



City of
Melville

MINUTES
ORDINARY MEETING OF COUNCIL

6:30pm Tuesday, 21 April 2026

Held in the Council Chambers, Melville Civic Centre,
10 Almondbury Road, Booragoon

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

Minutes to be confirmed at the next Ordinary Council Meeting

These minutes are hereby confirmed as true and accurate

Presiding Member

Date



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Vision

Vibrant, Sustainable, Inclusive Melville

Mission

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

Values

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

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

Our Approach

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



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

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

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

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OFFICIAL**1 OFFICIAL OPENING**

The Presiding Member welcomed those in attendance to the meeting, officially declared the meeting open at 6:30 PM and invited Cr M McGoldrick to read the Acknowledgement of Country and advised those present of the Purpose of the Agenda Briefing Forum, the Disclaimer, the Affirmation of Civic Duty and Responsibility and the Audio Recording Advice.

2 ATTENDANCE AND APOLOGIES**In Attendance**

K Mair

Mayor

CouncillorsCr M Woodall (*until 10:31pm*)Cr J Spanbroek (*until 8:56pm*)Cr G Barber (*until 9:51pm*)

Cr G Panayotou

Cr N Robins

Cr S Hong

Cr C Ross

Cr D Lim

Cr K Wheatland (*until 10:30pm*)

Cr M McGoldrick

Cr S Green

Cr C Yorke

Ward

Bull Creek - Leeming Ward

Bull Creek - Leeming Ward

Bicton - Attadale - Alfred Cove Ward (*electronic attendance*)

Bicton - Attadale - Alfred Cove Ward

Bateman - Kardinya - Murdoch Ward

Bateman - Kardinya - Murdoch Ward

Applecross - Mount Pleasant Ward

Applecross - Mount Pleasant Ward

Palmyra - Melville - Willagee Ward

Palmyra - Melville - Willagee Ward

Central Ward

Central Ward

Officers

Ms G Bowman

Chief Executive Officer

Mr G Tuffin

Director Corporate Services

Mr J Coten

Director Environment & Infrastructure

Ms M Pickering

Director Community Development

Mr P Varelis

Director Planning

Mr M Yildiz

Director Legal, Governance & Risk

Ms D Heera (*until 7:04pm*)Chief Information Officer (*electronic attendance*)Mr D Burton (*until 8:56pm*)

Manager Healthy Melville

Mr G Ponton (*until 7:20pm*)Manager Strategic Urban Planning (*electronic attendance*)Mr J Bird (*until 8:56pm*)

Manager Natural Areas & Parks

Ms C Newman

Head of Governance

Mr O Pugh

Acting Lead Governance

Mr J Titterton

Business Support (Administration) Trainee

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At the commencement of the meeting:

Public Gallery 61

Dr J Krishnan, MLA, Member for Riverton

Apologies

Nil.

On Approved Leave of Absence

Nil.

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3 DECLARATIONS BY MEMBERS

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

Nil.

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

Nil.

4 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

Approved Deputations

Nil.

Approved Written Submissions

- Mr M Fitzgibbon, Melville – Item M26/74 Proposed Local Laws – City of Melville Cat & Fencing Amendment Local Laws 2026
- Mr D Sayer, President of the Leeming Strikers Soccer Club – Item CD26/62 John Connell Reserve Field Extension Proposal
- Ms R Ernst, President of the Leeming Spartan Junior Cricket Club – Item CD26/62 John Connell Reserve Field Extension Proposal

5 DISCLOSURE OF INTEREST

5.1 Financial or Proximity Interests

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

E26/97 RFT252623 Design & Construct for Mt Pleasant Foreshore Lighting

Name	Mayor K Mair
Nature of interest	Proximity Interest
Item description	Leave

5.2 Disclosure of Interest that may cause a Conflict

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

M26/76 CEO Performance Review Panel Appointment

Name	CEO Ms G Bowman
Nature of interest	Interest under Code of Conduct. Will participate in the CEO Annual Performance Review process
Item description	Stay

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CD26/62 John Connell Reserve Field Extension Proposal	
Name	Mayor K Mair
Nature of interest	Interest under Code of Conduct
Item description	Stay, discuss and vote
Name	Cr N Robins
Nature of interest	Interest under Code of Conduct, son plays cricket at Leeming Cricket Club and footy at Bull Creek Leeming Junior Football Club
Item description	Stay, discuss and vote

15.1 Notice of Motion Stormwater 121 The Esplanade, Mount Pleasant	
Name	Cr C Ross
Nature of interest	Interest under Code of Conduct, I know the applicant socially
Item description	Stay, discuss and vote

Item C26/375 Recreation Leasing Opportunity Update – Barrisdale Open Space, 40 Bedford Road, Ardross (Impartiality Interest)	
Name	Mayor K Mair
Nature of interest	Interest under Code of Conduct
Item description	Stay, discuss and vote

OFFICIAL**6 PUBLIC QUESTION TIME**

At 6:39pm the Presiding Member opened Public Question Time.

6.1 Questions Received with Notice**6.1.1 The City of Melville Residents & Ratepayers Association**

Preamble to Questions 1 to 8:

Western Australian Local Government Association (WALGA) is considered an “agency” and ‘public body’ in the recent [2026] WASC 102 LOCAL GOVERNMENT ELECTED MEMBERS ASSOCIATION (WA) INC (LGEMA) v WALGA decision post the Information Commissioner’s support of WALGA’s refusal of LGEMA’s FOI application (<https://ecourts.justice.wa.gov.au/eCourtsPortal/Decisions/DownloadDecision?id=52ea7af3-4388-4cb5-bbb7-579e1b0e5974>). In February 2023 the MRRA asked WALGA questions about submitting and FOI applications. WALGA responded: “WALGA will be meeting with the Freedom of Information Commissioner shortly to discuss WALGA obligations under the FOI Act. WALGA is a not for profit incorporated Association and not a Government agency. Once we have this information we will be in a position to respond.” WALGA never followed up.

For the 2024/25 financial year and year to date;

Question 1:

How much were the WALGA membership fees?

Response to Question 1:

The annual subscription to WALGA paid for 2024/25 was \$56,760.

Question 2:

How much has the City spent on WALGA training for staff and Elected Members (noting some EM training is now mandatory)?

Response to Question 2:

For 2024/25 the City spend \$8,096 on training with WALGA.

Question 3:

How much has the City spent on WALGA events and conferences for staff and Elected Members?

Response to Question 3:

For 2024/25 the City spent \$9,784 on events and conferences with WALGA.

OFFICIALQuestion 4:

What additional WALGA services does your LG subscribe to, and what do they cost?

Response to Question 4:

WALGA subscriptions 24-25 LG Complete Guide WALGA, \$1,216.00

WALGA subscriptions 24-25 Local Law Subscription WALGA, \$707.00

WALGA subscriptions 24-25 Employee Relations Subscription WALGA, \$21,989.00

WALGA subscriptions 24-25 Tax Services Subscription WALGA, \$2,405.00

WALGA subscriptions 24-25 Procurement Services Subscription WALGA, \$2,786.00

Total additional services: \$29,103.00

Question 5:

How much was spent on LG Professionals memberships, events, and training?

Question 6:

Anything else.

Response to Questions 5 & 6:

LG Professionals spend for 2024/25 was \$26,576

Annual Subscription: \$2,286

Training: \$10,673

Events and Conferences: \$13,617

Question 7:

What roles do the City, City employees, and / or Elected Members have with WALGA and the LG Professionals.

Response to Question 7:

To attend and/or present at Local Government specific training, forums, meetings and events. The Council has appointed a number of Elected Members and the CEO as representatives of the City at the WALGA South Metropolitan Zone and WALGA State Council

Question 8:

How much and for what reason has WALGA and LG Professionals transferred (money or tangible benefits/services in any form) to: a) The City b) Any City employees (past and present) c) Any Elected Member (past and present)

OFFICIALResponse to Question 8:

The City is not aware of any direct payments, benefits or transfers (financial or otherwise) having been made by WALGA or LG Professionals WA to current Elected Members. Where a staff member has been engaged by Local Government Professionals to provide training, the staff member would be paid to deliver the training.

The City does, from time to time, receive services, advocacy, training and sector support from WALGA and LG Professionals WA in the ordinary course of local government operations. These are generally provided on a sector-wide or membership basis and are not specific payments or benefits to individuals.

The City is not in a position to advise whether any former employees may have separately received payments from either organisation for services provided in a personal or external capacity, independent of their role with the City.

Preamble to Questions 9 to 29:

The MRRA have long lobbied for Council Committee meetings to be respectfully opened to the public to vastly improve Council's community engagement opportunities. Like many Councils have continued to do. The ARIC Committee agenda has been published at long last. However, the City's website says: "Public Participation and Attendance Please note that this meeting is not broadcast online, so members of the public wishing to view the proceedings will need to attend in person. This meeting does not include opportunities for written submissions, deputations [sic] or questions, and members of the public are only able to observe this meeting". If Council refuses to answer all or part of the following questions at the 8/4/2026 ARIC Committee meeting, then please put them ALL to the 21/04/2026 OMC.

Question 9:

How and why does Council accept the risks associated with limiting Public Participation and Attendance in Council committee meetings was acceptable and compliant with the objects and provisions of the Local Government legislation (including Sections 1.3(2), 5.23A and 5.24, R.13(1).) and Council's own meeting local laws?

Response to Question 9:

The City does not limit public participation or public attendance at the City's Committee meetings. Recent amendments to the *Local Government Act 1995* and the *Local Government Administration Regulations 1996* require Committees established under the Local Government Act to be open to the public which the City's Committee are.

The updated legislation also provides that where a Committee has delegated authority from the Council, it must include time for public questions (Reg 5). At this time, none of the City of Melville Committees have delegated authority and therefore there is no requirement for public question time at Committee meetings.

All recommendations made by committees are referred to the Council for final determination. This ensures that the community continues to have the opportunity to ask questions and make submissions on matters prior to Council making a decision.

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There is no requirement to broadcast/record Committee meetings that are held in-person (Reg 14D and 14E).

The City is working through the practical application of the recent legislative changes and is seeking to balance available resources with levels of community interest.

Question 10:

Why is Council fearful of public records of engagement with and from community members with respect to the City's finances and risks?

Response to Question 10:

The City always seeks appropriate, focused and valuable community engagement and all of the City's financial reports are reported publicly to Council and in the City's Annual Report.

Question 11:

Where is the City's risk assessment on ALL Council committee meetings being opened to the public?

Response to Question 11:

There is no known or identified risk associated with committee meetings being opened to the public as this is required by the Local Government Act.

In response to the recent legislative changes relating to committee meetings, the City has reviewed its Committee structure and recommended an approach that maximises transparency and efficiency within the legislative framework.

As part of this approach, the scope and function of the Audit, Risk and Improvement Committee has been broadened to encompass oversight of the City's audit and risk management systems, financial reporting, internal improvement activities, and governance and compliance matters.

This consolidated approach provides the community with a single forum to observe and gain insight into these key business functions, while also supporting the efficient use of the City's resources and minimising duplication across multiple Committees.

Question 12:

Why did the City wait to publish the agenda at around 4 pm Friday 2 April, 2 business days before the meeting?

OFFICIALResponse to Question 12:

In accordance with the requirements of the updated legislation, the Agenda for a Committee meeting is to be published on the City's website at the same time it is distributed to members of the Committee as set out in Regulation 14(1) of the *Local Government (Administration) Regulations 1996*. The Agenda for the 8 April 2026 Audit, Risk and Improvement Committee meeting was published and distributed to Committee members on the afternoon of Thursday 2 April 2026.

Question 13:

Where can a copy of the referenced 19 November 2026 meeting minutes be found on the City's website, and where are all of the other past committee meeting minutes? Noting they were once publicly available?

Response to Question 13:

The minutes of the Audit, Risk and Improvement Committee meeting held 19 November 2025 were prepared prior to the changes to the Legislation requiring agendas and minutes of Committee to be available to the public and for meetings to be open to the public. Notwithstanding this, the minutes contain a number of items that would be considered confidential in accordance with the requirements of the *Local Government Act 1995*.

Question 14:

Why exactly has Council determined the documents attached to item C26/369 Insurance and Risk Management Report as confidential. The Risk Matrix, Strategic Risk Register, Operational Risk Register, Insurance Policies 2025/2026 should be publicly accessible as they are core to local government affairs?

Question 15:

Where is the Risk Assessment that supports the obstruction and exclusion of community viewing of the City's Risk Management report, Matrix and Registers?

Response to Questions 14 & 15:

The City does not obstruct or exclude the community for accessing or reporting information publicly through Council, however the Local Government Act does provide for certain matters to be considered (whether at a committee or a Council meeting) behind closed doors. The Local Government Act provides for this so that certain confidential information can be considered. The City's Risk Matrix and Risk Registers contain sensitive information on vulnerabilities, controls, and potential gaps. Disclosure could compromise the security of the City's property and systems and divulge confidential information relating to its commercial affairs.

Question 16:

What or where is the nature/basis/cause of the mentioned Public liability claims?

OFFICIALResponse to Question 16:

Public liability encompasses a broad range of claims associated with the City's operations that may have impacted the public either as damage to property or injury to persons. Most claims arise from incidents involving trees and footpaths, such as trips, slips and falls or damage caused by tree-related issues. These are common across local governments due to the extent of public infrastructure, and assets owned and managed by the City but used and accessed by the public at large. Specific details of individual claims are confidential due to privacy, legal and insurance considerations.

Question 17:

What or where is the nature/basis/cause (eg physical, mental, psychosocial harm) of the "thirteen open workers compensation claims"?

Response to Question 17:

Of the 13 open claims 11 were musculoskeletal injuries and 2 were psychosocial injuries.

Question 18:

Where is the Risk Analysis explaining specifically what Council meant by "Failing to understand and meet stakeholder and community expectations and needs"?

Response to Question 18:

Detailed risk analysis is contained within the Strategic Risk Register, which is confidential. The statement "Failing to understand and meet stakeholder and community expectations and needs" reflects a broad strategic risk informed by community engagement, feedback, and organisational planning processes.

Public reporting provides a high-level summary for transparency, while detailed analysis, causes, and treatments are documented internally to support effective risk management.

Question 19:

Where is the Risk Assessment detailing what were the types of "Information/records lost, inaccurate or compromised."

Response to Question 19:

Detailed risk assessment information is contained within the Operational Risk Register, which is confidential.

The risk "Information/records lost, inaccurate or compromised" is broad and may relate to various information types, including digital records, systems data, and physical documents.

Public reporting provides a high-level summary, while specific scenarios, causes, and controls are documented internally to support effective risk management and protect sensitive information.

OFFICIALQuestion 20:

Has the City's insurers been notified of any potential legal actions/claims against the City or covered individuals over the last 5 years, (for damage, injunctions, class actions or other) if so when, what for and what is the potential impact and value at risk.

Response to Question 20:

Yes, where appropriate the City notifies its insurers of potential claims or legal actions in accordance with policy requirements and notification obligations. Specific details regarding individual matters, timing and potential exposure are managed through insurer processes and legal privilege and are not publicly disclosed. All matters are assessed on a case-by-case basis, with insurers managing potential liability and financial exposure in line with policy terms and are confidential

Question 21:

Will Council consider deferring a decision on item M26/72 Local Government Reform - Terms of Reference Audit, Risk and Improvement Committee until the Community has been engaged and Council listens to community members?

Response to Question 21:

The changes to the terms of reference for the Audit, Risk and Improvement Committee have been reviewed and are supported by the Audit, Risk and Improvement Committee. Noting that the Audit, Risk and Improvement Committee is an oversight committee with independent members it is appropriate for Council to adopt the review and update Terms of Reference to ensure the Audit, Risk and Improvement Committee can undertake its function in accordance with the requirements of the Local Government Act and to the appropriate and relevant standards for required for such a committee.

Question 22:

What and where are the improvement plans to mitigate the risks identified in the ARIC Committee Agenda available to review.

Response to Question 22:

Risk treatments are documented within the City's Strategic Risk Register, Operational Risk Register, and related internal action plans, which are provided to the Audit, Risk and Improvement Committee as confidential attachments.

These documents are reviewed and updated regularly by responsible officers and the Executive Leadership Team, with progress reported through quarterly ARIC reporting.

Question 23:

How does the ARIC identify risks associated with leading and misleading of ARIC and/or the Council while it is possible the City may obstruct, obfuscate and exclude independent community reporting?

OFFICIALResponse to Question 23:

Risks relating to governance integrity, transparency, and decision-making are captured within the City's Strategic and Operational Risk Registers and are subject to regular review by both the Executive Leadership Team and ARIC.

ARIC also provides independent oversight by testing the adequacy of reporting, seeking clarification where required, and recommending improvements to strengthen transparency and accountability. External audit processes further support assurance over the completeness and accuracy of information provided.

Question 24:

Why has ARIC, as it appears, not been constituted to comply with Council authorised Policy?

Response to Question 24:

The Audit, Risk and Improvement Committee is constituted in accordance with the requirements of the Local Government Act.

Question 25:

Why has the risks associated with the City's policy, codes and procedures record keeping, not been identified/assessed/analysed or otherwise addressed?

Response to Question 25:

Risks relating to policy, code, procedure, and records management are identified and assessed within the City's Operational Risk Register.

These risks are managed through established records management practices, compliance obligations, staff training, and periodic reviews of policies and procedures to ensure they remain current and effective.

A summary of key risks is reported to ARIC, while detailed assessments and controls are maintained within internal risk and compliance systems.

Question 26:

Why have the risks to property, life and limb that had been identified and raised to the City in respect of Bull Creek Reserve, not been assessed and included in the Risk Register?

Response to Question 26:

Risks relating to specific sites, including Bull Creek Reserve, are assessed through the City's established inspection, maintenance, and risk management processes.

The Risk Register is intended to capture material, organisation-wide risks, while site-specific hazards are typically managed through targeted maintenance and asset management systems. All identified hazards are addressed in accordance with their level of risk and priority.

OFFICIALQuestion 27:

Why have the insurance risks arising from the City's improper management of volunteering not been assessed and included in Risk Registers.

Response to Question 27:

Risks associated with volunteer management are considered within the City's broader operational risk and governance frameworks, including volunteer procedures, WHS obligations and insurance coverage requirements.

Question 28:

Why does the City's Risk Register not show realistic measures and values?

Response to Question 28:

The Risk Register uses a consistent qualitative and semi-quantitative methodology to assess likelihood and consequence, in line with the City's Risk Management Framework. This approach is designed to support consistent comparison and prioritisation of risks across different service areas, rather than assigning detailed financial values to every risk.

Question 29:

What is the City's procedure for facilitating community reporting to ARIC, of risks and non-compliances?

Response to Question 29:

The City does not have a formal procedure for direct community reporting to ARIC. Community concerns or reports are typically received through established customer service channels, complaints processes, or elected members, and are then escalated through internal governance processes where they relate to risk or non-compliance matters.

ARIC receives assurance through structured reporting from management, internal audit, and external audit functions, which may include issues that originate from community feedback where they are relevant to risk oversight.

OFFICIALPreamble to Questions 30 & 31:

On 5/4/2026 questions were submitted for the 8/4/2026 public Council AUDIT, RISK, AND IMPROVEMENT COMMITTEE MEETING. The minutes of the meeting do not include the questions or Council committee's answers

(<https://www.melvillecity.com.au/getattachment/ff66d630-0d08-4e35-be0c-e23518dc66/agenda-audit,-risk-and-improvement-committee-8-apr>).

Question 30:

Confirm the submitted questions will be put to and answered by Council at the 21/4/2026 meeting, as previously requested.

Response to Question 30:

The questions have been included and responded to above.

Question 31:

Explain why the questions and answers were not dealt with at the 8/4/2026 committee meeting; such as the legislation and local law indicates.

Response to Question 31:

The updated legislation provides that where a Committee has delegated authority from the Council, it must include time for public questions (Reg 5). At this time, the Audit Risk and Improvement Committee does not have delegated authority and therefore there is no requirement for public question time at Committee meetings, this includes the meeting held 8 April 2026.

All recommendations made by committees are referred to the Council for final determination. This ensures that the community continues to have the opportunity to ask questions and make submissions on matters prior to Council making a decision.

6.1.2 Mr M McLerie, BictonPreamble to Questions 1 to 11:

Refer to Council's responses to my 17 March 2026 OMC Public questions (at 6.1.2 <https://www.melvillecity.com.au/our-city/our-council/agendas-and-minutes/ordinary-meeting-of-the-council/2026/march/minutes-ordinary-meeting-of-council-17-march-2026>). Whilst Council acknowledged it is still accountable for building approvals, compliance, and enforcement within its district, not been materially reduced since the Building Act 2011 commenced in 2012. However, in my opinion, the responses may be inaccurate, misleading, or incomplete.

Please answer yes or no, and explain where Council's response is no.

Question 1:

Council is the body given the Permit Authority powers and duties. That is, Council is the Permit Authority and remains accountable for those functions, yes or no?

OFFICIALResponse to Question 1:

The City of Melville is a Permit Authority as defined by the *Building Act 2011*.

Question 2:

In relation to my 17 March Question 2 a significant addition to Council's powers on commencement of the Building Act in 2012 was Part 6 - Work affecting other land (eg BA-20/BA-20A processes). That is, Part 6 gave Council the compliance and enforcement powers to protect adjoining property owners and their lands, with the State's intention to "reinforce the principle that a person's home is their castle", yes or no?

Response to Question 2:

The *Building Act 2011* establishes processes for managing impacts on adjoining land, including BA20 and BA20A requirements where applicable. These provisions operate within the broader statutory framework and do not alter the allocation of responsibilities set out under the Act.

Question 3:

Council mentioned "Independent Building Surveyors" in its responses, which includes City of Melville Building Surveyors (permanent or contracted) as well as private Building Surveyors (companies or individuals), yes or no?

Response to Question 3:

Building surveyors may operate either as private certifiers or within a permit authority. Their role and responsibilities are defined under the *Building Act 2011* and associated regulations.

Question 4:

City of Melville Building Surveyors can complete CDC (BA-3), CBC (BA-18) and CCC (BA-17) certificates for building permits (BA1 or 2), building approval certificates (BA-13) and occupancy permits (BA-9) applications respectively, yes or no?

Response to Question 4:

No. Only a registered building surveyor acting in the appropriate capacity can issue certification documents under the *Building Act 2011*. The role of the permit authority differs depending on whether an application is certified or uncertified.

Question 5:

Building Approval Certificate applications (BA-13) can only be submitted for structures that are completed and already fully compliant with the Building Act, codes standards, and local laws, yes or no?

Response to Question 5:

No, a Building Approval Certificate application can be submitted for existing works. Approval can only be granted where the permit authority is satisfied that the applicable requirements of the *Building Act 2011*, relevant codes and standards are met.

OFFICIALQuestion 6:

A demolition permit application (BA-5) does not need and certificates from building surveyors. It is Council's full accountability to be satisfied all parts of section 21 are complied with; including compliance with the Planning and Development Act 2005, Work Health and Safety (General) Regulations 2022, requirements to treat the structures to ensure that it is not infested by rodents at the time of the demolition, yes or no?

Response to Question 6:

No, the City assesses demolition permit applications against the requirements of the *Building Act 2011* and associated legislation. Responsibility for compliance with other legislation, including workplace health and safety requirements, rests with the relevant parties and regulators.

Question 7:

Council has the powers and duties to refuse issuance of any building approvals, regardless of any certificates issued by independent building surveyors, yes or no?

Response to Question 7:

Yes, however, for certified applications, the City's role is to assess whether the application satisfies the requirements of the *Building Act 2011*. The City is not required to re-certify or duplicate the technical assessment undertaken by a registered building surveyor.

Question 8:

When and how were Elected Members provided information about the [2012] WASAT 156 Miller v City of Melville precedent, that involved the Attorney General, confirming Council can refuse building approval applications, regardless of who provided certificates? (<https://ecourts.justice.wa.gov.au/eCourtsPortal/Decisions/ViewDecision?returnUrl=%2feCourtsPortal%2fDecisions%2fSearch%3fsearchText%3d%255B2012%255D%2520WASAT%2520156%26jurisdiction%3dSAT%26advanced%3dFalse&id=912485a5-1853-dbb1-4825-7a53002f468d>).

Response to Question 8:

Elected Members were advised in a confidential report to the Finance Management Audit Risk and Compliance Committee on 12 November 2012, The basis of the ruling was that a Permit Authority (Local Governments) were legally able to refuse any application for a building permit on the basis that there was an error by the certifier. This could include an error of judgement or opinion.

OFFICIALQuestion 9:

Council's 17 March response stated "The Building Regulations 2012 prescribes the requirement for a planning approval issued pursuant to the Planning and Development Act 2005 (WA). In addition, an independent building surveyor cannot issue a certificate of building compliance unless satisfied that the building complies with any approval required under the Planning and Development Act 2005 (WA)." However, Building Act Section 20 requires Council to refuse to issue a building permit (BA-1 or 2) unless it is satisfied to all parts of section 20 which includes, amongst many other things, compliance with the Planning and Development Act 1995, Health (Miscellaneous Provisions) Act 1911, Health (Aquatic Facilities) Regulations 2007, the Heritage Act 2018 and Building Act sections 76 and 77 (relating to protecting adjoining owners from unauthorised encroachments and possible adverse-affects their land. That is, does Council remain fully accountable for being satisfied compliance with the Planning and Development Act (planning and development approvals) and adjoining landowners have consented to encroachments and other possible adverse affects prior to issuing Building Permits, yes or no?

Response to Question 9:

No, responsibilities under the *Building Act 2011* are distributed across multiple parties. The permit authority must be satisfied that an application meets the statutory requirements of the Act. Certification of compliance with applicable building standards is the responsibility of the registered building surveyor, and construction compliance rests with the builder and owner. The City undertakes compliance action where appropriate in accordance with the Act and the City's Compliance and Enforcement Policy.

Question 10:

Does Council have powers to direct the CEO to issue building orders, like what the City of Fremantle did at its 24 February 2024 OMC in relation to problems at 5 Beach St. (<https://www.fremantle.wa.gov.au/minutes-and-agendas/ordinary-meeting-of-council-28-february-2024/>), yes or no?.

Response to Question 10:

The Under section 110(1) of the *Building Act 2011* a building order may be made by a 'permit authority'. There may be circumstances, albeit rare, which would warrant the Council, as the City's governing body, exercise the power, on behalf of the City, to determine whether a building order should be made under section 110(1) of the Building Act to 'make' a building order in respect of a particular building work or a particular building or incidental structure.

However the Council could not lawfully make a building order (or direct the CEO to 'issue' a building order) unless it complied with the terms of the *Building Act*, including the provisions of Part 8 Division 5 dealing with building orders. Before making a building order a permit authority must give written notice under section 111 of the terms of the proposed order and the reason for it and allow a 14 day submission period in relation to the proposed building order and consider any submission received within that period.

The Council could not lawfully make a resolution to issue a building order without giving the required notice and advice and then considering any submission received within the notice period. The 14 day notice does not apply if there is an imminent and high risk to people, property or the environment arising from building or demolition work or from the dangerous state of a building, which was the case in the quoted City of Fremantle 5 Beach Street, Fremantle report (Item C2402-13).

OFFICIALQuestion 11:

When was the last time Elected Members were provided training in their Building function, with reference to at least the WA Auditor General's adverse 2019 Local Government Building Approvals Report (<https://audit.wa.gov.au/reports-and-publications/reports/local-government-building-approvals/>).

Response to Question 11:

Elected Members are provided with ongoing governance and legislative training as part of their role. Specific training content and timing varies depending on organisational priorities and legislative updates.

6.1.3 Mr R Staszewski, AttadalePreamble to Questions 1 to 5:

In 2021 the City commissioned and formally accepted the Weir Legal and Consulting Report (at a cost of approximately \$130,000 to ratepayers). The City continues to publish that it has implemented the recommendations.

Does the City still fully accept and apply the following recommendations from the Weir Report? Yes or No for each item.

Question 1:

Item 11: *The City should require BA20 consent or a court order in any circumstances where building work may affect adjoining property*

Response to Question 1:

Yes, the City has regard to the Weir Report recommendations. The requirement for a BA20 is determined in accordance with the definition of "adversely affected land" under the *Building Act 2011*. A BA20 is required where the statutory criteria are met. The City does not require a BA20 prior to the issue of a building permit.

Question 2:

Item 14: *Where a person applies for a Building Approval Certificate (BAC) for retrospective approval and it has been alleged or is suspected the work may be non-compliant, the City should undertake a substantive review, including its own inspections and, if resources are limited, engage independent consultants.*

Response to Question 2:

Yes, the City has regard to this recommendation. Where a Building Approval Certificate application raises potential non-compliance, the City may undertake inspections as part of its assessment or through a compliance investigation. The City's role is not to undertake structural certification, which remains the responsibility of the certifying building surveyor and relevant practitioners.

OFFICIALQuestion 3:

Item 15: *Where there is a failure to comply with a building permit or standards and the owner is required to obtain a new CDC or CBC, the City should conduct its own inspections to confirm the non-compliance is remedied (and engage independent consultants if resources are limited).*

Response to Question 3:

Yes, the City has regard to this recommendation. Inspections undertaken by the City are carried out as part of compliance and enforcement functions under the *Building Act 2011* and the City's Compliance and Enforcement Policy. These inspections are generally undertaken as part of a compliance investigation to inform compliance action.

These inspections do not replace or duplicate the certification functions of the registered building surveyor, who is responsible for confirming compliance with the approved design and applicable standards.

Question 4:

Are there any examples in the last 12–24 months where the City has failed or refused to follow Items 11, 14, or 15 — and if so, why?

Response to Question 4:

No, not to the knowledge of the City at this time. The City applies the *Building Act 2011* and associated regulatory framework, having regard to the Weir Report recommendations. The Act establishes that responsibility for design and construction compliance rests with the builder and certifying building surveyor. The City does not duplicate certification functions and undertakes compliance actions on a risk-based basis in accordance with the City's Compliance and Enforcement Policy.

Question 5:

Can the City legally accept a Certificate of Building Compliance (CBC) and issue a BA13 Building Approval Certificate (or any building permit) where the works are encroaching on a neighbour's property and/or still require further remedial works?

Response to Question 5:

The City cannot issue a building permit for works that encroach onto adjoining land without the required consent under the *Building Act 2011*. A Building Approval Certificate (BA13) relates to works assessed at the time of determination and does not authorise encroachment to remain. Where approved works require access to adjoining land to complete or rectify works, this may necessitate a BA20A or, alternatively, a court order where consent is not provided.

Preamble to Questions 6 to 8:

The BA20A form contains an explicit note stating: *"For encroachment or adversely affecting adjoining land, use form BA20."* Item 11 of the Weir Report (which the City has formally committed to implementing) requires that the City should *"require BA20 consent or court order in any circumstances where building work 'may affect adjoining property'"* and that *"the City should err on the side of requiring BA20 consent so as to encourage transparency and cooperation between adjoining owners"*.

OFFICIALQuestion 6:

In a situation where a retaining wall is confirmed to be encroaching onto adjoining land, and a structural engineer has identified a risk of adverse effect, is the correct consent process to require a BA20 form (rather than BA20A)?

Response to Question 6:

The requirement for a BA20 or BA20A is determined based on the *Building Act 2011* and the nature of the works. A BA20 is required where building work will adversely affect adjoining land as defined under the Act. A BA20A applies where access or temporary encroachment to adjoining land is required to carry out approved works. These requirements are assessed on a case-by-case basis having regard to the certified design, site conditions and legislative provisions.

Question 7:

If existing building works have been identified as not complying with Australian Standard AS 3700 and are inconsistent with the required engineering certifications, does the City allow those non-compliant elements to remain in place and be regularised via a new BA1 building permit, in full knowledge that they will not be fully demolished or remedied? If so, under which provision of the Building Act?

Response to Question 7:

No, the City does not approve building works on the basis that non-compliant elements will remain. Where non-compliant work is identified, the approval pathway requires rectification or removal and reconstruction in accordance with appropriate standard. Responsibility for structural compliance rests with the certifying building surveyor, structural engineer and builder. The City's role is to assess applications and approvals under the *Building Act 2011* and ensure compliance processes are followed.

Question 8:

Does the City consider that the demolition and reconstruction of an encroaching retaining wall carries no risk of adverse effect under section 3 of the Building Act 2011 when:

- *the adjoining land supports well in excess of 1 metre of fill in close proximity to a dwelling;*
- *there are no plans for shoring or temporary drainage, creating a documented risk of subsidence; and*
- *the City has been provided with structural engineering evidence stating a risk of adverse effect to an adjoining property exists?*

Response to Question 8:

The assessment of "adverse effect" is undertaken in accordance with the definition set out in the *Building Act 2011* and is based on the design and supporting documentation provided with the application. This assessment considers site conditions and the nature of the proposed works. The City does not assume the role of structural designer and relies on documentation provided by appropriately qualified practitioners and associated certification. Where works are approved, they are required to be carried out in accordance with those approved certified designs and applicable legislative requirements.

OFFICIAL**6.2 Questions Received Without Notice****6.2.1 Mr M McLerie, Bicton**Preamble to Questions 1 to 17:

The Notes from Council's 8 April 2026 Agenda Briefing Forum (ABF) at 6.1.1 contains Council's responses to by questions about item C26/374 Draft Digital Strategy 2026–2030 Endorsement. Council's response are not adequate transparent answers to my questions, in my opinion. The inadequate responses cause the further questions, unfortunately:

Forms part of question 1-4 In relation to the ABF Notes published last Friday has:

Question 1:

Council edited the text of the items C26/374, C26/375, and C26/376 City officer recommendations versus the 21 April OMC Agenda, ie express reference to s 5.23(2)(f), 5.23(2)(e) and 5.23(2)(e) respectively?

Question 2:

Why was the change in i. above not apparent / version controlled in the document, it looked like it was a subtle change slipped in, something that erode confidence in the Administrations record keeping?

Response to Questions 1 & 2:

It is unclear the change the questioner is referring to. The City invites Mr McLerie to provide specific details of the change so this can be explored. Notwithstanding this, the changes can be made to the Agenda up to its publication 72 hours before the Ordinary Meeting of Council.

Question 3:

Why did the Presiding Member declare item C26/376 motion, and Elected Members voted on it at the ABF?

Question 4:

Why was the passed item C26/376 not recorded in full accordance with the State Governments "A Guide to the Preparation of Agendas and Minutes", (<https://www.dlgsc.wa.gov.au/department/publications/publication/a-guide-to-the-preparation-of-agendas-and-minutes>)?

OFFICIALResponse to Questions 3 & 4:

Item C26/376 RFP Outcomes: 788 – 794 Canning Highway, Applecross is one of three confidential items on the Agenda for the 21 April 2026 Ordinary Meeting of Council. At the Agenda Briefing Forum held 14 April 2026, the Mayor, as Presiding Member, advised that any discussion or questions related to this matter would be done behind closed doors. A resolution (on page 53 of the Agenda Briefing Forum Notes) records the closing of the meeting to discuss the three confidential items on the Agenda. The resolution to reopen the meeting to the public is recorded on page 54 of the Notes.

Consideration and determination in relation to Item C26/376 RFP Outcomes: 788 – 794 Canning Highway, Applecross will be at the April 2026 Ordinary Meeting of Council.

Question 5:

Why did Council not specifically answer or properly deal with the questions, including questions 1, 2, 5, 6 and ?

Response to Question 5:

The City believes all responses were responded to appropriately.

Question 6:

Which specific City officer(s) made the decision that this item is to be considered confidential.?

Response to Question 6:

The *Local Government Act 1995* (section 5.23 (4)) and the *Local Government (Administration) Regulations 1996 (Regulation 4A)* prescribes matters for which the meeting maybe closed. These matters are confidential.

Reports are a collaboration of a number of officers, including consideration of whether the matters contained therein are prescribed as confidential under legislation.

Question 7:

Why does Council believe the use of the word 'cyber-security' made the entirety of item C26/374 confidential due to s 5.23(4)(e), that is the Strategy contains "information the making public of which would be likely to endanger the security (including cyber-security) of any of the local government's property or operations"?

Response to Question 7:

The decision to treat Item C26/374 as confidential is not based solely on the reference to "cyber-security", but on the broader content of the Digital Strategy.

The Strategy includes the outcomes of an audit and review of the City's current technology environment, including systems, infrastructure, architecture, and identified gaps and vulnerabilities. This level of detail provides insight into the City's operational and technical landscape which, if made public, could reasonably be expected to increase the risk of misuse or exploitation.

OFFICIALPreamble to Questions 8 to 10:

Form part of 8-10 Why would Council, or any other prudent governing entity, endorse a strategy without tangible and quantifiable:

Question 8:

specific design objectives and outcome targets?

Response to Question 8:

The Draft Digital Strategy aligns with the City of Melville Council Plan for the Future 2024–2034, with a focus on digital transformation to enable and support the Council Plan objectives. The Draft Digital Strategy has the following expected high-level outcomes:

- A rationalised ICT applications portfolio, which is stable and sustainable to enable the ongoing operations of the City.
- Improved staff productivity and reduced operational risk through stable, fit-for-purpose and contemporary core systems.
- Enhanced decision-making and efficiency across the organisation through better data quality and integrated platforms.
- Strengthened partnerships and collaborations between ICT and the business units, leading to better holistic solutions for the organisation.
- Seamless data integration and core system synergies through an ERP platform.
- A rationalised ICT project portfolio that focuses on the Council key priorities and optimises delivery of successful outcomes.
- A resilient and future-proof digital ecosystem that supports excellent customer experiences and the strategic goals of the Council.

It also has a targeted approach to achieve the desired outcomes.

Question 9:

cost estimates to build, implement (transition), run?

Response to Question 9:

The Digital Strategy includes indicative cost estimates to inform long-term financial planning, including the forecast investment of \$10.3 million over the period to 2030.

As a strategic document, its purpose is to establish direction, priorities and an investment envelope, rather than provide detailed, fully costed delivery plans. More granular and quantifiable cost estimates including build, implementation (transition) and ongoing operational costs, will be developed as part of individual business cases and project implementation plans for each initiative identified within the Strategy. This approach is consistent with prudent governance practice, ensuring that Council endorses the strategic direction, while retaining oversight and decision-making on scope, timing and costs at the project level.

OFFICIALQuestion 10:

cost savings post implementation (such as FTE reduction, as is common in most Digital strategies)?

Response to Question 10:

The Digital Strategy identifies indicative opportunities for efficiency and potential cost savings at a high level, including areas where process improvements and automation may reduce manual effort over time.

As a strategic document, it is not intended to quantify detailed savings such as specific FTE reductions at this stage. These outcomes are highly dependent on the design, scope and implementation of individual initiatives, as well as organisational change considerations.

More detailed and quantifiable savings will be assessed and confirmed through individual business cases and project implementation plans. This ensures that assumptions are evidence-based and aligned to actual system design and service delivery outcomes before any decisions are made.

Question 11:

Why hasn't Council admitted its 2019 State Records Office (SRO) approved Record Keeping Plan (RKP) is out of date and when will the revised RKP be approved by the SRO.?

Response to Question 11:

The City's Record Keeping Plan (RKP) is up to date. The City received an extension on its current RKP and has submitted the new plan to State Records Office (SRO) early April 2026 for approval. The new RKP is with the SRO for approval and the timeframes for approval are dependent on SRO.

Question 12:

Why hasn't Council directed the CEO to publish the Record Keeping Plan on the City's website, as it legislatively can?

Response to Question 12:

The Record Keeping Plan is not a public document and therefore not published on the website.

Question 13:

Why has Council said "The City is not aware of any systemic issues with its record management practices or performance" when it determined at the 8 April ARIC meeting " There are 17 Operational Risks of which four are rated high: ... 2. Information/records lost, inaccurate or compromised". Note my experience with the City's records management validates Council's risk assessment on this matter?

OFFICIALResponse to Question 13:

The City's position that it is not aware of any systemic issues reflects that there is no evidence of widespread, embedded or organisation-wide failure in records management practices or performance.

The City acknowledges that individual experiences or isolated instances may occur from time to time; however, these are addressed through existing processes and do not indicate a broader systemic failure.

Question 14:

What has the Digital strategy work cost since 1 July 2023 to YTD?

Response to Question 14:

The current Digital Strategy which was endorsed in 2021 is rather a visionary high-level document, which did not include financial forecasts. The current draft strategy is aimed at enabling the Council implement the approved initiatives via a clear roadmap and offers high level cost estimates, which amount to \$10.3million over the next 4 years.

Question 15:

What is the fully absorbed cost estimate (inclusive of time of current City employees) through to full implementation (inclusive of change management) through to 2030?

Response to Question 15:

The Digital Strategy provides a high-level, indicative investment framework rather than a fully costed program of works at this stage.

The current estimate of \$10.3 million relates to anticipated external resourcing requirements over the period to 2030, and is intended for budget planning purposes. It does not represent a fully absorbed cost, as internal staff resourcing, time allocation, and change management effort will be determined on a project-by-project basis.

Detailed costings, including internal resource allocation and change management requirements, will be developed as part of individual business cases and implementation plans for each initiative identified within the Strategy.

Question 16:

In what form and structure will the customer focus groups be held to assist Council in finalising external end user requirements and use cases?

OFFICIALResponse to Question 16:

The Digital Strategy establishes the overarching direction and does not prescribe detailed engagement methodologies at this stage.

The form and structure of customer focus groups will be determined as part of individual project implementation plans, once specific initiatives are progressed. This will ensure the engagement approach is fit-for-purpose and aligned to the relevant user groups, project scope, and desired outcomes for each initiative.

Question 17:

How many, and what are the estimated dates for the customer focus group meetings, noting that such meetings should already be included in the strategy implementation plans to ensure Council's confidence in schedule and cost estimates?

Response to Question 17:

The Digital Strategy sets a broad strategic direction and indicative timeframes, rather than detailed delivery schedules. As such, specific customer focus group meetings (including number and dates) have not been defined at this stage.

Detailed engagement plans (if required), including focus groups, will be developed as part of individual project implementation plans once specific initiatives within the Strategy are progressed. This approach ensures engagement is appropriately targeted and aligned to each project's scope, timing and budget.

6.2.2 Ms T Burns, Attadale

(Questions relates to Item CD26/62 John Connell Reserve Field Extension)

Preamble:

The proposal relies on a survey of 645 respondents, mostly from Leeming and with nearly half affiliated with the cricket club, so it is not representative of the wider community. It also requires clearing 0.55 ha of Threatened Ecological Community bushland and spending \$4.68 million, despite the project not appearing in any adopted strategic plan. Comparable investment could support multi-use facilities serving far more residents without environmental loss.

Question 1:

How can the City treat a survey of 645 respondents as representative when most were from Leeming and nearly half were linked to the cricket club? What steps were taken to ensure broader community views — including those affected by environmental and amenity impacts — were properly captured?

OFFICIALResponse to Question 1:

In response to the preamble, the assertion that a comparable \$4.68 million investment could deliver a multi-use facility without any environmental loss is not supported by evidence. Any new or expanded recreational facility of this scale—particularly one capable of serving significantly more users—would necessarily require land, servicing infrastructure, access arrangements, and associated amenities such as parking, lighting and drainage. In practice, such development almost invariably results in some level of environmental or amenity impact, whether through vegetation clearance, modification of open space, increased impervious surfaces, or changes to local ecology and use patterns.

The absence of identified sites, designs, approvals or costed alternatives means the claim is speculative. Without a demonstrated location and feasibility assessment, it cannot reasonably be concluded that a multi-use facility would avoid environmental impacts altogether, particularly within an established urban area where undeveloped land is limited and environmental values are already constrained.

To answer the question regarding the survey, as part of the engagement process for John Connell reserve in 2023, 647 people provided responses on the overall site. Of those 647; 382 respondents answered the specific question relating to the proposed field extension, and 53% of those respondents indicated support for the field extension proposal.

While this demonstrates a level of support among survey participants, the City acknowledges that survey responses reflect the views of those who chose to participate at that time; that there were varying questions that suggested respondents were for or against the proposal; and responses may not fully represent the broader City of Melville community. For these reasons, the survey results were not actually included in the Council Item or Business Case and instead, other factors we included such as, including broader community needs, participation information, demographic data, access to sporting facilities across the City, environmental considerations, adopted strategies, petition information and Council resolutions.

However, as part of the statutory environmental approvals process, the Department of Water and Environmental Regulation (DWER) undertook a public comment period in relation to the clearing permit application. This process provided an opportunity for any member of the community to make a submission, including those with an interest in or affected by environmental, ecological and amenity impacts. In this way, broader community input was invited and considered through DWER's standard regulatory processes.

Question 2:

Why is the City progressing a single-sport expansion that benefits a limited user group when multi-use alternatives could serve far more residents without clearing remnant bushland? What comparison of community benefit and utilisation was undertaken?

OFFICIALResponse to Question 2:

The City is not prioritising a single-sport expansion over a multi-use facility. The officer-recommended option supports more than one sporting code, specifically cricket and soccer, and responds to identified demand for additional playing fields within the City.

The proposal has been assessed in the context user group needs, availability of outdoor playing space, current utilisation, cost, deliverability, environmental impacts, available funding and current planning considerations.

Question 3

How does this project align with the City's adopted strategic plans when it is not included in the Long Term Financial Plan and the City has no adopted Community Infrastructure Strategy to guide infrastructure priorities or justify new capital projects?

Response to Question 3:

At the time the City's Long-Term Financial Plan was prepared, the scope and cost estimates for the John Connell Reserve proposal were not available, and the project had not been approved by Council. As a result, it was not included in the Long-Term Financial Plan at that time.

While, the City does not currently have an adopted Community Infrastructure Strategy, although work is underway in this area. The proposal aligns with identified demand for outdoor sporting infrastructure and has been considered against existing planning frameworks, funding availability and previous Council resolutions.

6.2.3 Ms J Curtis, BictonPreamble:

My questions for the meeting on Tuesday 21st April regarding Ken Hurst Reserve are:

Question 1

What is the total cost of the Ken Hurst Reserve Rehabilitation?

Response to Question 1:

The estimated cost is \$1.3 million.

Question 2

What ongoing maintenance costs are expected, and are these fully budgeted for in the Long Term Financial Plan?

Response to Question 2:

Once the revegetation works are completed, the overall condition of the bushland is expected to improve. As a result, the City does not anticipate that additional ongoing maintenance costs will be incurred beyond existing operational budgets.

OFFICIALQuestion 3:

If plantings fail and further work is required, is it safe to say that the Council is committing to additional unbudgeted funding to meet DWER requirements?

Response to Question 3:

Should an option be approved by Council that includes clearing, the City will need to be committed to ensuring that all Clearing Permit conditions are met. Should additional planting be required to achieve compliance, this would be subject to consideration of additional funding to enable the necessary works to be undertaken.

6.2.4 Mr D Morley, WillageeQuestion 1:

Could the Council please provide a timeline for when the first aerial survey of the greater City of Melville will be conducted and when the resulting urban canopy coverage data will be made available to the public and in what form?

Response to Question 1:

The City has undertaken three aerial surveys, with the first completed in 2016, followed by a second survey in 2022, and the most recent survey completed in January 2026. The City is currently analysing the data from the latest aerial flyover and will communicate the outcomes to the community in the coming months.

Question 2:

Will these surveys specify the percentage coverage each suburb in the City of Melville?

Response to Question 2:

The survey data identifies percentage tree canopy cover for each suburb.

Question 3:

I am eager to know when residents will have access to these up-to-date and accurate records to keep track of any changes to the current 12.5% canopy coverage across the City and the goal of achieving the Council's aspirational target of 15% by 2036.

Response to Question 3:

The City is investigating the most appropriate way to provide the community with up-to-date information regarding tree canopy cover in a manner that is accessible and transparent. It is anticipated that this information will be made available on the City's website later this year.

As this series of questions were received without notice, in accordance with the City of Melville Local Government (Meeting Procedures) Local Law 2022 section 6.8(1)(b) and 6.9(c) it will be taken on notice and a response provided in the Agenda for the Ordinary Meeting of Council to be held in May 2026.

OFFICIAL**6.3 Questions Received at the Meeting****6.3.1 Mr D Morley, Willagee**Question 1:

Will the data produced in the January survey also include comparisons with the previous surveys?

Response to Question 1:

Yes.

6.3.2 Ms T Burns, AttadalePreamble to Question 1:

I would challenge that. I have gone through the surveys, and the current demands are not in cricket, are in netball which there is no big open facility within the City. We cannot get an indoor basketball court booked, and both of those would be better uses. The cricket demand levels are level in terms of youth, and declining when it comes to adults.

Question 1:

What is the comparison of community benefit and utilisation undertaken?

Response to Question 1:

This question was taken on notice in accordance with section 6.8(1)(b) and 6.9(c) of the *City of Melville Local Government (Meeting Procedures) Local Law 2022*. The question and response will be provided in the Agenda for the May 2026 Ordinary Meeting of Council to be distributed on Friday, 1 May 2026.

6.3.3 Mr J Meotti, LeemingPreamble to Question 1:

At the November 2025 Ordinary Meeting of Council, questions were raised about the Council's waste storage site adjacent to the proposed cricket oval, and the exposed toxic waste including at least decade old road surface and bitumen. A commitment was made to have that waste tested and the results presented to this meeting.

Question 1:

Can the Council confirm that this testing took place, and if it did when will those results be released, or if not why did the Council not proceed when they said they would?

Response to Question 1:

This question was taken on notice in accordance with section 6.8(1)(b) and 6.9(c) of the *City of Melville Local Government (Meeting Procedures) Local Law 2022*. The question and response will be provided in the Agenda for the May 2026 Ordinary Meeting of Council to be distributed on Friday, 1 May 2026.

OFFICIALPreamble to Question 2:

I've noticed through the proposal put forward tonight that there is potentially 50% of funding available through the state government for sporting facilities, 50% of the cost of the funding.

Question 2:

Did I not read that correct?

Preamble to Question 3:

And if that's the case then it's \$10,000,000 to actually do the entire reserve.

Question 3:

Why can't you apply for half of that and instead of spending \$4,000,000 on 0.35 of a hectare, potentially spend \$10,000,000 and get two full sized ovals, new facilities and public open space?

Question 4:

When are you going to actually do something about the waste site that will have to be rehabilitated?

Response to Questions 2 to 5:

These questions were taken on notice in accordance with section 6.8(1)(b) and 6.9(c) of the *City of Melville Local Government (Meeting Procedures) Local Law 2022*. The question and response will be provided in the Agenda for the May 2026 Ordinary Meeting of Council to be distributed on Friday, 1 May 2026.

6.4 Questions Taken on Notice at Previous Meeting**6.4.1 Mr D Morley, Willagee**

These questions were taken on notice at the Ordinary Meeting of Council held on 17 March 2026 in accordance with section 6.8(1)(b) and 6.9(c) of the *City of Melville Local Government (Meeting Procedures) Local Law 2022*. The questions and responses are provided below.

Question 1:

Given the 260-odd-signature petition and the strong support from the Palmyra community, and also recognizing the work that Councillor Karen Wheatland has already done on this project, what's the likelihood of moving forward with redeveloping Geo Thompson Park in Palmyra and turning the old kindergarten into a community centre?

OFFICIALQuestion 2:

Are there any specific dates on that timeline at all?

Response to Questions 1 & 2:

Design work that will involve community consultation for the public open space at Geo Thompson Park will commence in the 2026/2027 financial year. This process will include a review of the public open space to identify opportunities to enhance the overall functionality and usability of the area. Following completion of the design and consultation phase, the on-ground upgrades are expected to occur either late in the 2026/2027 financial year or in the following financial year subject to budget availability.

The old kindergarten in its current form unfortunately cannot be converted to a hireable community centre without significant refurbishment as its current design is not compliant with the National Construction Code (NCC). However, the City is investigating the opportunity to use of this building in the immediate term, based on its current design, and it is expected there will be restrictions, these may include, but are not limited to:

- occupancy capacity,
- ability to provide food and
- usage times
- which typically you would not find in a 'regular' community centre.

Notably, the City is preparing a Social Infrastructure Plan that is a Need Assessment for this type of infrastructure across the City. This Plan will consider this building and it is expected to identify its future use. The Social Infrastructure Plan is expected to be presented to Council in late 2026.

At 6:43pm the Presiding Member acknowledged the attendance of Dr Jags Krishnan MLA, Member for Riverton, in the meeting

At 6:56pm the Presiding Member closed Public Question Time.

OFFICIAL

7 AWARDS AND PRESENTATIONS

Nil.

8 APPLICATIONS FOR NEW LEAVE OF ABSENCE

8.1 Leave of Absence - April 2026

COUNCIL RESOLUTION

At 6:57pm Cr K Wheatland moved, seconded Cr M Woodall

That the Council approve the requests for leave of absence from:

- **Cr C Ross for dates in April and May 2026**
- **Cr G Barber for dates in May and June 2026**

At 6:57pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY (13/0)

UNCONFIDENTIAL

OFFICIAL**9 CONFIRMATION OF MINUTES****9.1 Ordinary Meeting Of The Council – 17 March 2026****COUNCIL RESOLUTION**

At 6:58pm Cr N Robins moved, seconded Cr M Woodall

That the minutes of Ordinary Council Meeting held on 17 March 2026 be confirmed as a true and accurate record.

At 6:58pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY (13/0)

9.2 Special Meeting Of The Council – 31 March 2026**COUNCIL RESOLUTION**

At 6:59pm Cr C Yorke moved, seconded Cr S Green

That the minutes of Special Council Meeting held on 31 March 2026 be confirmed as a true and accurate record.

At 6:59pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY (13/0)

9.3 Ordinary Meeting Of The Audit, Risk, and Improvement Committee – 8 April 2026**COUNCIL RESOLUTION**

At 6:59pm Cr J Spanbroek moved, seconded Cr N Robins

That the minutes of Ordinary Audit, Risk, and Improvement Committee Meeting held on 8 April 2026 be noted.

At 6:59pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY (13/0)

OFFICIAL**9.4 Notes Of Agenda Briefing Forum – 14 April 2026****COUNCIL RESOLUTION**

At 6:59pm Cr S Green moved, seconded Cr D Lim

That the Notes of the Agenda Briefing Forum held on 14 April 2026 be confirmed as a true and accurate record.

At 6:59pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY (13/0)

10 NEW BUSINESS OF AN URGENT NATURE

Nil.

11 IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

That the meeting may close to members of the public, if required, to allow for items with attachments deemed confidential in accordance with Section 5.23(c) of the *Local Government Act 1995* to be discussed behind closed doors.

At 7:00pm, the Presiding Member advised the Council that the following items had been identified as either confidential:

- C26/374 - Draft Digital Strategy 2026–2030 Endorsement
- C26/375 - Recreation Leasing Opportunity Update - Barrisdale Open Space, 40 Bedford Road, Ardross
- C26/376 - RFP Outcomes: 788-794 Canning Highway, Applecross

Additionally, the Presiding Member advised that the following items had been identified as containing confidential attachments:

- E26/97 RFT252623 Design & Construct for Mt Pleasant Foreshore Lighting
- E26/99 RFT252629 Construction of Goolugatup Stage 2 Welcome Place

12 PETITIONS

Nil.

OFFICIAL**13 ADOPTION OF RECOMMENDATIONS EN BLOC****COUNCIL RESOLUTION**

At 7:01pm Cr M Woodall moved, seconded Cr J Spanbroek

That the recommendations for:

- **M26/73 - Common Seal March 2026**
- **C26/370 - Investment Statements for February 2026**
- **C26/371 - Schedule of Accounts Paid for February 2026**

be carried En bloc

At 7:01pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY EN BLOC (13/0)

14 REPORTS**14.1 Reports from Committees**

Nil.

OFFICIAL

14.2 Reports of the Chief Executive Officer

Items Brought Forward

At 7:02pm, the Presiding Member brought forward item CD26/62 John Connell Reserve Field Extension Proposal for the convenience of those in the public gallery.

7:02pm Mayor K Mair disclosed an interest under code of conduct in CD26/62
21/04/2026 (detailed in Item 5).

7:02pm Cr N Robins disclosed an interest under code of conduct in Item CD26/62
21/04/2026 (detailed in Item 5).

Two written submissions were received in relation to this matter, one from Mr D Sayer, President of the Leeming Spartan Junior Cricket Club and the other from Ms R Ernst, President of the Leeming Strikers Soccer Club. Both written submissions have been circulated and are linked below.

[Written Submission – Mr D Sayer, Leeming Strikers Soccer Club](#)

[Written Submission – Leeming Spartan Junior Cricket Club](#)

Additionally, two Officer Advice Notes were circulated, one of which was in response to the written submission from the Leeming Spartan Junior Cricket Club (Attachment 5) and the other in response to questions from Cr G Panayotou (Attachment 10).

CD26/62 John Connell Reserve Field Extension Proposal

File Number:	
Responsible Officer:	Director Community Development
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	Coordinator – Sport and Recreation Infrastructure Planning, Life Member of the Bull Creek Leeming Football Club and coach at Bull Creek Leeming Junior Football Club
Attachments:	<ol style="list-style-type: none"> 1. John Connell Reserve Field Extension Proposal Business Case 2. John Connell Reserve Field Extension Proposal Business Case Appendices 3. Written Submission - Mr Sayer Leeming Striker 4. Written Submission - Leeming Spartan Junior Cricket Club 5. Advice Note - Leeming Spartan Junior Cricket Club 6. Alternative Motion 1 - Cr Robins 7. Advice Note - Alternative Motion 1 8. Alternative Motion 2 - Cr Spanbroek 9. Advice Note - Alternative Motion 2 10. Advice Note - Response to Questions Cr Panayotou

COUNCIL’S ROLE

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

OFFICIAL**SUMMARY**

- The proposal to extend playing fields at John Connell Reserve is being driven by the Leeming Spartans Cricket Club (the Cricket Club), who have held a long-term desire to undertake the project.
- The Cricket club secured an election commitment of \$650,000 through the Australian Labor Party, Member for Tangney – Sam Lim as a part of the 2022 Federal Election to fund a field extension at John Connell Reserve.
- At the Ordinary Meeting of Council in June 2022, the Council resolved to:
 1. To provide authorisation to the president of the Leeming Spartan Cricket Club to submit a vegetation clearing application for an area of 0.65ha to the east of the existing playing fields to accommodate the oval extension to the Department of Water and Environmental Regulation.
 2. To advise the club that it is the City's preference to work in conjunction with the clubs to manage the planning, design and construction works associated with the oval extension, should this proceed.
- The Leeming Spartan Cricket Club submitted a native vegetation clearing permit to the Department of Water and Environmental Regulation in June 2023 and the permit was granted in June 2025, subject to a range of conditions being met including environmental offsets for the revegetation and rehabilitation of Ken Hurst Park, estimated to cost \$1.05 - \$1.30M.
- Following confirmation of the permit, and in line with the June 2022 Council resolution, officers commenced preparatory works to assess the feasibility of the proposed field extension at John Connell Reserve, as well as alternative options to achieve additional sports field capacity.
- At the October 2025 Ordinary Meeting of Council a petition was received, signed by 276 residents and 38 non-residents that requested,

“We, the undersigned, all being electors of the City of Melville, respectfully request that the Council: Action Sought: Do not remove the mature trees at John Connell Reserve to extend the cricket pitch.”
- The Council resolved the following at the October 2025 Ordinary Meeting of Council:
 1. Acknowledge the Petition; and
 2. Request the CEO prepare a report on the matters raised be prepared by April 2026 Ordinary Meeting of Council.
- The Cricket Club and Leeming Striker Soccer Club are unified in their support for Option 2, which is estimated to cost \$4,684,991, with an additional \$118,250 estimated to be required for life cycle costs per annum.
- The timeframe to deliver Option 2 in line with the clearing permit timeframes is challenging, therefore it is recommended that an extension on the clearing permit be sought from Department of Water and Environmental Regulation.
- Currently funding is not allocated in the City's Long Term Financial Plan, however there is a need for further playing field space in the City of Melville.
- As a result, it is proposed that the project proceed contingent on:
 - Seeking and receiving a suitable amendment to the clearing permit timeframes.
 - The Leeming Spartans Cricket Club re-allocating their remaining federal grant monies to the City should the City be in a position to complete the project.
 - Seeking 50% of the estimated project costs (excluding revegetation) from the State Government in line with the currently inactive Community Sporting and Recreation Facilities Fund.

The City will also need to allocate an estimated \$2,522,495.50 within the 2026/27 Annual Budget should the Officers Recommendation be endorsed and will advise the lead petitioner from the Ordinary Meeting of Council in October 2025 of the outcome.

OFFICIAL**OFFICER RECOMMENDATION**

That the Council requests the CEO to proceed with Option 2, as identified in this report, subject to:

1. Seeking and receiving a suitable amendment to the clearing permit timeframes in order to deliver the project;
2. Negotiating with Leeming Spartan Cricket Club and Federal Government to re-allocate the remaining grant (~\$470,000) to the City to complete the project, should external funding be received;
3. Seek an amount of 50% (\$1,692,495.50) of estimated project costs (excluding revegetation cost) from the State Government that is in-line with the currently inactive Community Sporting and Recreation Facilities Fund;
4. Notes that should external funding be received and a suitable extension on the clearing permit time frame, the City will need to allocate an estimated \$2,522,495.50 to complete the project and undertake the revegetation of Ken Hurst Park;
5. Advise the lead petitioner of Item 12.1 of the Ordinary Meeting of Council held on 14 October 2025 the abovementioned resolutions.

Alternative Motion with Notice

At 7:04pm Cr N Robins moved, seconded Cr K Wheatland

That the Council resolves to request the CEO to:

1. Eliminate options 1, 2 and 4 as outlined in the report;
2. Continue discussions with the Leeming Cricket Club to reach agreement on the preferred option from those remaining; and
3. Advise the lead petitioner of Item 12.1 of the Ordinary Meeting of Council held on 14 October 2025 the abovementioned resolutions.

At 7:04pm, Ms D Heera electronically disconnected from the meeting and did not return.

At 7:06pm, Mr O Pugh left the meeting.

At 7:10pm, Mr O Pugh returned to the meeting.

At 7:20pm, Mr G Ponton electronically disconnected from the meeting and did not return.

OFFICIAL**Amendment**

That the Council resolves to request the CEO to:

Add to point 2:

“including exploration of a ground along Dundee Street and other areas in this location”

At 7:35pm the mover and seconder consented to the proposed amendment being included in the alternative motion

COUNCIL RESOLUTION**Substantive Motion as Amended**

At 7:04pm Cr N Robins moved, seconded Cr K Wheatland

That the Council resolves to request the CEO to:

- 1. Eliminate options 1, 2 and 4 as outlined in the report;**
- 2. Continue discussions with the Leeming Cricket Club to reach agreement on the preferred option from those remaining, including exploration of a ground along Dundee Street and other areas in this location; and**
- 3. Advise the lead petitioner of Item 12.1 of the Ordinary Meeting of Council held on 14 October 2025 the abovementioned resolutions.**

At 7:41pm the Presiding Member declared the motion.

LOST (5/8)

Yes (5): Crs Nicole Robins, Clive Ross, Karen Wheatland, Daniel Lim and Soo Hong

No (8): Mayor Katy Mair and Crs Glynis Barber, Jennifer Spanbroek, Matthew Woodall, Scott Green, George Panayotou, Crawford Yorke and Michael McGoldrick

OFFICIAL**Alternative Motion with Notice**

At 7:42pm Cr J Spanbroek moved, seconded Cr M Woodall

That the Council:

1. **Endorses Option 2 for the John Connell Field Extension Project (the Project), as identified in this report;**
2. **Requests the CEO to seek a suitable amendment to the Clearing Permit timeframes in order to deliver the Project;**
3. **Requests the CEO to negotiate with the Leeming Spartan Cricket Club and the Federal Government to re-allocate the remaining election commitment funding (~\$470,000) to the City to complete the Project;**
4. **Requests the CEO to seek State or Federal grant funding to offset the City's financial contribution, of an amount of 50% (\$1,692,495.50) of the estimated project costs (excluding revegetation costs) from the State Government in line with the currently inactive Community Sporting and Recreation Facilities Fund, noting that any external funding secured will be used to reduce the City's contribution to the overall Project.**
5. **Approves the inclusion of \$200,000 in the Draft 2026/2027 Annual Budget for detailed design for the Project**
6. **Includes in the Long Term Financial Plan the:**
 - a) **the remaining Project costs (excluding revegetation) of \$3,184,991, which includes \$470,000 of income from the Leeming Spartans Cricket Club, for the financial years 2027/2028 and 2028/2029**
 - b) **revegetation costs for the four years following construction.**
7. **Report to Elected Member Engagement Sessions by 31 December 2026 and by 30 April 2027:**
 - a) **outlining any external funding outcomes,**
 - b) **a progress update report on the Project, and**
 - c) **any amendments that are not time critical to complete the project.**
8. **Advise the lead petitioner of Item 12.1 of the Ordinary Meeting of Council held on 14 October 2025 the abovementioned resolutions.**

Amendment

At 7:51pm Cr N Robins moved, seconded Cr C Ross

Add a new paragraph immediately after "*That the Council:*" and before item 1:

Subject to the City being successful in:

- a) **securing the re-allocation of approximately \$470,000 from the Leeming Spartans Cricket Club to the City for the Project; and**
- b) **securing State or Federal funding of at least 50% of the estimated Project costs (excluding revegetation).**

At 7:52pm, Cr K Wheatland left the meeting.

OFFICIAL

At 7:53pm the Presiding Member advised that points a) and b) of the amendment would be voted on separately.

At 7:54pm, Cr K Wheatland returned to the meeting.

At 8:13pm, Cr J Spanbroek left the meeting.

At 8:15pm, Cr J Spanbroek returned to the meeting.

At 8:15pm the mover and seconder consented to the words “, *being in the amount of \$1,692,495.50.*” being included at the end of point b) of the proposed amendment.

Amendment

At 7:51pm Cr N Robins moved, seconded Cr C Ross

Add a new paragraph immediately after “*That the Council:*” and before item 1:

Subject to the City being successful in:

- a) **securing the re-allocation of approximately \$470,000 from the Leeming Spartans Cricket Club to the City for the Project; and**
- b) **securing State or Federal funding of at least 50% of the estimated Project costs (excluding revegetation), being in the amount of \$1,692,495.50.**

At 8:24pm, Mr O Pugh left the meeting.

At 8:24pm, Mr P Varelis left the meeting.

At 8:28pm, Mr P Varelis returned to the meeting.

Amendment**COUNCIL RESOLUTION**

At 7:51pm Cr N Robins moved, seconded Cr C Ross

Add a new paragraph immediately after “*That the Council:*” and before item 1:

“Subject to the City being successful in:

- a) ***securing the re-allocation of approximately \$470,000 from the Leeming Spartans Cricket Club to the City for the Project;”***

At 8:28pm the Presiding Member declared the motion.

CARRIED (12/1)

Yes (12): Mayor Katy Mair and Crs Glynis Barber, Nicole Robins, Clive Ross, Karen Wheatland, Matthew Woodall, Daniel Lim, Soo Hong, Scott Green, George Panayotou, Crawford Yorke and Michael McGoldrick

No (1): Cr Jennifer Spanbroek

OFFICIAL**Amendment****COUNCIL RESOLUTION**

At 7:51pm Cr N Robins moved, seconded Cr C Ross

- b) securing State and/or Federal funding of at least 50% of the estimated Project costs (excluding revegetation), being in the amount of \$1,692,495.50.”***

At 8:30pm the Presiding Member declared the motion.

LOST (6/7)

Yes (6): Mayor Katy Mair and Crs Nicole Robins, Clive Ross, Karen Wheatland, Daniel Lim and Soo Hong

No (7): Crs Glynis Barber, Jennifer Spanbroek, Matthew Woodall, Scott Green, George Panayotou, Crawford Yorke and Michael McGoldrick

Substantive Motion as Amended

At 7:42pm Cr J Spanbroek moved, seconded Cr M Woodall

That the Council:

Subject to the City being successful in securing the re-allocation of approximately \$470,000 from the Leeming Spartan Cricket Club to the City for the Project;

- 1. Endorses Option 2 for the John Connell Field Extension Project (the Project), as identified in this report;**
- 2. Requests the CEO to seek a suitable amendment to the Clearing Permit timeframes in order to deliver the Project;**
- 3. Requests the CEO to negotiate with the Leeming Spartan Cricket Club and the Federal Government to re-allocate the remaining election commitment funding (~\$470,000) to the City to complete the Project;**
- 4. Requests the CEO to seek State or Federal grant funding to offset the City's financial contribution, of an amount of 50% (\$1,692,495.50) of the estimated project costs (excluding revegetation costs) from the State Government in line with the currently inactive Community Sporting and Recreation Facilities Fund, noting that any external funding secured will be used to reduce the City's contribution to the overall Project.**
- 5. Approves the inclusion of \$200,000 in the Draft 2026/2027 Annual Budget for detailed design for the Project**
- 6. Includes in the Long Term Financial Plan the:**
 - a) the remaining Project costs (excluding revegetation) of \$3,184,991, which includes \$470,000 of income from the Leeming Spartans Cricket Club, for the financial years 2027/2028 and 2028/2029**
 - b) revegetation costs for the four years following construction.**
- 7. Report to Elected Member Engagement Sessions by 31 December 2026 and by 30 April 2027:**
 - a) outlining any external funding outcomes,**
 - b) a progress update report on the Project, and**
 - c) any amendments that are not time critical to complete the project.**
- 8. Advise the lead petitioner of Item 12.1 of the Ordinary Meeting of Council held on 14 October 2025 the abovementioned resolutions.**

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At 8:30pm, Mr O Pugh returned to the meeting.

At 8:33pm, Cr K Wheatland left the meeting.

At 8:37pm, Cr K Wheatland returned to the meeting.

Amendment

Delete the following words from the end of point 4, “, noting that any external funding secured will be used to reduce the City’s contribution to the overall Project.”

At 8:40pm the mover and seconder consented to the proposed amendment being included in the alternative motion.

At 8:44pm, Cr M Woodall left the meeting.

At 8:46pm, Cr M Woodall returned to the meeting.

At 8:46pm, Mr G Tuffin left the meeting.

At 8:48pm, Mr G Tuffin returned to the meeting.

Procedural Motion**COUNCIL RESOLUTION**

At 8:46pm Cr K Wheatland moved, seconded Cr C Ross

That the motion be put.

At 8:48pm the Presiding Member declared the motion.

CARRIED (11/2)

Yes (11): Mayor Katy Mair and Crs Glynis Barber, Nicole Robins, Clive Ross, Karen Wheatland, Matthew Woodall, Daniel Lim, Soo Hong, George Panayotou, Crawford Yorke and Michael McGoldrick

No (2): Crs Jennifer Spanbroek and Scott Green

At 8:50pm, Cr N Robins left the meeting.

At 8:52pm, Cr N Robins returned to the meeting.

OFFICIAL**Substantive Motion as Amended****COUNCIL RESOLUTION (CD26/62)**

At 7:42pm Cr J Spanbroek moved, seconded Cr M Woodall

That the Council:

Subject to the City being successful in securing the re-allocation of approximately \$470,000 from the Leeming Spartan Cricket Club to the City for the Project;

- 1. Endorses Option 2 for the John Connell Field Extension Project (the Project), as identified in this report;**
- 2. Requests the CEO to seek a suitable amendment to the Clearing Permit timeframes in order to deliver the Project;**
- 3. Requests the CEO to negotiate with the Leeming Spartan Cricket Club and the Federal Government to re-allocate the remaining election commitment funding (~\$470,000) to the City to complete the Project;**
- 4. Requests the CEO to seek State or Federal grant funding to offset the City's financial contribution, of an amount of 50% (\$1,692,495.50) of the estimated project costs (excluding revegetation costs) from the State Government in line with the currently inactive Community Sporting and Recreation Facilities Fund.**
- 5. Approves the inclusion of \$200,000 in the Draft 2026/2027 Annual Budget for detailed design for the Project**
- 6. Includes in the Long Term Financial Plan the:**
 - a) the remaining Project costs (excluding revegetation) of \$3,184,991, which includes \$470,000 of income from the Leeming Spartans Cricket Club, for the financial years 2027/2028 and 2028/2029**
 - b) revegetation costs for the four years following construction.**
- 7. Report to Elected Member Engagement Sessions by 31 December 2026 and by 30 April 2027:**
 - a) outlining any external funding outcomes,**
 - b) a progress update report on the Project, and**
 - c) any amendments that are not time critical to complete the project.**
- 8. Advise the lead petitioner of Item 12.1 of the Ordinary Meeting of Council held on 14 October 2025 the abovementioned resolutions.**

At 8:56pm the Presiding Member declared the motion.

CARRIED (8/5)

Yes (8): Mayor Katy Mair and Crs Glynis Barber Jennifer Spanbroek, Matthew Woodall, Scott Green, George Panayotou, Crawford Yorke and Michael McGoldrick

No (5): Crs Nicole Robins, Clive Ross, Karen Wheatland, Daniel Lim and Soo Hong

OFFICIAL**BACKGROUND**

John Connell Reserve, Leeming is located on the southern boundary of the City of Melville adjoining the City of Cockburn, and in close proximity to the eastern boundary with the City of Canning. The site, in particular the sporting reserve components of this proposal is located across two lots being:

- 11 Dimond Court, Leeming
- 2 Dundee Road, Leeming



Figure 1: John Connell Reserve

The active sporting reserve at John Connell Reserve (Figure 1 refers) provides:

- One synthetic cricket pitch and field with a 60m boundary
- Two full size soccer pitches (98m long and 65m wide)
- Sports floodlighting of 100 lux to the two soccer pitches (approximately 75% of the entire grass space).

The reserve is currently used by the Leeming Spartans Cricket Club (the 'Cricket Club') in Summer and Leeming Striker Soccer Club (the 'Soccer Club') in winter.

The Cricket Club uses John Connell Reserve seven days a week and in the 2025/26 season the club holds a playing membership of juniors (135) and seniors (77) being 212 players. Approximately 74% of members (170) live in the City of Melville.

The Soccer Club also uses John Connell Reserve seven days a week and in the 2025 season holds a playing membership of 188 players. Approximately 20% of members (39) reside in the City of Melville.

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In March 2022, as a part of the 2022 Federal Election, the Australian Labor Party, through the Member for Tangney – Sam Lim MP, made an election commitment of \$650,000 to fund the Cricket Club a field extension at John Connell Reserve to provide an additional cricket oval and further grassed sporting space to support the cricket and soccer clubs.

The scope of the grant is as follows:

- Site preparation including clear and level areas to the east and west of existing playing fields.
- Construction of retaining walls around the oval extension.
- Installation of reticulation.
- New lawn to areas east and west of the existing playing fields.
- Concrete base for four new practice wickets and two new centre wickets.
- Installation of synthetic turf to new practice wickets (4) and new centre wickets (2).
- Chain mesh fencing and poles required for new practice wickets (4).

The new four-lane cricket practice wickets were completed in early 2025. It is estimated that approximately \$470,000 of the grant remains available for the above listed activities.

Following the election commitment, the Cricket Club formally requested written authority by the City to enable them to submit a native vegetation clearing permit to the Department of Water and Environmental Regulation (DWER), as required by the Environmental Protection Act.

An item was tabled at the Ordinary Meeting of Council in June 2022 ([item EI22/3978](#)), where the Council the request to apply for a Native Vegetation Clearing Permit (clearing permit) through DWER, the Council resolved the following:

That the Council directs the CEO:

- 1. to provide authorisation to the president of the Leeming Spartan Cricket Club to submit a vegetation clearing application for an area of 0.65ha to the east of the existing playing fields to accommodate the oval extension to the Department of Water and Environmental Regulation.***
- 2. to advise the Clubs that it is the City's preference to work in conjunction with the clubs to manage the planning, design and construction works associated with the oval extension, should this proceed.***

The clearing permit application was successfully lodged by the Cricket Club in June 2023. On 30 June 2025, DWER approved the clearing permit subject to a range of conditions. Conditions have been summarised below – a full copy of the Native Vegetation Clearing Permit – CPS 10237-1 – can be found in the Business Case Appendices (Attachment 2).

1. Period during which clearing is authorised; the permit holder must not clear any native vegetation after 23 July 2027.
2. Avoid, minimise and reduce impacts and extent of clearing in this order.

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3. Weed and dieback management.
4. Wind erosion management
5. Directional clearing.
6. Offset – Revegetation and rehabilitation of Ken Hurst Park.
7. Record keeping.
8. Reporting.

A quote for the Ken Hurst Park Revegetation Plan was obtained in late 2025. The quote to undertake revegetation activities which includes initial planting, then ongoing maintenance over a five-year period is \$748,000.

Importantly, there are some key variances to the quote that need consideration which are as follows:

- Quote was provided in late 2025 and does not include escalation.
- Practical project commencement likely 2028 due to nursery lead times.
- Survival rate assumption (70%) may be optimistic under current drying climate conditions.
- Watering regime is conditional and likely under-allowed for climate realities.
- Single contractor pricing — full procurement process may return higher pricing.
- Significant excluded works are not currently budgeted (e.g. fencing upgrades, track maintenance access).
- Monitoring may need to be extended if completion criteria are not met.
- Internal officer resourcing costs are not included.
- Climate variability presents material delivery risk.

Assuming there are no major failure events (e.g., fire, extreme drought collapse, or significant pest impact) and incorporating key variances noted above, the likely financial exposure is \$1.05M – 1.3M (ex GST).

Following confirmation of the approved clearing permit and in line with the Council resolution officers commenced preparatory works to assess the feasibility of the proposed field extension at John Connell Reserve, as well as alternative options to achieve additional sports field capacity.

It is acknowledged that original cost estimates completed by the Cricket Club will have increased since 2022 and the costs for additional clearing permit conditions had not been accounted for. As a result, as part of the City's *Council Plan for the Future 2024-2034* and *Annual 2025-26 Corporate Business Plan* identified \$100,000 to prepare a business case (Attachment 1 refers) for Council consideration.

Further, at the October 2025 Ordinary Meeting of Council a petition was received, signed by 276 residents and 38 non-residents that requests:

"We, the undersigned, all being electors of the City of Melville, respectfully request that the Council: Action Sought: Do not remove the mature trees at John Connell Reserve to extend the cricket pitch."

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The Council then resolved the following:

That the Council:

- 1. Acknowledge the Petition; and**
- 2. Request the CEO prepare a report on the matters raised be prepared by April 2026 Ordinary Meeting of Council.**

CONSIDERATION

As part of this proposal a Business Case was developed that included a Needs Analysis. Key outcomes from the Needs Analysis include:

- Within a 5km catchment, until 2041 the forecast population is expected to increase by 26,257 persons (from 109,086 to 135,613).
- In that same catchment:
 - The percentage of overall population of 5 – 17 years olds declines from 16.9% (2021) to 14.2% (2041). This results in a net increase in persons of approximately 822.
 - The percentage of the overall population 70 and above is expected to increase from 13.2% in 2021 to 20.2% in 2041.
- The Cricket Clubs main home ground is John Connell Reserve; however, the club also uses the following reserves for home games:
 - Peter Ellis Park Leeming
 - Trevor Gribble Reserve, Bull Creek
 - Webber Reserve, Willagee.
- The Cricket Club and Soccer Clubs cite that membership growth could occur if it had access to further fields.
- The City currently books out all sporting reserves across the City that have cricket pitches.
- There are limited opportunities in the City of Melville to create additional sporting reserves, with the only current possible opportunity being John Creaney Reserve, Bull Creek.
- In suitable proximity, several sporting reserves are on the horizon in the City of Cockburn including:
 - Prinsep Park, Jandakot (~4km away)
 - Jandakot-Treeby Urban Expansion Area – potential four additional playing fields (~4km)
 - Treeby East Oval, Treeby (~6km away)
- While these reserves are planned, they are outside of the City of Melville and as a result access for both the Cricket and Soccer Club cannot be guaranteed.

As part of the business case, there are six options developed and analysed as part of this proposal.

A summary of the six options being considered are summarised below and further detail is available in Attachment 1 – John Connell Reserve Playing Field Extension Proposal, Business Case.

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See also Options 1 – 5 John Connell Reserve Field Extension Proposal – located in the Business Case Appendices (Attachment 2)

Option 1 – Original Concept

- Extends the existing playing fields at John Connell Reserve further east requiring the clearing of approximately 0.53 hectares (subject to a detailed design) of native vegetation in varying condition.
- Includes the following:
 - A second 60m cricket pitch,
 - Up to four senior size soccer fields
 - Sports floodlighting to 100 lux across the entire grassed space.
 - Cut, fill and re-turfing to the western portion of the reserve to maximise field space
- Triggers the offset revegetation works at Ken Hurst Park (\$1.05-1.3M) conditional of the native vegetation clearing permit.
- The estimated total cost of this development is \$4.31M including costs for environmental revegetation work at Ken Hurst Park.
- A 20-year lifecycle cost (for renewal and maintenance) is forecast to be ~\$1.8m with an average overall life cycle cost of \$90,175 per annum.

Option 2 – Revised August 2025 Concept

- Extends the existing playing fields at John Connell Reserve further east requiring the clearing of approximately 0.55 hectares (subject to a detailed design) of native vegetation in varying condition.
- Includes the following:
 - A second 55m cricket pitch
 - Up to four senior size soccer fields
 - Sports floodlighting to 100 lux across the entire grass space
 - Cut, fill and re-turfing to the western portion of the reserve to maximise field space
- This option was developed from a Cricket club led design that sought to achieve the outcome of additional cricket field and soccer training space, while clearing less native vegetation (~0.38ha) – to facilitate this, the fourth soccer pitch to the east would be reduced in size.
- Triggers offset revegetation works at Ken Hurst Park (\$1.05-1.3M) conditional of the native vegetation clearing permit.
- The estimated cost of this option is: \$4.68M including estimated costs for environmental revegetation at Ken Hurst Park.
- A 20-year lifecycle cost (for renewal and maintenance) is forecast to be ~\$2.3m with an average overall life cycle cost of \$118,250 per annum.

OFFICIAL*Option 3 – No clearing required*

- Reconfigures the existing playing fields at John Connell Reserve to achieve an additional cricket field.
- Includes the following:
 - A second cricket pitch, however, to accommodate reducing both cricket boundaries to 50m.
 - Up to four senior soccer fields
 - Sports floodlighting to 100 lux across the entire grass space
 - Cut, fill and re-turfing to the western portion of the reserve to maximise field space
- This option does not require the clearing of native vegetation.
- The estimated cost for this option is \$2.1M
- A 20-year lifecycle cost (for renewal and maintenance) is forecast to be ~\$1.5m with an average overall life cycle cost of \$77,400 per annum.

Option 4 – Former Landfill Site

- Develops entirely new fields and supporting amenities on the former landfill site at John Connell Reserve.
- Includes the following:
 - A second 60m cricket pitch
 - Two senior size soccer fields
 - Sports floodlighting across the entire grass space
 - A small changeroom and toilet facility
 - A new 24 bay car park
 - Access roads and footpaths
- Being constructed on a former landfill and of varying site topography, a significant amount of import fill is estimated to be required to make the site level.
- Additional measures are expected to be given the site is a former landfill. At a minimum a gas protection system for the clubroom building and a geofabric warning layer underneath the oval has been assumed which would be confirmed as part of detailed design should this option proceed.
- In addition, this option may require remediation of the entire 12-hectare area that is part of the broader lot. The expected scale and cost of broader remediation are not included in this report.
- This option does not require the clearing of native vegetation.
- Will require a new ground water licence application, the success of which is to be determined.
- The estimated cost of development is \$10.88M. This includes additional measures to address contamination on the developed site footprint, however, does not include remediation likely required for the broader 12-hectare area.
- A 20-year lifecycle cost (for renewal and maintenance) is forecast to be ~\$4m with an average overall life cycle cost of \$201,487 per annum.

OFFICIAL**Option 5 – Beasley Park**

- Develops a single cricket field at Beasley Park (~1km from John Connell Reserve playing fields).
- Includes the following:
 - a synthetic cricket wicket
 - two synthetic practice nets.
- The estimated cost of this option is \$308,445.
- A 20-year lifecycle cost (for renewal and maintenance) is forecast to be ~\$243,750 with an average overall life cycle cost of \$12,187 per annum.

Notably, the City in recent years has had challenges with turf quality due to a range of factors including but not limited to:

- Sting nematode
- Bassendean sands impacting drainage quality
- Overuse by sporting clubs

As a result, the City has worked with winter clubs to better manage usage on the oval, however additional time is needed in the spring and summer period to address the abovementioned challenges, which would impact usage by cricket.

Furthermore, this option does not enhance sporting field space for soccer.

Option 6 – Retain the status quo

- This option maintains the existing field layout at John Connell Reserve.
- There is no additional financial cost to this option.

Project Delivery

Due to the size and scale of the abovementioned options, the City would be required to manage the project due to the following reasons:

- Clearing permit requirements and reporting.
- Ensuring clear accountability using City or government funding, in particular acquittals and probity in contractor selection.
- City manages the land, as such as Work, Health and Safety obligations cannot be discharged under legislation.

Should Options 1 or 2 proceed, as identified earlier in the report, a key condition of the clearing permit is that all clearing is completed by 23 July 2027.

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To meet these timeframes, the following program would be required:

Activity	Timing
Council Approval	April 2026
Detailed Design (inc. Procurement) <ul style="list-style-type: none"> • Geotechnical tests • Lot boundary amendment • Contaminated Sites endorsement • Engagement • Design and documentation 	April – December 2026
Tender (including Council Approval)	Jan – May 2027
Contract Signing and Start-up	May – June 2027
Commence clearing	No later 23 July 2027
Commence construction	July/August 2027
Complete construction	March / April 2028
Commence Revegetation Ken Hurst Park	No later 23 July 2028
Revegetation Ken Hurst Park Year 2 - 5	July 2029 – June 2032

The above forecast program allows for minimal time contingency and is inherent on all activities proceeding according to plan. Given the tight timeframes and activities unlikely to proceed according to plan should Option 1 or 2 proceed, the City should seek an extension on the specific condition referring to 23 July 2027, particularly if external funding is required to progress the project, which would likely cause some delay. It is understood and extension may be possible following engagement with DWER.

ENGAGEMENT

Several key stakeholders have been engaged to develop the Business Case. A summary of support (tick) or opposition (cross) for each stakeholder is provided below:

Stakeholder	Option					
	1	2	3	4	5	6
Leeming Spartans Cricket Club	✓	✓	X	X	X	X
Leeming Striker Soccer Club	X	✓	X	X	N/A	✓
Leeming Bowls Club	✓	N/A	✓	N/A	N/A	N/A
Bull Creek Leeming Junior and Senior Football Clubs	N/A	N/A	N/A	N/A	X	N/A
John Connell Whadjuk Noongar Reference Group	X	X	N/A	N/A	N/A	N/A
Environmental Advocacy Groups	X	X	N/A	N/A	N/A	N/A

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By way of further explanation:

- The Cricket Club first preference is Option 1 and second preference is Option 2.
- The Soccer Club do not support Option 1, mainly due to the pitch dimensions of the soccer field closest to clubrooms and changerooms.
- The Soccer Club does support Option 2, however should Option 2 not eventuate, they rather Option 6 (maintain the status quo).
- The Cricket Club and Soccer Club did not support Option 4 given the cost, disconnect from main facilities and the topography of the area being susceptible to strong winds/breeze.
- The Cricket Club opposed Option 5, due to being disconnected from their main facility at John Connell Reserve.
- The Bull-Creek Leeming Junior and Senior Football Clubs did not support Option 5 – citing issues with turf quality with additional use impacting the City's ability to appropriately renovate and safety concerns with adding a cricket pitch.
- The Leeming Bowls Club was engaged only on options that included a protective net and were supporting should the net be transparent.
- The John Connell Whadjuk Noongar Reference Group was engaged during the development of the Draft John Connell Master Plan and did not support the proposed oval extension during this process due to the removal of remnant native vegetation and the environmental link that the area in question has between other areas of native vegetation north and south.
- Environmental Advocacy Groups have expressed they do not support any clearing of native vegetation at John Connell Reserve.

In addition to the above:

- WA Cricket supports Options 1 – 3 as they support the growth of cricket, whereby Options 1 and 2 are preferred, albeit acknowledging the additional costs and environmental impact.
- The City received letters from Dr Jags Krishnan MLA – Member for Riverton and Stephen Pratt MLA – Member for Jandakot outlining a lack of support for Option 5 – Beasley Park and support for a field extension at John Connell Reserve.
- Following the letter received from Dr Jags Krishnan, Dr Jags Krishnan requested costs of the options relating to the field extension to commence discussions to provide funding support. This information was provided on 18 March 2026.

Importantly, in relation to the Bull-Creek Junior and Senior Football Clubs feedback around safety; the City has a number of shared use reserves between AFL and Cricket. The City covers pitches in the winter season and undertakes safety testing to ensure acceptable standards are met. Furthermore, both AFL and Cricket sporting guidelines promote shared use of reserves for Cricket and AFL.

A summary of all feedback is contained at Attachment 1 (page 39-41).

OFFICIAL**SUSTAINABILITY IMPLICATIONS**

A native vegetation clearing permit was granted by DWER on 30 June 2025, subject to a range of conditions summarised in the background section of this Council item.

The conditional approval of the clearing permit is reflective of the negative environmental impact clearing has. The assessment by DWER identified, *“that the proposed clearing will result in:*

- *the loss of 0.68 hectares of native vegetation that is considered significant foraging habitat for Zanda latirostris (Carnaby’s cockatoo), Zanda baudinii (Baudin’s cockatoo) and Calyptorhynchus banksia naso (forest red-tailed black cockatoo) (collectively referred to as black cockatoos),*
- *the loss of 0.68 hectares of native vegetation that is significant as a remnant of native vegetation in an area that has been extensively cleared,*
- *the loss of 0.68 hectares of native vegetation that represents the Banksia Woodlands of the Swan Coastal Plain Ecological Community Threatened Ecological Community (Banksia woodlands TEC),*
- *potential introduction and spread of weeds into adjacent vegetation, which could impact on the quality of the adjacent vegetation and its habitat values, and*
- *potential land degradation in the form of wind erosion.”*

DWER’s Delegated Officer determined that the improvement and management of 7.34 hectares of native vegetation, including the revegetation of 1.63 hectares of bare areas at Ken Hurst Park is required to address the significant impacts of the proposed clearing.

As a result, the DWER approved Ken Hurst Park Revegetation Plan Implementation (Attachment 4 – Appendix D) has been included for consideration in the assessment of Option’s 1 and 2, that would require clearing to accommodate and therefore trigger the requirement to enact the Ken Hurst Park Revegetation Plan.

Specific sustainability impacts are addressed in Attachment 1 – John Connell Reserve Playing Field Extension Proposal, Business Case.

LEGISLATIVE AND POLICY ALIGNMENT

The following City of Melville Council policies are considered to be broadly aligned with the options presented in this report:

CP-028 Physical Activity Policy

All options support the provision of sporting infrastructure and opportunities for physical activity, contributing to community health, participation and wellbeing.

CP-119 Active Reserve Parking Policy

All options are consistent with the intent of this policy, with no identified constraints relating to access, parking provision or functionality of active reserves.

In addition, the following policies demonstrate partial alignment, noting that alignment is achieved through mitigation measures and offsets rather than full avoidance of impact:

OFFICIAL**CP-030 Environmental Policy**

The native vegetation clearing permit applies an avoid–minimise–offset framework and incorporates environmental mitigation and offset requirements, aligning with the policy’s recognition of climate change and biodiversity considerations where impacts cannot be fully avoided.

CP-057 Sustainability Policy

The use of environmental offsets, including large-scale revegetation and rehabilitation at Ken Hurst Park, supports long-term environmental outcomes consistent with sustainability objectives when residual impacts remain.

CP-102 Urban Forest and Green Space Policy

The policy acknowledges that decisions may require balancing environmental, social and economic outcomes. The clearing permit process documents this trade-off by addressing the need for sporting infrastructure while requiring compensatory environmental offsets.

Notwithstanding the above, Options 1 and 2 exhibit key areas of misalignment with the following Council policies:

CP-102 Urban Forest and Green Space Policy

Loss of existing urban forest and native vegetation: The policy prioritises retention and enhancement of existing canopy and green infrastructure, whereas Options 1 and 2 involve the permanent clearing of native vegetation.

Local equity of green infrastructure benefits: While offsets provide ecological benefit, these benefits occur largely off-site, resulting in both short-term and potential long-term loss of local canopy and amenity at John Connell Reserve.

CP-029 Trees on City-Managed Land Policy

The policy strongly favours retention of healthy and ecologically significant trees. Options 1 and 2 conflict with this principle by permitting the removal of native vegetation assessed as environmentally significant, notwithstanding the application of offsets.

CP-030 Environmental Policy

While avoidance of environmental impact is a core objective, Options 1 and 2 proceed on the basis that full avoidance was determined to be impractical, resulting in clearing being authorised with mitigation and offset measures instead.

CP-109 Cultural Awareness Policy

The policy requires meaningful engagement and partnership with Traditional Owners. The John Connell Whadjuk Noongar Reference Group was engaged during preparation of the Draft John Connell Master Plan and did not support the proposed oval extension due to the cultural significance of the native vegetation. Also, while the clearing permit confirms that no Aboriginal heritage sites are mapped, it does not demonstrate broader reconciliation actions or cultural outcomes consistent with the intent of the policy.

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It is noted that the native vegetation clearing permit was submitted, assessed and determined in accordance with sections 51E and 51O of the Environmental Protection Act 1986, and has been lawfully approved subject to conditions, offsets and compliance requirements.

FINANCIAL IMPLICATIONS

To prepare the proposal for consideration the total cost to date is \$30,850 and it is not envisaged any further funds are required until a resolution has been made on the matter. The budget endorsed for 2025/26 was \$100,000.

The order of probable costs by each option (including revegetation costs where applicable) are as follows:

Option	Estimated Project Cost
Option 1 – Original Concept	\$4,315,556
Option 2 – Revised August 2025 Plan	\$4,684,991
Option 3 – No Clearing Required	\$2,100,782
Option 4 – Former Landfill Site	\$10,885,140
Option 5 – Beasley Park	\$308,445

The estimated over 20-year life cycle cost and average cost per annum, by option is as follows:

Option	20-year Life Cycle Cost	Average Cost Per Annum
Option 1 – Original Concept	\$1,803,500.00	\$90,175.00
Option 2 – Revised August 2025 Plan	\$2,365,000.00	\$118,250.00
Option 3 – No Clearing Required	\$1,548,000.00	\$77,400.00
Option 4 – Former Landfill Site	\$4,029,750.00	\$201,487.50
Option 5 – Beasley Park	\$243,750.00	\$12,187.50

A more detailed Order of Probable Cost analysis and estimated Life Cycle Costs by option is contained within Attachment 4 – Appendix E.

Currently the City does not have funds allocated in its Long-Term Financial Plan (LTFP) for this proposal as the outcome of the Clearing Permit was yet to be determined when the LTFP was developed and adopted.

Given the State Members of Parliament have identified an interest in supporting the field extension proposal and funding has been allocated by the Federal Government previously, there is an opportunity for the City to allocate a portion of funding based on the industries sporting infrastructure fund, the *Community Sporting and Recreation Facilities Fund* (CSRFF), which is currently under review.

Keeping in line with the previous Council Resolution, meeting the needs of community sporting groups and considering the consultation feedback; Option 2 would be the preferred option to progress.

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The CSRFF typically provides one-third (33%) of the overall project costs, however a development bonus whereby 50% of the overall project costs can be applied for should a project satisfy one of the following key areas:

- Location: Located in regional, remote or high growth areas
- Co-location: projects that involve co-location of sports and/or shared sporting facilities.
- Sustainability: projects incorporating sustainability initiatives such as water saving or energy reduction.
- Participation: Projects that increase participation or allow for new users.

Importantly, the CSRFF program would unlikely support revegetation costs to Ken Hurst Park, however the key components of the field extension including sports lighting would be eligible.

The estimated cost of these components under Option 2 is \$3,384,991.

Keeping in line with the CSRFF and including the \$470,000 remaining from the Leeming Spartans Cricket Club, the possible funding model for this project could be under each scenario:

Option 2 Funding Source	One-Third (33%)	One-Half (50%)
Estimated Project Cost (exc. Revegetation) - CoM	\$1,786,773.50	\$1,222,495.50
Estimated Project Cost (exc. Revegetation) - State	\$1,128,217.50	\$1,692,495.50
Leeming Spartans Cricket Club Remaining Grant	\$470,000.00	\$470,000.00
Revegetation Costs - CoM	\$1,300,000.00	\$1,300,000.00
Total Project Cost	\$4,684,991.00	\$4,684,991.00

Should Council agree to a position on the above, the funding models will be presented to engaged State Government Members of Parliament. There is a strong case for 50% funding on the basis that this proposal supports three of the four areas listed above.

The total estimated cost to the City under this proposed funding model is \$2,522,495.50.

Should the State Government only be supportive of one-third, the total estimated cost to the City is \$3,086,773.50.

CONSEQUENCE

The recommended option in this report is Option 2.

Should Council not support this option inclusive of a funding contribution, it is likely the project will not proceed in the future as a further application for a clearing permit will be required, along with escalation costs.

Council may choose to fund the remaining cost in its entirety (i.e. not seek further external funding); however this may impact the delivery timeframe of other projects in 2026/27 and 2027/28 as the current costs are not accounted for in the City’s current LTFP.

OFFICIAL**BRIEFING FORUM – FURTHER INFORMATION**

At the Agenda Briefing Forum held on Tuesday, 14 April 2026 the following questions or requests for information were raised:

Question 1:

What will be the impact of rates on the adoption of option 2?

Response to Question 1:

It's quite difficult to put a number on it at the current time because the budget hasn't been set. However, if we work off the basis that every half percent is \$600,000, you can divide that by the amount to get an approximate rate increase.

Question 2:

The \$1.3 million figure, for the revegetation, would that be over a number of years or one budget year?

Response to Question 2:

That would go over a number of years, up to about five years is what we're anticipating at this point.

Question 3:

The deputations tonight have indicated that Ken Hurst Park is very difficult for growing things. Was it the City's decision to do this, or DWER?

Response to Question 3:

This was the City's decision. The City had to find a suitable offset location at a size that would meet DWER's criteria. So the 7.36 hectares is a significant piece of area to revegetate. Looking at sites across the City, this was the only option which would meet their criteria, and it's in close proximity to the clearing site as well, which is an advantage.

Question 4:

Can we follow up with DWER and let them know about what we've heard from some experts tonight through the deputations, which have said they've had a 0-30% success rate, to see if the 70% success rate should be revisited?

Response to Question 4:

The City is not really in a position to challenge a criteria set by the state government.

Question 5:

Why haven't we utilised that empty space area, where the old rubbish tip was?

Response to Question 5:

I understand that the City tried to work with the state in a development proposal for the site. That was about 10 years ago, and that fell through for whatever reasons. However, there would have to be some serious remediation works that would have to take place. The City has developed a draft John Connell Master Plan, which includes a vision for the overall site and that landfill site in particular. The challenge we have as part of that works is identifying what the remediation costs would be to meet those requirements. At the moment, we're working through that issue and anticipating that sometime next year we'll be in a position to bring back something to Council that advises what the potential cost is to remediate based on that vision in the draft master plan.

OFFICIALQuestion 6:

0.35 hectares was thrown around a lot tonight, but that's incorrect. It's 0.55 hectares, is that correct?

Response to Question 6:

The club has developed a plan which is within the business case and they have calculated 3.38 hectares, I believe that is the correct number. However, the City has provided those concept plans that are also in the report, and based on allowing a field in the eastern portion of the reserve to fit a fourth soccer pitch, 0.55 is the area that we would be required to clear on the basis of that plan. However, there might be options to trim that down slightly over the course of the detailed design period.

Question 7:

Do you know exactly how many trees will need to be removed for option two?

Response to Question 7:

It depends on exactly the final layout of the oval extension and how much bushland that would take up, but when we did some assessments early on, we recognised about 210 trees in that space, 46 of which included grass trees if you consider them as trees. So there's a significant amount of trees, and the size varies significantly; there are two larger trees in there, right down to some trees that are from zero to 5 metres in height.

Question 8:

With regard to the CSRFF funding, I believe that funding has ceased to exist and is no longer available, so what is the state government funding pool that we'll be seeking an allocation from for option two?

Response to Question 8:

In consultation with the state government we have been advised that, in lieu of not having an active CSRFF program, we can ask local Members of Parliament for funding.

An example of this, albeit it's not at the scale of this, is the Melville Cricket Club which from memory was brought to Council in regard to an ongoing cost back in November last year. Part of the works they are doing is to replace their cricket pitch on field one, and they were looking to apply for CSRFF but it was obviously closed. They spoke to their local Member of Parliament and were able to receive \$40,000 to contribute to the project.

Question 9:

How much would need to be budgeted for 2026/2027?

Response to Question 9:

We haven't identified what we would actually need for 26/27, and that is on the basis that the expectation is we would want to confirm the external funding for the project to proceed, which is based on the officer recommendation.

With that being said however, and in order to get the project going, you would probably need around 12 or so months for a detailed design period. If say the funding was to come in within the next couple of weeks, we estimate it would potentially be \$200,000 to undertake that process.

If things were to line up and happen fairly quickly in terms of those first three, that being if the officer recommendation is to proceed, then we would probably need to look at allocating \$200,000 to next year's budget.

OFFICIALQuestion 10:

You mentioned that some of the lighting might need to go in the construction process, and so what would the timing of that be? Having regard to the soccer season and when that would happen, would that be at the end of this coming season for soccer or perhaps sooner?

Response to Question 10:

We haven't gotten into the detail in terms of timing of the construction and that sort of thing. The intent would be to undertake all the works at once from economies of scale and minimise disruption to the clubs. It will be very dependent on the timing and the feedback we receive from DWER and also the timing of those first three options. If we had flexibility we would also work with the groups to minimise the disruption. That being said, it is a considerable project and would cause some disruption to both of the groups for a period of time.

Question 11:

If there is no impact on rates, and if the City still has to fund 50%, which is about \$1.6 million, it has to come out of rates or out of reserves. Doesn't that equate to about 1.5% of current rates?

Response to Question 11:

Yes, that's correct. A 1% increase in rates at the moment is approximately \$1.2 million. In terms of my previous comment, I wasn't saying it wouldn't impact rates, I just made the comment that the budget hasn't been adopted, so it's difficult to actually establish the impact that it would potentially have on proposed rate increase at this time.

Question 12:

Could you please confirm that the area to be cleared did not qualify for any threatened ecological communities (TEC)?

Response to Question 12:

I can confirm that. As mentioned previously, our consultant that did the survey in 2020 did not consider it to qualify as TEC.

Question 13:

If a cricket pitch were to be constructed on Beasley and the football club were to train as per normal, can you please explain what the ground would be like come summer?

Response to Question 13:

We have experienced challenges out of Beasley Park for a number of years, and that's due to a combination of three key factors, one being the usage. There's a large number of playing members at the football club, however we have been working with the club in reducing the amount of foot traffic on the oval that contributes to the poor state of the oval, particularly towards the back end of the season. The other two challenges are Sting Nematode and Bassendean soils.

The Natural Areas & Parks team is responsible for the maintenance and upkeep of that reserve, and that includes renovations which typically tend to happen in the spring period for most reserves, but in recent years we've had to push that out into the summer period which impacts the playing surface and recuperation of that reserve come the following winter. It probably wouldn't be a great playing experience when you've got renovations that are happening during the summer period for the cricket, which was raised during one of the deputations previously.

OFFICIALQuestion 14:

With point one, which is seeking and receiving a suitable amendment to the clearing permit, what happens if it is rejected, that there is no consideration for that?

Response to Question 14:

The City and or the club are required to meet the requirements under the clearing permit, and obviously one is the time frames. If DWER decided not to approve an extension, that would obviously cause a challenge with our ability to clear.

Question 15:

Can you give some explanation on what would happen to the entire project, and also would it mean potentially that the City would prioritise the project and then to try and get things moving?

Response to Question 15:

The challenge we've got with this is, as I mentioned previously, is that there's detailed design that needs to occur, and there are still other approvals that need to occur. One is that that portion of land is part of the broader contaminated site. Based on the information we've got at the time, we don't believe that area will have any major significant impact in terms of contamination.

With that being said though, the advice is that we would need to excise the area of where we're proposing to clear and create that as part of a lot of the reserve, which is a statutory process that takes time. We would also have to obtain approvals through DWER's other arm in terms of the contaminated sites to make sure it is safe to proceed. However, the advice that we've got at the moment is that it's likely we'd get those approvals, it's just the time factor for those approvals to look at.

Question 16:

With the Council resolution back in June 2023, 0.65 hectares were actually adopted for the clearing permit to be submitted to DWER, however they have come back and actually increased that to 0.68 hectares. With the offset area being nearly 11 times greater than the area to be cleared, DWER certainly would not propose something if they didn't think it was completely impossible. Is that something I can just get from your own experience with regard to the clearing that's actually been put forward now with the offset area?

Response to Question 16:

In a previous deputation there was discussion around the complexities of revegetating the area at Ken Hurst Park, including access, previous success rates, and watering. The deputation spoke about one litre of water per plant. In our proposal, we're looking at additional watering, so that wouldn't be the limit. In that space it is extremely challenging, and would be a project that we'd have to work through on exactly how we manage that site to get it to the requirement that DWER is expecting.

Question 17:

What do we need to put in place to ensure that this offset and rehabilitation obligations are met, especially if, as we've heard tonight, it's unable to be delivered over the five-year time frame?

Question 18:

And if those conditions aren't met, where does that responsibility sit? Does that sit with the Leeming Spartan Cricket Club, or will that revert back to the City of Melville?

OFFICIALResponse to Questions 17 & 18:

The Council authorised the Leeming Spartan Cricket Club to apply on behalf of the City of Melville, so it is actually the responsibility of the City of Melville to meet the permit conditions. That's why staff have developed a plan to look at how they're going to meet the requirements in the clearing permit conditions, which includes the five-year program, and there's a contingency built in on top of the original quote, so that it's \$1.3 million over that five years.

It will be challenging and we'll need to work with the State Government, if the Council was to approve this, to try and meet those conditions and continue to work with them to meet those obligations.

Question 19:

If the City doesn't meet those requirements, what cost and risk impact would that have on the City?

Response to Question 19:

This information is being followed up and an update will be provided to the Council.

Question 20:

From your officer's report you're saying that it's already optimistic to try to achieve that 70%, so it seems like we have all the information to tell us that we should probably challenge what DWER was saying about that 70%. Can you look for avenues where we can challenge that number? It seems like it could be one of those cases where, again, this is the huge assumption that they could just take from one scenario in the past and apply it to this area and assume it's the same thing.

Response to Question 20:

This matter will be followed up and an update provided to the Council.

Additional questions were submitted following the meeting, and the responses are below:

Question 21:

The project is currently unfunded. Which other projects will be delayed to allow for this project to proceed? In particular, will Morris Buzacott plans be delayed?

Response to Question 21:

A detailed funding strategy for this project has not yet been determined and could consist of a variety of scenarios including deferring other projects, percentage increase in rate revenue, and/or utilising the reserves. The funding strategy would be subject to a future decision of Council. Should the Officer Recommendation proceed and the criteria of external funding and clearing permit extension is met, the best-case scenario is this project would be delivered in the 2027/28 financial year. Current sporting facility projects that are on a timeframe to possibly be delivered in that financial year or in the following years that could be impacted include:

- Changeroom Upgrade Program – Beasley Reserve, Troy Park, Winnacott Reserve, Morris Buzzacott Reserve, Gairloch Reserve and Alan Edwards Reserve
- Sports Lighting – Morris Buzzacott Reserve (Cricket and Hockey), Len Shearer Reserve

It should be noted that these projects proceeding will be subject to Council adopting the Annual Budget each year.

OFFICIALQuestion 22:

Given the state government has provided no advice that the CSRFF will be re-opened, why is there such a reliance on that funding in the detail of the report (as outlined on page 66)?

Response to Question 22:

In February 2026, the City received correspondence from Dr Jags Krishnan MLA, Member for Riverton (Dr Jags). As part of that correspondence and subsequent discussions, Dr Jags requested the cost estimates and has indicated to the City he would ascertain if funding could be obtained from the state government.

As mentioned during the Agenda Briefing Forum, the City has been advised that, should there be potential projects that would normally be eligible for CSRFF, these projects should be discussed with the relevant local MP. As a result, the basis of the proposed path forward is using the CSRFF guidelines as the funding strategy rationale. Should Council support the Officer recommendation, the City will contact the Member for Jandakot, Mr Stephen Pratt and will seek funding from the state government in line with the resolution.

Question 23:

CSRFF funding is usually provided on the basis that it will be funded 1/3, 1/3, 1/3 (state government, local government, club), so why then do we think we'll be able to attract 50% from the state government?

Response to Question 23:

In recent years, the CSRFF Program has allowed for a 'Development Bonus' where up to 50% of the project costs can be applied for should a project satisfy at least one of the following key areas:

- Location: Located in regional, remote or high growth areas
- Co-location: projects that involve co-location of sports and/or shared sporting facilities.
- Sustainability: projects incorporating sustainability initiatives such as water saving or energy reduction.
- Participation: Projects that increase participation or allow for new users.

Question 24:

Why is the cost of revegetation being excluded from the 50% total project cost we're seeking from the state government?

Response to Question 24:

Keeping in line with the guidelines of the CSRFF program, this program would typically fund activities that increase physical activity and improve outcomes for participation. Subsequently, projects such as new/expanded ovals and lighting are considered higher priorities. Revegetation does not fall into these guidelines

Question 25:

Why was two overlapping 60m pitches not explored such as the arrangement that operates quite successfully at Stevens Reserve in Fremantle?

Response to Question 25:

The overlapping of cricket fields is permissible under the South Metropolitan Cricket Association (SMCA) By-Laws, section 52, which also covers the preference for 60-metre boundaries. Fields that have less than a 60-metre boundary require written approval from the SMCA to be used for senior community cricket matches (per section 52 of the SMCA by-laws). The overlapping of fields has been discussed with key stakeholders who do not support this option.

OFFICIAL

Furthermore, the Cricket Australia – Community Facility Guidelines, Guidance Note 1 – Playing Field recommends a minimum of 2.74m per field, run-off, equating to a total of 5.48m between fields to limit the likelihood of player collision. This design guidance is reflected in the options, and the overlapping of grounds can be further explored through detailed design for the preferred option, where relevant (options 1-3). In addition, a critical consideration in this design work is achieving a balance to accommodate soccer fields with appropriate run-offs and exploring the option to reduce any clearing that may occur (options 1 & 2).

Question 26:

Has consideration been given to 2 smaller pitches at John Connell and then a larger 60m pitch at Beasley, only to be used for finals and/or high profile games (which would allow Beasley to be used for some games but less frequently)?

Response to Question 26:

This position has been discussed with key stakeholders who are in strong opposition to the development of cricket facilities at Beasley Park, please refer to page 32-34 of the Business Case for club stakeholder engagement summaries and Appendix B – Stakeholder Engagement – Letters of Response. Given the stakeholder feedback and maintenance challenges, the option under current circumstances is not preferred, however it is acknowledged that it should be re-considered in the future, particularly if the maintenance issues are less challenging given the lack of sporting reserve space to facilitate participation.

Question 27:

The Department of Cultural Industries, Tourism and Sport website says that a 50m boundary is the minimum for open age community cricket, and a boundary approximately the same size exists at Henry Jeffrey Oval in East Fremantle, where teams play in the same competition as those at the Leeming Cricket Club, however the Leeming Cricket Club seemed to suggest in their deputation that 50m was the standard for juniors. Could officers please confirm that my understanding is correct?

Response to Question 27:

Your understanding is correct, this is further re-enforced through the [Cricket Australia Community Facility Guidelines 2023](#) (Page 28 of 156).

Question 28:

Do other sporting fields in the City have sting nematode or Bassendean sands impacting drainage quality?

Response to Question 28:

The City is aware of high levels of sting nematodes being present at three other sporting ovals: John Connell Reserve, Bert Jeffrey Reserve, and Melville Reserve. There may be additional ovals where nematodes are present but have not been identified, as there has been no requirement to undertake nematode testing. Each sporting ground is unique and presents its own challenges, which must be managed by considering the full range of factors influencing each oval. The condition of turf following the winter season at any sporting ground cannot be attributed to a single cause, rather it reflects a combination of historical maintenance practices, seasonal weather conditions, pest and disease, usage levels and the soil profile at the end of the winter season.

OFFICIALQuestion 29:

Regarding option 5 (Beasley), wouldn't cricket and footy have different heavy use areas on the field, making recovery after each sport's season possible?

Response to Question 29:

Yes, AFL and Cricket would have different wear areas. Typically, these are in the central corridor of the field although these areas are in the field of play for cricket. Cricket's impact is expected to minimal to turf wear and tear (as its less intense), however the challenge is the City's current renovation activities (including but limited to low mowing, scarifying, hollow coring, top dressing) occur over a longer time period in the spring and summer to maintain the oval for winter use. These activities will impact the playability for cricket as they occur during the summer (Cricket) season.

Question 30:

Did the officer who had a conflict of interest take any part in the preparation of the report?

Response to Question 30:

The Officer who declared a conflict of interest contributed technical and historical information but did not draft the officer recommendation or authorise the report.

At 8:56pm, the Presiding Member adjourned the meeting.

At 8:56pm, Cr J Spanbroek left the meeting and did not return.

At 8:56pm, Mr J Bird left the meeting and did not return.

At 8:56pm, Mr D Burton left the meeting and did not return.

At 9:06pm, the Presiding Member resumed the meeting.

OFFICIAL

A written submission from Mr M Fitzgibbon of Melville was received in relation to this matter and circulated to Elected Members, which is linked below.

[Written Submission – Mr M Fitzgibbon](#)

Management Services

M26/74 Proposed Local Laws - City of Melville Cat & Fencing Amendment Local Laws 2026

File Number:	
Responsible Officer:	Director Legal, Governance & Risk
Voting Requirements:	Absolute Majority
Officer Disclosure of Interest:	No officer involved in the preparation of this report has a declarable interest in the matter.
Attachments:	<ol style="list-style-type: none"> Proposed Local Law - Cat Amendment Local Law 2026 ↓ Proposed Local Law - Fencing Amendment Local Law 2026 ↓ Written Submission - Mr Fitzgibbon (Fencing Local Law)

COUNCIL’S ROLE

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

<p>SUMMARY</p> <p><u>City of Melville Cat Local Law 2025</u></p> <ul style="list-style-type: none"> The City of Melville Cat Local Law 2025 was gazetted on 25 July 2025 and came into effect on 26 October 2025. On Tuesday, 21 October 2025, the City of Melville received correspondence from the Joint Standing Committee on Delegated Legislation (JSCDL) requesting the Council resolve undertakings to address matters within the both the City’s Cat Local Law & Fencing Local Laws. The Cat Local Law undertakings include the deletion of clause 4.6 and amendments to subclause 3.7(5), and Item 2 in Schedule 1. Subsequently, the Council resolved the undertakings for both local laws at the Ordinary Meeting of Council (OMC) held on Tuesday, 18 November 2025, to be completed within 12 months. <p><u>City of Melville Fencing Local Law 2025</u></p> <ul style="list-style-type: none"> The City of Melville Fencing Local Law 2025 was gazetted on 25 July 2025 and came into effect on 8 August 2025. The Fencing Local Law undertakings include amending drafting errors in Schedule 3 and to advise on whether the City provides public access to Figure 3.3 of the AS 2890.1:2004. <p><u>Local Law Process</u></p> <ul style="list-style-type: none"> The process to amend a local law is the same as the process to make a new local law and requires the completion of all steps outlined in section 3.12 of the <i>Local Government Act 1995</i> (the Act). This report now presents both local laws, including their purpose and effect, to request the Council commence the local law-making procedure to amendment both the Cat and the Fencing Local Laws.
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OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (M26/74)

At 9:07pm Cr K Wheatland moved, seconded Cr M Woodall

That the Council by Absolute Majority:

1. Proposes to make a Cat Amendment Local Law (set out in Attachment 1) with the following purpose and effect:
 - (a) The purpose of the *City of Melville Cat Amendment Local Law 2026* is to amend the *City of Melville Cat Local Law 2025*.
 - (b) The effect of the *City of Melville Cat Amendment Local Law 2026* is to remove the reversal of onus of proof and to ensure that the *City of Melville Cat Local Law 2025* is compliant with requirements of the Joint Standing Committee on Delegated Legislation.
2. Proposes to make a Fencing Amendment Local Law (set out in Attachment 2) with the following purpose and effect:
 - (a) The purpose of the *City of Melville Fencing Amendment Local Law 2026* is to amend the *City of Melville Fencing Local Law 2025*.
 - (b) The effect of the *City of Melville Fencing Amendment Local Law 2026* is to provide clarity to the public on the requirements for “sight triangles” under subclause 3.1(2) and to ensure that the *City of Melville Fencing Local Law 2025* is compliant with the requirements of the Joint Standing Committee on Delegated Legislation.
3. Authorises the Chief Executive Officer to commence the local law-making procedure for the proposed Cat Amendment Local Law & Fencing Amendment Local Law, under section 3.12 of the *Local Government Act 1995* by:
 - (a) Giving local public notice and inviting public submissions in accordance with section 6.12(3)(a) of the Act for a minimum six-week period on the proposed local laws; and
 - (b) Giving a copy of the public notice and proposed local laws to the Minister for Local Government in accordance with section 3.12(3)(b) of the Act; and
 - (c) After the last day of submissions, preparing and presenting a report for Council to consider and determine whether to make the local laws in accordance with section 3.12(4) of the Act.

At 9:07pm the Presiding Member declared the motion.

CARRIED BY ABSOLUTE MAJORITY (12/0)

PURPOSE

This report now presents both the proposed:

- Cat Amendment Local Law 2026; and
- Fencing Amendment Local Law 2026.

Including their purpose and effect, to request the Council to commence the local law-making procedure for both.

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STRATEGIC ALIGNMENT

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

BACKGROUND

City of Melville Cat Local Law

The [City of Melville Cat Local Law 2025](#) was gazetted on 25 July 2025 and came into effect on 26 October 2025.

On Tuesday, 21 October 2025, the City of Melville received correspondence from the Joint Standing Committee on Delegated Legislation (JSCDL) advising that the JSCDL had considered the *City of Melville Cat Local Law* and had resolved to contact the Council about the following matters:

- Clause 4.6 Defences

Section 4.6 of the *Cat Local Law 2025*, states that:

“It is a defence to a charge of an offence of contravening clause 3.2(1) if the owner charged satisfies the Court that at the material time some other person over the age of 18 years was the owner of the cat(s).”

The JSCDL has provided advice that they consider this clause to be a reverse onus provision, and that neither the *Local Government Act 1995* (the Act) nor the *Cat Act 2011* authorises a reversal of the onus of proof, unless specifically stated, that undermines the common law presumption of innocence and subsidiary legislation such a Local Law cannot displace this presumption.

The JSCDL has requested the clause to be deleted.

- Drafting Errors

The JSCDL has advised of two drafting errors:

Subclause 3.7(5) states that:

“Where the local government has not made a decision within the time mentioned in subclause (2), it is taken to have refused to grant a permit, and any fee payable under clause 3.5(1)(f) is to be refunded to the applicant.”

However, there is no subclause “f”. This should refer to subclause “e”.

- Schedule 1 amendment

Schedule 1 Item Number 2 prescribes for the offence of “*failing to comply with a cat control notice*”. The modified penalty is \$300. Item Number 2 should be amended to include subclause 2.1(4), which states that “*A person given a cat control notice must comply with the notice within the time specified in the notice*”.

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Subsequently, the Council resolved these undertakings at their Ordinary Meeting of Council (OMC) held on [Tuesday, 18 November 2025](#) within 12 months. The Council's resolution is as below:

"That the Council resolves to undertake to the Joint Standing Committee on Delegated Legislation that the Council will within 12 months:

1. *Delete clause 4.6.*
2. *Amend subclause 3.7(5) so that it states:*
"Where the local government has not made a decision within the time mentioned in subclause (2), it is taken to have refused to grant a permit, and any fee payable under clause 3.5(1)(e) is to be refunded to the applicant."
3. *Amend Item 2 in Schedule 1 so that the clause column states "2.1(2) & 2.1(4)".*
4. *Make all consequential amendments arising from the above amendments.*
5. *Not enforce the Local Law to the contrary before it is amended in accordance with undertaking 1, 2 and 3.*
6. *Ensure that a copy of these undertakings accompanies the Local Law wherever it is made publicly available by the City, whether in hard copy or electronic form."*

City of Melville Fencing Local Law

The [City of Melville Fencing Local Law 2025](#) was gazetted on 25 July 2025 and came into effect on 8 August 2025.

On Tuesday, 21 October 2025, the City of Melville received correspondence from the JSCDL advising that the JSCDL had considered the *City of Melville Fencing Local Law* and had resolved to contact the Council about the following matters:

- Clause 3.1(2) and Australian Standards

Section 3.1 (2) of the *City of Melville Fencing Local Law 2025* states that:

"all other lots, a fence adjacent to any vehicle access point must be truncated or reduced in height to no greater than 0.75m within the "sight triangles" identified in clause 3.2.4 (b) and Figure 3.3 of AS2890.1.2024."

The JSCDL has queried whether the City of Melville has access to figure 3.3, referenced in the clause, and if so how and where the public may obtain free access to it. This aligns with the Committee's practice to require local governments to provide access to the relevant standards where they are quoted within a Local Law.

It is acknowledged that whilst the City of Melville administration has access to the Australian Standards, members of the public cannot access this information freely from the City's source. Therefore, it is recommended that as the City cannot provide the public access to this information free of charge, that amendments to the local law will include a revision of this clause to ensure compliant with the JLSDC's requirements.

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- Drafting Errors in Schedule 3

The JSCDL has advised of two numerical drafting errors in Schedule 3 of the Local Law, and have requested that they be amended as follows:

- Item 3 regarding Clause 3.3: Installing a gate in a fence that causes an obstruction when open should be amended to clause 3.2; and
- Item 5 regarding clause 4.1 (2): Erecting an electrified fence on a residential lot should be amended to clause 4.1 (3).

At the November 2025 OMC, the Council resolved:

“That the Council resolves to undertake to the Joint Standing Committee on Delegated Legislation that the Council will within 12 months:

1. *Advise if the City has access to Figure 3.3 of AS 2890.1 :2024 - or not.
If so, undertake to advise the public of that fact, and how the public may (a) inspect the standard, on the City of Melville website and (b) request a copy of the Figure 3.3 of AS 2890.1 :2024.*
2. *Within 12 months, amend the two drafting errors in Schedule 3 so that:*
 - (a) *Item 3 regarding clause 3.3: Installing a gate in a fence that causes an obstruction when open is amended to clause 3.2.*
 - (b) *Item 5 regarding clause 4.1 (2): Erecting an electrified fence on a residential lot is amended to clause 4.1 (3).*
3. *Make all consequential amendments arising from the above amendments.*
4. *Not enforce the Local Law to the contrary before it is amended in accordance with undertaking 2.*
5. *Ensure that a copy of these undertakings accompanies the Local Law wherever it is made publicly available by the City, whether in hard copy or electronic form.”*

CONSIDERATION

The process to amend a Local Law is the same as the process to make a Local Law, which requires the completion of all steps outlined in section 3.12 of the *Local Government Act 1995* (the Act). This includes:

1. Presiding person to give notice to the council meeting of the purpose and effect of the proposed local law.
2. Give local public notice of the purpose and effect, including where a copy may be inspected, and inviting submissions on the proposed local law for a period not less than 6 weeks after the notice is given. Local public notice is defined at section 1.7 of the Act. For the notice of proposed local law:
 - (a) include all requirements set out at section 3.12(3)(a)(i)-(iii)
 - (b) the minimum 42-day period (add extra days for both publishing day and closing day, and when closing day falls on a public holiday, Saturday or Sunday)
3. Send copies of the proposed local law, public notice and any related documents to the Department of Local Government.
4. Consideration of submissions, and where alterations will make a local law significantly different to what was initially proposed, the procedure for making the local law must be recommenced.
5. The Council makes local law by absolute majority decision.

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6. Publish in Government Gazette.
7. Send copy of gazetted law to Minister(s).
8. Give local public notice of adoption of local law:
 - (a) For the notice of adoption, include all requirements set out at s. 3.12(6)(a)-(c).
 - (b) A local law comes into operation 14 days after publication in the Gazette, or such later day as specified.
9. Send documents (explanatory memorandum, checklist and e-copy) to the JSCDL.

This report now seeks to progress the November 2025 resolutions of Council, beginning with a period of public consultation as outlined in the Act (steps shown above).

ENGAGEMENT

Extensive internal consultation has been undertaken in the development of the proposed amendment local laws. Community consultation will be undertaken as part of the first phase of the local law making process.

The proposed amendment local laws will invite submissions from the public for a period of not less than 6 weeks, with the public notice to include the local law's purpose and effect, as follows:

City of Melville Cat Local Law

- The purpose of the *City of Melville Cat Amendment Local Law 2026* is to amend the *City of Melville Cat Local Law 2025*.
- The effect of the *City of Melville Cat Amendment Local Law 2026* is to remove the reversal of onus of proof and to ensure that the *City of Melville Cat Local Law 2025* is compliant with requirements of the Joint Standing Committee on Delegated Legislation.

City of Melville Fencing Local Law

- The purpose of the *City of Melville Fencing Amendment Local Law 2026* is to amend the *City of Melville Fencing Local Law 2025*.
- The effect of the *City of Melville Fencing Amendment Local Law 2026* is to provide clarity to the public on the requirements for "sight triangles" under subclause 3.1(2) and to ensure that the *City of Melville Fencing Local Law 2025* is compliant with the requirements of the Joint Standing Committee on Delegated Legislation.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications associated with this report.

LEGISLATIVE AND POLICY ALIGNMENT

To make a local law (including amendment local laws), the local government must follow the procedures set out in section 3.12 of the *Local Government Act 1995*.

Additionally, it should also be noted that local governments in Western Australia are responsible for enforcing and administering the *Cat Act 2011*.

OFFICIAL**FINANCIAL IMPLICATIONS**

There are no significant financial implications arising from the recommendations of this report. Minor costs will be incurred in advertising the public notice and in publishing the local law in the Government Gazette, and these will be met under the existing budget.

CONSEQUENCE

Should the Council not progress with the recommendation as presented, the Council may be at risk of non-compliance with their previous resolutions and the requests of the Joint Standing Committee on Delegated Legislation.

BRIEFING FORUM – FURTHER INFORMATION

At the Agenda Briefing Forum held on Tuesday, 14 April 2026 there were no questions or requests for information raised in relation to this item.

At 9:07pm, Ms M Pickering returned to the meeting.

At 9:08pm, Mr M Yildiz returned to the meeting.

UNCONFIRMED

OFFICIAL

M26/73 Common Seal March 2026

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

COUNCIL’S ROLE

Information: For the Council / Committee to note.

<p>SUMMARY</p> <p>This report details the documents to which the City of Melville Common Seal has been applied for the period from 24 January 2026 up to and including 23 March 2026 for the Council’s noting. This is a standing report to the Council.</p>

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (M26/73)

At 7:01pm Cr M Woodall moved, seconded Cr J Spanbroek

That the Council notes the actions of the Mayor and the Chief Executive Officer in executing the documents listed under the Common Seal of the City of Melville from 24 January 2026 up to and including 23 March 2026 for the Council’s noting.

At 7:01pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY EN BLOC (13/0)

PURPOSE

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

The following document was affixed with common seal during the period 24 January 2026 up to and including 23 March 2026.

Register Reference	Parties	Description	ECM Reference
CS2263	City of Melville and West Australian Planning Commission	In relation to the resolution of item UP26/101 Proposed Scheme Amendment - DA-2025-947 - Public Open Space to Residential R60 - Lot 12759 (No. 33) Worley Street, Willagee (Winnacott Reserve) Lot 50 (40-44) Worley Street, Willagee (Weeronga retirement village) presented to the Council in February 2026, to adopt amendment 17 to local planning scheme, submission to WAPC for review and approval.	8795429

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STRATEGIC ALIGNMENT

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

LEGISLATIVE AND POLICY ALIGNMENT

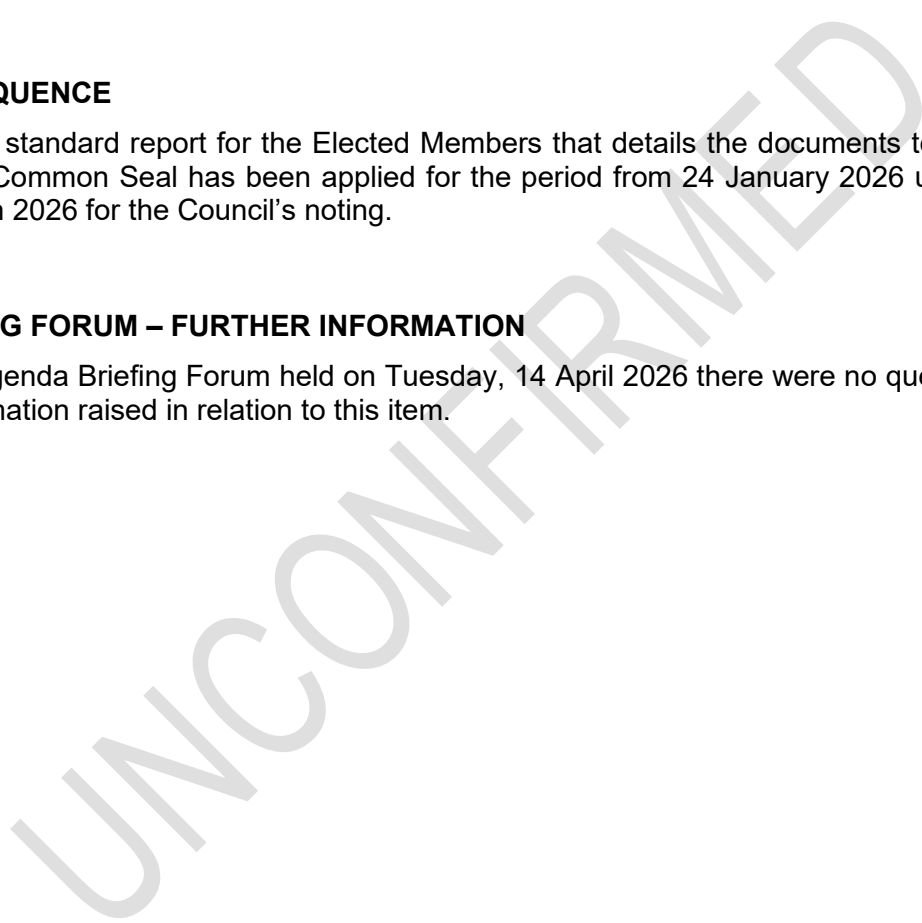
The use of the Common Seal is provided for the information of the Council.

CONSEQUENCE

This is a standard report for the Elected Members that details the documents to which the City of Melville Common Seal has been applied for the period from 24 January 2026 up to and including 23 March 2026 for the Council’s noting.

BRIEFING FORUM – FURTHER INFORMATION

At the Agenda Briefing Forum held on Tuesday, 14 April 2026 there were no questions or requests for information raised in relation to this item.



OFFICIAL

M26/75 Local Government Reform - Committee Review

File Number:	
Responsible Officer:	Director Legal, Governance & Risk
Voting Requirements:	Absolute Majority
Officer Disclosure of Interest:	No officer involved in the preparation of this report has a declarable interest in the matter.
Attachments:	<ol style="list-style-type: none"> 1. Committee Review Paper March 2026 ↓ 2. Updated Terms of Reference ARIC 2026

COUNCIL’S ROLE

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

<p>SUMMARY</p> <ul style="list-style-type: none"> • In late 2024 the City revised its Committee structure and operations as part of a staged approach to implementing changes anticipated to come into effect as a result of Local Government Reform and changes to the Local Government Act and Regulations. • In December 2024 the Local Government Amendment Bill was enacted and changes to the Local Government Act have come into effect since in a phased manner. On 1 January 2026, a range of changes to Committees came into effect. • This report considers the current City of Melville Committee operations against the new legislative requirements and proposes a series of changes to improve the efficiency of Committee meetings, ensure compliance with new legislation and support improved governance outcomes.
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OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (M26/75)

At 9:09pm Cr M Woodall moved, seconded Cr K Wheatland

That the Council, notes the City of Melville Committee Review Paper – March 2026 and endorses:

- 1. That the City of Melville Conduct Committee be formally disbanded;**
- 2. That the City of Melville Governance Committee be formally disbanded;**
- 3. That the City of Melville Policy and Legislation Committee be formally disbanded; and**
- 4. By absolute majority, adopts the revised Terms of Reference for the Audit, Risk and Improvement Committee (ARIC), set out in Attachment 2, with the membership of the ARIC being vacated and reappointed as follows:**

		Member	Deputy
1	Mayor	Mayor K Mair	
2	Elected Member Applecross-Mount Pleasant Ward	Cr Lim	No Deputy
3	Elected Member Bateman-Kardinya-Murdoch Ward	Cr Hong	Cr Robins
4	Elected Member Bicton-Attadale-Alfred Cove Ward	Cr Panayotou	Cr Barber
5	Elected Member Bull Creek-Leeming Ward	Cr Spanbroek	Cr Woodall
6	Elected Member Central Ward	Cr Green	Cr Yorke
7	Elected Member Palmyra-Melville-Willagee Ward	Cr Wheatland	Cr McGoldrick
8	External Member Presiding Member	Mr P Draber (expiry May 2027)	
9	External Member Deputy Presiding Member	Mr T Cheong (expiry May 2027)	
	CEO or Delegate	(non voting member)	

- 5. That the remaining meeting dates for the Audit Risk and Improvement Committee for 2026 are:**
 - 11 May 2026**
 - 27 July 2026**
 - 23 November 2026**

And these dates be published on the City’s website as the Audit Risk and Improvement Committee is open to the public for the community to attend.

At 9:09pm the Presiding Member declared the motion.

CARRIED BY ABSOLUTE MAJORITY (12/0)

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PURPOSE

The purpose of this Report is to review the existing City of Melville Committee Structure to bring it into line with the recent amendments to the *Local Government Act 1995*, including section 5.23 that requires Committee meetings to be open to the public.

STRATEGIC ALIGNMENT

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

BACKGROUND

From 2014 to 2024, the City of Melville’s Committee structure remained largely unchanged. The development of the City’s inaugural Governance Framework in 2024 highlighted the need for a modernised and revitalised Committee system. Concurrently, the *Local Government Amendment Act 2024* introduced significant reforms to the *Local Government Act 1995* aimed at strengthening governance, transparency, and decision-making across Council and Committee meetings. Key changes included clearer limitations on meeting closures to the public, an expectation that Committee meetings remain open by default, and the transformation of audit committees into independently chaired ARICs with an enhanced operational focus.

Additional reforms specific to Committee meetings take effect from 1 January 2026, requiring Committee meetings to be open to the public, and mandating the timely publication of meeting details, agendas, and unconfirmed minutes on the City’s website.

CONSIDERATION

Local Government Amendment Act 2024 introduced significant reforms to the *Local Government Act 1995* aimed at strengthening governance, transparency, and decision-making across Council and Committee meetings. Key changes included:

- clearer limitations on meeting closures to the public,
- an expectation that Committee meetings remain open by default, and
- the transformation of audit committees into independently chaired ARICs with an enhanced operational focus.

Additional reforms specific to Committee meetings take effect from 1 January 2026, requiring Committee meetings to be open to the public, and mandating the timely publication of meeting details, agendas, and unconfirmed minutes on the City’s website.

Officers have undertaken a comprehensive review of the operation of the City’s Committee’s over the last 12 months to determine structural and functional changes to refine the Committee operations to ensure compliance with new legislative requirements, support improved governance outcomes, provide for effective and robust decision-making and best utilise the resources of the City. The Committee Review Paper – March 2026 is set out in Attachment 1.

The City’s current Committee Structure includes the following:

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- Conduct Committee
- Governance Committee
- Policy and Legislation Committee
- ARIC

Conduct Committee

The Conduct Committee was established in 2023 with the introduction of changes to the *Local Government Act 1995*, requiring a code of conduct for Elected Members be adopted, and the management of breaches. The most recent meeting of this Committee was held in September 2023.

The recent introduction of the Office of the Local Government Inspector, under reforms to the *Local Government Act 1995* has again redefined the processes for management of allegations of breach of the *Local Government Act 1995*, and relevant regulations and the Code of Conduct.

Given this strengthened external oversight model the Office of the Local Government Inspector brings to the sector, it is recommended that the City of Melville Conduct Committee be dissolved. The Committee's original purpose has largely been superseded by the new statutory framework, and its continuation would create unnecessary duplication and ambiguity regarding roles and responsibilities.

Behavioural breaches of the Elected Member Code of Conduct would be assessed by a independent assessor, with their report considered and determined by the Council. In accordance with section 5.105(4) of the *Local Government Act 1995*, neither the complainant or respondent is permitted to participate in, or be present during, any discussion or decision-making procedure of the Council. This effectively means that Council would consider the behaviour breach complaint with the complainant or the respondent Elected Member(s) being present.

Governance Committee

The Governance Committee appears to have been initiated in 2006 and has undertaken a range of functions since inception. A review of the Governance Committee Terms of Reference in November 2024 sought to clarify its role with a focus on:

- Enhancing transparency in strategic oversight through regular reporting on the delivery of the City's Council Plan and organisational performance.
- Defined governance functions and strengthening accountability and transparency through monitoring and reporting on improvements and compliance with legislation.
- Providing structured oversight of the CEO performance review, including receiving quarterly Key Performance Indicator updates and undertaking the CEO Performance Review and providing recommendations to the Council

The *Local Government Amendment Act 1995* has strengthened the role and function of the ARIC, with many of the current responsibilities of the Governance Committee now better suited to the ARIC's legislated areas of responsibility.

It is recommended that the Governance Committee be disbanded with specific service reporting and organisational improvement updates being provided to the ARIC. It is also recommended that a CEO Performance Review Panel be established to align with Local Government Elections. This is the subject of a separate report to Council but detailed in the Committee Review Paper – March 2026 is set out in Attachment 1.

OFFICIALPolicy and Legislation Committee

The Policy and Legislation Committee was introduced as a new Committee in November 2024, to support the Council in the review and development of City of Melville Policies and Local Laws.

It is noted that a petition submitted by Mr G Waugh and signed by 46 residents of the City of Melville was considered at the 16 September 2025 Ordinary Meeting of Council, as follows:

“We the undersigned, all being electors of the City of Melville respectfully ask that the Council in its deliberation in relation to the City of Melville proposed Compliance and enforcement Policy CP-114, (publicly advertised for community consultation, closed on August 26, 2025) adopt the following to address perceived and real inadequacies identified by the Community in proposed policy CP-114 and across those policies affected by, or associated with proposed Policy CP-114 as had been previously requested of Council, since at least 201;

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

Under section 2.7 of the *Local Government Act 1995*, the Council has a specific role in determining the policies for the City. The Policy and Legislation Committee was established as a formal Committee of the Council, with meeting conducted in accordance with the City’s Meeting Procedures. Whilst this structure supported compliance and the process to make recommendations to the Council, the formal nature of the meeting did not consistently allow for the in-depth, interactive and iterative discussions required to critically review, deconstruct and comprehensively develop policies. The meeting format constrained the ability of the Elected Member group to explore policy intent and objectives in detail and or to refine their practical application.

It is recommended that the Policy and Legislation Committee in its current format be formally disbanded and consideration be given to the formation of a Policy and Legislation Advisory Group, with Elected Member and staff representation, in conjunction with the presentation of City of Melville Policy Framework in the near future.

Audit, Risk and Improvement Committee (ARIC)

The then Financial Management, Audit, Risk and Compliance Committee was established in 2006, with the name formally changing to the Audit Risk and Improvement Committee in late 2024 in anticipation of legislative changes as a result *Local Government Amendment Act 2024*. Independent (External) Committee Members were appointed in May 2025.

The Terms of Reference for the ARIC was reviewed in 2024 and adopted by the Council at its meeting held in November 2024, as part of a preliminary review of the City’s Committee Structure anticipating change under Local Government Reform, including the appointment of External (Independent) Committee Member/s to the roles of Presiding and Deputy Presiding Member.

OFFICIAL

To support the City's ongoing compliance and strengthen the effectiveness of the ARIC, it is recommended that the Terms of Reference for the Committee be revised to:

1. update the Committee's membership to include the Mayor, one representative from each ward, and the two external members (previously appointed). This composition provides an appropriate balance of Elected Member representation, independent expertise, and organisational oversight, consistent with best-practice governance principles.
2. Provide for ARIC Meetings to be held in-person and therefore not required to be broadcast or recorded.
3. be open to the public in accordance with section 5.23 of the *Local Government Act 1995* and that meeting dates and agendas are published on the City of Melville website.

A copy of the revised Terms of Reference for the ARIC is set out in Attachment 2.

ENGAGEMENT

There has been no external engagement associated with this review, however an analysis of the City's Committee operations over the last 12 months has been undertaken.

SUSTAINABILITY IMPLICATIONS

There are no specific sustainability implications associated with this report.

LEGISLATIVE AND POLICY ALIGNMENT

Amendments to section 5.23 of the *Local Government Act 1995*, will require all Committees to be open to the public from 1 January 2026.

In addition to this, the *Local Government (Administration) Regulations 1996* have been amended to require:

- Committee meeting details are published on the City's website.
- Agendas for Committee meetings are published on the City's website and made available to the public at the same time it is made available to Committee members.
- That Committee Meetings that include electronic attendance are to be publicly broadcast.
- Committees with delegated authority must include public question time

FINANCIAL IMPLICATIONS

In accordance with Council's Policy CP- 130 External Committee Members, independent members of the ARIC are paid at the maximum meeting attendance fee set by the Salaries and Allowances Tribunal being the amount of \$1,215 per meeting.

CONSEQUENCE

The Council could determine not to make the recommended changes to its current Committee Structure, however the City would be required to open all Committees to the public, with the exception of where items are listed as matters that meeting must or may be closed for.

OFFICIAL**BRIEFING FORUM – FURTHER INFORMATION**

At the Agenda Briefing Forum held on Tuesday, 14 April 2026 the following questions or requests for information were raised:

Question 1:

In relation to being an Audit, Risk and Improvement Committee member, do we have to have six or can it be one per ward?

Response to Question 1:

That is suggested in accordance with the Terms of Reference, however it is open to Council to determine otherwise.

Question 2:

Just looking at the officer recommendation, it appears we would appoint a deputy for the Mayor, but I'm just wondering how that works if everyone will already be allocated as either a member or a deputy. Is that correct in the table and if so, how will that work in practice?

Response to Question 2:

You'll see in the Terms of Reference document we've actually blacked out where there is no deputy. There's no deputy for the Mayor or external members, they serve as their own deputies.

Question 3:

So just to confirm, next week we won't be appointing a deputy for either the Mayor or the external members?

Response to Question 3:

Correct.

Question 4:

In terms of compliance issues in the past and the upcoming disbandment of the Policy & Legislation Committee, could I get some clarity around how we will address outstanding issues?

Response to Question 4:

We are working through developing and finalising a draft of a policy framework. Subject to the Council considering and adopting components of that, we'll be looking to then establish a working group that'll allow all policies that would've normally gone to the Policy & Legislation Committee to go to that particular group.

What we're proposing for that group is actually a workshop-style instead of considering policies on a fait accompli basis. It will be a far more interactive and collaborative process to develop policies with the consideration that once they come through the Council process, every Elected Member will have an opportunity to engage in the development of the policy. Therefore, once it gets to Council they will hopefully go through and be adopted accordingly.

Any issues that are outstanding in regards to policy will be considered through that process if there is sufficient time to do so, if not it will go through an EMES or Council adoption process; no issues will be unconsidered. We are expecting to have the policy framework ready to go in significant time, but hopefully before the 30th of June we'll have it all in place for consideration.

OFFICIALQuestion 5:

On the blurb about this item in the agenda, you've included the petition submitted by Mr G Waugh signed by 46 residents, where they respectfully asked that the City of Melville for some voluntary community inclusiveness, but you haven't made any reference to it. Why is that?

Response to Question 5:

We have addressed it in the Council Report. There is a section that deals with the Policy & Legislation Committee and the reasoning behind some of the considerations that we've made.

UNCONFIRMED

OFFICIAL

9:11pm
21/04/2026

Ms G Bowman, CEO, disclosed an interest under code of conduct in M26/76 (detailed in Item 5).

M26/76 CEO Performance Review Panel - Appointment

File Number:	
Responsible Officer:	Director Legal, Governance & Risk
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No officer involved in the preparation of this report has a declarable interest
Attachments:	<ol style="list-style-type: none"> 1. Revised Policy CP-117 Standards for CEO Recruitment, Performance and Termination ↓ 2. Revised CEO Performance Review Framework ↓ 3. Draft Terms of Reference CEO Performance Review Panel ↓ 4. Amendment Cr Robins

COUNCIL’S ROLE

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

<p>SUMMARY</p> <ul style="list-style-type: none"> • Following a proposal to disband the Governance Committee this report considers the process and supporting document associated with the mandatory CEO Annual Performance Review. • Council Policy CP-117 Standards for CEO Recruitment, Performance and Termination was adopted in 2023 and has undergone a review with minor amendments recommended. • The CEO Performance Review Framework has been reviewed to improve clarity, modernise terminology, and streamline the overall process, with the revised Framework presented to the Council for consideration. • This report seeks to commence the CEO Annual Performance Review, through the: <ul style="list-style-type: none"> ○ appointment of CEO Performance Review Panel and the endorsement of Terms of Reference for the Panel. ○ Appointment of Ms Hardcastle from learning Horizons as the Independent Facilitator for this process.
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OFFICIAL

OFFICER RECOMMENDATION

At 9:11pm Cr M Woodall moved, seconded Cr C Yorke

That the Council:

1. **By absolute majority adopts the revised Council Policy CP-117 Standards for CEO Recruitment Performance and Termination (Attachment 1)**
2. **Endorse the commencement of the annual CEO Performance Review, the Terms of Reference (Attachment 3) for the CEO Performance Review Panel and appoint the Panel members as follows:**

		Member	Deputy
1	Mayor	Mayor	
2	Deputy Mayor	Cr Woodall	
3	Elected Member Applecross-Mount Pleasant Ward	Cr Ross	Cr Lim
4	Elected Member Bateman-Kardinya-Murdoch Ward	Cr Robins	Cr Hong
5	Elected Member Bicton-Attadale-Alfred Cove Ward	Cr Barber	Cr Panayotou
6	Elected Member Bull Creek-Leeming Ward	Cr Spanbroek	N/A
7	Elected Member Central Ward	Cr Yorke	Cr Green
8	Elected Member Palmyra-Melville-Willagee Ward	Cr McGoldrick	No Deputy

3. **Endorse the CEO Performance Review Framework, as amended (Attachment 2).**
4. **Appoint Ms Helen Hardcastle of Learning Horizons to be the Independent Facilitator to the CEO Performance Review Panel for the remaining term of Ms Bowman’s contract.**
5. **Request the CEO Performance Review Panel to provide a report to the Council on the CEO 2026 Annual Performance Review no later than 18 August 2026.**

Amendment

COUNCIL RESOLUTION

At 9:12pm Cr N Robins moved, seconded Cr D Lim

That point 4 of the officer recommendation be amended by deleting the words:

“for the remaining term of Ms Bowman’s contract.”

and replacing them with

“and notes that future appointments be undertaken in accordance with the Review Process outlined in the Performance Review Framework.”

At 9:17pm the Presiding Member declared the motion.

CARRIED (10/2)

Yes (10): Mayor Katy Mair and Crs Glynis Barber, Nicole Robins, Clive Ross, Matthew Woodall, Daniel Lim, Soo Hong, Scott Green, George Panayotou and Crawford Yorke

No (2): Crs Karen Wheatland and Michael McGoldrick

OFFICIAL

Substantive Motion as Amended

That the Council:

1. **By absolute majority adopts the revised Council Policy CP-117 Standards for CEO Recruitment Performance and Termination (Attachment 1)**
2. **Endorse the commencement of the annual CEO Performance Review, the Terms of Reference (Attachment 3) for the CEO Performance Review Panel and appoint the Panel members as follows:**

		Member	Deputy
1	Mayor	Mayor	
2	Deputy Mayor	Cr Woodall	
3	Elected Member Applecross-Mount Pleasant Ward	Cr Ross	Cr Lim
4	Elected Member Bateman-Kardinya-Murdoch Ward	Cr Robins	Cr Hong
5	Elected Member Bicton-Attadale-Alfred Cove Ward	Cr Barber	Cr Panayotou
6	Elected Member Bull Creek-Leeming Ward	Cr Spanbroek	N/A
7	Elected Member Central Ward	Cr Yorke	Cr Green
8	Elected Member Palmyra-Melville-Willagee Ward	Cr McGoldrick	No Deputy

3. **Endorse the CEO Performance Review Framework, as amended (Attachment 2).**
4. **Appoint Ms Helen Hardcastle of Learning Horizons to be the Independent Facilitator to the CEO Performance Review Panel, and notes that future appointments be undertaken in accordance with the Review Process outlined in the Performance Review Framework.**
5. **Request the CEO Performance Review Panel to provide a report to the Council on the CEO 2026 Annual Performance Review no later than 18 August 2026.**

Amendment

COUNCIL RESOLUTION

At 9:19pm Cr G Barber moved, seconded Cr G Panayotou

That point 2 of the officer recommendation be amended by including the following after the words “Performance Review Panel”:

‘, subject to an amendment that the Chair and Deputy Chair selected from the Panel,’

At 9:28pm the Presiding Member declared the motion.

CARRIED (10/2)

Yes (10): Crs Glynis Barber, Nicole Robins, Clive Ross, Matthew Woodall, Daniel Lim, Soo Hong, Scott Green, George Panayotou, Crawford Yorke and Michael McGoldrick

No (2): Mayor Katy Mair and Cr Karen Wheatland

OFFICIAL

At 9:25pm, Mr O Pugh left the meeting.

Substantive Motion as Amended

COUNCIL RESOLUTION (M26/76)

At 9:19pm Cr G Barber moved, seconded Cr G Panayotou

That the Council:

1. **By absolute majority adopts the revised Council Policy CP-117 Standards for CEO Recruitment Performance and Termination (Attachment 1)**
2. **Endorse the commencement of the annual CEO Performance Review, the Terms of Reference (Attachment 3) for the CEO Performance Review Panel, subject to an amendment that the Chair and Deputy Chair selected from the Panel, and appoint the Panel members as follows:**

		Member	Deputy
1	Mayor	Mayor	
2	Deputy Mayor	Cr Woodall	
3	Elected Member Applecross-Mount Pleasant Ward	Cr Ross	Cr Lim
4	Elected Member Bateman-Kardinya-Murdoch Ward	Cr Robins	Cr Hong
5	Elected Member Bicton-Attadale-Alfred Cove Ward	Cr Barber	Cr Panayotou
6	Elected Member Bull Creek-Leeming Ward	Cr Spanbroek	N/A
7	Elected Member Central Ward	Cr Yorke	Cr Green
8	Elected Member Palmyra-Melville-Willagee Ward	Cr McGoldrick	No Deputy

3. **Endorse the CEO Performance Review Framework, as amended (Attachment 2).**
4. **Appoint Ms Helen Hardcastle of Learning Horizons to be the Independent Facilitator to the CEO Performance Review Panel for the remaining term of Ms Bowman’s contract.**
5. **Request the CEO Performance Review Panel to provide a report to the Council on the CEO 2026 Annual Performance Review no later than 18 August 2026.**

At 9:29pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY (12/0)

At 9:29pm, Mr O Pugh returned to the meeting.

OFFICIAL

PURPOSE

To present to the Council the revised:

- Council Policy CP-117 Standards for CEO Recruitment, Performance and Termination; and
- CEO Performance Review Framework; and

to appoint the:

- CEO Performance Review Panel; and
- Independent Facilitator.

STRATEGIC ALIGNMENT

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

BACKGROUND

At the Special Meeting of Council held 30 August 2023, the Council resolved to appoint Ms Bowman to the position of CEO for the City of Melville. In accordance with legislative and contractual requirements, the CEO’s performance is to be reviewed annually.

The City has undertaken a review of its Committee structure in response to recent legislative changes. This matter is addressed in detail in a separate report included in this business paper.

As part of this review, it is recommended that the Governance Committee be disbanded. In recent years, the Governance Committee has also been appointed to act as the CEO Performance Review Panel.

CONSIDERATION

With the proposed disbanding of the Governance Committee, the appointment of the Governance Committee as the CEO Review Panel is no longer available. Accordingly, officers recommend the establishment of a standalone CEO Performance Review Panel. To support the appointment of such a Panel, the documents underpinning the CEO’s Annual Performance Review have been reviewed and updated and are presented for the consideration of the Council.

Council Policy CP-117 Standards for CEO Recruitment, Performance and Termination

In February 2021, the *Local Government (Administration) Amendment Regulations 2021* came into effect, with local governments required to adopt Standards for the recruitment, performance review and termination of CEOs. The City adopted Council Policy CP-117 Standards for CEO Recruitment, Performance and Termination at a Special Meeting of Council held 3 May 2021.

OFFICIAL

The proposal to form a CEO Performance Review Panel provided an opportunity to review the policy and ensure alignment with recent legislative changes.

The policy requires minor amendments, which are shown in the marked-up copy as Attachment 1.

CEO Performance Review Framework

The Council adopted a CEO Performance Review Framework (Framework) at its Ordinary Meeting held 13 December 2022. The Framework was developed by Ms Helen Hardcastle, Learning Horizons, in conjunction with the then Governance Committee.

In accordance with the *Local Government (Administration) Regulations Schedule 2*

16. *Performance review process to be agreed between local government and CEO*
 - (1) *The local government and the CEO must agree on—*
 - (a) *the process by which the CEO's performance will be reviewed; and*
 - (b) *any performance criteria to be met by the CEO that are in addition to the contractual performance criteria.*
 - (2) *Without limiting subclause (1), the process agreed under subclause (1)(a) must be consistent with clauses 17, 18 and 19.*
 - (3) *The matters referred to in subclause (1) must be set out in a written document.*

A review of the Framework has been undertaken to improve clarity, modernise terminology, and streamline the overall process. These changes are intended to support a more efficient and accessible application of the Framework without altering its underlying intent or principles.

The revised Framework, showing the proposed changes is provided as Attachment 2. Proposed refinements include:

- Reference to Council Policy CP-117 Standards for CEO Recruitment Performance and Termination, which was adopted after the original framework was endorsed.
- Additional information in the guidelines to provide a summary of the process
- Remove references to the Governance Committee and include references to the CEO Performance Review Panel
- Clarification that the Council engages the Independent Facilitator
- Information related to the CEO Total Reward Package
- Additional information to provide clarity of the steps to be taken in the review process
- Information on the actions to be taken to finalise the process
- Minor typographical and formatting

CEO Annual Performance Review and Appointment of CEO Performance Review Panel

At the Special Meeting of Council held 30 August 2023, the Council resolved to appoint Ms Bowman to the position of CEO for the City of Melville, with Ms Bowman officially commencing in the role on 20 November 2023. In accordance with the terms of the employment contract, a review of Ms Bowman's performance is required on an annual basis.

OFFICIAL

Section 5.38 and 5.39 of the Local Government Act 1995, requires:

5.38. Annual review of employees' performance

- (1) A local government must review the performance of the CEO if the CEO is employed for a term of more than 1 year.
- (3) A review under subsection (1) or (2) must be conducted at least once in relation to each year of the person's employment.

5.39 Contracts for CEO and senior employee

- (3) A contract under this section is of no effect unless —
 - (b) there are specified in the contract performance criteria for the purpose of reviewing the person's performance;

Previously, the Governance Committee has been appointed as the CEO Performance Review Panel consistent with the terms of reference that included:

- *CEO Performance Review - receive the CEO Quarterly Key Performance Indicator Updates and, when appointed by the Council, undertake the:*
 - *annual Chief Executive Officer's performance review in accordance the provisions of legislation, policy and contract conditions; and*
 - *make recommendations on the setting of CEO Key Performance Indicators linked to the Council priorities through the Corporate Business Plan and budget.*

With the proposal to disband the Governance Committee, it is proposed to for a CEO Performance Review Panel formed for the purpose of ensuring the Council-led Annual Performance Review process for assessing the CEO's effectiveness against agreed performance criteria is an alternative process to embed the CEO's Annual Performance Review is required.

Draft Terms of Reference for a CEO Performance Review Panel provided as Attachment 3 and outlined below:

- Membership to include, Mayor, Deputy Mayor and representative from each Ward as a minimum. Appointments would be for two year terms to align with Local Government Elections.
- Presiding Member to be the Mayor and in their absence the Deputy Mayor
- Meetings to be scheduled to conclude the CEO Performance Review by the end of August each year. Previous reports have endeavoured to complete this by the end of July, however the timing of budget finalisation and collation of the previous financial year data and evidence often takes time and is balanced with other end of year priorities. Presentation to the August Ordinary Meeting of Council is a more realistic timeframe.
- Includes a six monthly CEO KPI progress report meeting.
- Provides for and Independent Facilitator to assist and guide the process.
- Makes reference to the process outlined in the CEO Performance Review Framework and Council Policy CP-117 Standards for CEO Recruitment, Performance and Termination.

Appointment of Independent Facilitator

An Independent Facilitator ensures the CEO's performance review is transparent and impartial and conducted in accordance with legislative requirements and standards.

OFFICIAL

The role of the Independent Facilitator is to:

- Guide the annual review process;
- Ensure transparency and accountability;
- Ensure procedural fairness and objectivity;
- Provide advice to Council; and
- Liaise with the CEO.

The Independent Facilitator is also able to provide comprehensive industry information to inform and assist with the assessment and recommendation process.

Ms Hardcastle from Learning Horizons has facilitated the Annual Performance Reviews for Ms Bowman, since she was engaged in the role and has developed a sound understanding of the City of Melville's strategic direction and objectives through her involvement with the Council Business Planning and Integrated Reporting processes. Ms Hardcastle is well placed to be appointed as the Independent facilitator for the CEO Annual Review Processes.

There is high demand for appropriately qualified and experienced consultants to undertake the role of Independent Facilitator for CEO Performance Reviews in the local government sector. In order to provide clarity and continuity it is proposed to appoint Ms Hardcastle as the Independent Facilitator for the remainder of Ms Bowman's contract.

Ms Bowman has been advised of the proposal to appoint Ms Hardcastle to this process and has advised there are no conflicts of interest or objections.

ENGAGEMENT

No community engagement is required in conjunction with this report, however the CEO Key Performance Indicators should align with the future strategic direction, including the Corporate Business Plan and Integrated Planning and Reporting for the City of Melville. The development of these key strategic documents for the City of Melville included community engagement and consultation processes.

It is also anticipated that Local Government Reform will require the publication of the CEO Key Performance Indicators on the website in the future. This has been built into the processes which are the subject of this report should that need eventuate.

SUSTAINABILITY IMPLICATIONS

There are no specific sustainability implications associated with this report.

OFFICIAL**LEGISLATIVE AND POLICY ALIGNMENT**

The review of the CEO performance is guided by requirements under:

- The *Local Government Act 1995*;
- The *Local Government (Administration) Regulations 1996*;
- The City of Melville Council Policy CP-117 – Standards for CEO Recruitment, Performance and Termination; and
- The City of Melville CEO Performance Review Framework

FINANCIAL IMPLICATIONS

There are financial implications associated with the appointment of an Independent Facilitator to assist and guide the CEO Annual Review Process. These costs are identified in the annual budget each year.

CONSEQUENCE

The Council could choose not to undertake the review of the documents associated with the CEO Performance review and the existing documents would remain in place. The CEO Annual Performance Review is a mandatory process under legislation and the CEO's employment contract.

BRIEFING FORUM – FURTHER INFORMATION

At the Agenda Briefing Forum held on Tuesday, 14 April 2026 the following questions or requests for information were raised:

Question 1:

Just in terms of appointing an independent facilitator, is there any requirement to go out to tender or to invite quotes to appoint an independent facilitator?

Response to Question 1:

The *Local Government (Functions and General) Regulations 1996* have certain thresholds where if met they are required to go out to tender. The spend on that is expected or realised spend of \$250,000. In relation to all other requirements around the quotation process and everything else, Council's Procurement Policy will set up the threshold in relation to that, and then if there are any exemptions to that, they'll also be set out in the policy.

Question 2:

Does the Mayor have to be the chair of the panel?

Response to Question 2:

The framework that we're proposing sets out who the chair of the review panel is, however that is a Council decision. If Council determines to amend or require amendments to the framework, then they can amend who the chair is.

OFFICIALQuestion 3:

Is there a potential conflict of interest because of the close working relationship between the Mayor and the CEO?

Response to Question 3:

The Mayor and the CEO in all local governments will have a close working relationship. The Act is designed in that way, and there's a special requirement for the Mayor and the CEO to be able to engage, so there wouldn't be any conflict of interest on the basis of their professional relationship. If there is a conflict of interest identified in regard to a financial or proximity relationship or anything along those lines, then yes, but in this circumstance we don't believe there is any.

Question 4:

There doesn't seem to be much discussion in the report about what led to the decision to recommend to the Council that we appoint Ms Helen Hardcastle as the independent facilitator for the CEO performance review process. I'm just wondering if there's any further documentation or evidence around that process and how that decision was made that could be provided to Elected Members?

Response to Question 4:

The proposal to appoint Ms Hardcastle as the Independent Facilitator for the Annual CEO Performance Review was determined due to her extensive experience, sector expertise and in-depth knowledge of the City and the current CEO's contractual requirements.

Our market research also demonstrates that there is a limited pool of suitably experienced consultants that are currently undertaking local government CEO performance reviews.

OFFICIAL

Corporate Services

C26/370 Investment Statements for February 2026

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

COUNCIL’S ROLE

Information: For the Council / Committee to note.

SUMMARY
<ul style="list-style-type: none"> This report presents the investment statements for the period ending 28 February 2026 and recommends that it be noted by the Council.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (C26/370)

At 7:01pm Cr M Woodall moved, seconded Cr J Spanbroek

That the Council notes the Investment Report for the period ending 28 February 2026.

At 7:01pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY EN BLOC (13/0)

PURPOSE

To report on the performance of the City’s investment portfolio for the month of February 2026.

The City’s investment portfolio is invested in highly secure investments with a low level of risk yielding a weighted average rate of return of 4.31% to 4.36% which exceeds the benchmark three-month bank bill swap (BBSW) reference rate of 3.96%.

16% of the City’s investment portfolio is invested in authorised deposit taking institutions that do not lend to industries engaged in the exploration for, or production of, fossil fuels. This compared to 17% in January 2026.

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

STRATEGIC ALIGNMENT

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

OFFICIAL

BACKGROUND

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

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

CONSIDERATION

The following statement details the investments held by the City of Melville as at 28 February 2026.

CITY OF MELVILLE STATEMENT OF INVESTMENTS FOR THE PERIOD ENDING 28 FEBRUARY 2026		
SUMMARY BY FUND		
Municipal		\$51,153,910
Reserve		\$133,020,816
Citizen Relief		\$252,477
TOTAL		\$184,427,202
SUMMARY BY INVESTMENT TYPE		
11AM		\$17,579,764
60Days at Call		\$2,000,000
90Days at Call		\$16,600,000
Term Deposit		\$148,247,438
TOTAL		\$184,427,202
SUMMARY BY CREDIT RATING		
AAA Category	AAA	
AA Category (AA+ to AA-)	AA-	\$128,727,202
	A+	
A Category (A+ to A-)	A	
	A-	\$55,700,000
BBB+ Category	BBB+	
TOTAL		\$184,427,202

The City’s total investments amount to \$184.43m, mainly held in Municipal Funds \$51.15m and Reserve Funds \$133.02m which are restricted to the defined purpose for which the reserve account was established.

OFFICIAL

Key Points

- Most of the funds \$148.25m are in Term Deposits, ensuring secure and stable returns.
- Short-term investments include 11AM accounts (\$17.58m) this account is a money market deposit that allows the City to access funds for daily financial needs if notice is given before 11AM, and call deposits totalling \$18.6m. These funds allow the City to meet financial obligations, including suppliers' payment and other debt repayments, without disruptions to its services.
- The portfolio is low-risk, with 70% of funds in AA Category rated institutions and 30% in A Category rated institutions.
- There are no investments in AAA-rated and BBB+ institutions and efforts are undertaken to invest in accordance with Council Investment Policy CP-009.

The City's investments were invested within the limits allowed within each category rating for February 2026.

Investment with financial institutions						
Institution	Credit Rating	Credit Rating Category	Funds held at period end	Actual %	Limit Per Policy	
Bank of Queensland	A-	A Category	\$ 51,900,000	28.14%	30.00%	✓
Bendigo & Adelaide	A-	A Category	\$ 3,800,000	2.06%	30.00%	✓
Suncorp	AA-	A Category	\$ 14,000,000	7.59%	50.00%	✓
NAB	AA-	AA Category	\$ 29,085,642	15.77%	50.00%	✓
Westpac	AA-	AA Category	\$ 85,641,560	46.44%	50.00%	✓
TOTAL			\$ 184,427,202	100%		

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

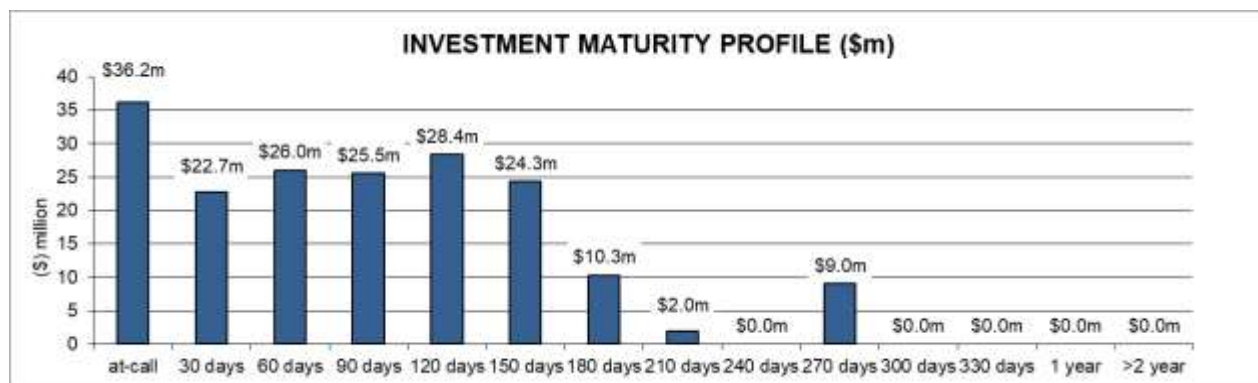
The City's investments meet the requirements of the portfolio credit framework, as per the Investment Policy, and shown in the table below.

Maximum Percentage of Average Investment Portfolio Balance				
Long Term Rating	Funds held at period end \$	Actual %	Limit Per Policy	
AAA Category	\$ -	0%	100%	✓
AA Category (AA+ to AA-)	\$ 128,727,202	70%	80%	✓
A Category (A+ to A-)	\$ 55,700,000	30%	50%	✓
BBB+ Category	\$ -	0%	25%	✓
TOTAL	\$ 184,427,202	100%		

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

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The below graph summarises the maturity profile of the City’s investments at market value as at 28 February 2026. The immediacy of the demand for funds depends on the particular Fund or Reserve Account(s) of the City. The maturity profile provided in the table above meets the liquidity requirements of the Council policy.



The above Investment Maturity Profile graph for February 2026 provides an overview of the City's investment portfolio, categorising term deposits based on their maturity periods. The maturity profile of the City's investments is aligned with Council's investment policy, cash flow requirements, and prevailing market conditions. Interest rate fluctuations will continue to influence the term of the reinvestment decisions to ensure optimal financial outcomes.

The City's current investment approach prioritises short-term liquidity to meet operational needs and unforeseen expenses rather than focusing on long-term yield opportunities. A substantial portion of funds (\$17.58m) is available for immediate use, ensuring sufficient liquidity for day-to-day operations. This allows the City to meet financial obligations, including suppliers' payment and other debt repayments, without disruptions to its services.

Investments are well-distributed across various short- to medium-term maturities, with notable allocations in 90 days (\$25.5m), 120 days (\$28.4m), 150 days (\$24.3m), and 180 days (\$10.3m). This structured approach ensures financial stability while balancing liquidity needs and optimising returns. The estimated average cash outflow requirement of the City is between \$13m to \$16m per month.

The majority of the investment portfolio is concentrated in short- to medium-term maturities, with limited allocation beyond 270 and 365 days. A small portion of the portfolio matures at 270 days (\$9m), reflecting selective investment opportunities where competitive rates were available for Green Investment with Westpac Bank. There are no long-term investments beyond one year, as the City's investment strategy is designed to align with its annual revenue cycle, which is predominantly driven by rates revenue. The recent RBA interest rate raised on 3 February 2026 by 0.25 to 3.85 per cent and again on 17 March 2026. The changes to the RBA interest rate has contributed to increased competitiveness of longer-term deposit rates, influencing this maturity profile.

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

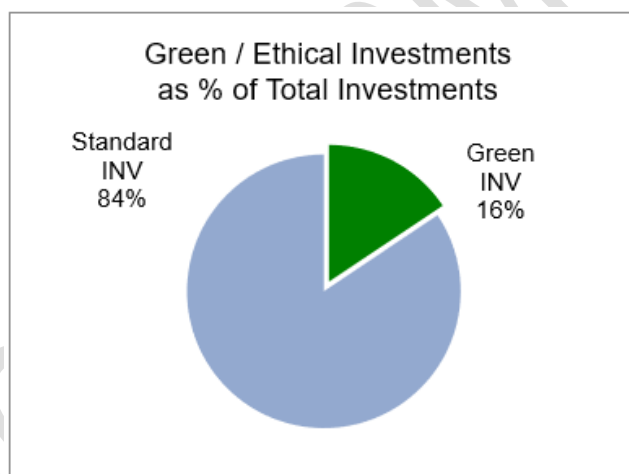
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The City exercises a deliberative preference in favour of green/ethical investments. This preference will however only be exercised after the foremost investment considerations of credit rating, comparable rate and risk diversification are fully satisfied.

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

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

The total investment in authorised institutions as at 28 February 2026 was \$28,800,000 or 16% of total investment holdings being in non-fossil fuels institutions, compared to \$32,300,000 (17%) in January 2026. The total investments held for February and January were \$184,427,202 and \$189,427,202 respectively.



Green/Ethical Investment with financial institutions			
Institution	Credit Rating	Credit Rating Category	Funds held at period end
Bendigo & Adelaide	A-	A Category	\$ 3,800,000
Suncorp	AA-	AA Category	\$ 14,000,000
Westpac	AA-	AA Category	\$ 11,000,000
TOTAL			\$ 28,800,000

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

The City continues to engage in active discussions with financial institutions regarding the availability of ESG Tailored Deposit (ESGTD) products. Westpac has offered AUD Green Tailored Deposits and AUD Social Tailored Deposits, however, there is no suitable investment due to low interest rates offered for these products. Westpac has offered a Social Tailored Deposit with a minimum deposit size of \$1 million and a minimum term of 1 year, extendable up to 5 years.

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

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

ENGAGEMENT

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

SUSTAINABILITY IMPLICATIONS**Strategic**

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

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

Risk

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

Environmental

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

LEGISLATIVE AND POLICY ALIGNMENT

The following legislation is relevant to this report:

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

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

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

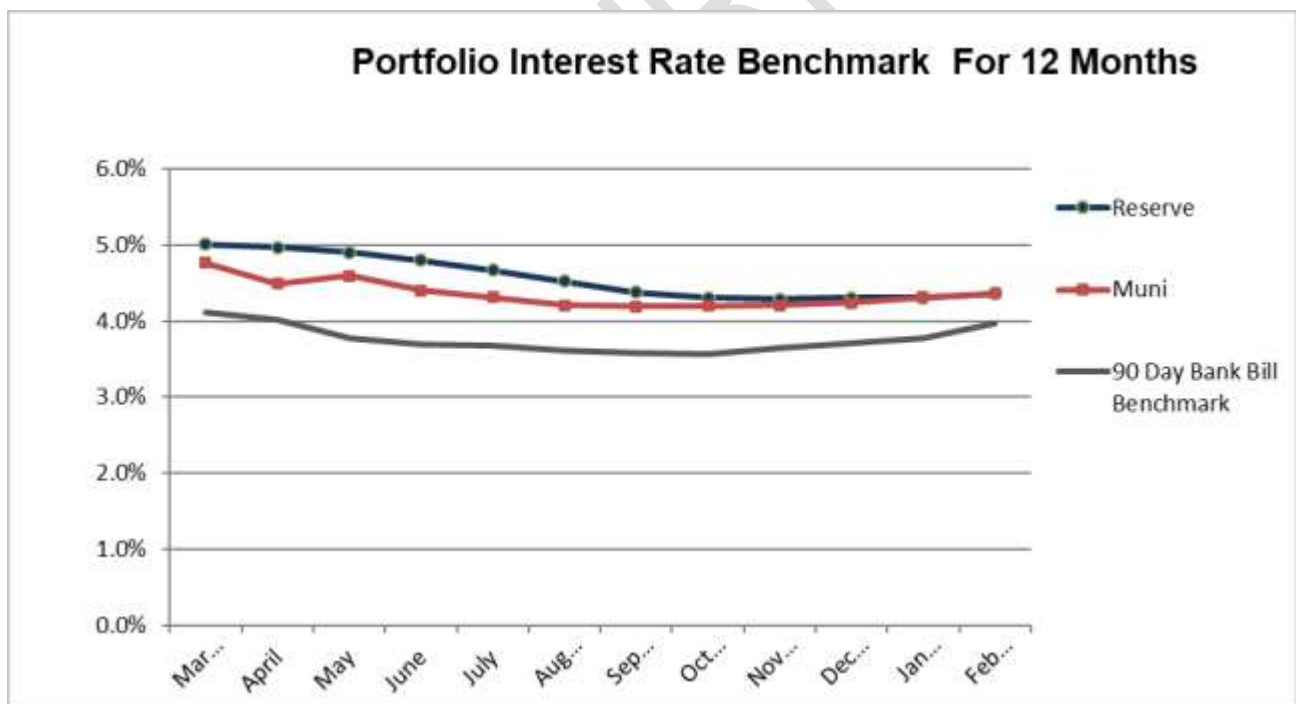
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Council Policy CP-009 – Investment of Funds provides guidelines with respect to the investment of City of Melville (the City) funds by defining levels of risk considered prudent for public monies. Liquidity requirements are determined to ensure the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

FINANCIAL IMPLICATIONS

For the period ending 28 February 2026:

- Year-to-date Investment earnings on term deposits held in reserve accounts, money at call accounts and the municipal account in aggregate, was \$5,423,797 against a year-to-date budget of \$5,116,695 representing a positive variance of \$307,101.58. This positive variance is primarily attributed to the deferral of planned capital projects, which has resulted in higher than anticipated interest rate.
- The weighted average interest rate for Municipal and Trust Fund investments as at 28 February 2026 was 4.36% which compares favourably to the benchmark three-month bank bill swap (BBSW) reference rate of 3.96%.



CONSEQUENCE

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

BRIEFING FORUM – FURTHER INFORMATION

At the Agenda Briefing Forum held on Tuesday, 14 April 2026 there were no questions or requests for information raised in relation to this item.

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C26/371 Schedule of Accounts Paid for February 2026

File Number:	
Responsible Officer:	Director Corporate Services
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No officer involved in the preparation of this report has a declarable interest in this matter.
Attachments:	<ol style="list-style-type: none"> Payment Details February 2026 ↴ Card Payment Details - February 2026

COUNCIL’S ROLE

Information: For the Council / Committee to note.

<p>SUMMARY</p> <ul style="list-style-type: none"> This report presents the details of payments made under delegated authority (DA-035) to suppliers for the period of February 2026 and recommends that the Schedule of Accounts Paid be noted.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (C26/371)

At 7:01pm Cr M Woodall moved, seconded Cr J Spanbroek

That the Council notes the Schedule of Accounts paid for the period February 2026 as approved by the Director Corporate Services in accordance with delegated authority DA-035, and detailed in the attachments to this report; Payment Details February 2026 (Attachment 1) and Card Payment Details February 2026 (Attachment 2).

At 7:01pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY EN BLOC (13/0)

PURPOSE

The Schedule of Payments for the month totals \$30,070,241. The report and the attached Schedule of Accounts Paid are presented for the Council's information.

STRATEGIC ALIGNMENT

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

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BACKGROUND

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

A total of \$9,366,439 direct creditor payments were paid during the month, of which, 6% of payments were paid to suppliers located within the City of Melville and 10% to suppliers within the South West Metropolitan Region, compared to 5% and 12% of total of \$9,454,285 direct creditor payments made over January 2026 respectively.

The biggest payment of \$543,078 made during the month was the regulatory fees and government charges payment to the Department of Fire and Emergency Services. Approximately 95% of supplier invoices are paid within 30 days of receipt of the invoices.

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

CONSIDERATION

The Schedule of Accounts Paid for February 2026 including Payment Register numbers, Cheques: 883, Electronic Funds Transfers batches: 1003-1007, Trust Payments, Card Payments and Payroll will be distributed to the Elected Members of the Council on 21 April 2026.

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

SCHEDULE OF PAYMENTS MADE		
February 2026		
Payments made under Delegated Authority DA-035		
MUNICIPAL FUNDS - DIRECT CREDITOR PAYMENTS		
Cheques	Chq Payment Register No. 883	\$84.80
	Chq Payment on Restricted Funds Register No.	
	Less Cancelled Chqs	
Electronic Funds Transfers	EFT Payment Register No. 1003, 1005, 1006 and 1007	\$9,179,687.81
	EFT Payment on Restricted Funds Register No. 1002 and 1004	\$70,300.00
	Less Cancelled EFTs	(\$54.75)
		\$9,250,017.86
Direct Debits	Bank Fees	\$19,287.04
	Ampol Fuel	\$91,305.99
Direct Payments		\$5,828.22
	Total Direct Creditor Payments	\$9,366,439.11
Payroll	Total Pay 17 and 18	\$5,313,284.77
	Total Payroll	\$5,313,284.77
Cards	Westpac Purchase Cards	\$90,517.40
	Total Card Payments	\$90,517.40
	Total Direct Creditor Payments from Municipal Account	\$14,770,241.28

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INTERFUND & INVESTMENT TRANSACTIONS		
Interfund Transfers		
Loan		\$0.00
Citizen Relief Trust		\$0.00
Citizen Relief Operating		\$0.00
Municipal		(\$13,418,134.75)
Reserve		\$13,418,134.75
Trust		\$0.00
Total Interfund Transfers		\$0.00
New Municipal Investments		
Westpac	08/02/2026	\$1,000,000.00
BOQ	12/02/2026	\$2,000,000.00
Westpac	12/02/2026	\$2,000,000.00
Westpac	13/02/2026	\$2,500,000.00
Westpac	19/02/2026	\$3,800,000.00
BOQ	27/02/2026	\$2,000,000.00
NAB	27/02/2026	\$2,000,000.00
Total New Investments		\$15,300,000.00
Grand Total		\$30,070,241.28

Schedule of Payments Made continued.

Details of the payments are shown in Attachment 1.

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

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

The list of payments made using purchase cards during January 2026 and settled in February 2026 is provided as an attachment to this report.

ENGAGEMENT

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

SUSTAINABILITY IMPLICATIONS

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

OFFICIAL**LEGISLATIVE AND POLICY ALIGNMENT**

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

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

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

FINANCIAL IMPLICATIONS

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

CONSEQUENCE

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

BRIEFING FORUM – FURTHER INFORMATION

At the Agenda Briefing Forum held on Tuesday, 14 April 2026 the following questions or requests for information were raised:

Question 1:

Looking at Attachment 1 on page 168, I noticed a payment of \$138K made to Ennovative, described as "IT software/licencing and maintenance". Can I assume that is the milestone payment for the proof of concept (POC)?

Response to Question 1:

Yes, that's correct.

Question 2:

Because of that, what integration work has been done in that POC? What systems have been integrated already?

Response to Question 2:

Completed and to be deployed early June:

- Standard Build
 - General Configuration
 - Architecture Design
 - Data flow scheduling
 - Single Sign On and security configuration

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- Portal setup and configuration
- Branding
- Site navigation
- SMS notifications
- Security/Privacy configurations
- Data Migration
 - Name and Address Record (NAR) data
 - Property data
 - Rates data
 - Geographic Information System data
- Integration
 - IPaaS configuration/Governance
 - NAR Synchronisation
 - Property Synchronisation
 - Rates Synchronisation
 - Payment history
 - Rates history
 - Notice history
 - SMS
 - Finance
 - Geographic Information System
- Omni Channel – Voice
 - Includes MS Teams integration

Completed and to be deployed with Stage 1, to ensure comprehensive Change Management and a cohesive customer experience

- Customer Portal
- Case Management and Knowledge Management for the following processes
 - Waste Missed Bin
 - Change of Address
- Other processes explored during PoC
 - Complaints
 - Lodgement of applications

OFFICIAL**C26/373 Statements of Financial Activity for February 2026**

File Number:	
Responsible Officer:	Director Corporate Services
Voting Requirements:	Absolute Majority
Officer Disclosure of Interest:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Attachments:	<ol style="list-style-type: none"> 1. Statement of Financial Activity February 2026 ↓ 2. Statement of Comprehensive Income February 2026 ↓ 3. Net Working Capital February 2026 ↓ 4. Reconciliation of Working Capital as of 28 February 2026 ↓ 5. Notes Statement of Financial Activity February 2026 ↓ 6. Statement of Financial Position as of 28 February 2026 ↓ 7. Summary Rate Debtors February 2026 ↓ 8. Rates Collection Graph and Table 2025-2026 ↓ 9. General Debtors Aged 90 Days February 2026. ↓ 10. Budget Amendments February 2026

COUNCIL'S ROLE

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

SUMMARY

- This report presents the Statements of Financial Activity, Statement of Comprehensive Income and Statement of Financial Position for the period ending 28 February 2026; and
- Presents the variances for the month of 28 February 2026 and recommends that they be noted by the Council; and
- Presents the budget amendments required for the month of February 2026 and recommends that they be adopted by the Council by Absolute Majority decision.

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OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (C26/373)

At 9:29pm Cr M Woodall moved, seconded Cr C Yorke

That the Council:

1. **Notes the statement of financial activity and statement of comprehensive income for the month ending 28 February 2026 as detailed in the following attachments:**
 - **Statement of Financial Activity February 2026 (Attachment 1); and**
 - **Statement of Comprehensive Income February 2026 (Attachment 2); and**
 - **Net Working Capital February 2026 (Attachment 3); and**
 - **Reconciliation Net Working Capital as of 28 February 2026 (Attachment 4); and**
 - **Notes to Statement of Financial Activity February 2026 (Attachment 5); and**
 - **Statement of Financial Position as of 28 February 2026 (Attachment 6); and**
 - **Summary Rate Debtors February 2026 (Attachment 7); and**
 - **Rates Collections Graph February 2026 (Attachment 8); and**
 - **General Debtors Aged 90 Days February 2026 (Attachment 9).**
2. **By Absolute Majority Decision adopts the Budget Amendments, as detailed in the attached Budget Amendment Reports for February 2026 (Attachment 10).**

At 9:29pm the Presiding Member declared the motion.

CARRIED BY ABSOLUTE MAJORITY (12/0)

PURPOSE

The attached financial reports reflect a positive financial position of the City of Melville as at 28 February 2026.

STRATEGIC ALIGNMENT

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

BACKGROUND

The Statements of Financial Activity for the period ending 28 February 2026 have been prepared and tabled in accordance with the *Local Government (Financial Management) Regulations 1996*.

OFFICIAL**Overall Summary of the City's Financial Position**

- The City's total investments holding for February 2026 were \$184.43m of which the Municipal cash balance at the end of the month was \$51.15m and \$133.02m was held in reserve accounts, which are restricted to the defined purpose for which the reserve account was established.
- The investment in green/ethical term deposits as at 28 February 2026 was \$28.80m or 16% of total investment holdings, compared to \$32.30m (17%) in January 2026. Green/Ethical investments are invested in the three banks, in accordance with the council credit rating policy. Suncorp is unable to accept new term deposit or process rollovers of existing Green /Ethical Investments which will be withdrawn in future.
- Rates raised as at February were \$115.40m, compared to a year to date budget of \$114.99m.
- The total outstanding debtors (including all rates and sundry debtors) is \$21.3m as of 28 February 2026.
- It should be noted that the Budget Review for 2025/26 was approved by Council at its Ordinary Meeting of Council on 17 February 2026. The Statement of Financial Activity for February 2026 incorporates the revised budget following the statutory Budget Review process.

CONSIDERATION

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

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

Variances

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

- Statement of Financial Activity for February 2026 (Attachment 1); and
- Statement of Financial Position as of 28 February 2026 (Attachment 6): Statement of Variances in Excess of \$100,000.

Revenue

Rates raised as at February were \$115.40m, compared to a year to date budget of \$114.99m.

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Rates Collection

SUMMARY OF RATE DEBTOR MOVEMENT					
Detail	Actuals Current Month YTD	Actuals Previous Month YTD	% Diff Current Mth to Previous Mth	Actuals This Month Last Year YTD	% Diff Current Mth to Current Mth Last Yr
Opening Balance - 1 July	5,273,124	5,273,124	0%	5,425,866	-3%
Debtors Raised	144,968,968	144,457,276	0%	133,966,119	8%
Payments Received	(128,961,061)	(122,481,803)	5%	(120,191,497)	7%
Closing Balance	21,281,031	27,248,597	-22%	19,200,488	11%

Total rate debtor collections for the month equalled \$6.5m.

Sundry Debtor Movement

SUMMARY OF SUNDRY DEBTOR MOVEMENT					
Detail	Actuals Current Month YTD	Actuals Previous Month YTD	% Diff Current Mth to Previous Mth	Actuals This Month Last Year YTD	% Diff Current Mth to Current Mth Last Yr
Opening Balance - 1 July	428,089	428,089	0%	565,184	-24%
Invoices Raised	5,518,143	4,967,547	11%	2,952,339	87%
Receipts	(5,498,522)	(4,623,467)	19%	(2,967,769)	85%
Prepayments	31,465	39,009	-19%	(26,664)	-218%
Closing Balance	479,174	811,178	-41%	523,089	-8%

Sundry debtor balances decreased by \$332,004 over the course of February from \$811,178 to \$479,174 of which total 90 day sundry debtors for the month is \$232,869, representing 49% of total sundry debtors.

Corporate Climate Action Plan

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

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Corporate Climate Action Plan Expenditure

Description	YTD Actuals 2025-2026	YTD Budget 2025-2026	Total Budget 2025-2026
Energy Efficiency Program	-	-	100,000
EV Charing System Infrastructure Program	190,386	191,000	191,000
Piney Lakes Eco Hub Detailed Design	-	15,000	15,000
Renewable Energy Projects	77,051	85,000	540,000
Sustainability & Climate Action Salaries	451,091	355,298	541,293
Carbon Accounting, Budgeting & Energy Monitoring	55,225	66,000	66,000
Supporting Community Renewable Energy Transition	-	-	50,000
Solar PV & BESS Program Feasibility Study	-	-	20,000
Energy Efficiency Improvements	-	-	40,000
Electrification & Pilot program	-	-	29,787
Third Party Verification of City and Community Emissions	-	-	20,000
Total	773,754	712,298	1,613,080

The City has signed and received the fully executed Community Energy Upgrade Fund grant agreement (\$518,110) on 3 September 2025. The procurement for Renewable Energy System Consultancy Support and Point Walter’s irrigation pump upgrade project have commenced, with larger Supply, Install and/or Construction tenders on pause until planning and designs are completed.

The City is very excited to progress these Energy Efficiency Projects (FY25/26 to FY26/27) that will bring energy and cost savings as well as emission reductions and climate resilience.

Money Expended in an Emergency and Unbudgeted Expenditure

There was no money expended in an emergency or unbudgeted expenditure for the month of February 2026.

Budget Amendments

Details of Budget Amendments requested for the month of February 2026 that reflect effective changes to budgets are shown in attachment Budget Amendments February 2026 (Attachment 10). Budget amendments that are purely administrative and detail movements between budget responsible officers are not included in the attachment. This reporting is aligned with legislative requirements.

Variances greater than \$100,000 processed in February 2026 are highlighted in the attachment.

Granting of concession or writing off debts owed to the City

Delegation DA-032 empowers the Chief Executive Officer (CEO) to grant concessions and write off monies owing to the City to a limit of \$10,000 for any one item. The CEO has partially on-delegated this to all Directors in relation to concessions or write offs emanating from their directorate to write off debts or grant concessions to a value of \$5,000, Chief Financial Officer to a value of \$1,000, Manager Healthy Melville to a value of \$500 and Revenue Coordinator to a value of \$50 for any one item.

OFFICIAL**Sundry Debtors**

Winnacott Junior Football Club - \$500 waived as a good measure given the struggles the committee have had and they've done great work putting it back together and the small loss in their FY 2025.

Healthcare WA - \$6,334.03 written off due to Liquidation. Proof of debts were lodged with liquidator, SV Partner, on 08 September 2025. The city has received payment of \$3,727.97 from SV Partner on 30 January 2026, this is the first and final dividend of 37.05 cents in the dollar.

Rate Debtors

There were no rate debts written off for the month of February 2026.

ENGAGEMENT

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

SUSTAINABILITY IMPLICATIONS

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

LEGISLATIVE AND POLICY ALIGNMENT

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

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

34. Financial activity statement report — s. 6.4

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

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

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

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

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

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

(4) *A statement of financial activity, and the accompanying documents referred to in 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 \$100,000 whichever is greater.

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

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

FINANCIAL IMPLICATIONS**Variances**

Variances are detailed and explained in the attachment Notes to Statement of Financial Activity February 2026 (Attachment 5): Notes on Statement of Variances in excess of \$100,000.

CONSEQUENCE

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

BRIEFING FORUM – FURTHER INFORMATION

At the Agenda Briefing Forum held on Tuesday, 14 April 2026 there were no questions or requests for information raised in relation to this item.

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Community Development

CD26/62 John Connell Reserve Field Extension Proposal

This item was brought forward in the Agenda – please see page 43.

UNCONFIRMED

OFFICIAL

CD26/60 Response to Petition - Wren Street Mount Pleasant Parking Concerns

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

COUNCIL’S ROLE

Review: When the Council operates as a review authority on decisions made by Officers for appeal purposes.

<p>SUMMARY</p> <ul style="list-style-type: none"> At the Ordinary Meeting of Council (OMC) held In November 2025, the Council received a petition signed by 37 residents of the City, requesting the introduction of ‘Residents Only’ or permit-based parking on Wren Street, Mount Pleasant. At that meeting, the Council resolved to acknowledge the petition and requested that a report be prepared on the matters raised by April 2026 OMC. Following site inspections and a meeting with petitioners in March 2026, officers have assessed that the requested changes would not resolve the underlying parking demand and are not supported.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (CD26/60)

At 9:30pm Cr D Lim moved, seconded Cr M Woodall

That the Council:

- Notes the outcome of officer investigations.**
- Notes officers will continue to investigate minor operational improvements to assist short-term servicing and delivery access.**
- Requests the Chief Executive Officer inform the lead petitioner of the outcome of the Council resolution.**

At 9:35pm the Presiding Member declared the motion.

CARRIED (11/1)

- Yes (11): Mayor Katy Mair and Crs Nicole Robins, Clive Ross, Karen Wheatland, Matthew Woodall, Daniel Lim, Soo Hong, Scott Green, George Panayotou, Crawford Yorke and Michael McGoldrick
- No (1): Cr Glynis Barber

OFFICIAL

PURPOSE

To inform Council of the outcome of the Officer’s investigation into the petition received regarding parking concerns on Wren Street, Mount Pleasant, and to present the outcomes of officer assessment and recommended response.

STRATEGIC ALIGNMENT

Outcome	1	Healthy, safe and inclusive communities with a sense of belonging and wellbeing.
	3	Sustainable, connected development and transport infrastructure across our City.
Objective	1	Healthy, Safe and Inclusive
	1.3	Improve community safety and security.
	3	Sustainable and Connected Development
	3.2	Deliver sustainable and well-planned infrastructure and public places and spaces.
	3.3	Plan for urban growth and local commercial activity centres.
	3.5	Facilitate improved integrated public transport solutions.

BACKGROUND

At the Ordinary Meeting of Council (OMC) held In November 2025, the Council received a petition signed by 37 residents of the City, requesting the introduction of ‘Residents Only’ parking or a permit parking scheme along Wren Street between Ullapool Road and Sleat Road. At that meeting, the Council resolved:

That the Council acknowledge the petition and that a report on the matters raised be prepared for consideration by April 2026 Ordinary Meeting of Council.

The petition cites increasing parking pressure associated with nearby multi-residential developments, including the existing ‘Sanctuary’ apartments and the future ‘Oasis’ development. Concerns raised include limited visitor parking, tradesperson access, obstruction of driveways, and commuter ‘park and ride’ activity.

Officers met with petitioners in March 2026 and have undertaken a number of site visits to understand the concerns in detail and to assess current conditions.

CONSIDERATION

Wren Street is located within an emerging higher-density residential precinct, where increased parking demand is an anticipated outcome of urban infill and development intensification.

The Canning Bridge Activity Centre Plan (CBACP) does not currently require residential visitor car parking to be provided in new developments. The City acknowledges that the absence of visitor parking within these developments may be contributing to the parking pressures being experienced in the area. In response, the City has proposed amendments to the CBACP to require increased provision of residential visitor parking in future developments. These amendments are currently under consideration by the State Government.

OFFICIAL

In the interim, MeISafe has been actively patrolling the area and enforcing existing parking restrictions. Between January and early March 2026, approximately 180 parking infringements were issued in the Wren Street area for vehicles overstaying time limits or otherwise failing to comply with parking controls. This demonstrates that enforcement resources are already being applied; however, enforcement alone cannot address the broader structural issue of parking demand exceeding the available on-street supply.

The request to introduce a resident-only or permit-based parking scheme has been carefully assessed. While such schemes can redistribute parking, they do not increase supply and are generally ineffective in environments where demand significantly exceeds available capacity. In this case, the number of existing and anticipated residents within surrounding developments far outweighs the limited on-street parking available.

In practical terms, Wren Street has very limited on-street parking capacity. Parking is prohibited on the south side of the road, with space for approximately 10 vehicles to park informally along the north side. The petitioners' own submissions estimate that around 400 people reside within the subject area. Given this imbalance, a permit system would not provide a meaningful or effective solution.

Introducing a permit system in these circumstances would likely result in:

- ongoing competition among permit holders for a very limited number of bays;
- displacement of parking demand into surrounding streets; and
- increased administrative burden without a corresponding improvement in parking availability.

It is also noted that parking provision for multi-residential developments is determined through the planning approval process and is intended to be accommodated primarily on-site. The constraints currently being experienced are therefore reflective of the built-form outcomes of these developments, rather than an issue that can be resolved through traffic management controls alone.

These limitations were discussed with petitioners during the March 2026 meeting. While officers acknowledge and understand the concerns raised from a resident perspective, the requested intervention would not achieve the desired outcome of improving parking availability.

Notwithstanding this, officers have identified opportunities for minor, practical operational improvements. These include investigating additional line marking, short-term loading zones, and opportunities to improve parking management within properties and existing driveways to better accommodate delivery vehicles and moving trucks requiring temporary access. These measures are considered proportionate and achievable within the constraints of the street.

ENGAGEMENT

Officers undertook direct engagement with petitioners through a site meeting in March 2026. This provided an opportunity to:

- Understand the specific issues experienced by residents
- Explain the limitations of permit-based parking in high-density environments
- Discuss alternative, practical measures to improve functionality.

OFFICIAL

No broader community consultation is proposed at this stage, as the recommended actions are operational in nature and do not involve changes to parking restrictions. In the event the City undertake additional parking changes within the subject site, specific community consultation may occur.

SUSTAINABILITY IMPLICATIONS

The recommendation supports sustainable urban planning outcomes by reinforcing the principle that parking demand generated by higher-density development should be managed on-site where possible, rather than relying on public street infrastructure.

LEGISLATIVE AND POLICY ALIGNMENT

Parking restrictions within the City are implemented under the City's Local Laws Relating to Parking.

The introduction of permit parking is typically considered in areas experiencing external parking pressure (e.g. near activity centres or transport hubs), where it can effectively prioritise residents. In this case, the demand is internally generated by adjacent developments, and therefore does not meet the typical criteria for permit schemes.

The recommendation is consistent with sound traffic management principles and the City's approach to equitable access to public road space.

FINANCIAL IMPLICATIONS

The investigation and implementation of minor parking management adjustments can be accommodated within existing operational budgets.

By contrast, the introduction of a permit parking scheme in an environment of this nature would involve significant establishment and ongoing costs. This would likely require a permit registration system, resident application and renewal processes, verification of residential eligibility, potential digital or app-based functionality for permit management, customer support, compliance monitoring, and ongoing enforcement.

Given the scale and turnover typically associated with higher-density residential developments, administration of such a system would be complex and resource-intensive. It would place a substantial ongoing burden on staff resources and would require a material investment to establish and maintain, without resolving the underlying issue of limited on-street parking supply.

Once introduced, a permit parking scheme of this kind would also be difficult to withdraw. The surrounding higher-density developments are a permanent feature of the area, and the associated parking demand is unlikely to materially reduce over time. As a result, the City could be committing to an ongoing administrative and enforcement model with limited practical benefit and little ability to reverse the arrangement in future without creating further community dissatisfaction.

OFFICIAL**CONSEQUENCE**

If the recommendation is supported, the City will:

- Acknowledge the concerns raised through the petition
- Implement minor operational improvements where feasible
- Not proceed with resident-only or permit-based parking on Wren Street.

If the recommendation is not supported and a permit scheme is pursued, it is likely that:

- Parking demand will remain unmet due to limited supply
- Parking pressure will be displaced to surrounding streets
- Community dissatisfaction may persist or increase.

BRIEFING FORUM – FURTHER INFORMATION

At the Agenda Briefing Forum held on Tuesday, 14 April 2026, the following questions and requests for information were raised by Elected Members:

Question 1:

I like the idea of a permit system. Yes it won't improve the parking, but it will stop the infringements, so I'm just wondering, couldn't we give them a permit to stop them getting infringed?

Response to Question 1:

The City's Parking Permit Policy provides guidance on the circumstances under which permits can be issued for both residential and visitor parking.

Of note, the background under the policy scope states that minimum parking standards are established through the planning approval process, which is relevant when considering permit eligibility, see below extract:

"1. Background

All dwellings in the City of Melville have car parking space allocated at development approval stage. Unlike some inner-city areas there is no situation in the City of Melville where a landowner must rely on street parking, as there are no historical examples of the minimum required parking not being provided on site."

In relation to the apartment development, the following provides context:

- The development includes 74 parking bays for 47 dwellings (approximately 1.5 bays per dwelling).
- No on-site residential visitor parking is required under the Canning Bridge Activity Centre Plan (noting there are 6 visitor bicycle bays).

Residential parking permits are not issued for apartment developments where on-site parking meets the City's minimum requirements or has been deemed sufficient through development approval. This includes where shared parking provision is equal to or exceeds the number of dwellings. In these circumstances, additional on-street residential parking permits would not ordinarily be granted.

OFFICIAL

Visitor parking permits are only issued where there is no available parking on-site beyond that required for residents and no unrestricted parking within 200 metres. Where these conditions are met, eligibility is limited to one visitor permit per apartment, valid for a 12-month period. Where suitable on-site or nearby parking is available, visitor permits will not be issued.

Residents/occupants of the Wren Street apartments may be eligible to apply for one visitor parking permit where the relevant criteria are satisfied, because no visitor parking is provided on-site and the surrounding area is restricted parking.

Question 2:

I know there's a lot of development on Wren Street, so I'm wondering, are there tradies parking there or what were the infringements for?

Response to Question 2:

A review of infringements issued on Wren Street between January and March provides the following summary:

- 16 for parking in excess of time limits
- 9 for stopping/parking contrary to signage
- 3 for stopping/parking on a footpath

This indicates that vehicles are exceeding the signed 2-hour parking limits, parking contrary to regulatory signage, and parking on footpaths. It should be noted that it cannot be confirmed whether these infringements relate specifically to residents or visitors of the apartment development.

OFFICIAL

Environment and Infrastructure

E26/95 Response to Petition - Streetscape Upgrade - Hulme Court and McCoy Street

File Number:	
Responsible Officer:	Director Environment & Infrastructure
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No officer involved in this item has an interest to disclose
Attachments:	1. Visuals of McCoy Street and entrance to Hulme Court, Myaree

COUNCIL’S ROLE

Information: For the Council / Committee to note.

<p>SUMMARY</p> <ul style="list-style-type: none"> At the October 2025 Ordinary Meeting of Council (OMC), the Council received a petition signed by 57 residents and 17 non-residents, requesting the City to prepare a design for verge upgrades at Hulme Court and McCoy Street Myaree. At this meeting, the Council resolved to acknowledge the petition and requested that a report be prepared on the matters raised by April 2026 OMC. The City’s Long-Term Financial Plan (LTFP) contains no funding for verge design or upgrade works in this location. Verge maintenance and upgrades adjacent to commercial properties are the responsibility of adjoining owners, in line with the City’s Verge Treatment Policy (CP-086). The Myaree Business Area Master Plan is currently being finalised and will be presented to the Council at a future meeting. The master plan will provide the strategic framework for future public realm and verge improvements across Myaree. Officer recommendation is not to proceed with preparing a verge upgrade concept design and that any upgrades to the area are in line with the Myaree Business Area Master Plan.

OFFICER RECOMMENDATION

At 9:36pm Cr M Woodall moved, seconded Cr C Ross

That the Council does not support the petition and that any verge or streetscape upgrades for Hulme Court/McCoy Street be considered as part of the Myaree Business Area Master Plan.

At 9:44pm the Presiding Member declared the motion.

LOST (2/9)

Yes (2): Crs Clive Ross and Karen Wheatland

No (9): Mayor Katy Mair and Crs Nicole Robins, Matthew Woodall, Daniel Lim, Soo Hong, Scott Green, George Panayotou, Crawford Yorke and Michael McGoldrick

OFFICIAL

At 9:41pm, Cr G Barber electronically disconnected from the meeting.

Alternative Motion Without Notice

COUNCIL RESOLUTION (E26/95)

At 9:44pm Cr C Yorke moved, seconded Cr S Green

That the Council:

- 1. Acknowledges the petition.**
- 2. Acknowledges that any verge or streetscape upgrades for Hulme Court/McCoy Street will be strongly considered as part of the City’s future annual Business Planning and Budget Process, in accordance with the proposed Myaree Business Area Master Plan.**

At 9:46pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY (11/0)

PURPOSE

This report has been prepared in response to a petition submitted by electors requesting the City prepare a design for a streetscape upgrade at Hulme Court and McCoy Street Myaree.

STRATEGIC ALIGNMENT

Outcome	2	A clean, green and sustainable City for current and future generations.
	4	Economic prosperity and vibrant resilient communities and businesses.
Objective	2	Clean and Green
	2.4	Provide and improve parks and green open spaces.
	4	Vibrant and Prosperous
	4.1	Facilitate vibrant activated local places and centres.

BACKGROUND

On 28 October 2025, the City of Melville received a petition signed by 57 residents and 17 non-residents. The petition reads as follows:

“We, the undersigned, all being electors of the City of Melville, respectfully request that the Council prepare a design for a streetscape upgrade on the verge either side of the Hulme Court and McCoy St entrance as a Town Team inspired activation and wellbeing initiative”.

At the October 2025 Ordinary Meeting of Council (OMC), the Council resolved:

That the Council acknowledge the petition and that a report on the matters raised be prepared for consideration by April 2026 Ordinary Meeting of Council.

OFFICIAL

This report has been prepared in response to the above petition being submitted by electors requesting that Council consider the development of a streetscape upgrade design for the verges on either side of the Hulme Court and McCoy Street. Attachment 1 indicates location of the proposed design and surrounding area.

CONSIDERATION

Hulme Court forms part of the broader Myaree Business Area (MBA) and is recognised as one of the City's most active and diverse commercial precincts. The area accommodates a wide range of businesses, including food outlets, retail showrooms, health providers, fitness studios and service-based operators. This concentration of varied commercial activities contributes to a high level of visitation throughout the day and evening.

The precinct benefits from excellent access and visibility, being located immediately off Leach Highway and North Lake Road and is a significant commercial hub within the City.

The Hulme Court precinct contains many small tenancies and strata titled commercial properties with multiple adjoining business owners with varied frontage boundaries. This fragmentation makes it difficult for businesses to coordinate improvements to the streetscape amenity across the area. This lack of a unified approach may have contributed to the petition for the Council to prepare a design for a streetscape upgrade to the entrance at McCoy Street.

The City does not historically maintain or upgrade verges that front residential or commercial properties and has instead relied on individual businesses or property owners to manage these areas. The City's maintenance responsibilities are limited to the roundabout within Hulme Court, the parking bays leading to the roundabout, and the verge trees located on McCoy Street and Hulme Court verge trees leading to the roundabout.

Responding to this petition by initiating a City funded design would represent a departure from established operational practice. Such a decision may set a precedent prompting similar requests from other property owners in the City.

In addition, the City is currently finalising the Myaree Business Area (MBA) Master Plan, which is scheduled to be presented to the Council at a future meeting. The master plan will guide future public realm improvements, infrastructure priorities, and place activation initiatives in a strategic and financially sustainable manner.

It would be premature to progress a verge upgrade design for the Hulme Court and McCoy Street entrance until the masterplan is completed to ensure consistency with the long-term vision for the precinct.

ENGAGEMENT

Several business owners located with the Hulme Court precinct have formed what is known as the Hulme Court Collective and have been working with the City's Place Activation Officer regarding opportunities to hold events and upgrades to the area.

OFFICIAL

In December 2025 the Hulme Court Collective met with staff to discuss the maintenance within the Hulme court precinct. At that meeting, the City clarified land boundaries and amenity management responsibilities, and also arranged for maintenance of the verge trees located on McCoy Street.

Engagement for the Myaree Business Area Master Plan took place in November 2025 supported by a Master Plan Reference Group that met over an extended 12 month period as part of the broader engagement process.

SUSTAINABILITY IMPLICATIONS

- Streetscape and public realm upgrades have the potential to deliver a range of positive sustainability outcomes such as; Improved urban greening
- Support for local business
- Place activation and wellbeing
- Improved walkability and comfort

LEGISLATIVE AND POLICY ALIGNMENT

Verge Treatment Policy (CP-086) states that:

- A verge is the land between the kerb and property boundary.
- The City is of the view that property owners should take responsibility for the landscaping, irrigation, and maintenance of verges adjacent to their property.
- The City maintains street trees only, in accordance with the Tree Policy

FINANCIAL IMPLICATIONS

At present, there are no budget allocations within the City's Long Term Financial Plan (LTFP) for developing designs or undertaking upgrades to the Hulme Court or McCoy Street verge areas. Preparing even a preliminary concept design would require community consultation, technical input, and dedicated officer time. It is estimated that the preparation of such a concept design would cost up to \$20,000.

The Hulme Court Collective Town Team may be supported by the City to apply for a Streets Alive grant if they choose to seek funding to undertake the works themselves. The funding is for up to \$10,000 to support community led projects that improve local road safety and street usability.

CONSEQUENCE

Delivering enhancements in the short term could help build goodwill among local businesses and strengthen perceptions of the City's support for the precinct. It may also offer an opportunity to trial small scale streetscape treatments that could inform future public realm planning in the Myaree area.

If the Council choose not to adopt the Officer Recommendation, the City will incur unplanned costs for concept design work, and create a precedent for City funded verge upgrades in locations not managed by the City. In addition, the City would risk delivering works that are inconsistent with or later superseded by the Myaree Business Area Master Plan.

OFFICIAL**BRIEFING FORUM – FURTHER INFORMATION**

At the Agenda Briefing Forum held on Tuesday, 14 April 2026 the following questions or requests for information were raised:

Question 1:

Are there any other streetscapes in the City of Melville as what's proposed in this petition?

Response to Question 1:

Yes. There are a number of roads and streets within the City of Melville which have streetscaping elements to them.

Question 2:

Is landscaping taken into consideration with the master plan?

Response to Question 2:

The City is in the process of finalising the Myaree Master Plan, which was advertised to the community some months ago. Landscaping does form part of the consideration of that master plan.

Question 3:

Would the master plan consider treatments to surrounding streets as opposed to streetscapes?

Response to Question 3:

The master plan, as mentioned earlier, is in the process of finalisation. It is looking to draw on existing programs that the City has identified through capital works planning for road renewals, potential traffic treatments where warranted, as well as where investigations were potentially to occur and having regard for place outcomes, streetscape improvements and the like.

There is overlap between existing renewals and looking at how those renewals should occur in the context of where the future of the Myaree business area is progressing, and the Hulme Court area and McCoy Street is a key focus. They are key nodes within the Myaree Master Plan area where there's hives of activity and town teams, and we would be looking at enhancing them through place activation lens.

Question 4:

Is pedestrian access rather than vehicle access also something being considered in the master plan?

Response to Question 4:

The key actions of the master plan do look, as I mentioned earlier, at drawing on existing programs for renewal and the like, and where there's opportunities to improve pedestrian connectivity they will be looked at and enhanced as part of that process.

OFFICIAL

At 9:47pm, Cr G Barber electronically returned to the meeting.

At 9:51pm, Cr G Barber electronically disconnected from the meeting and did not return.

E26/99 RFT252629 Construction of Goolugatup Stage 2 Welcome Place

File Number:	
Responsible Officer:	Director Environment & Infrastructure
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No officer involved in the preparation of this report has a declarable interest in this matter
Attachments:	1. 310326 CTAU minutes extract (confidential)

COUNCIL’S ROLE

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

SUMMARY
<ul style="list-style-type: none"> This report is presented to Council to recommend the acceptance of a request submitted for RFT252629 Construction of Goolugatup Stage 2 – Welcome Place

CTAU RECOMMENDATION AND COUNCIL RESOLUTION (E26/99)

At 9:47pm Cr K Wheatland moved, seconded Cr G Panayotou

That the Council:

- Accepts the recommendations as contained in the confidential attachment to this report, RFT252629 Contract and Tender Advisory Unit Minutes; and**
- Upon resolution of the recommendation, directs that the successful respondents’ names be inserted below this point 2, awarded;**

At 9:52pm the Presiding Member declared the motion.

CARRIED (7/4)

Yes (7): Mayor Katy Mair and Crs Clive Ross, Karen Wheatland, Daniel Lim, Soo Hong, Scott Green and George Panayotou

No (4): Crs Nicole Robins, Matthew Woodall, Crawford Yorke and Michael McGoldrick

PURPOSE

The Contract and Tender Advisory Unit (CTAU) is satisfied that the recommended supplier meets the City’s qualitative requirements and represents value for money. The City of Melville is undertaking an extensive landscape and interpretation design project to revitalise a rare site on the foreshore in the heart of the city, with the aim of creating a beautiful space and improved ecology that supports diverse recreation, cultural engagement, and community enjoyment. This is a culturally significant site for Whadjuk and Noongar people.

OFFICIAL

The City of Melville (“City”) is seeking a suitably qualified and experienced Contractor to undertake the construction of Stage 2 – Welcome Place and Surrounds at Goolugatup Heathcote Lowerlands, located at 66 Duncraig Road, Applecross.

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

STRATEGIC ALIGNMENT

Outcome	3	Sustainable, connected development and transport infrastructure across our City.
	4	Economic prosperity and vibrant resilient communities and businesses.
Objective	3	Sustainable and Connected Development
	3.4	Protect and promote the City’s character and heritage.
	3.2	Deliver sustainable and well-planned infrastructure and public places and spaces.
	3.1	Facilitate enhanced and sustainable urban development and amenity.

BACKGROUND

The City is seeking a suitably qualified and experienced contractor for Construction of Goolugatup Stage 2 – Welcome Place. The CTAU Meeting Minutes included as a confidential attachment to this report is additionally available to Elected Members on the Elected Members Portal.

CONSIDERATION

Responses were received from the following organisations:

- BOS Civil Pty Ltd T/As BOS Civil
- Landscape Elements
- Sandpoint Pty Ltd T/As LD Total
- Menchetti Consolidated Pty Ltd T/As MG Group WA
- Phase 3 Landscape Construction
- Schlager Group Pty Ltd

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

OFFICIAL

The City set the following qualitative criteria and weightings:

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

The recommended Respondent achieved a qualitative score of 86.67% against the following criteria:

I. Demonstrated Experience

The Respondent provided the required information against this criterion. Examples provided were relevant to the services that will be delivered under this Contract, and they have experience with Local Government. The Respondent also provided substantial detail regarding how it addressed challenges in previous projects.

II. Capacity to Deliver

The Respondent provided the required information against this criterion.
The key personnel have relevant qualifications and have significant experience with the organisation and within industry and have overseen similar contracts.

III. Sustainable/Social Procurement

The Respondent provided good information and initiatives presented against this criterion.

IV. Methodology

The Respondent provided the required information against this criterion.
They provided very detailed responses to all the methodologies questions.

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

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

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

OFFICIAL**ENGAGEMENT**

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

SUSTAINABILITY IMPLICATIONS

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

LEGISLATIVE AND POLICY ALIGNMENT

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

- CP-023 Procurement of Products and Services
- *Local Government (Functions and General) Regulations 1996 Section 3.57 11 (1)*

“A Local Government is required to invite tenders before it enters into a contract for another person to supply goods or services”.

FINANCIAL IMPLICATIONS

Any relevant financial implications are detailed in the confidential attachment to this report. This project is subject to a grant agreement that has been executed between the City and Lotterywest for an amount of \$2,350,000.

CONSEQUENCE

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

BRIEFING FORUM – FURTHER INFORMATION

At the Agenda Briefing Forum held on Tuesday, 14 April 2026 there were no questions or requests for information raised in relation to this item.

OFFICIAL

9:52pm
21/04/2026

Mayor K Mair disclosed a proximity interest in E26/97 (detailed in Item 5) and left the meeting

At 9:52pm, Deputy Mayor Cr M Woodall assumed the Chair.

E26/97 RFT252623 Design & Construct for Mt Pleasant Foreshore Lighting

File Number:	
Responsible Officer:	Director Environment & Infrastructure
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No officer involved in the preparation of this report has a declarable interest in this matter
Attachments:	1. RFT252623 CTAU 100326 - Council Extract (confidential)

COUNCIL’S ROLE

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

<p>SUMMARY</p> <ul style="list-style-type: none"> This report is presented to Council to recommend the acceptance of a request submitted for RFT252623 Design and Construct for Mt Pleasant Foreshore Lighting
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CTAU RECOMMENDATION

At 9:54pm Cr C Ross moved, seconded Cr D Lim

That the Council:

- Notes the requirement for a budget allocation to be carried forward in the 2026/2027 Budget and accepts the recommendation as contained in the confidential attachment to this report, RFT252623 Contract and Tender Advisory Unit Minutes; and**
- Upon resolution of the recommendation, directs that the successful respondents’ names be inserted below this point 2, awarded;**

At 10:14pm the Presiding Member declared the motion.

LOST (4/6)

Yes (4): Crs Clive Ross, Karen Wheatland, Daniel Lim and Michael McGoldrick

No (6): Crs Nicole Robins, Matthew Woodall, Soo Hong, Scott Green, George Panayotou and Crawford Yorke

At 10:11pm, Ms M Pickering left the meeting.

At 10:14pm, Ms M Pickering returned to the meeting.

OFFICIAL

PURPOSE

The Contract and Tender Advisory Unit (CTAU) is satisfied that the recommended supplier meets the City’s qualitative requirements and represents value for money. The City of Melville is seeking to engage a suitably qualified and experienced Contractor to undertake the design, supply, and installation of proposed cycle/footpath lighting system along the foreshore at Mt Pleasant (The Works).

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

STRATEGIC ALIGNMENT

Outcome	2	A clean, green and sustainable City for current and future generations.
	3	Sustainable, connected development and transport infrastructure across our City.
Objective	2	Clean and Green
	2.1	Protect and enhance our natural environment, ecosystems and biodiversity.
	2.6	Transition the organisation to carbon neutrality by 2030 and facilitate community progress to net zero emissions by 2050.
	3	Sustainable and Connected Development
	3.6	Provide sustainable and connected road, bicycle, footpath and transport networks.

BACKGROUND

The City is seeking a suitably qualified and experienced contractor for The Design and Construct path lighting at Mt Pleasant Foreshore at Mt Pleasant. The CTAU Meeting Minutes included as a confidential attachment to this report is additionally available to Elected Members on the Elected Members Portal.

CONSIDERATION

Responses were received from the following organisations:

- Northlake Electrical Pty Ltd
- Leadsun Australia Pty Ltd T/As Leadsun Australia

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

OFFICIAL

The City set the following qualitative criteria and weightings:

Demonstrated Experience	20 %
Capacity to Deliver	20 %
Sustainable/ Social Procurement	20 %
Methodology	20 %
Suitability of Products	20 %
Total	100 %
Percentage to be shortlisted	60 %
Price	Non-weighted

The recommended Respondent achieved a qualitative score of 80.00 % against the following criteria:

I. Demonstrated Experience

The Respondent provided the required information against this criterion. Examples provided were relevant to the services that will be delivered under this Contract, and they have experience with Local Government. The Respondent also provided substantial detail regarding how it addressed challenges in previous projects.

II. Capacity to Deliver

The Respondent provided the required information against this criterion.

All team members have significant experience with the organisation and within industry; and have overseen similar contracts.

III. Sustainable/ Social Procurement

The Respondent provided good information and initiatives presented.

IV. Methodology

The Respondent provided the required information against this criterion.

They satisfactorily addressed the entire methodology question.

V. Suitability of Products

The Respondent provided the required information against this criterion.

They provided products that meet the City specifications.

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

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

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

OFFICIAL**ENGAGEMENT**

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

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications presented as part of this report. The Respondent provided positive information and initiatives.

LEGISLATIVE AND POLICY ALIGNMENT

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

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

FINANCIAL IMPLICATIONS

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

CONSEQUENCE

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

BRIEFING FORUM – FURTHER INFORMATION

At the Agenda Briefing Forum held on Tuesday, 14 April 2026 the following questions or requests for information were raised:

Question 1:

In relation to what's been discussed and proposed prior to this Item coming before Council for the lighting, was any community consultation undertaken on whether new lighting or replacement lighting was supported by local residents?

Response to Question 1:

No, there wasn't any consultation. This just came through our normal asset management processes – that there's existing infrastructure at the end of its life, and was put on this year's budget and adopted by Council, and staff were implementing it.

Question 2:

Given that there hasn't been community consultation to date, and following discussions we've had about other city assets that may be in a similar category, is there an opportunity to put this on hold until we undertake community consultation about whether lighting along the foreshore is actually desired and or required, prior to just continually renewing assets which the community may not actually value potentially?

OFFICIALResponse to Question 2:

In relation to putting that on hold, the report before Council is as to whether or not to award a contract. If it was put on hold, then presumably the decision would be not to award a contract. There is a validity period where the tenderers hold their price after which they can increase it or vary it.

As I mentioned earlier, originally we had gone out to the market to get a design, so it would have design first and then construction. That would have made it a bit easier to do the consultation because people were obviously concerned about the amenity and what it's going to look like and things like that. If we had a design, we would have actually had something that we could do the consultation on, but as it's turned out we're going for the design and construction in one go.

Essentially, if it was put on hold the tender wouldn't be awarded. The difficulty would be that if it was decided that the lighting was required, we may not get much response from the market when we go to tender again. We didn't get a lot of tenderers for this particular job, so that would be a risk that if we did decide to do it in future, we wouldn't get people bidding for it.

Question 3:

And just around lighting along river foreshore paths, are there significant areas of foreshore paths throughout the City that don't have lighting currently?

Response to Question 3:

The City has an extensive path network that runs adjacent to the river. The majority of this network doesn't have separate lighting for the path and relies upon adjacent street lighting.

Question 4:

It was mentioned earlier that we're looking at this project because we're pretty much at the end of life cycle. Should we not be looking at this as a maintenance project as opposed to capital expenditure?

Response to Question 4:

No, the value of the expenditure means that it would be classified as capital under our financial accounting system.

Question 5:

Is it at the end of life and a total replacement, is that correct?

Response to Question 5:

Different sections of it are in different conditions, some of it is actually unsafe and has been switched off. There's some that are corroding, some of the lights are corroding and some of the footings of the lights have been impacted by erosion on the path, so some of it just doesn't meet standards. It's not all at the end of its life, but some of it is in worse condition than the rest. It is a highly used path, and we have had to turn it off in some areas. Not having lighting there in some of those sections does increase our risk exposure as well in terms of liability claims.

OFFICIALQuestion 6:

I keep hearing the word erosion, potential erosion and results from actual erosion on these lights, and yet we're going ahead and pursuing the same project while the erosion is still there, I don't understand that. I personally feel that this is something we should defer, because until we get the erosion under control, it seems like it would potentially be a waste of money.

Response to Question 6:

The intention with the part of the design process would be to position the lighting infrastructure where it's not exposed to the river. It would be a combination of light poles and bollards, but it would be located in a more appropriate location than on the river edge.

Question 7:

Can you confirm the estimate of \$50,000 for decommissioning of the lighting?

Response to Question 7:

I'll preface my comments by saying this is only a very rough estimate and Council shouldn't rely on it. However based on removing the existing infrastructure, which is around 47 or 50 existing poles and removing exposed footings, we've estimated it would be roughly in the order of \$50,000. Some of what would be removed would actually be because we don't have the design, but as some of the other infrastructure would be removed, there'd be cables etc. that could be pulled from out of conduit. In some cases we may not be able to pull them out, so it is likely the conduits would remain in the ground. It's just a very rough order of magnitude estimate.

Question 8:

Was the tender put forward based on any area other than The Esplanade in the City of Perth that has a similar arrangement with lighting along a footpath where there's an adjacent street?

Response to Question 8:

The tender document wasn't based on other locations, but there would be other locations where there is lighting along paths that are next to roadways, and likewise there would be some that aren't. The tender document was put together based on the scope of work that was required.

Question 9:

If we do any studies and were to find out there would be an increase in cost, could we pull away?

Response to Question 9:

The tender has been submitted based on the scope of works. The tenderers are aware of the issues associated with the project.

Question 10:

Do we already have street lighting along the footpath and the roadway along The Esplanade?

Response to Question 10:

Yes, there is street lighting along there. In some cases the path veers away from the immediate roadway, but there is lighting along The Esplanade.

Question 11:

Is there any idea on the usage of the path at all? Do you have numbers of the people who use it?

Response to Question 11:

We only have anecdotal evidence from what people have reported. We don't have numbers of it.

OFFICIAL

At 10:15pm, Deputy Mayor Cr Woodall vacated the Chair

At 10:15pm, Mayor K Mair returned to the meeting and assumed the Chair.

Planning

UP26/107 Proposed amendment to LPS 6 to rezone Lot 15 (305 - 307) Stock Road Palmyra from "Light Industry" to "Service Commercial".

File Number:	
Responsible Officer:	Manager Development Approvals
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No officer involved in the preparation of this report has a declarable interest in the matter.
Attachments:	1. Stock Road Scheme Amendment Covering Report

COUNCIL'S ROLE

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

<p>SUMMARY</p> <ul style="list-style-type: none"> • A request has been received to rezone Lot 15 (No. 305-307) Stock Road Palmyra from "Light Industry" zone to "Service Commercial" zone. • The subject site is located at the intersection of Sainsbury Road and Stock Road, is 12,004m² in area and is currently developed with a purpose-built commercial complex comprising a mix of bulky goods retail, private recreation and service uses across 7 tenancies. It was originally approved in February 2000 under the City's previous planning scheme, Community Planning Scheme No 5 (CPS 5), as a Showroom/Warehouse development and has been in continuous operation since. • Under Local Planning Scheme No 6, the subject site is zoned "Light Industry" resulting in the existing uses operating as non-conforming uses despite representing an ongoing commercial operation rather than an interim or opportunistic use of industrial land. The proponents are concerned that this results in unnecessary risk and uncertainty for a site that was designed and developed for these uses and historically approved by the City on this basis. • It is proposed that the zoning of the subject site be amended to reflect the original approved development and land uses that have operated from the site for over two decades, acknowledging that the development on site is not intended to support the types of light industrial land uses promoted by the "Light Industry" zone, and in doing so allow the current lawful operation with an appropriate zoning. • It's recommended that Council endorse the scheme amendment for the purpose of advertising. The application will be presented to Council for further consideration following completion of the advertising period.

OFFICIAL

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (UP26/107)

At 10:16pm Cr K Wheatland moved, seconded Cr N Robins

That the Council:

1. Pursuant to Section 75 of the Planning and Development Act 2005, resolves to initiate Scheme Amendment No. 19 to Local Planning Scheme No. 6 to rezone Lot 15 (307) Stock Road Palmyra from “Light Industry” zone to “Service Commercial” zone.
2. Forward the application to the Western Australian Planning Commission seeking approval to advertise the proposed amendment.
3. Subject to approval from the Western Australian Planning Commission, authorises the preparation, processing, and public advertising of documentation for the Scheme Amendment in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015.
4. Resolve that the amendment is a “complex” amendment under the provisions of the Regulations for the following reasons:

The proposed amendment is not consistent with a local planning strategy that has been endorsed by the Commission.
5. Notes that a further report will be presented to Council at the conclusion of the advertising period to consider submissions and provide recommendations to the Western Australian Planning Commission on whether the proposed amendment should be approved, modified, or refused.

At 10:16pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY (11/0)

PURPOSE

This report presents for Council consideration a request to amend Local Planning Scheme No 6 by rezoning Lot 15 (307) Stock Road Palmyra from “Light Industry” zone to “Service Commercial” zone.

STRATEGIC ALIGNMENT

Outcome	3	Sustainable, connected development and transport infrastructure across our City.
	4	Economic prosperity and vibrant resilient communities and businesses.
	5	Leadership and good governance for the benefit of the whole community.
Objective	3	Sustainable and Connected Development
	3.1	Facilitate enhanced and sustainable urban development and amenity.
	3.3	Plan for urban growth and local commercial activity centres.
	4	Vibrant and Prosperous
	4.4	Support local business growth and resilience.

OFFICIAL

BACKGROUND

The subject site is located at the intersection of Stock Road and Sainsbury Road, Palmyra. It is 12,004m² in area with a frontage to Stock Road of 118m, frontage to Sainsbury Road of 83m and a corner truncation of 18m. Two access points are provided to the site with full movement access to Sainsbury Road and left in/left out only access to Stock Road.

It is developed with a purpose-built commercial/bulky goods building comprising multiple tenancies, shared internal access, on-site parking and service areas. The development was originally approved by the City in February 2000 for Showroom/Commercial purposes under then Community Planning Scheme No.5 (CPS 5). It has operated continuously as approved since. Current tenancies include either bulky-goods retail, private recreation or service uses which remain consistent with the original approval and built form and were uses that could be permitted in the "Industry" zone under the then applicable CPS 5.



Figure 1: Aerial photo of subject site

Contextually, the subject site is within the wider Palmyra/O'Connor industrial area which straddles the boundary between the Cities of Fremantle and Melville with the area north of Sainsbury Road within the City of Melville and south of Sainsbury Road in the City of Fremantle (see Figure 2 below). With the exception of the subject site, the Palmyra industrial area north of Sainsbury Road within the City of Melville essentially comprises traditional industrial land uses including manufacturing facilities, storage and transport and distribution facilities. These are generally contained within single-use purpose-built industrial premises. The Willagee residential area is located on the eastern side of Stock Road however no residential premises front Stock Road or the subject site with all residential properties having either rear or side boundary walls abutting Stock Road.

Whilst the lots north of the subject site essentially comprise traditional industrial land uses, the land uses fronting Stock Road south of the subject site (within the City of Fremantle) are generally showroom tenancies similar to the subject lot (e.g. Harvey Norman, Officeworks, Good Guys).

OFFICIAL

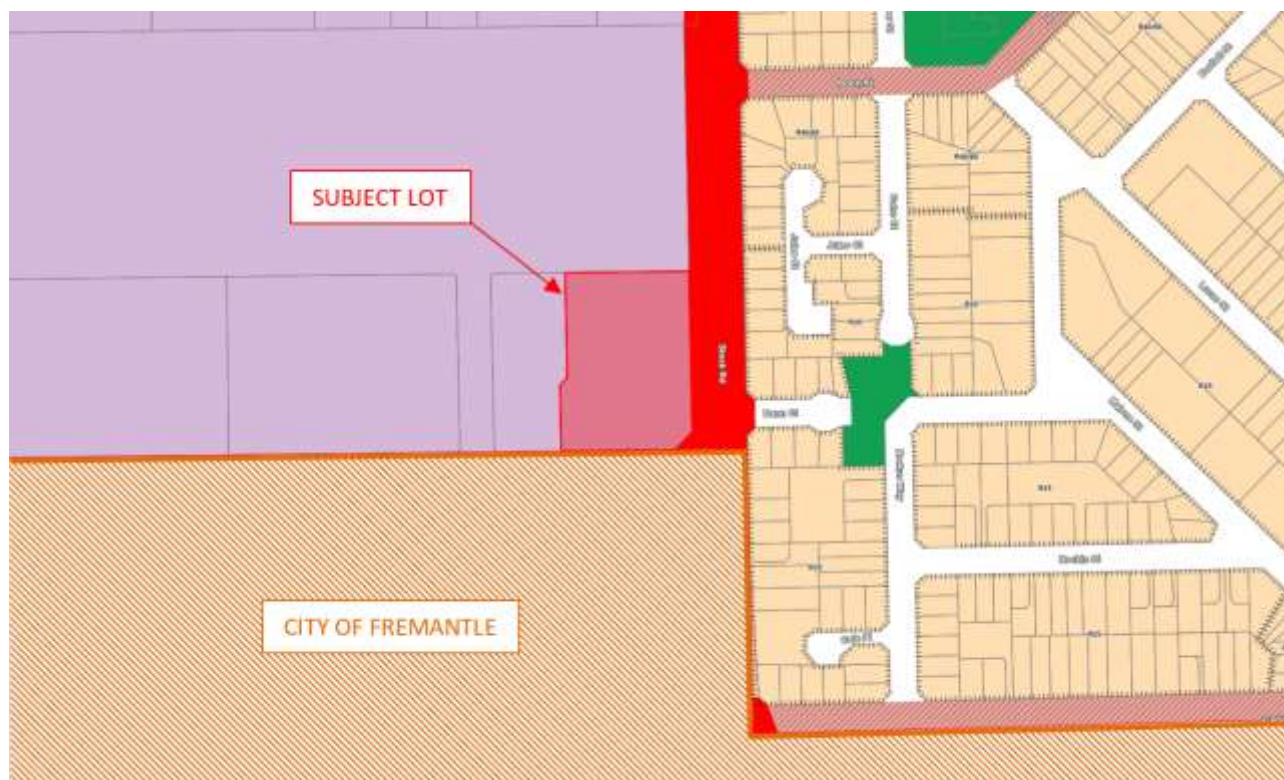


Figure 2: Subject lot relative to broader Light Industry zoning and City of Fremantle LG boundary

CONSIDERATION

While the development and land uses within the subject site reflect the approval issued by the City, the gazettal of Local Planning Scheme No.6 (LPS 6) in 2016 has resulted in these approved showroom and service/commercial uses becoming non-conforming in the applicable "Light Industry" zone in LPS 6. While these uses may lawfully continue subject to certain criteria, the proponent is concerned that reliance on non-conforming use provisions reduces the certainty provided under the original development approval that forms the basis for the built form and land use activities at the subject site.

Of concern is:

1. The potential loss of existing non-conforming use rights if a tenancy is vacant for more than six months,
2. The limiting of the opportunity/potential to undertake refurbishment, reinvestment or adaption of the existing premises, particularly if this results in the need to vacate use for greater than six months,
3. A lack of general flexibility to allow complimentary commercial uses that are suited to the size of the tenancies and the amenity of the locality, and
4. The reduced investment certainty for owners and tenants arising from the non-conforming classification, particularly when considering longer term lease commitment to the premises etc.

OFFICIAL

Key matters for consideration are outlined in detail below.

Reduction of industrial land use in the locality

While the proposed scheme amendment would result in a spatial area of some 12,000m² being removed from the “Light Industrial” zone, it will not result in any reduction of existing industrial land uses or facilities. The site was originally approved and developed for service commercial land uses and has consistently operated on this basis since its development over 20 years ago. The gazettal of LPS 6 in 2016 resulted in these commercial uses no longer being permitted within the “Light Industry” zone, but the subject site has always contained more commercial uses, not industrial land uses, and therefore the proposed scheme amendment will not result in any reduction in existing industrial land use activity. Furthermore, the intention of Service Commercial zone under LPS 6 is still aligned with the underlying Industrial zoning under the Metropolitan Region Scheme.

Future rezoning requests of other light industrial land in the locality

Given the unique circumstances applicable to the proposed scheme amendment, a precedent will not be established for further rezoning of the Palmyra industrial area. The unique circumstances include:

1. The historic approval of the subject site for commercial uses.
2. The existing and historically approved built form on the premises being designed to support commercial and not industrial land use activity.
3. The continuous use of the subject premises for commercial activity for a period of over 20 years.
4. The location of no other land use activities within the Palmyra industrial area operating as commercial non-conforming uses.
5. The unique location of the subject premises at the intersection of Stock Road and Sainsbury Road, including extensive frontage exposure to both these major road links.

No other site within the Palmyra industrial area comprises the above unique mix of circumstances to justify consideration for further rezoning using the subject site as a precedent.

Inconsistency with the overall zoning approach in the Palmyra/O'Connor industrial area

The proposed scheme amendment is not inconsistent with the overall Palmyra/O'Connor industrial area. While the boundary between the City of Melville and the City of Fremantle is Sainsbury Road, the overall industrial area spans both jurisdictions. The portion south of Sainsbury Road is characterised by commercial zoned premises along both sides of Stock Road (including on the opposite side of Sainsbury Road to the subject premises) and along South Street.

Confirmation of the historic commercial approval for the subject premises via the proposed scheme amendment is entirely consistent with the wider approach and will reflect what is already widely applied throughout the overall industrial area.

OFFICIALImpact on the locality, including nearby residential zoned areas.

The proposed zoning is consistent with the original development approval issued by Council in 2000. The land uses permitted under that original approval have operated in proximity to the adjoining industrial land uses consistently since their approval, with no record of any issues or incidents. This includes any negative impact either from the existing commercial uses on the operation of the adjoining industrial activity, or the adjoining industrial uses on the commercial land uses within the subject land. Compared to industrial uses, commercial land uses are also generally less impactful on nearby residential areas, such as the dwellings on the opposite side of Stock Road.

The proposed scheme amendment will reinforce the existing situation by securing the ongoing uses, in effect consolidating what is already in place and therefore is not likely to result in any additional impacts. Note the rezoning of the site to Service Commercial will result in comparable land use permissibility's to the Myaree Business Area.

Consideration of Amendment Type

In initiating a scheme amendment, the Council resolution needs to include identification of the amendment's classification, as either "Standard" or "Complex". Based on the definition in the *Planning and Development (Local Planning Scheme) Regulations 2015* (the Regulations), the City is of the view that the proposed amendment constitutes a 'Complex' amendment, not because of its likely impact, but based on its alignment with the City's strategic planning framework.

Clause 34 (a) and (b) of the Regulations refers to the definition of a "complex" amendment:

*"Complex Amendment means any of the following amendments to a local planning scheme –
An amendment that is not consistent with a local planning strategy for the Scheme that has been endorsed by the Commission, Amendment that is not addressed by any local planning strategy."*

The following extract from the City of Melville Local Planning Strategy is relevant to the above:

"The proportion of land supporting industry in the City is to be protected over the next 20 years... The pressure to realise the financial potential of land as the City moves towards an inner suburban environment is recognised, so the protection of the industrial areas from infiltration of more urban commercial uses is an important part of the planning for these areas. The focus will be on protecting the light industrial and service industries that support the local economy and service the local community whilst also recognising the need to accommodate larger format retail and showrooms. Myaree will continue to be the focus for service type industries, showrooms and large format retail with the more intense industries being focussed in Palmyra and Kardinya industrial areas. Heavy industry will not be encouraged"

Based on the above extract, the Local Planning Strategy seeks to protect (light) industry zoned areas and therefore the rezoning is not specifically anticipated by the strategy. This would therefore trigger consideration of the amendment as a "complex" rather than "standard" amendment. Nonetheless, the actual impact of the proposed amendment is considered minimal for the reasons mentioned previously, in particular the fact that the subject site is currently service commercial in nature (rather than more industrial).

OFFICIAL

Classifying the amendment as complex does not prevent progression of the amendment process but will result in a statutory advertising period of 60 days instead of 42 days and provides the Minister for Planning an extended period in which to determine the amendment.

ENGAGEMENT

Given the proposed amendment seeks to align the site's zoning with the existing land uses on the site, no preliminary engagement has been undertaken. Council initiating the amendment would however trigger referral to the Western Australian Planning Commission (WAPC) for endorsement to proceed to a statutory advertising phase. This would comprise a formal advertising period of 60 days (based on classification as a "complex" amendment. This advertising period will include formal referral to relevant stakeholders and wider community engagement and consultation. The outcome of this engagement will be reported to Council for its consideration.

SUSTAINABILITY IMPLICATIONS

The amendment proposing zoning change to service commercial for the subject premises results in no sustainability implications. The long-term existing uses can continue with no change and hence will have no change to sustainability impacts.

LEGISLATIVE AND POLICY ALIGNMENT

The amendment is proposed in accordance with the requirements of the *Planning and Development (Local Planning Scheme) Regulations 2015*.

This is an applicant led Scheme Amendment request and therefore the City is required to make a decision on the request to either initiate or to not to initiate.

FINANCIAL IMPLICATIONS

The proposed scheme amendment has no direct budget or financial implications.

CONSEQUENCE

Should the Council not initiate the proposed amendment the current land uses can continue to operate as long as they do not contravene the requirements of the current non-conforming use status under the City's LPS 6. Section 76 of the *Planning and Development Act 2005* provides a mechanism whereby a proponent could request the Minister for Planning to intervene if the Minister considers that orderly and proper planning due process has not been undertaken in deciding not to initiate an amendment. Even if Section 76 is applied by the Minister it can only require the amendment to be initiated, and the Minister does not determinate its approval at this stage.

BRIEFING FORUM – FURTHER INFORMATION

At the Agenda Briefing Forum held on Tuesday, 14 April 2026 the following questions or requests for information were raised:

Question 1:

There was commentary from one of the deputations that if there was a fire, then the existing usages that are currently there would not be able to go back, because it would be reverted back to a "light industrial". Is this correct?

OFFICIALResponse to Question 1:

Yes, as indicated in their presentation, the existing uses operate under what's called non-conforming use rights. In normal circumstances, the intent of the non-conforming use right is to allow users over time to revert to something more in keeping with the zoning. If there was a discontinuance of use, through a vacancy or an issue such as a fire, and if there is not continuous use for six months or more, then that can trigger the extinguishing of those non-conforming use rights.

As the applicants have indicated, the current development on the site was approved under a previous planning scheme where these types of uses were allowed. The site in this case lends itself to those types of uses, notwithstanding the new zoning. The applicants' grounds for the application is just to provide security for the ongoing continuation of the current type of land uses in the event of a fire or a discontinuance for six months.

UNCONFIRMED

OFFICIAL

15 MOTIONS WITH PREVIOUS NOTICE

10:15pm
21/04/2026

Cr C Ross disclosed an impartiality interest in 15.1 (detailed in Item 5)

15.1 Notice of Motion - Stormwater, 121 The Esplanade, Mount Pleasant

File Number:	
Related to Item:	Motion with Notice
Elected Member:	Cr Clive Ross
Attachments	1. Officer Advice Note - Stormwater, The Esplanade

MOTION

At 10:16pm Cr C Ross moved, seconded Cr K Wheatland

That the Council Requests the CEO to consider approving the stormwater management plan as a matter of urgency for the property at 121 The Esplanade, Mount Pleasant provided by the landowner noting the location of the property, topography and any other unique circumstances, for the connection of an adequate overflow pipe from the interconnected soak wells located in the front setback area of the property to the City of Melville’s stormwater or road drainage system.

At 10:27pm the Presiding Member declared the motion.

LOST (4/7)

Yes (4): Crs Clive Ross, Karen Wheatland, Daniel Lim and George Panayotou

No (7): Mayor Katy Mair and Crs Nicole Robins, Matthew Woodall, Soo Hong, Scott Green, Crawford Yorke and Michael McGoldrick

Alternative Motion Without Notice

COUNCIL RESOLUTION

At 10:27pm Cr M Woodall moved, seconded Cr C Yorke

That the Council:

- 9. Notes the stormwater management issues raised in relation to 121 The Esplanade, Mount Pleasant.**
- 10. Requests the CEO to require the applicant to undertake and fund any necessary technical and environmental investigations to support the proposed stormwater management approach, including any proposed connection to the City’s stormwater or road drainage system.**
- 11. Requests the CEO to assess the stormwater management plan and any alternative options based on the information provided by the applicant, in accordance with the City’s stormwater management framework, relevant engineering standards, and environmental requirements.**

At 10:29pm the Presiding Member declared the motion.

CARRIED (10/1)

Yes (10): Mayor Katy Mair and Crs Nicole Robins, Clive Ross, Karen Wheatland, Matthew Woodall, Daniel Lim, Soo Hong, George Panayotou, Crawford Yorke and Michael McGoldrick

No (1): Cr Scott Green

OFFICIAL

16 MOTIONS WITHOUT PREVIOUS NOTICE (APPROVAL BY ABSOLUTE MAJORITY)

Nil.

UNCONFIRMED

OFFICIAL**17 MATTERS FOR WHICH MEETING WAS CLOSED TO THE PUBLIC****Procedural Motion****COUNCIL RESOLUTION**

At 10:30pm Cr M Woodall moved, seconded Cr G Panayotou

That the Council considers the confidential report(s) listed below behind closed doors in accordance with Section 5.23(2) of the Local Government Act 1995:

C26/374 Draft Digital Strategy 2026–2030 Endorsement

This matter is considered to be confidential under Section 5.23 of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a matter that if disclosed, could be reasonably expected to –

- (i) impair the effectiveness of any lawful method of procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or**
- (ii) endanger the security of the local government’s property; or**
- (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety.**

C26/375 Recreation Leasing Opportunity Update - Barrisdale Open Space, 40 Bedford Road, Ardross

This matter is considered to be confidential under Section 5.23 of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a matter that if disclosed, would reveal –

- (i) a trade secret; or**
- (ii) information that has a commercial value; or**
- (iii) information about the business, professional, commercial or financial affairs of a person.**

C26/376 RFP Outcomes: 788-794 Canning Highway, Applecross

This matter is considered to be confidential under Section 5.23 of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a matter that if disclosed, would reveal –

- (i) a trade secret; or**
- (ii) information that has a commercial value; or**
- (iii) information about the business, professional, commercial or financial affairs of a person.**

At 10:30pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY (11/0)

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At 10:30pm, Cr K Wheatland left the meeting and did not return.

At 10:31pm, Cr M Woodall left the meeting and did not return.

At 10:32pm, Cr N Robins left the meeting.

At 10:32pm, Cr S Green left the meeting.

At 10:32pm, Cr N Robins returned to the meeting.

At 10:32pm, Cr S Green returned to the meeting.

Procedural Motion**COUNCIL RESOLUTION**

At 10:32pm Cr C Yorke moved, seconded Cr S Hong

That the Council re-open the meeting to members of the public.

At 10:32pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY (9/0)

18 DECISIONS MADE WHILE MEETING WAS CLOSED TO THE PUBLIC

At 10:33pm, the Presiding Member advised that the following items were considered behind closed doors:

- C26/374 Draft Digital Strategy 2026-2030 Endorsement and the officer recommendation was carried.
- C26/375 Recreation Leasing Opportunity Update – Barrisdale Open Space, 40 Bedford Road, Ardross and the officer recommendation was carried.
- C26/376 RFP Outcomes: 788-794 Canning Highway, Applecross and the officer recommendation was carried.

19 CLOSURE

There being no further business to discuss, the Presiding Member declared the meeting closed at 10:34pm.

OFFICIAL

UNCONFIRMED

**Local Government Act 1995
Cat Act 2011**

**City of Melville
Cat Amendment Local Law 2026**

Under the powers conferred by the *Local Government Act 1995*, and all other powers enabling it, the Council of the City of Melville resolved on [To be Inserted] to make the following local law:

1. Citation

This local law is cited as the *City of Melville Cat Amendment Local Law 2026*.

2. Commencement

This local law comes into operation 14 days after its publication in the *Government Gazette*.

3. Principal Local Law amended

This local law amends the *City of Melville Cat Local Law 2025* as published in the *Government Gazette* on 25 July 2025 and which came into effect on 26 October 2025.

4. Subclause 3.7(5) amended

Subclause 3.7(5) is amended by deleting "3.5(1)(f)" and replacing with "3.5(1)(e)".

5. Clause 4.6 deleted

Clause 4.6 is deleted.

6. Clause 4.7 amended

Clause 4.7 is amended by renumbering the clause to "4.6".

7. Subclause 4.4(3) amended

Subclause 4.4(3) is amended by deleting "4.7(1)" and replacing with "4.6(1)".

8. Schedule 1 amended

Schedule 1 is amended by adding "& 2.1(4)" in the clause column for Item 2 to read "2.1(2) & 2.1(4)".

9. Table of Contents

The Table of Contents is amended by:

- a) Deleting "4.6 Defences"; and
- b) Renumbering "4.7 Objections and appeals" to read "4.6 Objections and appeals".

Dated [To be inserted]

The Common Seal of the City of Melville was affixed by the authority of a resolution of the Council in the presence of:

Mayor

Chief Executive Officer

Local Government Act 1995

**City of Melville
Fencing Amendment Local Law 2026**

Under the powers conferred by the *Local Government Act 1995*, and all other powers enabling it, the Council of the City of Melville resolved on [To be Inserted] to make the following local law:

1. Citation

This local law is cited as the *City of Melville Fencing Amendment Local Law 2026*.

2. Commencement

This local law comes into operation 14 days after its publication in the *Government Gazette*.

3. Principal Local Law amended

This local law amends the *City of Melville Fencing Local Law 2025* as published in the *Government Gazette* on Friday, 25 July 2025 and which came into effect on 26 October 2025.

4. Clause 1.5 amended

Clause 1.5 is amended by deleting "AS means an Australian Standard as published by Standards Australia and as amended from time to time;"

5. Subclause 3.1(2) amended

Subclause 3.1(2) is amended by:

- a) Deleting the current subclause 3.1(2); and
- b) Inserting a new subclause 3.1(2) to read "For all other lots, in relation to fencing within sightline areas, a fence adjacent to a vehicle access point must either comply with the relevant Local Planning Policy or Residential Design Codes as applicable under the City's Local Planning Framework or seek Development Approval for a performance solution."

6. Schedule 3 amended

Schedule 3 is amended so that:

- c) Item 3 is amended by deleting "3.3" from the clause column and replacing with "3.2"; and
- d) Item 5 is amended by deleting "4.1(2)" from the clause column and replacing with "4.1(3)".

Dated [To be inserted]

The Common Seal of the City of Melville was affixed by the authority of a resolution of the Council in the presence of:

Mayor

Chief Executive Officer

Written Submission – OMC 21 April 2026
Item M26/74 Proposed Local Laws – City of Melville Cat & Fencing Amendment Local Law
2026

M26/74: Fencing Local Law & AS 2890.1

Dear Governance Team,

I wish to make application for a written deputation, as below, to Item M26/74 Fencing Local Law, at the upcoming 21 April 2026 OMC. (I am currently overseas until 23 April 2026)

Written Deputation by Max Fitzgibbon

Written Deputation to OMC 21 April 2026: Item M26/74 Fencing Local Law.

Current Fencing Local Law, clause 3.1(2) requires compliance with AS 2890.1 requiring pedestrian safety sightline triangular truncations at driveways with minimum dimensions of 2.0m x 2.5m.

The proposed replacement clause 3.1(2), required to delete reference to AS 2890.1 as advised by the Joint Standing Committee, would, if implemented with reference to “Local Planning Policies or the R-Codes” instead of the Australian Standard, result in the pedestrian safety triangular truncation at driveways being reduced from a minimum 2.0m x 2.5m to a minimum 1.5m x 1.5m with a consequent degradation of pedestrian safety associated with commercial and busier driveways.

The pedestrian safety degradation of proposed new clause 3.1(2) could be avoided by simply stating that “ For other driveways, pedestrian safety sightline triangular truncation is to be a minimum of 2.0m x 2.5m.”or similar statement of intent.

Elected Members are encouraged to consider using a specific statement of intent with the revision of clause 3.1(2), as suggested above, rather than re-direction to other documents, including unspecified Local Laws R-Codes, that would need to be accessed by the public to determine minimum dimensions of sightline truncations. R-Code access would inform an unintended and unacceptable degradation of pedestrian sightline truncations to 1.5m x 1.5m.

Kind Regards, Max FitzGibbon
Melville.

City of Melville
 Committee Review Paper- March 2026

Summary

From 2014 to 2024, the City of Melville's Committee structure remained largely unchanged. The development of the City's inaugural Governance Framework in 2024 highlighted the need for a modernised and revitalised Committee system. Concurrently, the Local Government Amendment Act 2024 introduced significant reforms to the Local Government Act 1995 aimed at strengthening governance, transparency, and decision-making across Council and Committee meetings. Key changes included clearer limitations on meeting closures to the public, an expectation that Committee meetings remain open by default, and the transformation of audit committees into independently chaired Audit, Risk and Improvement Committees with an enhanced operational focus.

Additional reforms specific to Committee meetings take effect from 1 January 2026, requiring Committee meetings to be open to the public, and mandating the timely publication of meeting details, agendas, and unconfirmed minutes on the City's website.

This paper outlines recommended actions to refine Committee operations to ensure compliance with the new legislative requirements and support improved governance outcomes.

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Recommendations

- The Governance Committee be disbanded
- the Policy and Legislation Committee be disbanded
- That the City of Melville Conduct Committee be disbanded.
- The following reports be transferred from the Governance Committee to the Audit, Risk and Improvement Committee:
 - Legal Status
 - Governance Activities and Projects Update
 - Freedom of Information Report
 - Customer Service Report
- All Council Plan and CEO KPI Quarterly Reports be transferred from the Governance to a forum for that purpose (or reported directly to Council)
- Confirm that the City has an ARIC Committee under the amendment regulations
- Review the ARIC Committee terms of reference be reviewed to include:
 - Membership – Mayor, representative from each ward (increase from current), 2 external members
 - Open to the public, publication of meeting dates
 - Structure of agenda
 - Public participation
 - Alignment with the amended regulations
- That the ARIC Committee be held in-person

Improvement Actions

- Establish a Policy and Legislation Advisory Group with the terms of reference to include:
 - Membership – Full Council with a quorum of 5
 - Focus on workshop style meetings
- Establish a CEO Performance Review Panel be appointed by the Council for a two year term, determined after each election. (minimum Mayor, Deputy Mayor and 6 Elected Members)
- Review and endorse CEO Performance Review Framework
- Review of CEO Standards for Recruitment, performance and termination Policy
- Review the City of Melville Complaints handling public information and internal processes to include the functions of the Office of the Inspector, with all complaints to be referred to the Office of the Inspector for evaluation.
- A review of the process to be undertaken when a Behavioural Complaint is referred to the City for determination, to include the new provisions in the Elected Member Code of Conduct.
- Appointment of Complaint officer/s
- Review of CP-118 Code of Conduct Policy
- Update ARIC terms of reference to align with amended regulations.

Purpose

The purpose of this paper is to review the existing City of Melville Committee Structure to bring it into line with the recent amendments, under local government reform, to section 5.23 of the local government act that requires Committee meetings to be open to the public.

This review focuses on restructuring the Committee Structure to ensure that public-facing meetings can be delivered in resource-efficient manner, drawing on insights and data collated from Committee meetings held in 2025.

Background

The City of Melville's Committee structure remained largely unchanged from 2014 until 2024, when the development of the City's inaugural Governance Framework identified the need to revitalisation and modernisation the Committee structure. This review recognised that the existing structure was no longer aligned with emerging local government reform directions, particularly the anticipated requirements to reconfigure Audit Committees and establish that all Committee meetings would be open to the public by default. The reforms were to be a sector shift towards enhanced transparency, strengthened governance practice, and more contemporary decision-making arrangements, prompting the need for a stage approached to redesigned Committee structure to meet these requirements in the future.

