and advertisement	\$62,341.82

**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

Not applicable.

**II. OTHER AGENCIES / CONSULTANTS**

Not applicable.

**STATUTORY AND LEGAL IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**POLICY IMPLICATIONS**

Not applicable.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Not applicable.

**CONCLUSION**

This is a regular monthly report for Elected Members' information.

**C14/6001 – SCHEDULE OF ACCOUNTS PAID FOR AUGUST 2014 (REC)  
(ATTACHMENT)**

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (6001)                      NOTING**

**That the Schedule of Accounts paid for the month ending 31 August 2014 as approved by the Director Corporate Services in accordance with delegated authority DA-035, and detailed in attachment [6001 August 2014](#) be noted.**

At 9.03pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (13/0)**

**C14/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR AUGUST 2014 (AMREC)  
(ATTACHMENTS)**

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

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

This report presents:

- The Statements of Financial Activity for the period ending 31 August 2014 and recommends that they be noted by the Council.
- Budget amendments for the period ending 31 August 2014 and recommends that they be adopted by Absolute Majority decision of the Council.
- The variances for the month of August 2014 and recommends that they be noted by the Council.

**C14/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR AUGUST 2014 (AMREC)  
(ATTACHMENTS)**
**BACKGROUND**

The Statements of Financial Activity for the period ending 31 August 2014 have been prepared and tabled in accordance with the *Local Government (Financial Management) Regulations 1996*.

**DETAIL**

The attached reports have been prepared in compliance with the requirements of the legislation and Council policy.

For the period ending 31 August 2014, net operating positive variances of \$3,958,638 and net capital positive variances of \$1,569,838 were recorded.

**Variations**

A summary of variations and comments are provided in attachment [6002H August 2014](#).

CITY OF MELVILLE RATE SETTING STATEMENT FOR THE PERIOD ENDED 31 AUGUST 2014							
	August Actual \$	YTD Rev. Budget \$	YTD Actual \$	Variance \$	Variance %	Annual Budget \$	Annual Rev. Budget \$
<b>Revenues</b>							
General Purpose Funding	1,677,459	5,870,712	6,015,298	144,586	2%	12,112,400	12,112,400
Recreation and Culture	565,136	1,563,476	1,627,879	64,403	4%	10,147,119	10,147,119
Transport	343,273	2,482,688	1,425,986	(1,056,702)	-43%	4,231,564	4,814,961
	2,971,524	13,598,067	12,788,128	(809,939)	-6%	37,998,637	38,600,383
<b>Expenses</b>							
Governance	(405,831)	(1,541,650)	(1,312,301)	229,349	-15%	(16,392,685)	(16,162,682)
Law, Order, Public Safety	(287,504)	(664,140)	(539,010)	125,130	-19%	(4,105,440)	(4,103,940)
Education & Welfare	(380,324)	(916,642)	(752,273)	164,369	-18%	(5,637,590)	(5,647,477)
Community Amenities	(1,117,777)	(3,424,853)	(2,767,712)	657,141	-19%	(21,193,172)	(21,613,671)
Recreation and Culture	(2,323,044)	(5,127,340)	(4,162,613)	964,727	-19%	(29,964,882)	(30,134,801)
Transport	(516,757)	(1,817,340)	(1,322,721)	494,618	-27%	(11,348,408)	(11,361,985)
Other Property and Services	(758,685)	(1,713,765)	(1,347,045)	366,720	-21%	(8,524,746)	(8,658,765)
	(5,954,858)	(15,635,382)	(12,624,713)	3,010,669	-19%	(102,771,227)	(103,287,625)
<b>Adjustments for Cash Budget Requirements</b>							
<b>Non-Cash Revenue &amp; Expenditure</b>							
(Profit)/Loss on Asset Disposals	(24,387)	-	(34,851)	(34,851)	0%	-	-
Depreciation on Assets	1,214,250	2,424,564	2,428,501	3,936	0%	14,256,544	14,256,544
Plant Capital Charge	23,984	47,969	47,969	-	0%	287,811	287,811
Movement in Deferred Rates	10,294	-	15,630	15,630	100%	-	-
	1,224,142	2,472,533	2,457,248	(11,349)	-1%	14,544,355	14,544,355
<b>Capital Revenue &amp; Expenditure</b>							
Purchase of Furniture & Equipment	(7,487)	(1,036,062)	(29,123)	1,006,939	-97%	(1,593,524)	(2,023,585)
Purchase of Plant & Equipment	(68,807)	(878,815)	(69,776)	809,039	-92%	(4,702,747)	(8,016,944)
Purchase of Land & Buildings	(329,248)	(609,347)	(314,928)	294,419	-48%	(2,034,000)	(3,898,632)
Purchase of Infrastructure Assets	(441,500)	(1,089,296)	(458,565)	630,730	-58%	(16,125,081)	(20,655,240)

**Revenue**

\$77.54m in Rates was raised to 31 August 2014. This is compared with a year to date budget of \$76.767, resulting in a positive variance of \$77.9K.

**C14/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR AUGUST 2014 (AMREC)  
(ATTACHMENTS)****Money Expended in an Emergency and Unbudgeted Expenditure**

Not applicable for August 2014

**Budget Amendments**

Further to a presentation at the Elected Members Information Session held 23 September relating to the City of Melville Wireless Hill War Memorial a Budget Amendment is presented for adoption.

The City of Melville and the RSL have been in discussions about the development of a new memorial at Wireless Hill since the middle of 2013. As part of the upcoming redevelopment of the City Centre it is proposed to remove the existing war memorial. A heritage report completed on the existing memorial showed this clock tower was built in 1984 and dedicated as a war memorial in 1988. It was deemed as having maintenance issues and consultation with the RSL has led to conclusions that a new memorial be built in a preferred location.

The proposed new location for the war memorial at Wireless Hill fits with the military history and strategic importance of the site as a Royal Australian Navy communication centre during WWI and WWII. Any new structures built on this site must be sympathetic to the environmental landscape, heritage and Aboriginal history and significance of the site.

2015 will be the Centenary of the battle of Gallipoli during WWI. This project presents an opportunity to link in with anniversary commemorations.

The Vision of this project is to create a site-specific contemporary memorial for the City of Melville community and future generations. The memorial will be a site for ceremonies and a structure that commemorates those who have served in Australia's defence forces.

A budget amendment is presented seeking approval to use \$150,000 of the Community Facilities Reserve to achieve this outcome. The City of Melville will seek reimbursement for the costs associated with this project as part of any future land disposal of the land currently occupied by the City of Melville Memorial Clock Tower. Any future reimbursement of project costs will be returned to the Community Facilities Reserve.

Details of the above and other Budget Amendments requested for the month of August 2014 are shown in attachment [6002J August 2014](#). These amendments have been carried out to reflect the appropriate responsible officers and the correction of account numbers.

**Rates Collections and Debtors**

Details of Rates and Sundry Debtors are shown in attachments 6002L, 6002M and 6002N. Rates, Refuse, Fire and Emergency Service Authority & Underground Power payments totalling \$48,520,849 were collected over the course of the month. Rates collection progress for the month of August was 0.2% below target. As at 31 August 2014, 60.8% of 2014/2015 rates had been collected. This is 0.8% higher than collected for the same time last year.

Total sundry debtor balances decreased by \$485,667 over the course of the month. The 90+ day's debtor balance decreased by \$10,124.

**C14/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR AUGUST 2014 (AMREC)  
(ATTACHMENTS)**

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

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

No debts were written off under delegated authority in the month of August 2014.

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

DESCRIPTION	LINK
Rate Setting Statement August 2014	<a href="#">6002A August 2014</a>
Statement of Financial Activity – August 2014	<a href="#">6002B August 2014</a>
Representation of Net Working Capital – August 2014	<a href="#">6002E August 2014</a>
Reconciliation of Net Working Capital – August 2014	<a href="#">6002F August 2014</a>
Notes on Rate Setting Statement reporting on variances of 10% or greater – August 2014	<a href="#">6002H August 2014</a>
Details of Budget Amendments requested – August 2014	<a href="#">6002J August 2014</a>
Summary of Rates Debtors – August 2014	<a href="#">6002L August 2014</a>
Graph Showing Rates Collections – August 2014	<a href="#">6002M August 2014</a>
Summary of General Debtors aged 90 Days Old or Greater – August 2014	<a href="#">6002N August 2014</a>

**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

Not applicable.

**II. OTHER AGENCIES / CONSULTANTS**

Not applicable.

**STATUTORY AND LEGAL IMPLICATIONS**

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

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

**C14/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR AUGUST 2014 (AMREC)  
(ATTACHMENTS)****34. Financial activity statement report — s. 6.4**

(1A) In this regulation — **committed assets** means revenue unspent but set aside under the annual budget for a specific purpose.

(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.

**C14/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR AUGUST 2014 (AMREC)  
(ATTACHMENTS)**

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

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

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

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

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

**FINANCIAL IMPLICATIONS**

Variances are dealt with in attachment [6002H August 2014](#) (Notes on Rate Setting Statement reporting on variances of 10% or greater).

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

There are no identifiable strategic, risk and environmental management implications arising from this report.

**POLICY IMPLICATIONS**

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

**CONCLUSION**

The attached financial reports reflect a positive financial position of the City of Melville as at 31 August 2014.

**C14/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR AUGUST 2014 (AMREC)  
(ATTACHMENTS)**

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

At 9.03pm Cr Willis moved, seconded Cr Aubrey –

**That the Council:**

- 1. Note the Rate Setting Statement and Statements of Financial Activity for the month ending 31 August 2014 as detailed in the following attachments:**

<b>DESCRIPTION</b>	<b>LINK</b>
Rate Setting Statement August 2014	<a href="#">6002A August 2014</a>
Statement of Financial Activity – August 2014	<a href="#">6002B August 2014</a>
Representation of Net Working Capital – August 2014	<a href="#">6002E August 2014</a>
Reconciliation of Net Working Capital – August 2014	<a href="#">6002F August 2014</a>
Notes on Rate Setting Statement reporting on variances of 10% or greater – August 2014	<a href="#">6002H August 2014</a>
Details of Budget Amendments requested – August 2014	<a href="#">6002J August 2014</a>
Summary of Rates Debtors – August 2014	<a href="#">6002L August 2014</a>
Graph Showing Rates Collections – August 2014	<a href="#">6002M August 2014</a>
Summary of General Debtors aged 90 Days Old or Greater – August 2014	<a href="#">6002N August 2014</a>

- 2. By Absolute Majority Decision adopt the budget amendments, as listed in the Budget Amendment Reports for August 2014, as detailed in attachment [6002J August 2014](#).**

At 9.03pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (13/0)**

**C14/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR AUGUST 2014 (AMREC)**  
**(ATTACHMENTS)**

<b>Vote Result Summary</b>	
Yes	13
No	0

<b>Vote Result Detailed</b>	
Cr Aubrey	Yes
Cr Barton	Yes
Cr Foxtton	Yes
Cr Hill	Yes
Cr Macphail	Yes
Cr Phelan	Yes
Cr Pazolli	Yes
Cr Reynolds	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes

At 9.04pm Cr Reynolds left the meeting and returned at 9.05pm.  
At 9.42pm Cr Pazolli and Cr Willis left the meeting.  
At 9.43pm Cr Pazolli returned to the meeting.  
At 9.44pm Cr Willis returned to the meeting.  
At 9.56pm Cr Barton left the meeting and returned at 10.00pm.  
At 10.01pm Cr Pazolli left the meeting and returned at 10.04pm.

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

### **15.1 Media Article “Melville City Herald” 27 September 2014**

At 9.04pm Cr Schuster moved, seconded Cr Macphail –

**That the Council:**

- 1. Notes the article published on page 2 of the “Melville City Herald” [“the Herald”] edition of Saturday 27 September 2014 titled “Power Push”, which deals with the general question of multi unit housing development;**
- 2. Notes that the Herald did not have a representative at the relevant Council meeting (Tuesday 16<sup>th</sup> September), nor did the Herald make an application to listen to the recording of the meeting and in any event the recording of the meeting in question, dealing with the two issues involving the multi use housing code, contains no allegations of corruption, bribery or any similar offence;**
- 3. Rejects the inferred slur on its planning staff contained in the article and confirms that it has full confidence in the integrity and trust of its staff in discharging their legal and policy responsibilities;**
- 4. Requests His Worship the Mayor to write a letter for publication to the “Melville City Herald” and other relevant media outlets outlining the City’s confidence in its staff and the processes and policies of the Council;**

#### Amendment 1

At 9.31pm Cr Phelan moved, seconded Cr Aubrey–

That the Council request the Chief Executive Officer to forward a complaint against the Melville Herald to the Australian Press Council for breach of the “General Principles” in the media article published in the “Melville City Herald” 27 September 2014.

Amendment 1 was withdrawn.

**15.1 Media Article “Melville City Herald” 27 September 2014 (Continued)**

**Amendment 2**

At 9.55pm Cr Aubrey moved, seconded Cr Reynolds –

That this matter be referred to the Governance Committee for investigation and determination.

At 10.04pm the Mayor submitted the motion, which was declared

**LOST (6/7)**

<b>Vote Result Summary</b>	
Yes	6
No	7

<b>Vote Result Detailed</b>	
Cr Aubrey	Yes
Cr Macphail	Yes
Cr Phelan	Yes
Cr Reynolds	Yes
Cr Schuster	Yes
Mayor Aubrey	Yes
Cr Barton	No
Cr Foxtton	No
Cr Hill	No
Cr Pazolli	No
Cr Robartson	No
Cr Taylor-Rees	No
Cr Willis	No

**COUNCIL RESOLUTION**

**That the Council:**

- 1. Notes the article published on page 2 of the “Melville City Herald” [“the Herald”] edition of Saturday 27 September 2014 titled “Power Push”, which deals with the general question of multi unit housing development;**
- 2. Notes that the Herald did not have a representative at the relevant Council meeting (Tuesday 16<sup>th</sup> September), nor did the Herald make an application to listen to the recording of the meeting and in any event the recording of the meeting in question, dealing with the two issues involving the multi use housing code, contains no allegations of corruption, bribery or any similar offence;**
- 3. Rejects the inferred slur on its planning staff contained in the article and confirms that it has full confidence in the integrity and trust of its staff in discharging their legal and policy responsibilities;**
- 4. Requests His Worship the Mayor to write a letter for publication to the “Melville City Herald” and other relevant media outlets outlining the City’s confidence in its staff and the processes and policies of the Council;**

At 10.08pm the Mayor submitted the motion, which was declared

**CARRIED (10/3)**

**15.1 Media Article “Melville City Herald” 27 September 2014 (Continued)**

<b>Vote Result Summary</b>	
Yes	10
No	3

<b>Vote Result Detailed</b>	
Cr Aubrey	Yes
Cr Foxtton	Yes
Cr Hill	Yes
Cr Macphail	Yes
Cr Phelan	Yes
Cr Reynolds	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Willis	Yes
Mayor Aubrey	Yes
Cr Barton	No
Cr Pazolli	No
Cr Taylor-Rees	No

**Reasons for Motion**

Cr Schuster provided the following reasons in support of the Motion.

1. I was most surprised when I read this article (copy attached), as a supporter of the two motions involved in the meeting of 16 September, as I heard no allegations or inferences of corruption and bribery in either debate, and if I had I know myself well enough that I at least, and I am sure other elected members, would have refuted such commentary immediately. In fact if any citizen has knowledge of official corruption, bribery or like offences it is their duty to report it to the relevant authorities;
2. Subsequently I have listened to the recording of the Council debate on these two motions and found them to be full of reasoned and logical debate by all participants with no hint of the inferences and allegations contained in the Herald article;
3. As is my usual practice I would not raise an issue of this kind without speaking with the person quoted or mentioned in the relevant article, so I have spoken to Cr Pazolli (3<sup>rd</sup> October) to understand his view of how his name came to be associated with such detailed comments in an article when there was no mention of those issues in debate – his answers remain for him to divulge should he wish to.

**15.1 Media Article “Melville City Herald” 27 September 2014 (Continued)**

4. Suffice to say the role of any regulator is hard enough and there is always the potential for corruption (hence there are other regulatory processes and bodies to deal with that) regardless of the type of parties involved, but in my experience as a long term resident and sometime Elected Member with the City of Melville I have never had occasion to doubt the integrity or trustworthiness of any of the staff or processes I have had to deal with –disagree from time to time to be sure, but I have always trusted the staff and our processes to make honest and informed decisions;
5. The article in the Herald of course makes no direct accusations, but the inferences are clear –in politics this is often called “dog whistling” for obvious reasons and in my view is an odious introduction to our democracy, whether it comes from the Right or the Left. However the first paragraph of the article, and I quote states “A Melville Councillor has moved to pull back powers from planning staff, warning there is potential for corruption to flourish” –as I have only an average grasp of the English language, I referred to my “Compact Oxford English Dictionary” and the primary definition of “flourish” as a verb is “grow or develop in a healthy or vigorous way”. Clearly the only implication one can put on that statement is that someone thinks that corruption exists and will “grow or develop” under the current planning powers and arrangements;
6. Inferences and articles such as these only draw unwarranted attention to promoting the possibility of corruption and are in my view manifestly unfair to the City’s (planning in this instance) staff, who conduct their work within the laws of the State and the City, the policies of the City and the many processes established to ensure the City’s residents and other stakeholders can be reassured the City’s decisions and activities are conceived and conducted honestly, even when (as I have suggested above sometimes happens to me) I disagree with the outcome; and,
7. In my view the Council needs to make a clear statement refuting the inferences in the article and seeking a right of redress in the “Melville City Herald”, hence I have framed this motion for discussion. I understand there is one elected member prepared to second it for discussion.

At 10.09pm Cr Robartson left the meeting and returned at 10.10pm.

**15.2 Consideration of a financial contribution to the restoration of the (former) Headmaster's residence at Applecross Primary School**

Disclosure of Interest

Item No.	15.2
Member	Cr J Barton
Type of Interest	Interest under the Code of Conduct
Nature of Interest	Grand-daughter attends School
Request	Stay, discuss and vote
Decision of Council	Not Applicable

At 10.09pm Cr Schuster moved, seconded Cr Willis –

**That the Council requests the Chief Executive Officer to give consideration, in the mid year budget review for 2014/2015, to providing funding of \$5,000 to the restoration project being managed by the Applecross Primary School for its former Headmaster's residence. If such funding is approved then it is only to be paid to the project after all necessary approvals (including from the City if necessary and the Heritage Council of Western Australia) have been received.**

At 10.21pm the Mayor submitted the motion, which was declared

**CARRIED (10/3)**

Vote Result Summary	
Yes	10
No	3

Vote Result Detailed	
Cr Hill	Yes
Cr Macphail	Yes
Cr Phelan	Yes
Cr Pazolli	Yes
Cr Reynolds	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes
Cr Aubrey	No
Cr Barton	No
Cr Foxtton	No

## 15.2 Consideration of a financial contribution to the restoration of the (former) Headmaster's residence at Applecross Primary School (Continued)

### Reasons for Motion

Cr Schuster provided the following reasons in support of the Motion.

1. The Applecross Primary School ("the School") Headmaster's residence was constructed, with the school's first classroom as a result of community advocacy to the Education Department in 1913 (from 1905 to 1913 the school convened in a community hall). It is a timber framed and clad building and is part of Heritage Listing AP 06 on the City's Local Government Heritage Inventory (also included in listing AP 06 are the bell tower, pavilion and initial school building);
2. The school buildings (including the residence) are also classified by the National Trust of Western Australia; the buildings are on the Heritage Council's Register of Heritage Places in Western Australia (Place 01542); and are listed on the Register of the National Estate (Place ID 13835) by the Australian Heritage Council. Hence they are among the most important built form in the City's heritage assets;
3. I have been thinking for some time about how the Council could best preserve some of the earliest European residential architecture, much of which has of course now been demolished and most of what remains is in private ownership on valuable land. This school residence is of course on public land hence has the opportunity to be preserved (as indeed it has been for 100 years already);
4. The school community, led by the school Principal, has set up a Building fund and managing committee. Their first project is to renovate and restore the Headmaster's Residence. They need to raise \$100,000 to complete the restoration to the appropriate standard. The fund has Deductible Gift Recipient Status from the Australian Taxation Office and to date has raised approximately \$70,000 from the community and the project's fund raising activities (including a \$15,000 commitment from the Education Department);
5. The project is also supported by the school community which is finding ways to introduce the heritage elements of the buildings into school and community programs so that the building is used and hence preserved as well as can be. The current intention is for the work to commence in the October school holidays (asbestos removal) and then progress over summer 2014/2015;
6. The City is rightly proud of its activities to protect, preserve and enhance its built heritage, particularly those assets held in public hands. In this case the heritage asset is held in public hands by the State Government and a local school community is raising the money to complete the work –I would make the case to the Council that a modest contribution of \$5,000 from the mid year budget review for part of the capital works will both show the Council's support for improving our built heritage and also support a local community undertaking a significant heritage project;

**15.2 Consideration of a financial contribution to the restoration of the (former) Headmaster's residence at Applecross Primary School (Continued)**

7. As raised just before the start of the Council meeting of 16 September 2014 the City, through its Community Partnership Fund, has committed \$4,000 to this project, essentially for the preparation of a heritage plan. The funding has not been drawn down as yet and I am advised by the Committee it won't be possible to consider this until the project is completed (planned for the first quarter of 2015).
8. If funded my proposal would be that the City commits the funding but does not pay it to the project until it sees evidence that all necessary approvals have been obtained.

At 10.40pm Cr Phelan left the meeting and returned at 10.42pm  
At 10.49pm Cr Aubrey left the meeting and returned at 10.51pm.

### **15.3 Increased Grant Funding for Environmental Friends Groups**

#### Disclosure of Interest

Item No.	15.3
Member	Cr S Taylor - Rees
Type of Interest	Interest under the Code of Conduct
Nature of Interest	Volunteer and Committee Member of Beach
Request	Stay, discuss and vote
Decision of Council	Not Applicable

#### Disclosure of Interest

Item No.	15.3
Member	Cr R Willis
Type of Interest	Interest under the Code of Conduct
Nature of Interest	Member of Friends of Bull Creek
Request	Stay, discuss and vote
Decision of Council	Not Applicable

At 10.22pm Cr Taylor – Rees moved, seconded Cr Barton –

**That the Council resolve to consider at the Mid-Year Budget Review, an increase of the financial assistance the City provides Environmental Friends Groups from \$500 to \$1,000 annually, for the purpose of providing greater flexibility for the groups to enable them to cover their small costs such as insurance, tools and equipment, signage, advertising, safety gear and weed spraying. Resolve to consider at the March and this amount be made available on acquittal.**

#### Motion of Dissent with the Presiding Member's Ruling

At 10.29pm Cr Pazolli moved, seconded Cr Barton, the following Procedural Motion in accordance with Clause 11.1(f) of Standing Orders Local Law 2003 -

To move dissent with the ruling of the Presiding Member on the Point of Order.

At 10.30pm the Mayor submitted the Procedural Motion which was declared

**LOST (4/9)**

**15.3 Increased Grant Funding for Environmental Friends Groups (Continued)**

<b>Vote Result Summary</b>	
Yes	4
No	9

<b>Vote Result Detailed</b>	
Cr Barton	Yes
Cr Hill	Yes
Cr Pazolli	Yes
Cr Taylor-Rees	Yes
Cr Aubrey	No
Cr Foxtton	No
Cr Macphail	No
Cr Phelan	No
Cr Reynolds	No
Cr Robartson	No
Cr Schuster	No
Cr Willis	No
Mayor Aubrey	No

At 10.48pm the Mayor submitted the motion, which was declared

**CARRIED (9/4)**

<b>Vote Result Summary</b>	
Yes	9
No	4

<b>Vote Result Detailed</b>	
Cr Barton	Yes
Cr Foxtton	Yes
Cr Hill	Yes
Cr Pazolli	Yes
Cr Reynolds	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes
Cr Aubrey	No
Cr Macphail	No
Cr Phelan	No
Cr Robartson	No

**15.3 Increased Grant Funding for Environmental Friends Groups (Continued)**Reasons for Motion

Cr Susanne Taylor - Rees provided the following reasons in support of the Motion.

1. The annual costs of insurance has become prohibitive on most Friends Groups.
2. Incorporated groups are required to seek out and apply for grants to cover insurance costs, taking them away from time spent working and applying for grants to achieve desired outcomes for the environment or community.
3. The annual allocation whilst very much appreciated has not had any increase or been reviewed in recent years.
4. Support for this increase will show goodwill from the Council in supporting our volunteers and their continued efforts within the community.
5. Presently funds provided are used to cover some of the insurance costs and do not allow for replacement equipment, signage or advertising.
6. The estimated additional cost will be \$8,500 per annum.

**15.4 Delegated Authority – DA-090 Grant of Demolition Permit**

At 10.50pm Cr Taylor Rees moved, seconded Cr Pazolli –

**That the Council amend Delegated Authority – DA-090 Grant of Demolition Permit to include the following:**

**“Except any property (Buildings) owned by the City of Melville and recommended for demolition, be referred to Council for approval, prior to demolition”.**

At 10.54pm the Mayor submitted the motion, which was declared **CARRIED (10/3)**

Vote Result Summary	
Yes	10
No	3

Vote Result Detailed	
Cr Aubrey	Yes
Cr Barton	Yes
Cr Foxtton	Yes
Cr Macphail	Yes
Cr Phelan	Yes
Cr Pazolli	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Cr Hill	No
Cr Reynolds	No
Mayor Aubrey	No

Reasons for Motion

Cr Susanne Taylor - Rees provided the following reasons in support of the Motion.

To ensure that Elected Members and the community are aware of demolition prior to the event and the reasons for such demolition.

This will allow for discussion and notification to ward Councillors.

Presently the approval can also be "sub-delegated" to Officers, this is appropriate for all other Demolition Permits but not I believe for Council owned properties.

## 16. EN BLOC ITEMS

At 10.54pm Deputy Mayor Foxtton moved, seconded Cr Aubrey –

**That the recommendations for items P14/3559, P14/3505, M14/5000, M14/5385, C14/6000 and C14/6001 be carried En Bloc.**

At 10.54pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (13/0)**

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

### 17.1 Acknowledgement of Past Prime Minister Gough Whitlam

At 10.55pm Cr Schuster moved, seconded Cr Pazolli

**That Cr Robartson be permitted to present to Council a Motion Without Notice relating to the passing of former Prime Minister Gough Whitlam.**

At 10.55pm the Mayor submitted the motion which was declared

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (13/0)**

Vote Result Summary	
Yes	13
No	0

Vote Result Detailed	
Cr Aubrey	Yes
Cr Barton	Yes
Cr Foxtton	Yes
Cr Hill	Yes
Cr Macphail	Yes
Cr Phelan	Yes
Cr Pazolli	Yes
Cr Reynolds	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes

At 11.00pm Cr Taylor – Rees left the meeting

At 10.56pm Cr Robartson moved, seconded Cr Schuster

**That the City of Melville acknowledges the passing of the Hon Edward Gough Whitlam AC QC, Past Prime Minister of Australia, long standing member of Federal Parliament and a great Australian.**

At 11.01pm the Mayor submitted the motion which was declared

**CARRIED (12/0)**

**17.1 Acknowledgement of Past Prime Minister Gough Whitlam (Continued)**

<b>Vote Result Summary</b>	
Yes	12
No	0

<b>Vote Result Detailed</b>	
Cr Aubrey	Yes
Cr Barton	Yes
Cr Foxtton	Yes
Cr Hill	Yes
Cr Macphail	Yes
Cr Phelan	Yes
Cr Pazolli	Yes
Cr Reynolds	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Willis	Yes
Mayor Aubrey	Yes

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**18. CLOSURE**

There being no further business to discuss the Mayor declared the meeting closed at 11.02pm.